

Kaunihera | Council



Mēneti Wātea | Open Minutes



Minutes of a meeting of Matamata-Piako District Council held in the Council Chambers, 35 Kenrick Street, TE AROHA on Wednesday 15 September 2021 at 9.00am.

Ngā Mema | Membership

Koromatua | Mayor

Ash Tanner, JP (Chair)

Koromatua Tautoko | Deputy Mayor

Neil Goodger

Kaunihera ā-Rohe | District Councillors

Donna Arnold

Caitlin Casey

Teena Cornes

Bruce Dewhurst

James Sainsbury

Russell Smith

Kevin Tappin

James Thomas

Sue Whiting

Adrienne Wilcock

Ngā whakapāha | Apologies

Kaimahi i reira | Staff Present

Name	Title	Item No.
Don McLeod	Chief Executive Officer	
Stephanie Hutchins	Governance Support Officer	
Niall Baker	Policy and Legal Team Leader	7.1
Erin Bates	Strategic Partnerships and Governance Manager	7.1

I reira | In Attendance

	Time In	Time Out
Jade Lynn – Submitter (<i>via Microsoft Teams</i>)	9.00am	9.16am
Jared Lynn – Submitter (<i>via Microsoft Teams</i>)	9.00am	9.16am
Stephen Lindsay – Submitter	9.00am	9.26am

1 Whakatūwheratanga o te hui | Meeting Opening

Mayor Ash Tanner welcomed members and staff and declared the meeting open at 9.00am.

2 Ngā whakapāha/Tono whakawātea | Apologies/Leave of Absence

There were no apologies and no leave of absence was requested.

3 Pānui i Ngā Take Ohore Anō | Notification of Urgent Additional Business

Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“An item that is not on the agenda for a meeting may be dealt with at that meeting if-

- (a) The local authority by resolution so decides; and
- (b) The presiding member explains at the meeting, at a time when it is open to the public,-
 - (i) The reason why the item is not on the agenda; and
 - (ii) The reason why the discussion of the item cannot be delayed until a subsequent meeting.”

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

“Where an item is not on the agenda for a meeting,-

- (a) That item may be discussed at that meeting if-
 - (i) That item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
 - (iii) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion.”

4 Whākī pānga | Declaration of interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.

5 Whakaaetanga mēneti | Confirmation of minutes

COUNCIL RESOLUTION

That the minutes of the meeting of the Ordinary Meeting of Matamata-Piako District Council held on Wednesday, 8 September 2021, be confirmed as a true and correct record of the meeting.

Moved by: Cr K Tappin

Seconded by: Cr D Arnold

KUA MANA | CARRIED

6 Take i puta mai | Public Forum

There were no speakers to the public forum

7 Pūrongo me whakatau | Decision Reports

7.1 Representation Review Hearing

5

7 Pūrongo me whakatau | Decision Reports

Representation Review Hearing

CM No.: 2493473

Rāpopotonga Matua | Executive Summary

Purpose

The purpose of this report is for Matamata-Piako District Council (Council) to consider the submissions received on its initial proposal of representation arrangements (number of Councillors, wards, etc.) that will apply for the 2022 and 2025 triennial elections.

Council now need to confirm a final proposal to be notified for any objections (if applicable) and appeals from submitters. This report provides a background to the current electoral structure of the Matamata-Piako District, details relevant legislative obligations and canvasses options for the consideration of Council with a view of forming the final proposal.

Overview

Local authorities are required to carry out a representation review at least every six years. Council last conducted a representation review in 2018/19 (for the 2019 and 2022 triennial elections) In May 2021 Council decided to establish a Māori Ward for the 2022 elections which has triggered a representation review this year.

The requirements relating to representation reviews are specified in sections 19A to 19Y of the Local Electoral Act 2001 (the Act). In reviewing representation arrangements, Councils are required to provide for effective representation of communities of interest and fair representation of electors. There are three key factors to consider:

- communities of interest
- effective representation of communities of interest
- fair representation of electors.

Initial Proposal / Submissions received

Council determined its Initial Proposal on 14 July 2021 and publicly notified its proposal on 20 July 2021. Submissions closed at 5pm on 22 August 2021.

The proposal was for 11 Councillors elected using the current structure and Ward boundaries, with the addition of one Maori Ward Councillor, elected from a new Ward - being the whole District. A copy of the Council resolution and public notice is attached to this report.

The submissions received on this proposal, and Facebook comments are circulated separately to this report.

Included within the submissions document is an overview of the submissions received with a summary of the Ward location of submitters, their age ranges, and the key themes raised.

Council now needs to consider the submissions received to its Initial Proposal and hear those submitters who have asked to present to Council. A hearing schedule has been included within the Submissions and Facebook comments document. Any changes to the hearing schedule will be tabled at the meeting.

40 submissions were received with the majority of submitters (55%) agreeing with Council's initial proposal. Of those who did not support the initial proposal (40%), a variety of reasons were given. The most common reasons related to the establishment of a Maori Ward. While the establishment of a Maori Ward was not up for discussion as part of this process, seven submissions indicated that they did not support this. Of note six submissions indicated they supported the addition of a second Maori Ward Councillor.

Next steps

Following consideration of submissions Council needs to resolve a Final Proposal. This will then be publicly notified from 21 September to 24 October. During this period:

- an appeal may be made by a submitter on the Initial Proposal about matters related to their original submission
- an objection may be lodged by any person or organisation if the Council's Final Proposal differs from its Initial Proposal. The objection must identify the matters to which the objection relates. The Act does not limit objections to aspects of the proposal that have changed. Rather, objections can relate to any aspect of the final proposal.

If no appeals or objections are received and the proposal complies with the +/- 10% rule (whereby each Councillor must represent a similar number of people across the Wards) it becomes the basis of election. Otherwise, the issue is referred to the Local Government Commission for determination.

COUNCIL RESOLUTION

That:

1. The information be received.
2. Council has heard all submitters who wished to be heard.
3. All submissions have been considered, with decisions made and recorded in relation to each submission where necessary.
5. Pursuant to section 19N(1)(a) of the Local Electoral Act 2001 and as a result of its consideration of submissions on its Initial Proposal as determined on 14 July 2021, Council -
 - a) Amends its Initial Proposal to incorporate re-naming of Wards, as below, but otherwise adopts the Initial Proposal as its Final Proposal.
 - b) Adopts 'Te Toa Horopū ā-Matamata-Piako' as the name for the Māori Ward as recommended by Te Mana Whenua Forum Mo Matamata-Piako. This will read as 'Te Toa Horopū ā-Matamata-Piako | Māori Ward'. The reason for the adoption of this name is the recommendation from the Forum and it having meaning/significance to iwi will be helpful in encouraging electoral participation by Maori.
 - c) Acknowledges that confirming its Initial Proposal, as its Final Proposal with no amendments except the Maori Ward name, results in non-compliance with the fair representation (+/- 10% rule), which means it must be treated as an appeal under section 19V(5) of the Local Electoral Act 2001 and referred to the Local Government Commission following the appeal/objection period. The Local Government Commission will then determine the outcome for Matamata-Piako District Council for the 2022 and 2025 elections.
6. Council declines to uphold the submissions in opposition and makes the decision on the Final Proposal for the following reasons:
7. Council rejects the submissions to change the existing General ward structure and boundaries for the reasons that:
 - a) the current ward structure and boundaries effectively represents the district's communities of interest, as evidenced by both the 2017 and 2012 representation reviews and the majority of submissions received (55%) who supported the

initial proposal.

