

OIR: 2324/798

7 March 2024

[REDACTED]
[REDACTED]

Tēnā koe [REDACTED],

Request for Information under the Local Government Official Information and Meetings Act 1987 (the Act) (the LGOIMA)

Thank you for your email of **10 February 2024** requesting the following information:

All correspondence and communications to and from government ministers or officials about Kāpiti Māori ward(s) between 1 October 2023 and 27 February 2024. In particular, please supply all correspondence between KCDC and Hon Simeon Brown and/or his officials over the same time period

We conducted a search of our email archives using the key word “Maori ward” combined with the recipient email ending in “dia”, “lgc”, “parliament” and “Simeon Brown”. The attached document provides the results of that search.

Please note, the personal details of other parties have been withheld from this information. The decision to withhold this information is made under section 7(2)(a) of the Act which allows for Council to withhold information in order to protect the privacy of natural persons, including that of deceased natural persons.

In Council’s view the reasons for withholding these details are not outweighed by public interest considerations in section 7(1) favouring their release.

Please note that any information provided in response to your request may be published on the Council website, with your personal details removed.

You have the right to request the Ombudsman to review this decision. Complaints can be sent by email to info@ombudsman.parliament.nz, by fax to (04) 471 2254, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi,

A handwritten signature in dark ink, appearing to read 'Sarah Wattie', written in a cursive style.

Sarah Wattie

Governance and Legal Services Manager
Te Kaiwhakahaere Ratonga Kāwanatanga me te Ture

From: Steffi Haefeli <Steffi.Haefeli@kapiticoast.govt.nz>
Sent time: 11/16/2023 04:58:34 PM
To: Linda Canton [REDACTED]
Cc: Jessica Mackmar [REDACTED]; Sarah Wattie <Sarah.Wattie@kapiticoast.govt.nz>
Subject: RE: Kapiti Coast District Council Maori Wards decision
Attachments: image001.png

Thank you Linda and nice to talk to you as well.

I have cc'd in my manager Sarah and Jess from my team so in case of the unspeakable others are aware that you are our contact.

Ngā mihi nui

Steffi Haefeli
Manager Democracy Services
Te Kaiwhakahaere Ratonga Pōti

Kāpiti Coast District Council
[REDACTED]
[REDACTED]

www.kapiticoast.govt.nz

From: Linda Canton [REDACTED] >
Sent: Thursday, November 16, 2023 4:32 PM
To: Steffi Haefeli <Steffi.Haefeli@kapiticoast.govt.nz>
Subject: Kapiti Coast District Council Maori Wards decision

Kia ora Steffi

Good to talk with you just now. Thanks again for forwarding all of the information we requested, much appreciated.

As promised, this is my individual email address and phone – [REDACTED] Please feel free to email or call with any queries.

Ngā mihi

Linda

Linda Canton (she/her) | Senior Advisor
Mana Kāwanatanga ā Rohe | Local Government Commission
Mobile [REDACTED]

www.lgc.govt.nz

I work remotely Monday-Thursday. You can contact me by phone or email.

From: Steffi Haefeli <Steffi.Haefeli@kapiticoast.govt.nz>
Sent: Tuesday, November 14, 2023 2:02 PM
To: LGC <LGC@lgc.govt.nz>
Subject: RE: LGC Representation Review Pānui 4

Kia ora e te tīma,

Our kaunihera has today decided to establish a Māori ward.
The resolution is:

That Council resolve to establish a Māori ward for electoral purposes under section 19Z of the Local Electoral Act 2001 ahead of the 2025 local body elections.

This will of course trigger a representation review and we are now planning next steps in this space.

Ngā mihi nui

Steffi Haefeli
Manager Democracy Services
Te Kaiwhakahaere Ratonga Pōti

Kāpiti Coast District Council
[REDACTED]

From: Steffi Haefeli
Sent: Monday, November 13, 2023 9:27 AM
To: LGC <LGC@lgc.govt.nz>
Subject: RE: LGC Representation Review Pānui 4

Kia ora e te tīma,

Arohamai for not getting any of this to you sooner. [REDACTED] my team was one person down [REDACTED] during a very busy time.

