NGĀ MANU TĀIKO
MANAWATŪ DISTRICT COUNCIL

AGENDA

Meeting to be held

TUESDAY 8 AUGUST 2017
6.00pm

In the Manawatū District Council, Council Chambers,
135 Manchester Street, Feilding
MEMBERSHIP

Chairperson
Councillor Alison Short

Deputy Chairperson
To be appointed

Members
Oriana Paewai – Aorangi Marae
Rose Tait – Kauwhata Marae
Maria Maraku-Harrison – Kotuku Marae
Piri-Hira Tukapua – Paranui Marae
Amiria Arapere – Parewahawaha Marae
Kipa Arapere – Poupatate Marae
Robyn Devonshire – Te Au
Wiremu Kingi Te Awe Awe – Te Rangimarie Marae
Manurere Devonshire – Taumata O Te Ra Marae
Atiria Reid – Te Hiiri Marae
Kathryn Knowles – Te Iwa Marae
Aroha Paranihi – Te Tikanga Marae
Her Worship the Mayor, Helen Worboys
Councillor Stuart Campbell
Councillor Alison Short
ORDER OF BUSINESS

1. KARAKIA

2. APOLOGIES

3. DECLARATIONS OF CONFLICTS OF INTEREST

Notification from members of:

3.1 Any interests that may create a conflict with their role as a committee member relating to the items of business for this meeting; and

3.2 Any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members’ Interests) Act 1968

4. NOTIFICATION OF LATE ITEMS:

Where an item is not on the agenda for a meeting, that item may be dealt with at that meeting if:

4.1 The Committee by resolution so decides; and

4.2 The Chairperson explains at the meeting at a time when it is open to the public the reason why the item is not on the agenda, and the reason why the discussion of the item cannot be delayed until a subsequent meeting.

5. CONFIRMATION OF MINUTES

Draft resolution

That the minutes of Ngā Manu Tāiko Manawatū District Council meeting held on 13 June 2017 be adopted as a true and correct record.

6. MATTERS ARISING FROM THE MINUTES

7. PRESENTATIONS

7.1 Para Kore Initiative – Jacqui Forbes, Para Kore Marae Inc

7.2 Marae Development – What do you need? – Rarite Mataki, Te Puni Kokiri

7.3 Long Term Plan 2018 – Tracey Hunt, MDC Strategy Manager

7.4 Review of the Gambling Venues Policy – Lisa Thomas, MDC Policy Adviser

8. REPORT BACK FROM TE KAUNIHERA WORKING GROUP

9. DISCUSSION POINTS

9.1 Review of Representation / Maori Wards

9.2 Manawatu Gorge Closure – Dr Richard Templer, MDC Chief Executive

9.3 Principal Adviser - Maori

10. OFFICER REPORTS

There are no officer reports for consideration

11. ITEMS OF INTEREST

12. CONSIDERATION OF LATE ITEMS

13. CLOSING KARAKIA

14. MEETING CLOSURE
Minutes of a meeting of Ngā Manu Tāiko Manawatū District Council held on Tuesday 13 June 2017, commencing at 6.02pm in the Manawatū District Council Chambers, 135 Manchester Street, Feilding.

PRESENT: Councillor Alison Short (Chairperson)
Oriana Paewai Aorangi Marae
Rosemary Tait Kauwhata Marae
Kathryn Knowles Te Iwa Marae
Amiria Arapere Parewahawaha Marae
Kipa Arapere Poupatate Marae
Atiria Reid Te Hiiri Marae
Manurere Devonshire Taumata o te Ra Marae
Robyn Devonshire Te Au
Her Worship the Mayor
Councillor Stuart Campbell

APOLOGIES: Maria Maraku-Harrison Kotuku Marae
Piri-Hira Tukapua Paranui Marae

IN ATTENDANCE: Councillor Hilary Humphrey
Richard Templer Chief Executive
Brent Limmer General Manager – Community and Strategy
Hamish Waugh General Manager – Infrastructure
Cynthia Ward Senior Policy Planner
Jim Mestyanek Senior Project Engineer
Tracey Hunt Strategy Manager
Allie Dunn Governance Team Leader

NMT 17/045 OPENING KARAKIA

Kipa Arapere provided a karakia timatanga to open the meeting.

NMT 17/046 APOLOGIES

RESOLVED

That the apologies received from Maria Maraku-Harrison and Piri-Hira Tukapua, be accepted.