8. Council rejects the submissions to reduce the number of Councillors (across the district, or in one or more Wards):
- a) To reduce the number of Councillors and still comply with the fair representation rule in the Local Electoral Act 2001 (+/- 10% rule) is to elect 3 Councillors from the Matamata Ward, 3 Councillors from the Morrinsville Ward and 2 Councillors from the Te Aroha Ward and 1 from the Maori Ward, being a total of 9 elected Councillors. Council declines the request for the reasons that:
 - b) There may be a risk that the community will see 9 Councillors as being too small as a governance representative body. Only 4 (or 10%) of submitters indicated a preference to reduce the number of Councillors.
 - c) There may be a reduction in the lines of communication between Council and the community as there would be less elected members than current and may decrease the ability for people to contact the Councillors.
 - d) May provide for a smaller range of skill-sets expertise, experience, opinions and limit the likelihood of diversity of opinion and less understanding of the issues confronting the local community.
 - e) May increase the workload for Councillors – a higher workload falls on fewer Councillors.
 - f) The meeting quorum would be 5 in total – which could be viewed as a relatively small number and if a Councillor is absent for any reason the ward representation could be compromised. Under the Local Government Act 2002 (clause 23, schedule 7) a quorum at a Council meeting consists of half of the members if the number of members (including vacancies) is even; or a majority of members if the number of members (including vacancies) is odd.
9. Council rejects the submissions to increase the number of Councillors (across the district, or in one or more Wards).
- a) To increase the number of Councillors, maintain a practicable number of Councillors, with the existing General ward structure and still comply with the fair representation rule in the Local Electoral Act 2001 (+/- 10% rule) is to elect 5 Councillors from the Matamata Ward, 4 or 5 Councillors from the Morrinsville Ward and 3 Councillors from the Te Aroha Ward and 1 or 2 Maori Ward Councillor/s, being a total of 13 or 14 elected Councillors. Council declines the request for the reasons that:

- b) Some Council elections have not been contested (for example in 2016) which highlights a risk that insufficient candidates may stand to provide for an election – or trigger the need for a by-election at a cost to Council.
- c) There may be a risk that the community will see 13 or 14 Councillors as being too large and a larger size may not be in line with the district's population when compared to Councils of a similar population size.
- d) There will be increased costs of additional elected member's e.g. training, travel, printing and election costs.
- e) Elected member remuneration will decrease (as the Remuneration Authority have determined elected members are to be paid from a governance pool that is unchanged irrespective of the number of Councillors) and this may affect candidates who wish to stand for Council who may need to take into account the impact on their current employment/lifestyles etc.
- f) Increasing the number of Councillors, particularly in the Matamata and/or Morrinsville Wards could be viewed as an imbalance by the Te Aroha Community. Of the 40 submissions, 1 submission seeks an increase in the Matamata Ward Councillors. There were no submissions seeking an increase in the Morrinsville Ward Councillor numbers, After considering the submissions Council considers this indicates a satisfaction with the current level of representation for the Wards.
- g) The Local Electoral Act 2001 formula means that if the council were to increase to 14 Councillors in total elected from wards, 2 of those must be Māori ward Councillors and 12 general ward Councillors. A total of 14 Councillors is required to provide for 2 Maori Ward Councillors. As above, a total of 14 Councillors is rejected.
- h) After considering all the submissions, Council resolves to maintain the initial proposal of one (1) Maori Ward. The majority of submissions (55%) were in support of the initial proposal including having one (1) Maori Ward. While 7 submissions were against having a Maori Ward, there was also 7 submissions indicating a preference for having two (2) Maori wards. 1 Maori Ward balances the views of the community expressed in the submissions.
- i) The projected population of the district and the population changes across the wards can be considered at the time of the next representation review.

10. Council rejects the submissions to establish a Community Board/s for the reasons that:

- a) 12 Councillors can provide sufficient and effective representation of the Matamata-Piako District. This is an increase of 1 Councillor from the current arrangement, to represent the Maori Ward.
- b) While making decisions collectively as a District Council, Council's ward Councillors are elected by and effectively represent their ward communities by acting as advocates for ward interests in Council's decision-making. The Maori Ward will help represent the Maori community across the district.
- c) The existing 11 Councillors and Mayor are accessible to the community and are frequently approached directly by members of the public and interest groups in respect of local matters and the additional Councillor role will support accessibility to the community.
- d) There was previously some duplication of roles and representation given that the communities covered the same geographic area as Council's wards prior to the disestablishment of the Community Boards in 2013.
- e) Extensive delegation of functions to Community Boards is not necessary as these functions lie more appropriately with Council and/or ward Councillors;
- f) Ward Councillors are currently undertaking the functions that were previously undertaken by Community Boards such as the allocation of Single Year Community Grants on a ward basis;
- g) The district is geographically compact and therefore there is no need for Community Boards to provide representation for isolated communities of interest that would not otherwise be adequately represented by Council's wards.
- h) Of the 40 submissions received, only 1 indicated support to reinstate the Community Boards, with the majority of the submission being in support of the Initial Proposal to not include Community Boards.

11. Council rejects the submissions to disestablish the Maori Ward for the reasons that:

- a) Council resolved to establish one or more Maori Wards at its meeting on 28 April 2021. This was made to acknowledge that under Te Tiriti o Waitangi/The Treaty of Waitangi, the Local Government Act 2002 and other legislation, councils are required to provide opportunities for Māori to contribute to decision-making processes, as well as other obligations.
- b) Under the Local Electoral Act 2001 the establishment of a Māori ward is outside of the scope of the Council's representation review. Part 1, clause 3 of Schedule 1 of that Act only provides for Council to revoke a decision to establish a Māori ward/s up until 21 May 2021. There was a 'transition period' under the Local

Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 from 2 March 2021 and ending on 21 May 2021 where a Council could revoke their resolution but this timeframe has passed.

- c) Accordingly Council's decision on this final representation proposal cannot revisit the decision to establish the Māori ward but can include the detailed arrangements for its Māori ward/s, such as boundaries and naming. As above, Council has confirmed these aspects.

12. In determining the arrangements for the Maori Ward Council has satisfied the requirements of sections 19T and 19U of the Local Electoral Act:

- a) the election of Councillors, including the Maori Ward Councillor will provide effective representation of communities of interest within the district
- b) The Maori Ward boundary conforms with mesh block boundaries (the Maori Ward boundary will encompass the entire Matamata-Piako District).
- c) Council has had regard to:
- i) the boundaries of existing Māori parliamentary electoral district (Matamata-Piako District falls within the Hauraki-Waikato electorate).
 - ii) communities of interest and tribal affiliation (Council acknowledges there are several iwi groups with mana whenua in the district and not possible, under the current legislation, for each of those iwi/hapu to be directly represented on Council. This consideration would be more applicable if two Maori Wards were established and boundaries within our district were defined).

13. Council re-confirms the reasons for maintaining the initial proposal (as resolved on 14 July 2021) remain valid.

14. Council staff inform each submitter of the decisions made

15. The final proposal be notified for appeals and/or objections.

Cr J Sainsbury voted against the motion.

Moved by: Deputy Mayor N Goodger

Seconded by: Cr K Tappin

KUA MANA | CARRIED

Horopaki | Background

Overview

Local authorities are required to carry out a representation review at least every six years. Council last conducted a representation review in 2018/19 (for the 2019 and 2022 triennial elections) and is required to carry out a representation review in every six years. In May 2021 Council decided to establish a Māori Ward for the 2022 elections which has triggered a representation review this year.

The requirements relating to representation reviews are specified in sections 19A to 19Y of the Act.