Our kaunihera is currently in the process of considering the establishment of a Māori ward for the 2025 Local Body Elections. The decision is going to kaunihera tomorrow. The reason it is this close to the due date is because the decision to engage was not made until August. I have attached the report as the first attachment to this email but we will not know the resolution until tomorrow.

Our Māori (mana whenua) stakeholders are Te Ātiawa ki Whakarongotai Cheritable Trust [REDACTED] Ngā Hapū o Ōtaki [REDACTED] and Ngāti Toa Rangatira (CEO: [REDACTED] and representative to kaunihera: [REDACTED]

In terms of our Representation review plans, I have attached our timeline. We do have a draft project plan but it is very much in draft and has a lot of track changes through it. I think the timeline gives you a better indication of what we are planning at this stage.

In terms of the Selection of the Electoral System, there are multiple reports that went up this triennium. Initially, kaunihera resolved in July to hold a poll of electors but they did not specify a date so Council Officers brought another report to kaunihera due to concerns around the poll date falling around the same time as Elections and engagement around a Māori ward and kaunihera then reflected and instead decided not to conduct a poll and to go with STV instead. I have attached the three reports and minutes documents.

Ngā mihi nui

Steffi Haefeli
Manager Democracy Services
Te Kaiwhakahaere Ratonga Pōti

Kāpiti Coast District Council

From: LGC <LGC@lgc.govt.nz>
Sent: Friday, November 3, 2023 3:22 PM
To: LGC <LGC@lgc.govt.nz>
Subject: LGC Representation Review Pānui 4

Kia ora koutou,

Welcome to our latest pānui. This update covers:

- 2023 population estimates
- Release of data from 2023 census
- New LGC website, coming soon
- What we need from you

2023 STATISTICS NZ POPULATION ESTIMATES

Stats NZ have released population estimates as at 30 June 2023 for the following types of area:

- Regions
- Territorial authorities
- Regional constituencies
- Wards
- Communities and local boards
- Subdivisions

- Statistical area 2

The estimates are available in the resources tab of the [representation review page of our website](#).

You may note that in many districts, the size of the MEP had decreased while the size of the GEP has increased and that these estimates are different in some circumstances to comparisons looking at the 2019, 2020, 2021 and 2022 estimates where the majority of districts and regions had an increase in the MEP.

At a national level MEP has actually increased, with differences due to changes in the distribution of the Māori descent population across New Zealand, meaning that the MEP for some areas has decreased. This change in distribution is true for the total population estimates as well.

For estimates for proposed electoral areas you will need to request a customised estimate from Stats NZ. The mechanisms for doing this are set out in paragraphs 8.18 to 8.27 of the Commission's [Representation Review Guidelines](#).

More general information about the 2023 estimates and population growth can be found at this link [Population growth in all New Zealand regions | Stats NZ](#)

RELEASE OF DATA FROM 2023 CENSUS

The first release of data from the 2023 census will take place at the end of May 2024. However, it will only provide usually resident population for Regions, TA districts and Local board areas. Data for the following areas will not be available at that time:

- Existing wards, constituencies, communities, and subdivisions
- Statistical areas 1, 2 and 3
- Meshblocks

It should also be noted that statistics for the Māori Electoral Population and the General Electoral Population based on the census are not likely to be available until later in 2024.

Stats NZ will communicate dates for the release of other census data later this year, but it is not anticipated that detailed 2023 census data will be available in time for councils to use when developing their initial representation review proposals. The Commission's view is that the data source used by a council for its initial proposal should continue to be used for the remainder of the process. In practice, this means that councils will need to use the 2023 population estimates (or customised data sets sought from Stats NZ) for the entirety of their representation review process.

NEW LGC WEBSITE COMING SOON

The Local Government Commission is in the process of updating our website. This will make it easier for councils to access information and resources regarding the representation review process. We will let you know via our pānui when this update has been completed.