Moved by: Manurere Devonshire
Seconded by: Kathryn Knowles
CARIED

NMT 17/047 DECLARATIONS OF CONFLICTS OF INTEREST

There were no conflicts of interest to declare.

NMT 17/048 NOTIFICATION OF LATE ITEMS:

There were no late items notified for consideration.
NMT 17/049 CONFIRMATION OF MINUTES

RESOLVED

That the minutes of Ngā Manu Tāiko Manawatū District Council meeting held on 11 April 2017 be adopted as a true and correct record.

Moved by: Atiria Reid
Seconded by: Councillor Stuart Campbell

CARRIED

NMT 17/050 MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

NMT 17/051 PRESENTATION - MIDCENTRAL DISTRICT HEALTH BOARD’S HEALTH AND WELLBEING PLANS

Kelly Isles and Chrissy Karena, from the MidCentral District Health Board, talked about their focus over last 18 months which had been updating their vision and strategy to take look at taking a more collaborative approach for achieving “Quality, Healthy Lives, Well Community.” They acknowledged the work already done within the Manawatu community and advised that they intend to build on and complement that work. They talked about their health and wellbeing plans, which will have actionable steps, and will be addressed over a one to five year period. The intended impact will be flexible, responsive and adaptive health care, and improved health and wellbeing of all people in the community. Their next steps, after analysing feedback from the online survey, will be to create a Manawatu Health and Wellbeing Plan. Over the next four weeks they will be undertaking further engagement, and asked Nga Manu Taiko members to consider how they would like to provide feedback, and also asked for members to provide names of any other organisations they could consult with. Following further analysis they would like to have an outcome around September to October 2017 timeframe. Committee members suggested they link in with the Social Wellbeing Forum, and also look at the research undertaken by McGuinness Institute on Tackling Poverty Workshops.

NMT 17/052 PRESENTATION - MAORI HOME OWNERSHIP WORKSHOP

Ricky Pene, First Property Consultancy Ltd spoke about his role in Maori home ownership initiative. He gave an overview of the current housing landscape, Maori Housing, Papakainga, Housing New Zealand and proposed solutions. He asked Nga Manu Taiko members to inform their members about the Maori Home Ownership Workshops that will be held in this region to develop knowledge and understanding. He outlined how the workshops are run, the presenters that participate, and the information that is shared at these workshops. He advised that he would circulate information on the workshop dates and extend invitations for the introductory workshop.
NMT 17/053 PRESENTATION – PALMERSTON NORTH CITY COUNCIL PROPOSED PLAN CHANGE 16: TANGATA WHENUA AND RESOURCE MANAGEMENT

Michael Duindam and Todd Taiepa from Palmerston North City Council, accompanied by Cynthia Ward Senior Policy Planner from Manawatu District Council, spoke about Palmerston North City Council’s proposed plan change 16: Tangata Whenua and Resource Management, and the opportunity for Nga Manu Taiko members to make submissions to the proposed plan change.

Michael Duindam summarised the proposed changes as:

- Simplified and streamlined
- Resource Management Issues clearly identified
- New Objectives and Policies
- A range of new non-regulatory methods
- Maori aspirations grounded in the District Plan

He advised that although submissions close on Thursday 15 June 2017, there was opportunity for late submissions to be made. He encouraged members to read the document which was available on their website, and it was asked that members let Cynthia Ward know within the next seven days whether they intended to make a submission.

Robyn Devonshire and Oriana Paewai left the meeting at 7.53pm.

The meeting adjourned at 7.53pm and reconvened 7.59pm

NMT 17/054 PRESENTATION - RESOURCE LEGISLATION AMENDMENTS 2017 - OVERVIEW; CHANGES TO MAORI PARTICIPATION IN THE RMA

Cynthia Ward, Senior Policy Planner, spoke to the members about the Resource Legislation Amendment Act 2017. This Act has amended the Resource Management Act and given a better process alignment with related environmental legislation, being the Conservation Act, the Reserves Act and the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act. She then spoke about the changes made by the amendment Act that affects Maori participation in the resource management process, detailing the reform objectives and the enhanced consultation provisions that will come into effect. She tabled a fact sheet from the Ministry for the Environment that provided details about the changes and noted the changes were designed around getting more efficiency in planning processes.

Oriana Paewai returned to the meeting at 8.15pm.