Timeframes

The key dates for the representation review are as follows:

- Council to determine its initial proposal – 14 July Council meeting
- Public notice of initial proposal – 20 July
- Submission period - 20 July – 22 August
- Hearing/deliberations – 15 September
- Council to determine its final proposal – 15 September
- Public notice of final proposal – 21 September
- Appeal/objection period – 21 September – 24 October
- If no appeals or objections are received and the final arrangements comply with the +/- 10% rule, then Council's proposal becomes final – October/November
- If appeals or objections are received and/or Councils proposal does not comply with the +/- 10% rule' the LGC makes a determination - by 10 April 2022

Representation options

Current representation arrangements are the mayor (elected at large), 11 Councillors (elected from three wards) and no Community Boards.

Currently two of the three wards (Te Aroha Ward, Matamata Ward) does not comply with the +/- 10% rule.

Council previously held number of workshops to discuss and consider the relevant issues when undertaking a review and identified the following reasonably practicable options to be explored further:

- Option 1: Decreasing to 9 ward Councillors, 3 in Matamata, 3 in Morrinsville, 2 in Te Aroha (no change in ward boundaries), and 1 Māori Ward Councillor (the Māori Ward being the whole district)
- Option 2: Maintaining 11 Councillors with 8 ward Councillors, 3 in Matamata, 3 in Morrinsville, 2 in Te Aroha plus some (number to be determined – assumed 2 as example) Councillors elected 'at large' (no changes in ward boundaries) and 1 Māori Ward Councillor (the Māori Ward being the whole district).
- Option 3: Increasing to 12 ward Councillors, 4 in Matamata, 4 in Morrinsville, 3 in Te Aroha (no change in ward boundaries) and 1 Māori Ward Councillor (the Māori Ward being the whole district).

Note: Option 3 is the status quo with the addition of a Māori Ward Councillor. This is also the initial proposal.

Option 4: Increasing to 13 ward Councillors, 5 in Matamata, 4 in Morrinsville, 3 in Te Aroha (no change in ward boundaries) and 1 Māori Ward Councillor (the Māori Ward being the whole district).

Option 5: Increasing to 14 ward Councillors, 5 in Matamata, 4 in Morrinsville, 3 in Te Aroha (no change in ward boundaries) and 2 Māori Wards (the district could be divided into 2 Māori Wards).

Of all the above options, only Option 3 does not comply with the +/- 10% rule.

Council's Initial Proposal

Council determined its Initial Proposal on 14 July 2021. The proposal was to maintain 11 Councillors elected using the current structure and Ward boundaries, with the addition of one Maori Ward Councillor, elected from a new Ward covering the whole District. A copy of the Council resolution and public notice is attached to this report.

Consultation

Having determined its Initial Proposal on 14 July 2021, Council subsequently publicly notified its proposal and invited submissions in accordance with section 19M(1) of the Act.

The submissions received, and Facebook comments are circulated separately to this report. Included within the submissions document is an overview of the submissions received with a summary of the Ward location of submitters, their age ranges, and the key themes raised.

Council now needs to consider the submissions received to its Initial Proposal and hear those submitters who have asked to present to Council. A hearing schedule has been included within the Submissions and Facebook comments document. Any changes to the hearing schedule will be tabled at the meeting.

40 submissions were received with the majority of submitters (55%) agreeing with Council's initial proposal. Of those who did not support the initial proposal (40%), a variety of reasons were given, with the most common reasons related to the establishment of a Maori Ward. While the establishment of a Maori Ward was not up for discussion as part of this process seven submissions indicated that they did not support this. Of note six submissions indicated they supported the addition of a second Maori Ward Councillor.

Council must now consider all submissions and make a Final Proposal, give reasons for this, and state the reasons for any amendments to the Initial Proposal.

Response to submissions

Under 19N of the Act, Council must, within 6 weeks after the end of the period allowed for the making of submissions (which was 22 August):

- Consider all submissions received and may, by resolution, make amendments to the resolution made on the Initial Proposal
- Give public notice of its Final Proposal. The public notice must:
 - incorporate any amendments resolved to the Initial Proposal; and
 - state both the reasons for the amendments and the reasons for any rejection of submissions; and
 - specify the communities of interest considered by the territorial authority
 - specify the ratio of population to proposed members for each proposed ward, or subdivision, and the reasons for those proposals

- specify the right of appeal including the place and closing date for the receipt of appeals; and
- if the Council has amended its Initial Proposal specify the right of objection, including the place and closing date for the receipt of objections.

It is proposed that the Final Proposal be publicly notified on 21 September providing the opportunity for appeals and objections (if applicable) to be lodged in the period 21 September to 24 October 2021.

Ngā Take/Kōrerorero | Issues/Discussion

Final Proposal – Matters for Determination

Council must now determine its Final Proposal. Subject to any determination of the LGC, Council's Final Proposal will establish the form of Council's electoral representation arrangements for the next six years.

In determining its Final Proposal Council is required to provide for effective representation of the district's communities of interest as well as fair representation of electors. Further to this, Council's Final Proposal will determine:

- The basis of election by wards, at large or a mix of both;
- The structure and boundaries of any wards;
- The number of elected members (including the number of elected members per ward).
Note: Pursuant to section 19A of the Act Council must have between 5 and 29 members (excluding the mayor).
- The establishment of Community Boards; and
- The number of Maori wards and the number of members to be elected from them.

Section 19V of the Act requires that for each ward the proportion of ward Councillors to the ward population remains within 10% of the proportion of all Councillors to the population for the district as a whole.

Council may wish to reflect on the projected population growth for the district and the distribution of this growth across the wards. If Council decides to increase the number of Councillors keeping within an appropriate range for the size of our population will be important.

Maori Ward

The Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 changed the way Māori Wards can be created, allowing until 21 May 2021 for them to be established for the 2022 elections. The law change also removed the binding poll provisions.

As a result of these changes, Council sought advice from Te Manawhenua Forum Mo Matamata-Piako ("TMF") as to whether a Māori Ward should be established or not. The TMF recommended Council create a Māori Ward. At its meeting on 28 April 2021 Council resolved to establish one or more Māori Ward(s).

This takes effect for the next two triennial general elections (i.e. 2022 and 2025), and for any associated by-elections, and continues in effect after that until a further resolution takes effect. Council now needs to accommodate a Māori Ward with its representation structure.

Part 1, clause 3 of Schedule 1 of the Act only provides for a council to revoke a decision to establish a Māori ward/s up until 21 May 2021. This means that a decision to establish a Māori ward/s cannot now be rescinded and must remain in place until after the 2025 elections.

The relevant clause of Part 1, Schedule 1 of the Act is as follows:

3 Territorial authority or regional council may revoke resolution made under section 19Z before commencement date

(1) *This clause applies to a resolution of a territorial authority or regional council made under section 19Z at any time during the period—*

(a) commencing on 13 October 2019; and

(b) ending on the day before the commencement date.

(2) *The territorial authority or regional council may, at any time during the transition period, revoke the resolution.*

Under the legislation 'transition period' means *the period beginning on the commencement date of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 - being 2 March 2021 - and ending on 21 May 2021)*

The establishment of a Māori ward is outside of the scope of the current representation review. Council's resolution of its final representation proposal cannot revisit the decision to establish a Māori ward but should include the detailed arrangements for its Māori ward/s in its final proposal. This includes how many Wards there should be, their boundaries, and the number of members to be elected from each.

Council can also decide on a name for the 'Maori Ward' if it wishes to. A name that reflects the history/ geography of the area and has meaning/significance to iwi could be helpful in encouraging electoral participation by Maori.

At their meeting on 7th September 2021 the TMF resolved "*Council adopt Te Toa Horopū ā-Matamata-Piako as the name for the Māori Ward*".

Te Toa (as an adjective) means brave, bold, victorious, experienced, accomplished, adept, competent, skillful and capable.

Horpuu (as a modifier) means staunch, steadfast, loyal, firm, dependable, and someone who is quick thinking and responsive – the qualities and characteristics The TMF consider are desirable/needed in the Maori Ward Councillor.

