NGĀ MANU TĀIKO
MANAWATŪ DISTRICT COUNCIL

AGENDA

Meeting to be held

TUESDAY 14 FEBRUARY 2017
6.00pm

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

Dr Richard Templer
Chief Executive
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
Ted 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 December 2016 be adopted as a true and correct record.

6. MATTERS ARISING FROM THE MINUTES

7. PRESENTATIONS
   7.1 Housing in the Rural Zone – Cynthia Ward, Senior Policy Planner

8. DISCUSSION POINTS
   8.1 Reforming Te Kaunihera Working Group
   8.2 Role of Nga Manu Taiko Manawatu District Council (Taumata O Te Ra Marae)
   8.3 Marae based Tikanga and Reo Development for MDC Officers (Taumata O Te Ra Marae)
   8.4 Maori signage for the Makino Aquatic Centre (Taumata O Te Ra Marae)
   8.5 Raukawa Whānau Ora building in South Street (Poupapatate Marae)

9. OFFICER REPORTS
   9.1 REVIEW OF REPRESENTATION AND DISCUSSION OF MAORI WARDS OPTION

10. ITEMS OF INTEREST

11. CONSIDERATION OF LATE ITEMS

12. CLOSING KARAKIA

13. MEETING CLOSURE
Minutes of a meeting of Ngā Manu Tāiko Manawatū District Council held on Tuesday 13 December 2016, commencing at 6.00pm in the Manawatū District Council Chambers, 135 Manchester Street, Feilding.

PRESENT: Councillor Alison Short (Chairperson)  
Kipa Arapere  
Atiria Reid  
Rosemary Tait  
Robyn Devonshire  
Kathryn Knowles  
Oriana Paewai  
Aroha Paranihi  
Amiria Arapere  
Piri-Hira Tukapua  
Her Worship the Mayor  
Cr Stuart Campbell

APOLOGIES: Manurere Devonshire  
Maria Maraku-Harrison  
Ted Devonshire  
William Te Awe Awe

IN ATTENDANCE: Makarete Casey  
Brent Limmer (General Manager – Community and Strategy)  
Hamish Waugh (General Manager – Infrastructure)  
Frances Smorti (General Manager – People and Culture)  
Allie Dunn (Governance Team Leader)

NMT 16/001 OPENING KARAKIA

Kipa Arapere provided a karakia timatanga to open the meeting.

NMT 16/002 MIHI

Members and attendees introduced themselves, with Her Worship the Mayor and Councillor Campbell speaking about their background and aspirations as members of Nga Manu Taiko Manawatu District Council.

NMT 16/003 APPOINTMENT OF CHAIRPERSON


RESOLVED

That Ngā Manu Tāiko Manawatū District Council use System B of Clause 25 of Schedule 7 of the Local Government Act 2002 for the election of its Chairperson.

Moved by: Oriana Paewai
Seconded by: Rosemary Tait
CARRIED
RESOLVED
That Ngā Manu Tāiko Manawatū District Council appoints Councillor Alison Short as its Chairperson.
Moved by: Her Worship the Mayor, Helen Worboys
Seconded by: Oriana Paewai
CARRIED

NMT 16/004 APOLOGIES
RESOLVED
That the apologies received from William Te Awe Awe, Manurere Devonshire, Ted Devonshire and Maria Maraku-Harrison be accepted.
Moved by: Amiria Arapere
Seconded by: Rosemary Tait
CARRIED

NMT 16/005 DECLARATIONS OF CONFLICTS OF INTEREST
There were no conflicts of interest to declare.

NMT 16/006 PRESENTATION - FEILDING WASTEWATER TREATMENT PLANT - UPDATE ON THE CONSENT PROCESS, THE CONSTRUCTION OF THE SECOND POND AND TRIAL IRRIGATION

Piri-Hira Tukapua joined the meeting at 6.16pm.

The General Manager – Infrastructure, Hamish Waugh, gave an update on the consent process, the construction of the second pond and trial irrigation at the Feilding Wastewater Treatment Plant.

NMT 16/007 DISCUSSION POINT - SMOKEFREE OUTDOORS POLICY

It was noted that this item was a result of a combined presentation from representatives from MidCentral District Health Board, Smoking Cessation and the Cancer Society seeking support for forming a Smokefree Outdoors Policy.

NMT 16/008 ROLE OF NGA MANU TAIKO MANAWATU DISTRICT COUNCIL (TAUMATA O TE RA MARAE)

It was agreed that this item would be included in the agenda for the next meeting of Ngā Manu Tāiko Manawatū District Council.
NMT 16/009 MARAE BASED TIKANGA AND REO DEVELOPMENT FOR MDC OFFICERS (TAUMATA O TE RA MARAE)

It was agreed that this item would be included in the agenda for the next meeting of Ngā Manu Tāiko Manawatū District Council.

NMT 16/010 CREATIVE COMMUNITIES ASSESSMENT COMMITTEE REPRESENTATIVE

Report of the General Manager – Community and Strategy seeking confirmation of the representative for Tangata Whenua on the Creative Communities Assessment Committee.

RESOLVED

That Nga Manu Taiko Manawatu District Council re-appoints its current tangata whenua representative, Kim Savage, on the Creative Communities Assessment Committee.

Moved by: Amiria Arapere
Seconded by: Rosemary Tait
CARRIED

NMT 16/011 2017 MEETING SCHEDULE

Report of the General Manager – Community and Strategy dated 24 November 2016 presenting for information the schedule of Ngā Manu Tāiko Manawatū District Council meetings arranged for 2017. It was noted that discussion of reforming Te Kaunihera Working Group would be included on the agenda for the February 2017 meeting.

RESOLVED

That Ngā Manu Tāiko Manawatū District Council note its meetings scheduled for 2017 as follows:

- Tuesday 14 February 2017, 6.00pm
- Tuesday 11 April 2017, 6.00pm
- Tuesday 13 June 2017, 6.00pm
- Tuesday 8 August 2017, 6.00pm
- Tuesday 10 October 2017, 6.00pm
- Tuesday 12 December 2017, 6.00pm

Moved by: Aroha Paranihi
Seconded by: Atiria Read
CARRIED
NMT 16/012 ITEMS OF INTEREST

The committee recorded their congratulations to Piri-Hira Tukapua on being elected to the Horowhenua District Council, and to Wiremu Te Awe Awe on being elected to Horizons Regional Council.

The committee also noted the representation of the MidCentral District Health Board, with Brendon Duffy being appointed deputy chairperson. They noted with sadness the recent passing of former Chairperson, Phil Sunderland.

NMT 16/013 CONSIDERATION OF LATE ITEMS

There were no items of late business for consideration.

NMT 16/014 CLOSING KARAKIA

Kipa Arapere provided a karakia whakamutunga to conclude the proceedings.

NMT 16/015 MEETING CLOSURE

The Chairperson closed the meeting at 7.27pm.

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**

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

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**


3.10 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.

3.11 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.

3.12 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**

3.13 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).

3.14 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**

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

5 **Financial implications**

5.1 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**

6.1 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.