WHAT WE NEED FROM YOU


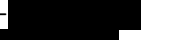


Thank you to the many of you that have provided us with below information. If you haven't already, please email us at lgc@lgc.govt.nz with the following:

- Your council's proposed representation review timeline
- Contact details for your council's Māori stakeholder entities (refer our pānui 2)
- Council reports and resolutions on your council's electoral system
- Council reports and resolutions on whether to establish Māori wards/constituencies – note this must be resolved by **23 November 2023**.

Many thanks to councils who have already provided the above.

CONTACT US

If you have any questions, please get in touch with one of the Commission team by emailing lgc@lgc.govt.nz, or calling one of us:

Donald Riezebos – 
 Linda Canton – 
 EJ Ruthven – 
 Courtney Hayward – 

Ngā mihi

The Local Government Commission Team

info@lgc.govt.nz

Local Government Commission | Mana Kāwanatanga ā Rohe
PO Box 5362 | Wellington 6140



The information contained in these updates is intended to support well-informed council decisions and good practice in the representation review process. Specific representation arrangements are decisions for each council. The information is provided by Commission officials and does not reflect a particular view or preference of the Commission for any specific representation arrangement. Where representation is determined by the Commission, each determination is considered on its merits taking into account the information available to the Commission.

We are sending this email primarily to local authority officers and others we believe are responsible for representation and related issues. If you are not the appropriate person in your organisation to receive this information, or if others in the organisation should also receive it, please let us know.

The material in this email is confidential to the individual or entity named above, and may be protected by legal privilege. If you are not the intended recipient please do not copy, use or disclose any information included in this communication without Kāpiti Coast District Council's prior permission.



Local Government Commission

Mana Kāwanatanga ā Rohe

From: Linda Canton [REDACTED]
Sent time: 11/16/2023 04:32:25 PM
To: Steffi Haefeli <Steffi.Haefeli@kapiticoast.govt.nz>
Subject: Kapiti Coast District Council Maori Wards decision
Attachments: image001.png

Kia ora Steffi

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As promised, this is my individual email address and phone – [REDACTED] Please feel free to email or call with any queries.

Ngā mihi

Linda

Linda Canton (she/her) | Senior Advisor
Mana Kāwanatanga ā Rohe | Local Government Commission
Mobile [REDACTED]

www.lgc.govt.nz

I work remotely Monday-Thursday. You can contact me by phone or email.

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Donald Riezebos – [REDACTED]
Linda Canton – [REDACTED]
EJ Ruthven – [REDACTED]
Courtney Hayward – [REDACTED]

Ngā mihi

The Local Government Commission Team

info@lgc.govt.nz

Local Government Commission | Mana Kāwanatanga ā Rohe
PO Box 5362 | Wellington 6140



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We are sending this email primarily to local authority officers and others we believe are responsible for representation and related issues. If you are not the appropriate person in your organisation to receive this information, or if others in the organisation should also receive it, please let us know.

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Local Government Commission

Mana Kāwanatanga ā Rohe

From: LGC <LGC@lgc.govt.nz>
Sent time: 12/01/2023 10:00:34 AM
To: LGC <LGC@lgc.govt.nz>
Subject: LGC Representation Review Pānui 5
Attachments: image001.png

Kia ora koutou

Welcome to our latest pānui. This update covers:

- Responses to recent enquiries we have received regarding Māori wards/constituencies

References to local referendum in coalition agreements

The coalition agreements made public this week include reference to restoring “the right to local referendum on the establishment or ongoing use of Māori wards, including requiring a referendum on any wards established without referendum at the next Local Body elections”.

Several councils have since contacted us with queries regarding Māori wards/constituencies and the upcoming representation reviews. These are addressed below, based on the Local Electoral Act 2001 as it currently stands. We acknowledge the possibility of future legislative change.

Council resolutions regarding the establishment of Māori wards continue in effect for the 2025 local election

Section 19Z of the Local Electoral Act 2001 (the LEA) addresses council decision-making in relation to the establishment of Māori wards/constituencies. Section 19Z(3)(a) of the LEA sets a deadline of 23 November 2023 for council resolutions to establish Māori wards/constituencies.