The reference to Matamata-Piako is to ground this to the proposed Maori Ward boundary, being the entire district area. This recommendation can be included in the final proposal resolution if Council agrees.

As a name for the Maori Ward was not formally identified in Council's initial proposal, adding this in is deemed an amendment to that proposal. This triggers section 19P of the Act which provides for anyone to lodge an objection to the final proposal.

Key principles

In undertaking a representation arrangements review, the following key principles must be considered:

- communities of interest
- effective representation
- fair representation (+/- 10% rule)

These are discussed each, in turn, below.

Communities of interest

Defining communities of interest is an essential part of the review process and needs to be done before Council determines how to provide effective representation.

The LGC refers to 'community of interest' as a three-dimensional concept with perceptual and functional aspects:

- perceptual – a sense of belonging to a clearly defined area or locality
- functional – the ability to meet with reasonable economy the community's requirements for comprehensive physical and human services
- political – the ability of the elected body to represent the interests and reconcile the conflicts of all its members.

Communities of interest in Matamata-Piako District

A preliminary survey was undertaken in 2011 to gather views on the district's communities of interest. The previous representation review in 2012 identified the following communities of interest in the Matamata-Piako District:

- Maori
- Maori of each distinct iwi
- Te Aroha urban
- Matamata urban
- Morrinsville urban
- District rural
- Te Aroha rural
- Matamata rural
- Morrinsville rural
- Small rural townships such as, for example, Waihou, Waharoa, Tatuani, and Waitoa.

It was noted that some of these communities of interest may overlap and that people may belong to more than one community.

Council should now give consideration to whether the above communities of interest have changed since the last representation review or whether any information provided in the submissions signals a change in the identified communities of interest.

Effective representation

Under section 19T of the Act Council must ensure effective representation of communities of interest. Issues to consider in achieving effective representation require identifying communities of interest that are geographically distinct:

- once communities of interest have been defined by geographical boundaries, need to consider how these communities will be most effectively represented
- does each community of interest require separate representation?
- can communities of interest be grouped together to achieve effective representation?
- is effective representation best achieved by an at large system, a ward system or a mixed system?
- if at large - how many members would provide effective representation for the district as a whole?
- if wards - how many members for each ward would provide effective representation?
- should there be communities and Community Boards?
- ward and Community Board boundaries to coincide with mesh block boundaries.

Effective representation must be achieved by having between 5 and 29 members (excluding the mayor). Factors to consider include the size, nature, and diversity of the district.

Effective representation of communities of interest is achieved by ensuring that, where possible and warranted, any distinct geographical communities of interest are given specific representation by wards. Factors that may be considered in determining what constitutes effective representation are:

- Not splitting recognised communities of interest between electoral subdivisions.
- Not grouping together two or more communities of interest that share few commonalities of interest.
- Accessibility, size and configuration of an area, including:
 - Reasonable access to elected members.
 - Elected representatives being representative of the views of their electoral area.
 - Ability of elected members to interact in person with electors of their electoral area.
 - The role that Community Boards have in contributing to the representation of communities.

Fair representation

The requirement that the average number of resident population to elected members not exceed +/-10 per cent is required to be taken into account. This applies towards wards and subdivisions of Community Boards (if applicable). The process to follow when undertaking a representation arrangements review is:

- Identify the district’s communities of interest.
- Determine the effectiveness of members by looking at the overall number of members, whether they represent the district at large or from wards or by a mixture, in order to ensure that members are effective (are able to listen to and represent constituents effectively).
- Investigate whether there should be Community Boards, and if so, the number, boundaries, number of members, whether they be subdivided etc.
- Determine that members fairly represent their constituents by ensuring the average population ratio is no more than a +/- 10% variance.

The objective of the +/- 10% rule is population equity where Councillor, regardless of which ward or Community Board they represent, is elected by a roughly equivalent portion of the district’s population. This ensures that all votes are of approximately equal value and electors are fairly represented.

Status quo (Matamata – 4, Morrinsville – 4, Te Aroha – 3)

The district as a whole has a 3,157 people per Councillor. The ward populations per ward Councillor are: 3,645 (Matamata), 3,298 (Morrinsville), and 2,840 (Te Aroha).

This option does not comply with the +/- 10% rule with the Te Aroha Ward being over represented and Matamata Ward being under represented. The status quo is not a practicable option for the future as Council has decided to establish a Māori Ward so this needs to be accommodated in the structure.

Ward	Population 2020 estimate	Councillors	Average People Per Councillor	Deviation from Average Population per Councillor	% Deviation from Average Population per Councillor
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Ward	Population 2020 estimate	Councillors	Average People Per Councillor	Deviation from Average Population per Councillor	% Deviation from Average Population per Councillor
Matamata	14,580	4	3645	346	10.48%
Morrinsville	13,190	4	3298	-2	-0.05%
Te Aroha	8,520	3	2840	-459	-13.92%
Totals	36,290	11	3299		

LGC Expectations/ process

The proposal that Council is asked to decide upon now is the 'Final Proposal' for community consultation. The Final Proposal may differ from the Initial Proposal.

Once the Final Proposal has been notified to the public, an appeal and objection period (as applicable) will open:

- an appeal may be made by a submitter on the initial proposal about matters related to their submission (s19O). Appeals are restricted to those matters the appellant submitted on to Council.
- an objection may be lodged by any person or organisation if a Council's Final Proposal differs from its Initial Proposal (s19P). The objection must identify the matters to which the objection relates. The person making the objection does not need to have submitted on the Initial Proposal. They can make an objection because they may have been comfortable with the Initial Proposal (so didn't submit to Council) but are dissatisfied with the Council's Final Proposal. The Act does not limit objections to aspects of the proposal that have changed. Rather, objections can relate to any aspect of the final proposal.
- Council must refer its Final Proposal to the LGC if the proposal does not comply with the '+/- 10% rule' (s19V). This referral is treated as an appeal.

Any appeals or objections received are forwarded to the Local Government Commission (LGC) for determination. A determination of the LGC is not able to be challenged, except on a point of law (to the High Court).

LGC does not limit itself to the subject of an appeal or objection, but can look at all aspects of the representation review. Council must be prepared for the LGC to make a determination that it may not agree with and will have to accept for the next two election cycles.

The LGC must rectify any element of Council's proposal that does not comply with the Act, whether or not that element of the proposal was the subject of an appeal or objection. This means if the LGC does not consider that Council has established grounds for a departure from the '+/- 10% fair representation rule' in section 19V(2), then the LGC is required to ensure that this requirement is met. Once the LGC has made its determination Council will be advised, along with news media and various statutory organisations and a public notice will be issued.

In making its determination, the LGC is able to make any enquiries that it considers appropriate, and may choose to hold meetings with the parties. Staff will report back to Council, in due course, with an update on any appeals and/or objections received and to discuss the next steps in the process.

Non-compliance

Any decision not to comply with the +/-10% rule must be referred to the LGC for determination (even if there are no appeals or objections to the Final Proposal).

The key considerations in relation to non-compliance with '+/-10% rule' are:

- Requirement to take principles into account including “fair and effective representation for individuals and communities” (s. 4)
- Strength of communities of interest concerned.

There are three situations where non-compliance with the '+/- 10 per cent rule' may be acceptable:

1. If non-compliance is required for effective representation of communities of interest within island and/or isolated communities.
2. If compliance would mean a community of interest was split between wards or subdivisions limiting effective representation
3. If compliance would combine communities of interest with few commonalities of interest limiting effective representation.

Council has set out the basis for non-compliance with its initial proposal with reference to numbers 2 and 3 above in the resolution and this was explained in the public notice.