It was noted that Cynthia Ward would bring back further information on the implementation of these changes to Nga Manu Taiko’s 10 October 2017 meeting, and that members would discuss the information provided at their next Te Kaunihera Working Group meeting.

NMT 17/055 REPORT BACK FROM TE KAUNIHERA WORKING GROUP

It was noted that no meeting of Te Kaunihera Working Group was held during May 2017.
MINUTES
MEETING
TIME
NGĀ MANU TĀIKO MANAWATU DISTRICT COUNCIL
TUESDAY 13 JUNE 2017
6.02PM

NMT 17/056 MANGAWEKA BRIDGE UPDATE

Report of the General Manager – Infrastructure dated 26 May 2017 informing the Committee of considerations for replacing the Mangaweka Bridge over the Rangitikei River. Jim Mestyanek, Senior Project Engineer, gave a presentation updating members on progress with the Mangaweka Bridge project, and iwi engagement on this project. He spoke about the draft report on what the indicative business case was reporting toward, and advised they would now be moving forward to a detailed business case. He outlined the next steps for approval to proceed to formal business case. He asked members to share this information with their respective marae and bring to him any responses they wish to give.

Oriana Paewai proposed that Jim Mestyanek contact Larry Parr, of Ngati Raukawa, and inform him that he had shared with Nga Manu Taiko his report regarding the Mangaweka bridge, and in particular the progress on consultation with iwi.

RESOLVED

That Nga Manu Taiko Manawatu District Council receive the report.

Moved by: Oriana Paewai
Seconded by: Manurere Devonshire
CARRIED

NMT 17/057 DISCUSSION POINT - REVIEW OF REPRESENTATION - MAORI WARDS

As requested by the committee at its previous meeting, a copy of the report on Maori Wards and Representation Review from the February 2017 Nga Manu Taiko meeting, along with information about Councils in New Zealand that had either Maori Wards or Maori Constituencies was circulated. It was asked that members provide feedback to the August 2017 meeting of Nga Manu Taiko on whether they would like Council to consider implementing Maori Wards for electoral purposes with effect from the 2019 Council election.

NMT 17/058 DISCUSSION POINT - MDC CULTURAL ADVISER

The Chief Executive spoke about the increased requirement for Council to engage with iwi and hapu, and Council’s wish to strengthen and deepen our relationships with Maori. He advised that to help Council engage effectively, they proposed to appoint someone to a cultural adviser role within Council who would be able to guide the Council through the process, provide advice on how to do it the right way, and the best way to reach these agreements and strengthen and deepen the relationships. Council intended to advertise very soon for this position.

He spoke about the proposed position description for this role, and sought feedback from members on the purpose of the role, and whether the title of “Principal Maori Adviser” or “Principal Adviser – Maori” would be more appropriate. He also sought advice from members about the need for the person appointed to that role to have a high level of fluency in Te Reo Maori.
Members advised their preference would be for the person in this role to be fluent in Te Reo Maori and to have a key understanding of Tikanga Maori and the Resource Management Act. It was also important for the person to have a good understanding of the Manawatu District and the kawa for the different marae of this area. The members also felt it important that they be able to be involved in the employment process, for example as part of an interview panel.

Members asked that the minutes record their appreciation and support for the establishment of the role of a Principal Adviser - Maori.

NMT 17/059 DISCUSSION POINT - KOWHAI PARK BIRD AVIARIES UPDATE

The Chief Executive updated the committee on the outcome of the Council’s Annual Plan decisions relating to the aviaries at Kowhai Park. He advised that Council would be rehoming the native birds to a variety of places and closing the native bird aviary, however the exotic bird aviary would be upgraded and retained.

NMT 17/060 ITEMS OF INTEREST

Next meeting of Te Kaunihera Working Group – to be held Tuesday 11 July 2017, 4.30pm, at Te Kohanga Reo o Hapaitia in Feilding.

NMT 17/061 CONSIDERATION OF LATE ITEMS

There were no items of late business for consideration.

NMT 17/062 CLOSING KARAKIA

Kipa Arapere provided a karakia whakamutunga to conclude the proceedings.

NMT 17/063 MEETING CLOSURE

The Chairperson closed the meeting at 9.34pm.

Approved and adopted as a true and correct record.