In our view, any further council resolutions made under section 19Z would not take effect for the 2025 local election. This is because:

- Section 19Z(3)(b) makes it clear that any resolution made after 23 November 2023 will not take effect until the 2028 local election; and
- Section 19Z(3)(c) states that any decision to establish Māori wards takes effect for 2 triennial elections and continues in effect until a further resolution under this section takes effect.

The combined effect of these provisions means that council resolutions regarding the establishment of Māori wards continue in effect for the 2025 local election.

Councils that have established Māori wards/constituencies for the first time must complete a representation review

Clauses 1(1) and 3(1) of Schedule 1A of the LEA require councils that have established Māori wards/constituencies for the first time to undertake a representation review. These clauses do not take into consideration the timing of the council’s previous representation review. This means that all councils that have established Māori ward/constituencies for the first time must complete a representation review next year, whether it is ‘in cycle’ or ‘out of cycle’.

Representation options should include Māori wards/constituencies where these have been established

Sections 19H, 19I and 19J, along with clauses 1(2) and 2(2) of Schedule 1A of the LEA set out the matters that councils must determine as part of an initial representation proposal. There are a number of factors to consider - we touched on these in [pānui 3](#).

Councils may choose to consider various representation options ahead of resolving one initial representation proposal. In our view, where councils have established Māori wards/constituencies, all representation options considered should include these (using the relevant calculation of Māori members in accordance with clauses 2 and 4 of Schedule 1A).

Contact us

If you have any questions, please get in touch with one of the Commission team by emailing lgc@lgc.govt.nz

Ngā mihi,

The Local Government Commission Team

Mana Kāwanatanga ā Rohe | Local Government Commission
PO Box 5362 | Wellington 6140

lgc.govt.nz

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We are sending this email primarily to local authority officers and others we believe are responsible for representation and related issues. If you are not the appropriate person in your organisation to receive this information, or if others in the organisation should also receive it, please let us know.

From: Amanda Yannetta [REDACTED]
Sent time: 10/30/2023 04:00:17 PM
To: [REDACTED]; Councillor Sophie Handford <Sophie.Handford@kapiticoast.govt.nz>; Mayor Janet Holborow <janet.holborow@kapiticoast.govt.nz>
Darren Edwards <Darren.Edwards@kapiticoast.govt.nz>; Community Board Member Sean McKinley <sean.mckinley@kapiticoast.govt.nz>; Community Board Member Kelsey Lee <kelsey.lee@kapiticoast.govt.nz>; Community Board Member Christian Judge <christian.judge@kapiticoast.govt.nz>; Community Board Member Sorcha Ruth <sorcha.ruth@kapiticoast.govt.nz>; ma@parliament.govt.nz; david.seymour@parliament.govt.nz; National Leader's Office <NLO@parliament.govt.nz>; christopher.luxon@parliament.govt.nz; Mailbox - Democracy Services <Democracy.Services@kapiticoast.govt.nz>; Mailbox - Kapiti Council <kapiti.council@kapiticoast.govt.nz>
Cc:
Subject: RE: Objection to the creation by KCDC of a New Electoral Voting Ward based on Apartheid ethnicity.

Mōrena [REDACTED]

Establishment of a Māori Ward will be voted on at an Additional Council meeting on 14 November 2023.

There is also a public briefing this week on Thursday at 1:30pm which you could join either in person or via livestream.

If you wish to attend the briefing in person, you do need to register with our Democracy Services team. Further details can be found in the link below.