Therefore if a non-complying option (such as the initial proposal) is selected as the final proposal there is a risk that the LGC will come up with a representation arrangement that the Council does not agree with.

Community Boards

Under section 19J of the Act Council is required to consider both the establishment and the nature and structure of Community Boards as a part of its representation review. The issue to be addressed by Council is whether Community Boards are appropriate to provide fair and effective representation for communities in its district.

Factors that should be considered in determining the matters under s19J of the Act are:

- Whether the Community Boards are necessary for the effective representation of communities of interest.
- Accessibility, size and configuration of an area, as well as the number of elected members (both Councillors and Community Board members), including:
 - Reasonable access to elected members.
 - Elected representatives being representative of the views of their electoral area; and
 - Ability of elected members to interact in person with electors of their electoral area.

Regarding the subdividing of communities for electoral purposes:

- Not splitting recognised communities of interest between electoral subdivisions.
- Not grouping together two or more communities of interest that share few commonalities of interest.
- Whether the community subdivisions are fairly represented by their votes being of approximately equal weight (+/- 10% rule).
- The election of members of the Community Board will provide effective representation of communities of interest within the community and fair representation of electors; and
- Ensuring the boundaries of any Community Board and subdivision of a Community align to statistical mesh blocks

Council must also consider the criteria applying to local government reorganisation proposals as set out in Schedule 3 of the LGA when considering Community Boards:

- Will the proposal promote the good local government of the parent district and the community area concerned?

- Will the district and the community have the resources necessary to enable them to carry out their respective responsibilities, duties and powers?
- Will the district and the community have areas that are appropriate for the efficient and effective performance of their role?
- Will the district and the community contain a sufficiently distinct community of interest or sufficiently distinct communities of interest?

The minimum number of elected community board members is 4 and there can be appointed community board members in addition to those elected.

Three Community Boards (Morrinsville, Te Aroha and Matamata) were constituted in Matamata-Piako District in 1989 and between 2007-and 2013 they had 4 elected members each. All three Boards were disestablished in 2013 through the representation review process.

It is noted that 10% of electors of the district’s community are able to petition for the establishment of a Community Board at any time under Schedule 6 of the Local Government Act 2002.

Ngā Whiringa | Options
Options – Community Boards

In light of the views of the community and the above considerations, Council has the following options in respect of Community Boards:

- 1) Status quo – no Community Boards
- 2) Re-establish Community Boards (and consider the membership and structure)

Options for electing Councillors

Council’s initial proposal was Option 3. Council now has to consider all the submissions, and decide on its Final proposal. As previously described, if the Final proposal differs from the Initial proposal, the appeals/objections may be submitted by anyone (not only previous submitters).

The options previously considered by Council were:

Option 1 - Decrease general ward members to 8 plus 1 Māori Ward member, same wards and structure (Matamata 3, Morrinsville 3, Te Aroha 2, Māori 1)

The district as a whole has 4,032 people per Councillor. The ward populations per ward Councillor are 4,267 (Matamata), 3,900 (Morrinsville), 3,830 (Te Aroha), 4,130 (Māori) Reducing the Councillor numbers in this way results in an average increase of 18% in the count of population represented by each Councillor.

Each ward is within 10% of the ratio for the district as a whole.

Ward	Population 2020 estimate	Councillors	Average People Per Councillor	Deviation from Average Population per Councillor	% Deviation from Average Population per Councillor
Matamata	12,800	3	4,267	247	6.14%
Morrinsville	11,700	3	3,900	-120	-2.99%
Te Aroha	7,660	2	3,830	-190	-4.73%
Total	32,160	8	4,020		

Ward	Population 2020 estimate	Councillors	Average People Per Councillor	Deviation from Average Population per Councillor	% Deviation from Average Population per Councillor
general Ward Councillors					
Māori Ward	4,130	1	4,130		
Totals	36,290	9	4,032		

In considering a reduction in the number of Councillors care must be taken to ensure that:

- There is a sufficient number of Councillors available to manage the affairs of Council.
- The Elected Members' workloads do not become excessive.
- There is an appropriate level of elector representation. A reduced number of Elected Members may limit the likelihood of diversity of opinion and less understanding of the issues confronting the local community
- Diversity in Councillor skill sets, experience and backgrounds is maintained.
- There are adequate lines of communication between the community and Council.
- Consideration is given to whether 9 Councillors is too small as a representative body. Matamata-Piako has no Community Boards – so there could be a risk of under representing the community with 9 Councillors.
- The meeting quorum would be 4 Councillors plus the Mayor – which could be viewed as a relatively small number and if a Councillor is absent for any reason the ward representation could be compromised. Under the Local Government Act 2002 (clause 23, schedule 7) a quorum at a Council meeting consists of half of the members if the number of members (including vacancies) is even; or a majority of members if the number of members (including vacancies) is odd.

Option 2 - Elect some Councillors by ward and some at large (Matamata – 3, Morrinsville – 3, Te Aroha – 2, Māori - 1; some at large (number to be determined))

The ward populations per ward Councillors are: 4,267 (Matamata), 3,900 (Morrinsville), and 3,830 (Te Aroha) and is within 10% of the ratio for the district as a whole. There is no particular guidance on the number of councillors that could reasonably be elected at large

Ward	Population 2020	Councillors	Average People Per Councillor	Deviation from Average Population per Councillor	% Deviation from Average Population per Councillor
Matamata	12,800	3	4267	247	6.14%
Morrinsville	11,700	3	3900	-120	-2.99%
Te Aroha	7,660	2	3830	-190	-4.73%
Total general ward Councillors	32,160	8	4,020		

Ward	Population 2020	Councillors	Average People Per Councillor	Deviation from Average Population per Councillor	% Deviation from Average Population per Councillor
Councillors elected at large	34,730	TBC (assume 2)			
Māori Ward	4,130	1	4,130		
Totals	36,290	11 (assumed 2 at large)	3,299		

In considering a change to having some Councillors elected at large care must be taken to ensure that:

- There is a shared common community of interest at the district level warranting members elected at large.
- Communities of interest are spread across the district rather than being geographically distinct.
- Specific representation of individual communities of interest is needed to ensure fair and effective representation via the ward system.
- The +/-10% rule only applies to the wards, not the at large component so provides flexibility for future population changes - for example, an extra at large member could be established in the future if warranted.
- The lines of communication between Council and the community could be perceived to be enhanced given that members of the community can consult with their specific Ward Councillors as well as members elected at large.
- Contesting 'at large' elections could require more costly campaigning across the entire district. Under this model there would still be an option for candidates to stand in a Ward area at potentially lower cost. In this scenario the Māori Ward would cover the entire district as well.
- This approach could possibly be confusing to people and possibly decrease voter turnout. People would have the option to vote for their preferred ward candidates and at large candidates.
- Ward Councillors are required to act in the district's best interests anyway, and if some at large seats are established people may question what value is.

Option 3 - Increase members to 12 with the addition of 1 Māori Ward, same wards and structure (Matamata 4, Morrinsville 4, Te Aroha 3, Māori 1)

Option 3 is the status quo with the addition of 1 Māori Ward Councillor. The district as a whole has 3024 people per Councillor. The ward populations per ward Councillor are 3,200 (Matamata), 2,925 (Morrinsville) and 2,553 (Te Aroha). Increasing the Councillor numbers by 1 to 12 results in a 9% decrease in the count of population represented by each Councillor.

Te Aroha Ward falls outside the +/- 10%

Ward	Population 2020 estimate	Councillors	Average People Per Councillor	Deviation from Average Population per Councillor	% Deviation from Average Population per Councillor
Matamata	12,800	4	3,200	276	9.45%
Morrinsville	11,700	4	2,925	1	0.05%
Te Aroha	7,660	3	2,553	-370	-12.67%
Total general Ward Councillors	32,160	11	2,924	32,160	
Māori Ward	4,130	1	4,130		
Totals	36,290	12	3024		

Option 3 is the Council's initial proposal.