_________________________  _______________________
CHAIRPERSON  DATE
Representation Review - Establishment of Maori Ward

Purpose

To advise on provisions within the Local Electoral Act 2001 relating to the establishment of Maori Ward(s) and enable Nga Manu Taiko Manawatu District Council members to give consideration to how they would like to proceed with a review on whether or not there should be a Maori Ward in the Manawatu District for electoral purposes.

Significance of Decision

The Council’s Significance and Engagement policy is not triggered by matters discussed in this report.

Recommendations

That Nga Manu Taiko Manawatu District Council receives the report on the forthcoming Representation Review and the process for establishment of Maori Wards.

Report prepared by:
Allie Dunn
Governance Team Leader

Approved for submission by:
Shayne Harris
General Manager - Corporate and Regulatory
1 Contribution to the Council Vision and Council Outcomes

1.1 Relationship to the Council Outcomes that underpin the Council’s Vision:

Connected, vibrant and thriving Manawatu – the best rural lifestyle in New Zealand

<table>
<thead>
<tr>
<th>Manawatu District will improve the natural environment, stewarding the district in a practice aligned to the concept of kaitiakitanga.</th>
<th>The Manawatu will attract and retain residents.</th>
<th>Manawatu district develops a broad economic base from its solid foundation in the primary sector.</th>
<th>Manawatu and its people are connected via quality infrastructure and technology.</th>
<th>Manawatu’s built environment is safe, reliable and attractive.</th>
<th>Manawatu District Council is an agile and efficient organisation.</th>
</tr>
</thead>
</table>

2 Background

2.1 Every six years Councils are required by the Local Electoral Act 2001 to undertake a review of the Council governance structure to ensure fair and effective representation for individuals and communities.

2.2 The Local Electoral Act 2001 also allows for the establishment of Maori Wards for election of Maori representatives to Councils.

2.3 The question of whether or not to establish Maori Wards was last considered by the then Marae Consultative Standing Committee, which is now known as Nga Manu Taiko Manawatu District Council, in 2010/2011 with the following resolution being made at the 8 April 2011 meeting:

“That a Working Party be established (involving all Marae Consultative Standing Committee members and those from the wider Maori Community) to consider how Maori contribute to decision making at Manawatu District Council. The Working Party will review the makeup, purpose and terms of reference of the Marae Consultative Standing Committee and provide input to the Manawatu District Council representation review by considering the usefulness of a Maori ward or wards for the purpose of achieving effective Maori contribution to decision making at Manawatu District Council.

The conclusions and recommendations of the Working Party will be reported back to the Council via the Marae Consultative Standing Committee.”

2.4 Following that, the Marae Consultative Standing Committee agreed at its 6 September 2011 meeting not to seek establishment of a Maori Ward for electoral purposes.

2.5 Before the Council begins the process of the Review of Representation, and consideration of whether or not this should include Maori Wards for electoral purposes, the Council would like the guidance of Nga Manu Taiko Manawatu District Council how they would like to proceed with a review on whether or not there should be a Maori Ward in the Manawatu District for electoral purposes.

3 Discussion and Options considered

3.1 The following diagram illustrates the decision making involved in considering whether or not to establish Maori Wards.
3.2 As illustrated above, there are four options for Council to consider once guidance has been received from Nga Manu Taiko on whether or not to establish Maori Wards:

- Council resolve to establish one or more Maori Wards;
- Council resolve not to establish one or more Maori Wards;
- Council resolve to hold a poll; or
- Do nothing.

3.3 These options are each discussed below.

**Option 1: Resolve to Establish One or More Maori Wards**

3.4 For any decision to establish Maori Wards to be in effect for the October 2019 local elections, the Council would need to ensure the deadlines set out in the Local Electoral Act...
2001 are adhered to. These deadlines involve a cut-off date for passing a resolution to establish Maori Wards, a closing date for Council to receive any demand to hold a poll, and a final date that any poll must be held by. These are shown in the following graph:

3.5 Should the Council decide to establish one or more Maori Wards for the Manawatu District, following guidance from Nga Manu Taiko, then information on options for the number of wards, the number of members, and the balance of representation for the General Wards would be considered by the Council in the development of its initial proposal in early 2018. Any decision to establish Maori Wards is required to be publicly notified and would be open to a demand for a poll to be held to countermand that resolution.

Option 2: Resolve NOT to Establish One or More Maori Wards

3.6 The deadlines outlined above for resolving to establish Maori Wards also applies to any decision NOT to establish seats for specific Maori representation. Such a decision would also need to be publicly notified and would be open to a demand for a poll to be held to countermand that resolution.