<https://www.kapiticoast.govt.nz/your-council/meetings/calendar-of-upcoming-meetings/>

Ngā mihi

Amanda

Amanda Yannetta
Executive Assistant to the Chief Executive
Te Kaiāwhina ki te Tumuaki

Kāpiti Coast District Council

www.kapiticoast.govt.nz

From: [REDACTED]
Sent: Thursday, October 26, 2023 7:53 PM
To: Amanda Yannetta [REDACTED] Councillor Sophie Handford <Sophie.Handford@kapiticoast.govt.nz>; Mayor Janet Holborow <Janet.Holborow@kapiticoast.govt.nz>
Cc: Darren Edwards <Darren.Edwards@kapiticoast.govt.nz>; Community Board Member Sean McKinley <Sean.McKinley@kapiticoast.govt.nz>; Community Board Member Kelsey Lee <Kelsey.Lee@kapiticoast.govt.nz>; Community Board Member Christian Judge <Christian.Judge@kapiticoast.govt.nz>; Community Board Member Sorcha Ruth <Sorcha.Ruth@kapiticoast.govt.nz>; ma@parliament.govt.nz; david.seymour@parliament.govt.nz; National Leader's Office <NLO@parliament.govt.nz>; christopher.luxon@parliament.govt.nz; Mailbox - Democracy Services <Democracy.Services@kapiticoast.govt.nz>; Mailbox - Kapiti Council <kapiti.council@kapiticoast.govt.nz>
Subject: RE: Objection to the creation by KCDC of a New Electoral Voting Ward based on Apartheid ethnicity.
Importance: High

Good Morning Amanda,
Thank you for this acknowledgement
Can you please advise the date on which the KCDC Counsellors will be deciding the vote on this decision?

It is noted that Auckland City Council have today decided against the creation of additional Wards based on Ethnicity.

Yours sincerely

From: Amanda Yannetta [REDACTED]
Sent: Tuesday, 24 October 2023 9:31 a.m.
To: [REDACTED]
Subject: RE: Objection to the creation by KCDC of a New Electoral Voting Ward based on Apartheid ethnicity.

Mōrena [REDACTED]

Confirming receipt by the Chief Executive.

Ngā mihi

Amanda

Amanda Yannetta

Executive Assistant to the Chief Executive
Te Kaiāwhina ki te Tumuaki

Kāpiti Coast District Council



www.kapiticoast.govt.nz

From: [REDACTED]

Sent: Friday, October 13, 2023 12:45 AM

To: Mailbox - Democracy Services <Democracy.Services@kapiticoast.govt.nz>; Mailbox - Kapiti Council <kapiti.council@kapiticoast.govt.nz>; Mayor Janet Holborow <Janet.Holborow@kapiticoast.govt.nz>; Councillor Sophie Handford <Sophie.Handford@kapiticoast.govt.nz>

Cc: Darren Edwards <Darren.Edwards@kapiticoast.govt.nz>; Community Board Member Sean McKinley <Sean.McKinley@kapiticoast.govt.nz>; Community Board Member Kelsey Lee <Kelsey.Lee@kapiticoast.govt.nz>; Community Board Member Christian Judge <Christian.Judge@kapiticoast.govt.nz>; Community Board Member Sorcha Ruth <Sorcha.Ruth@kapiticoast.govt.nz>; ma@parliament.govt.nz; willie.jackson@parliament.govt.nz; david.seymour@parliament.govt.nz; winston.peters@nzfirst.nz; National Leader's Office <NLO@parliament.govt.nz>; christopher.luxon@parliament.govt.nz

Subject: Objection to the creation by KCDC of a New Electoral Voting Ward based on Apartheid ethnicity.

Dear KCDC Mayor, KCDC CEO , and Councillors
And other interested parties,

Please find attached my objection to your intention to create a new Electoral Ward based on an Apartheid ethnicity.
Please acknowledge receipt of this objection.

Yours faithfully

[REDACTED]

The material in this email is confidential to the individual or entity named above, and may be protected by legal privilege. If you are not the intended recipient please do not copy, use or disclose any information included in this communication without Kāpiti Coast District Council's prior permission.

From: Simeon Brown <Simeon.Brown@parliament.govt.nz>
Sent time: 02/20/2024 12:54:38 PM
To: Julie Judge <[REDACTED]>
Subject: Automatic reply: Letter regarding Māori Ward Decisions

Thank you for contacting Hon Simeon Brown MP, Minister of Transport, Minister of Local Government, Minister for Energy and Minister for Auckland.