Option 3 is as close as possible to a 'business as usual' approach (keeping the same number of general Ward Councillors, adding a Māori Ward Councillor). Options 1 and 3 also have the advantage of being relatively familiar by retaining the ward structure and the same ward boundaries.

Option 4 - Increase members to 13, same wards and structure (Matamata 5, Morrinsville 4, Te Aroha 3, Māori 1)

The district as a whole has 2,792 people per Councillor. The ward populations per ward Councillor are 2,560 (Matamata), 2,925 (Morrinsville) and 2,553 (Te Aroha). Increasing the Councillor numbers by 2 to 13 results in 18% decrease in the count of population represented by each Councillor.

Each ward is within 10% of the ratio for the district as a whole.

Ward	Population 2020 estimate	Councillors	Average People Per Councillor	Deviation from Average Population per Councillor	% Deviation from Average Population per Councillor
Matamata	12,800	5	2560	-120	-4.48%
Morrinsville	11,700	4	2925	245	9.14%
Te Aroha	7,660	3	2553	-127	-4.73%
Total general Ward Councillors	32,160	12	2,680		
Māori Ward	4,130	1	4,130		

Ward	Population 2020 estimate	Councillors	Average People Per Councillor	Deviation from Average Population per Councillor	% Deviation from Average Population per Councillor
Totals	36,290	13	2,792		

In considering an increase in the number of Councillors care must be taken to ensure that:

- An increase to 13 members could be perceived to take Council out of the range of appropriate representation (i.e. may well create over representation). It is noted that over representation is not 'effective representation' as required by the Act.
- the numbers of Councillors is appropriate for a district of our size, districts of similar populations mostly have less than 13 members. Council would need to provide solid reasons why it is proposing an increase of 2 Councillors. The closest population to Matamata-Piako District for a 13 member Council is Marlborough District which has a population of 50,240. Matamata-Piako District has a population of 36,320 so it could be questioned whether Matamata-Piako District warrants 13 Councillors relative to its population size.
- The Morrinsville Ward has a similar population to Matamata Ward (approx. 900 difference) so consideration could be given to increasing the number of Councillors in Morrinsville Ward as well so the two Wards have equal representation as per the status quo. Future population growth in the Morrinsville Ward such as the Lockerbie development may be a consideration also. Adding an extra Councillor for the Morrinsville Ward (total 13 general ward Councillors) would comply with the + / - 10% rule.
- Increasing workload for Councillors driving the need for more Councillors for example:
 - Creation of Working parties since the 2019 elections – for Te Aroha Domain, Morrinsville Recreation Ground and Solid Waste requiring elected member input;
 - Increasing capital programme
 - Greater involvement in regional and sub-regional co-ordination occurring (e.g. FutureProof, Waikato Plan, Waikato Wellbeing project, regional economic development, regional housing work)
 - Ongoing District Plan review – changes to the RMA requiring formal accreditation/training to sit on hearings;
 - Three Waters reform and other central government reforms
 - The creation of the Māori Ward may lead to more work with iwi/Māori from all elected members
 - Iwi partnerships – increasing focus demanding elected member attention
 - Treaty Settlements – potential for further co-governance arrangements and the number of Committees increasing
- This option may be the most equitable in terms of fair representation (the numbers demonstrate this) and arguably other combination of Councillors doesn't achieve this to the same extent.
- Due to a lack of candidates at the 2016 election (with two of the three wards and Mayoralty having candidates elected unopposed) there may be difficulty filling Councillors positions, without incurring the expense of a by-election. By increasing the number of Councillors, Council is more exposed to the costs of a by-election if Councillor roles are not filled at the triennial election.

Option 5 - Increase members to 14, same wards and structure (Matamata 5, Morrinsville 5, Te Aroha 3, Māori 2)

The district as a whole has 2,445 people per Councillor. The ward populations per ward Councillor are 2,560 (Matamata), 2,925 (Morrinsville) and 2,553 (Te Aroha). Increasing the Councillor numbers by 2 to 14 results in a 15.36% decrease in the count of population represented by each Councillor.

Each ward is within 10% of the ratio for the district as a whole.

Ward	Population 2020 estimate	Councillors 2020	Average People Per Councillor	Deviation from Average Population per Councillor	% Deviation from Average Population per Councillor
Matamata	12,800	5	2560	-120	-4.48%
Morrinsville	11,700	4	2925	245	9.14%
Te Aroha	7,660	3	2553	-127	-4.73%
Total general Ward Councillors	32,160	12	2,680		
Māori Ward 1	2065	1	2065	0	-0%
Māori Ward 2	2065	1	2065	0	0%
Totals	36,290	14	2,445		

The same considerations as per Option 4 are relevant for Option 5.

Number of Maori Ward Councillors

The number of Māori Ward Councillors is tied to the total number of Councillors. For Matamata-Piako this works out as follows:

Number of Māori Councillors	1	2
Total Number of Councillors	6-13	14-30

Note: Under the Act, Councils can have between 6 and 30 Councillors.

Therefore, for a Council comprising 14 Councillors, as with Option 5, the number of Māori Ward Councillors would be 1.59, rounded to the nearest whole number, being two. Council may consider that having two Māori Ward candidates is desirable (e.g. to spread the workload between them or have greater Māori representation).

In this scenario, Council would have the option to have two Māori Ward Councillors elected from a single ward, or divide the district into two Wards with one Councillor elected from each Ward.

The Option above has two Wards, with the total Māori electoral population of 4,130 divided into two. In reality, as the Wards boundaries would need to be mapped around statistical areas, and reflect communities of interest etc. the population split would probably not be perfectly equal as shown in the table. This would need to be investigated further if Council wishes to consider this option.

Other options

There are other options that could be considered for example:

- Shifting Ward boundaries. Care would need to be taken not to split the community of interest of either the Matamata or Morrinsville Wards and limiting effective representation.
- Creating a rural and urban ward structure. Under the scenarios modelled by staff it has not been possible to create a structure that complies with the + / - 10% rule.
- Electing all Councillors at large. initial

Analysis

Analysis of preferred option

There is no preferred option however as noted there are risks associated with any proposal that does not comply with the +/- 10% rule.

Legal and statutory requirements

The legal requirements of the Act covered elsewhere in this report.

Statutory requirements for decision-making

Section 76 of the Local Government Act 2002 (“LGA”) provides that Council must make decisions in accordance with sections 77-82 of the LGA.

Section 77(1) of the LGA provides that Council must, when making decisions, seek to identify all reasonably practicable options for the achievement of the objective of a decision, and assess the options in terms of their advantages and disadvantages.

Section 77(2) of the LGA provides that s77(1) is subject to s79. Section 79 of the LGA provides that Council must exercise its discretion in making judgments about how to achieve compliance with ss77-78 in a manner that is in proportion to the significance of the matters affected by the decision, and about:

- (i) The extent to which different options are to be identified and assessed; and
- (ii) The degree to which benefits and costs are to be quantified; and
- (iii) The extent and detail of the information to be considered; and
- (iv) The extent and nature of any written record to be kept of the manner in which it has complied with those sections.

Section 79(2) of the LGA provides that in making such a judgement Council must have regard to the significance of all relevant matters as well as:

- (a) The principles set out in section 14 of the LGA;
- (b) The extent of Council’s resources; and
- (c) Whether the circumstances of the decision allow Council to consider a range of options, views or preferences.

Section 78 of the LGA provides that Council must, in the course of its decision-making process, give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter.