Option 3: Resolve to Hold a Poll

3.7 The third option open to Council is to resolve to hold a poll. This resolution may, but is not required to, specify the date on which the poll would be held. The Chief Executive would then be required to give notice to the Council’s Electoral Officer of the resolution to hold a poll. If no date for holding the poll is specified, then the poll must be held as soon as practicable. If the resolution does specify a date for holding the poll, it must be at an appropriate time that will enable the Electoral Officer to meet the requirements of Section 19ZF of the Local Electoral Act 2001 to hold the poll within 82 days of receiving the notice.

3.8 The estimated costs for holding a poll have not been investigated at this stage.

Option 4: Do Nothing

3.9 The fourth option open to Council is to simply do nothing. The Council would then need to wait until after 28 February 2018 in case a valid demand to hold a poll was received. If a valid demand to hold a poll is not received, then the Council would continue its representation review without including the option of a seat for Maori representation.

Requirements for a Valid Demand to Hold a Poll
The requirements for a valid demand are set out in section 19ZC of the Local Electoral Act 2001, and are summarised as follows:

- Must be made by notice in writing;
- Must be signed by 5% of electors of the Manawatu District – this would require at least 1,004 valid signatures;
- Each signatory must be on the Council’s electoral roll, whether published or unpublished, and also includes those enrolled as a ratepayer elector, plus those enrolled as a parliamentary elector and confirmed by the Registrar of Electors that the address at which they are registered is within the district of the Council;
- Every elector signing the demand must state, against their signature, their name and the address for which they are qualified as an elector of the Council.

The Chief Executive is required to give notice to the Council’s Electoral Officer of any valid demand to hold a poll as soon as practicable.

Should a valid demand to hold a poll not be received, for example the required number of valid signatures not provided, then the resolution made by the Council that resulted in the demand being generated (either to establish Maori Wards or to not establish Maori Wards) stands.

**Effect of Poll**

If the result of a poll requires the division of the district into one or more Maori Wards, then the district must be divided into those wards for the next two triennial general elections of the Council, and any associated elections (for example elections to fill extraordinary vacancies).

The district then remains divided into one or more Maori Wards for all subsequent triennial general elections, and other associated elections, until either a further resolution regarding disestablishment of Maori Wards, or the results of poll requiring disestablishment of Maori Wards, takes effect.

**4 Operational Implications**

The Council has a contract with Electionz.com to provide the Council with electoral officer functions.

**5 Financial implications**

The likely costs of any poll that may be required have not been explored at this stage, and have not been budgeted for.

**6 Statutory Requirements**

Parts 19Z to 19ZG of the Local Electoral Act 2001 set out the requirements that Council must follow when consideration is being given to the establishment of one or more Maori Wards.
7 Delegations

7.1 The decision on whether or not to divide the district into Maori Wards for electoral purposes is a statutory responsibility of the Council.

8 Consultation

8.1 Any decisions to establish or not establish Maori Wards are subject to public notification, with the ability of electors to demand a poll to countermand any such decisions.

9 Cultural Considerations

9.1 Guidance is being sought from Nga Manu Taiko Manawatu District Council on how to proceed with this review.

10 Conclusion

10.1 In order for any proposed Maori Wards to come into effect for the 2019-22 triennium, a Council resolution to that effect must be made no later than 23 November 2017, and no valid demand received to hold a poll to countermand that resolution prior to 28 February 2018.

10.2 Should the Council resolve to establish Maori Wards, and no valid demand is received from electors to hold a poll, then that decision is final and remains in force for the next two triennia (i.e. 2019-22 and 2022-25) and after that a resolution to disestablish Maori Wards, or a poll to that effect is required.

10.3 Should the Council resolve to hold a poll on whether or not to establish Maori Wards, then that poll must be held as soon as practicable, and a specific timeline is set by the Local Electoral Act 2001 to hold that poll within. The outcome of that poll would be final and remain in force for the next two triennia.

10.4 If the Council resolves not to establish Maori Wards, or simply does nothing (i.e. pass no resolution on the question), then a demand for a poll of electors can also be made.

10.5 Finally the outcome of the establishment of Maori Wards, once a poll or a resolution to establish or not to establish Maori Wards for the 2019 elections takes effect, cannot be overturned through the representation review consultation process.

11 Attachments

- There are no attachments to this report.