Hon Simeon Brown considers all correspondence important and appreciates you taking the time to write. As the Minister receives a large amount of correspondence, it is not always possible to personally reply to all emails.

* If your correspondence is related to a constituent matter, please get in touch with the Minister's electorate team by email: PakurangaMP@parliament.govt.nz or by calling one of his team on 09 572-0000

* If your correspondence is diary related, requests will be processed accordingly and we will be back in contact with you

* If your correspondence requires a response, you can expect a response in due course

* If your correspondence relates to another Minister's portfolio, your correspondence will be transferred to the appropriate Minister

* If your correspondence expresses an opinion, it will be noted

* If you have made a request for official information, this will be managed in accordance with the provisions of the Official Information Act 1982, which may include transfer to a more relevant Minister or Agency

* If your request relates to media, it will be referred to the media team

* Latest information from the Beehive can be found here: <https://www.beehive.govt.nz/>

Thank you for the taking the time to write.

Kind regards,

[cid:image001.jpg@01DA43A9.6D8F41D0]

Office of Hon Simeon Brown MP

Minister of Transport, Minister of Local Government, Minister for Energy, Minister for Auckland

Email: s.brown@ministers.govt.nz

Website: www.Beehive.govt.nz

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

Authorised by Hon Simeon Brown MP, Parliament Buildings, Wellington

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Please note information about meetings related to the Ministers' portfolios will be proactively released (this does not include personal or constituency matters). For each meeting in scope, the summary would list: date, time (start and finish), brief description,

location, who the meeting was with, and the portfolio. If you attend a meeting with the Minister on behalf of an organisation, the name of the organisation will be released. If you are a senior staff member at an organisation, or meet with the Minister in your personal capacity, your name may also be released. The location of the meeting will be released, unless it is a private residence. The proactive release will be consistent with the provisions in the Official Information Act, including privacy considerations.

Under the Privacy Act 1993 you have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, or are concerned about the release of your information in the meeting disclosure, please contact the sender. You can read more about the proactive release policy at <https://www.dia.govt.nz/Proactive-Releases#MS>

From: Mayor Janet Holborow <janet.holborow@kapiticoast.govt.nz>
Sent time: 02/20/2024 12:53:57 PM
To: Simeon.Brown@parliament.govt.nz
Subject: FW: Letter regarding Māori Ward Decisions
Attachments: image001.png image002.png Letter regarding Māori Ward Decisions from Mayor of Kāpiti Coast.pdf

Kia ora Minister Brown

I note we haven't had a response to the attached letter. Until we receive guidance, we as a council are spending time and resources progressing our Representation Review, as we are required to do under the legislation. This is likely to be wasted money at a time when we are staring down the barrel of 17% rates rise.

Nāku iti nei, nā
Janet

Janet Holborow
Mayor

Kāpiti Coast District Council
Tel [04 296 4757](tel:042964757)
Mobile [027 296 1628](tel:0272961628)

www.kapiticoast.govt.nz

From: Julie Judge **On Behalf Of** Mayor Janet Holborow
Sent: Thursday, December 7, 2023 12:50 PM
To: Simeon.Brown@parliament.govt.nz
Subject: Letter regarding Māori Ward Decisions

Kia ora Minister Brown,

Congratulations on your appointment. Please find attached letter regarding Māori Ward decisions.

Thank you for your time and ask that you consider this request urgently.

Ngā mihi nui

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Julie Judge
Executive Secretary to the Mayor



7 December 2023

Dear Minister,

Re: Providing option for Council to rescind Māori Ward decisions.

Congratulations on your appointment, and I look forward to working with you over the coming months and years.

I write regarding the proposal to require Councils who have approved a Māori Ward without a referendum to carry one out, and the situation we and other Councils find ourselves in as a result of that.

Kāpiti Coast District Council decided in November to carry out a representation review to establish a Māori Ward.

We are now faced with having to carry out an extensive and expensive review under the legislation, with a referendum having some likelihood of undoing the outcome.