Pursuant to section 19W of the Act, in reviewing Community Boards Council must also have regard to the criteria that apply to reorganisation proposals as set out in Subpart 2 of Part 1 of Schedule 3 of the LGA.

Mōrearea | Risk

There is a risk that Local Government Commission will set a representation structure that is desirable to Council or the community, if they issue is referred to them for determination.

Ngā take ā-ture, ā-Kaupapahere hoki | Legal and policy considerations

There is no policy or bylaw impact. This issue concerns the democratic representation of the community.

This is not an issue related to the Long Term Plan but the representation review is noted within the Community Leadership activity plan as a project.

In terms of the Significance and Engagement Policy, a public consultation process has been undertaken as required by legislation. The representation review impacts on all people in the district by deciding who represents them on Council, who they can vote for in the next two election cycles, and the basis on which Councillors are elected.

Ngā Pāpāhonga me ngā Wātaka | Communications and timeframes

Consultation had a digital focus. The Council website had an interactive tool whereby the public could work with different representation options to see what would comply with the + / - 10% rule.

The representation review process was discussed with Te Mana whenua Forum Mo Matamata-Piako at their meeting on 2 June 2021 and the Maori Ward naming at the meeting on 7th September 2021

Various communication and consultation activities were undertaken for public awareness, information and engagement. An evaluation of the various communication channels is set out below:

Aware (people who see/are exposed to the Representation Review information during the consultation period).

Target: 50,000 exposures across multiple platforms

Result: 37,541 exposures

- 17,000 newspaper circ (7,100 Scene, others TBC)
- 9,680 paid facebook reach
- 5,574 organic facebook reach
- 1,635 EDMs sent
- 3,137 Antenno notifications sent
- 515 website views

Informed: (number of people who made an effort to read more about it, e.g. opened EDM, engaged on Facebook, entered the campaign short url).

Target: 10,000 interactions across multiple platforms

Result: 2,866 interactions

- 752 EDMs opened
- 244 likes/comments/shares on paid ad
- 610 engagements on organic posts
- 238 users of the shortlink
- 515 website views
- 507 opens on Antenno

Engaged (number who made a submission, attended a community meeting etc.).

Target: 50 submissions

Result: 40 submissions

Evaluation - other conclusions

- There were a number of challenges getting the paid advertisement to run (picked up as being political). This meant it ran for a shorter period of time than anticipated
- Facebook ad improved awareness, but didn't necessarily translate to informed/engaged
- The video of actual people got greater engagement than animation

Evaluation - all data

Content distribution

- 1 web page
- 4x newsletters (2x generic, 2 x Maori targeted)
- 3 organic Facebook posts - including 2 different videos
- Facebook ad campaign using geographic targeting (explainer video)
- 1 Antenno post
- 2 x 2 page spreads

Facebook

Ad campaign:

- 293 landing page views, 9,680 reach, 33,857 impressions, cost per landing page view = \$1.37
- 205 comments, 38 reactions (22 likes, 13 angry, 2 love, 1 wow)

Organic

- Explainer video - 1,749 people reached, 890 3 sec views, 4 comments, 1 share, 231 engagements (42 clicks to play, 15 link clicks, 157 other clicks)
- Arihia and Te Awa - 2,761 people reached, 543 3 sec views, 1 comment, 12 shares, 323 engagements (59 clicks to play, 8 link clicks, 191 other clicks)
- Reminder video - 1064 people reached, 425 3 sec views, 2 comments, 1 share, 56 engagements (14 clicks to play, 2 link clicks, 33 other clicks)

EDM (e-newsletter)

- Representation review generic - sent to 732, 352 opens, 14 clicks
- Representation review Māori - sent to 30, 12 opens, 1 click
- Representation review reminder - sent to 736, 319 opens, 13 clicks
- Representation review reminder Māori - sent to 146, 69 opens, 8 clicks

Newspapers (Scene, 20 July and 3 August, Te Aroha News and Morrinsville News 22 July and 5 August)

- 2 page spreads, run twice in each local paper during consultation period
- Scene = 7,100 distribution (include Tirau though)

Antenno

- 3,137 delivered, 1,878 impressions, 507 views (opens), 17 thanks, 97 link taps, 1 share

Website

- 515 page views during consultation period, 298 unique visitors

Shortlink

- 238 views, 202 direct, 37 from referrers (Facebook and mailchimp)

Ngā take ā-lhinga | Consent issues

There are no consent issues.

Te Tākoha ki ngā Hua mō te Hapori me te here ki te whakakitenga o te Kaunihera | Contribution to Community Outcomes and consistency with Council Vision

Council has developed vision for the Long Term Plan 2021-31 as: *Matamata-Piako – The Place of choice – Lifestyle. Opportunities. Home.* A new set of Community Outcomes have been developed to support this vision. The outcomes relevant to this decision are:

Healthy Communities

We encourage community engagement and provide sound and visionary decision making.

Economic Opportunities

We provide leadership and advocacy is provided to enable our communities to grow.

Vibrant Cultural Values

We value and encourage strong relationships with iwi and other cultures, recognising waahi tapu and taonga/significant and treasured sites and whakapapa/ ancestral heritage.

Tangata Whenua with Manawhenua status (those with authority over the land under Maaori lore) have meaningful involvement in decision making.

Pānga ki te pūtea, me te puna pūtea | Financial Cost and Funding Source

Representation Review

The consultation on the representation review project is covered within existing budgets.

The introduction of a Māori Ward will cost an additional \$4-5K in election costs. Additional election costs will be incurred if there are additional members to be elected.

Internal costs of changing Councillors numbers

Increasing the number of Councillors will also result in a minor increased cost to Council for example IT equipment and licences, furniture, travel, training, printing, catering, and governance support. The reverse would also apply.

Councillor remuneration – impact of any changes in the number of Councillors

The remuneration system is set by the Remuneration Authority. It does not form part of the representation review process however a summary of the remuneration impact is outlined below for Council's information.

Councillors are remunerated through a total governance pool which provides the total amount that can be paid in remuneration to councillors in each individual council. The governance pool has no relationship to the number of councillors. Changes in councillor numbers following a representation review will not affect the council's governance remuneration pool. However, it will have an impact on councillors' minimum allowable remuneration and consequently it will impact the remuneration rate set for a base councillor and for positions of responsibility.

The reduction in councillor numbers will see an increase in the funds available from within the governance pool to allocate to the base councillor position and positions of responsibility. Conversely more councillors would mean that the available governance pool would need to be spread among more people.

Ngā Tāpiritanga | Attachments

- A. Current Ward Map

- B. MPDC Survey Plan (SO 58040)
- C. Council Resolution – 14 July 2021 meeting
- D. Representation Review - Public Notice of Initial Proposal

Ngā waitohu | Signatories

Author(s)	Niall Baker Policy and Legal Team Leader	
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Approved by	Erin Bates Strategic Partnerships and Governance Manager	
	Don McLeod Chief Executive Officer	

10.15am

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
OF THE MEETING OF KAUNIHERA | COUNCIL
HELD ON 15 SEPTEMBER 2021.