We have no ability to stop that work under the current legislation, so we are spending time and money on a piece of work which is potentially confusing and unnecessary. We would then be faced with the extra cost of a referendum.

We are receiving strong feedback from our community that they are very concerned about these costs. With councils facing record rates rises, we can't be wasting essential funds on pieces of work which won't have a positive benefit on our communities.

We also have no ability to pause the work, as we're required to complete it in time for the next election, now that we've decided to carry it out.

We request that we are provided with the ability to rescind our decision in light of the change of approach of the new government.

This needs to happen as soon as possible, as the longer we delay, the more resources will be wasted, and the more confusion will be faced by the community, who will also be spending time feeding back into a potentially unnecessary process.

Please consider this request urgently, so we can take the necessary steps to align our work with the policies of the new Government.

Yours sincerely,

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Janet Holborow

Mayor, Kāpiti Coast District Council.





From: Tim Costley <Tim.Costley@parliament.govt.nz>
Sent time: 12/19/2023 09:43:40 AM
To: Mayor Janet Holborow <janet.holborow@kapiticoast.govt.nz>
Subject: Re: URGENT - Letter to Minister for Local Government
Attachments: image001.png

Thanks. I'm in Parliament all week but let me have a read of the below.

And I'm happy to be copied in so I'm up to speed and save you having the conversation twice.

Kind regards,



From: Mayor Janet Holborow <Janet.Holborow@kapiticoast.govt.nz>
Date: Tuesday, 19 December 2023 at 7:30 AM
To: Tim Costley <Tim.Costley@parliament.govt.nz>
Subject: Re: URGENT - Letter to Minister for Local Government

Just to add - I have time this week if you'd like to catch up about any of this or just in general.

Ngā mihi nui

Janet Holborow
Mayor
Kāpiti Coast District Council
Ph 027 296 1628

From: Mayor Janet Holborow <Janet.Holborow@kapiticoast.govt.nz>
Sent: Monday, December 18, 2023 5:39:26 PM
To: Tim Costley <Tim.Costley@parliament.govt.nz>
Subject: Fwd: URGENT - Letter to Minister for Local Government

Hi Tim

Here's the letter I sent to Minister Brown.

Would you like me to copy you into the letters we write to ministers? We haven't done so in the past with local MPs but I'm happy to start doing that.

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From: Mayor Janet Holborow
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To: Julie Judge <[REDACTED]>
Subject: URGENT - Letter to Minister for Local Government

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Also please rename Letter regarding Maori Ward Decisions from Mayor of Kapiti.

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The material in this email is confidential to the individual or entity named above, and may be protected by legal privilege. If you are not the intended recipient please do not copy, use or disclose any information included in this communication without Kāpiti Coast District Council's prior permission.

Am Caddy

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Attachments: Maori Ward letter to Minister draft.docx

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Please consider this request urgently, so we can take the necessary steps to align our work with the policies of the new Government.

From: Mayor Janet Holborow <janet.holborow@kapiticoast.govt.nz>
Sent time: 12/18/2023 05:37:47 PM
To: Tim Costley <Tim.Costley@parliament.govt.nz>; Darren Edwards <Darren.Edwards@kapiticoast.govt.nz>; Deputy Mayor Lawrence Kirby <Lawrence.Kirby@kapiticoast.govt.nz>
Subject: Re: Kāpiti Coast District Council Speed Management Plan – Update
Attachments: image002.png

Hi Tim

Thanks for your email. Rest assured we have looked at the coalition agreement and are working on implications for Council. Staff are factoring those into work programmes and Darren is proposing to brief elected members in the new year through a series of dedicated briefings.

In the meantime, we are bound by current legislation, so things like the Māori Ward which are subject to statutory timeframes have to progress in the meantime. I have written to the Minister to request urgent work on legislation to give us more options in that regard. I'll forward you the letter.

Great work so far and look forward to an exciting year next year.

Merry Christmas!