KO TE RĀ | DATE:

TIAMANA | CHAIRPERSON:



te kaunihera ā-rohe o
matamata-piako
district council

Items tabled on the day

Item	pg
Submission Presentation - Jade Lynn	33

MAORI WARDS SUBMISSION 2021

- **“Fair and effective representation is a key principle”** - *Matamata-Piako District Council Representation Review video*
- *14 councillors = less departure from 10% rule and greater parity and equity for the 4 wards*
- *14 councillors would better honour the principals of the Treaty*

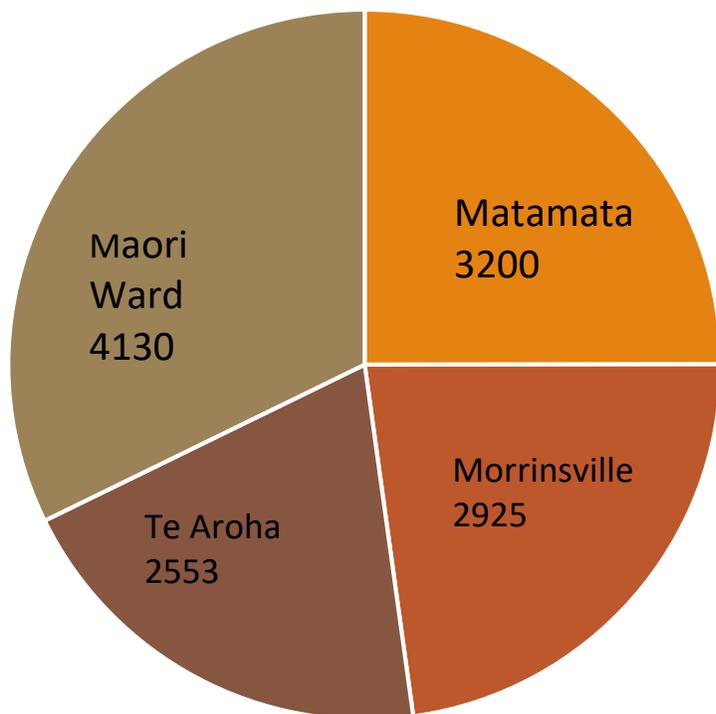
KEY PRINCIPLE

- **“Fair and effective representation is key principle”** - *Matamata-Piako District Council Representation Review video*

Electorate	Voter numbers / proposed no. of councillors	Proposed no. of people per councillor	Voter numbers / recommendation #1 no. of councillors	Recommended no. of councillors	Recommendation #1 people per councillor
Matamata	12800/4	3200	12800/5		2560** (71 under)
Morrinsville	11700/4	2925	11700/4		2925
Te Aroha	7660/3	2553** (78 under)	7660/3		2553** (78 under)
Maori Ward	4130/1	4130** (914 over)	4130/2		2065** (566 under)
	12 councillors (ONE additional councillor)	Equity = 1577 from lowest to highest Departure from rule by total of 992 voters	14 Councillors (THREE additional councillors)	14 Councillors (THREE additional councillors)	Equity = 860 from lowest to highest Departure from rule by total of 715 voters
** +/- 10% rule	2631-3216				

Council proposal

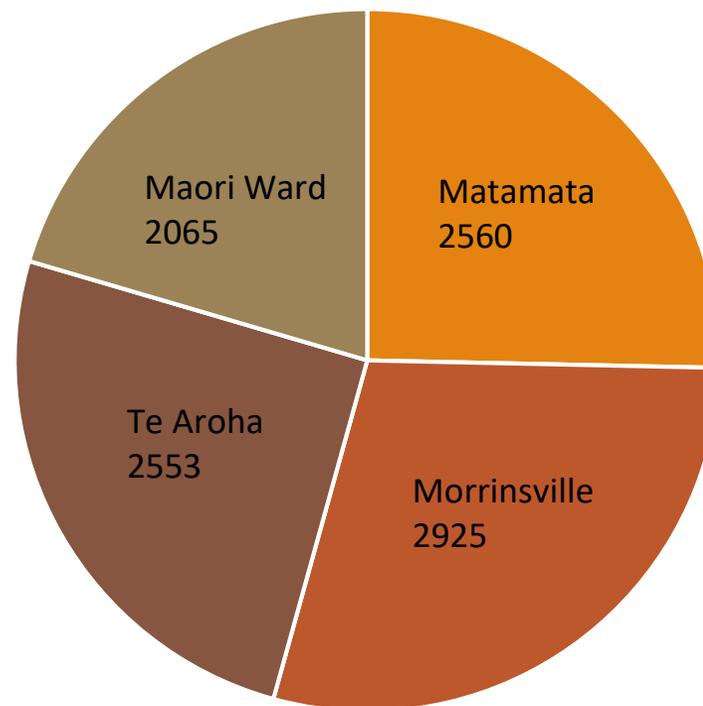
Number of Voters per Councillor



■ Matamata 4 ■ Morrinsville 4 ■ Te Aroha 3 ■ Maori 1

Our Proposal

Number of Voters per Councillor



■ Matamata 5 ■ Morrinsville 4 ■ Te Aroha 3 ■ Maori 2

Change the ward boundaries?

Changing the ward boundaries

This would technically result in better representation, because each Councillor would be representing similar numbers of people (complying with the +/- 10% rule).

However, moving the ward boundaries just to make the numbers stack up would likely move people out of their 'community of interest' - so we don't think it is a good idea.

Te Tiriti

Section 4 Local Government Act 2002

“to recognise and respect the Crown’s responsibility to take appropriate account of the principles of the [Treaty of Waitangi](#)”

The principles of **partnership, participation and protection** underpin the relationship between Council and Māori under Te Tiriti o Waitangi.

These **THREE** principles form the rationale for the establishment of Maori wards.

Te Tiriti

The proposed configuration of 12 councillors with ONE Maori ward will deny Maori two of these Treaty principles – namely **participation and protection**

“**Participation** requires Māori to be involved at all levels of the local government sector”

Not having enough Maori ward counsellors to **effectively** represent Maori voters cuts down Maori participation.

“**Protection** involves the Council working to ensure Māori involvement in decision-making processes”

The proposed configuration of 12 councillors with ONE Maori ward is **not protecting fair and effective representation** – a core principle.

Te Tiriti

Either these three Treaty principles mean something or they do not. Half-measures don't honour these principals nor do they honour the place of the Treaty of Waitangi.

1852 Constitution Act was an example of inflexible voting rules denying Maori their rights under the Treaty that they signed only 12 years prior.

This Council proposal would be a continuation of that pattern.

Remuneration considerations

The total elected member remuneration paid by Matamata-Piako District Council in 2016/17 was \$413,479, drawn from general rates – [Stuff Aug 06 2018](#)

The mayor received \$103,462 within that year, as well as having use of a council car.

This leaves \$310 017.

In 2016/17, the deputy mayor and councillors who were chairs of committees were paid \$31,289.

In 2016/17 councillors who did not chair committees each received \$27,208.

With 12 councillors, mean remuneration would be \$25 834

With 14 councillors, mean remuneration would be \$22 144

MAORI WARDS SUBMISSION 2021

- **“Fair and effective representation is a key principle”** - *Matamata-Piako District Council Representation Review video*
- *14 councillors = less departure from 10% rule and greater parity and equity for the 4 wards*
- *14 councillors would better honour the principals of the Treaty*



Electorate	Voter numbers / proposed no. of councillors	Proposed no. of people per councillor	Voter numbers / recommendation #2 no. of councillors	Recommended no. of councillors	People per councillor
Matamata	12800/4	3200	12800/5		2560** (71 under)
Morrinsville	11700/4	2925	11700/5		2340** (291 under)
Te Aroha	7660/3	2553** (78 under)	7660/2		3830** (614 over)
Maori Ward	4130/1	4130** (914 over)	4130/2		2065** (566 under)
	12 councillors (ONE additional councillor)	Equity = 1577 from lowest to highest Departure from rule by total of 992 voters	14 Councillors (THREE additional councillors)	14 Councillors (THREE additional councillors)	Equity = 1765 from lowest to highest Departure from rule by total of 1542 voters
** +/- 10% rule	2631-3216				

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Matamata Ward

2560 people per
Councillor



Morrinsville Ward

2925 people per
Councillor



Te Aroha Ward

2553 people per
Councillor



General Ward Population

32160

Councillors

12

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Māori Ward

2065 people per
Councillor