Nāku iti nei, nā
Janet

Janet Holborow
Mayor

Kāpiti Coast District Council
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Mobile [027 296 1628](tel:0272961628)
-
www.kapiticoast.govt.nz

From: Tim Costley <Tim.Costley@parliament.govt.nz>
Sent: Saturday, December 16, 2023 3:38:04 PM
To: Mayor Janet Holborow <Janet.Holborow@kapiticoast.govt.nz>; Darren Edwards <Darren.Edwards@kapiticoast.govt.nz>; Deputy Mayor Lawrence Kirby <Lawrence.Kirby@kapiticoast.govt.nz>
Subject: FW: Kāpiti Coast District Council Speed Management Plan – Update

Hi Your Worship, Deputy Worship and CE.

The purpose of this quick note is just to check alignment between Government and Council policy direction, and writing to all three as the Mayor asked me to at our last meeting.

I've just been reading about the Speed Management Plan below. Variable speed limits are one thing we support but many other aspects will definitely be changed.

I'm hoping you've read the Government's policy direction about these and Maori representation on councils. If it's not clear I'd be happy to meet with you.

My goal is to ensure the easiest and smoothest path moving forward, and that we don't waste your time or your (and your ratepayers) money moving through things which may not proceed any further, or require other steps (ie referenda) or further changes.

Please let me know if I can help in any way.

Kind regards,



Begin forwarded message:

From: Kāpiti Coast District Council <notifications@engagementhq.com>

Subject: Kāpiti Coast District Council Speed Management Plan – Update

Date: 15 December 2023 at 1:55:44 PM NZDT

To: [REDACTED]

Reply-To: HaveYourSay@kapiticoast.govt.nz

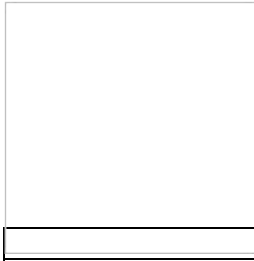


Image removed by sender.

An update on the speed management plan for the Kāpiti Coast District Council

Kia ora,

This email provides the first update on the next stages for the Kāpiti Coast District Council Speed Management Plan for stakeholders who:

- Indicated during the Speed Management Consultation process that they would like to be kept updated on developments.
- Provided feedback or requested traffic calming after the Speed Management Consultation process had concluded.

Following Council's [decision to adopt the Plan](#) on 26 October 2023 it was submitted to Waka Kotahi for Certification.

The Director of Land Transport has now certified the Plan, which means Council has the authority to set the dates for when new speed limits will become operable.

Work to implement the Plan is now underway.

We are continuing to work with key residents on the location of new Variable Speed Limit signs to be installed in high-benefit areas with a 30km/h speed limit.

We are on track for these to be implemented in the first half of 2024.

Visit <https://www.kapiticoast.govt.nz/services/a-z-council-services-and->

[facilities/roads/speed](#) for more information and to find the finalised plan.

If you no longer wish to receive updates about speed management in the Kāpiti Coast District, please let us know by sending an email to haveyoursay@kapiticoast.govt.nz.

Ngā mihi,

Ron Minnema
Transport Safety Lead

Kāpiti Coast District Council

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||

Tim Costley

TIM COSTLEY

MP for the Ōtaki Electorate

Foxton - Levin - Waikanae - Paraparaumu

020 438 8462

Authorised by Tim Costley, Parliament Buildings, Wellington



From: Mayor Janet Holborow <janet.holborow@kapiticoast.govt.nz>
Sent time: 12/07/2023 12:49:36 PM
To: Simeon.Brown@parliament.govt.nz
Subject: Letter regarding Māori Ward Decisions
Attachments: image001.png image002.png Letter regarding Māori Ward Decisions from Mayor of Kāpiti Coast.pdf

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Julie Judge
Executive Secretary to the Mayor



7 December 2023

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Please consider this request urgently, so we can take the necessary steps to align our work with the policies of the new Government.

Yours sincerely,

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Janet Holborow

Mayor, Kāpiti Coast District Council.





From: Elspeth McIntyre <[REDACTED]>
Sent time: 11/14/2023 11:54:57 AM
BCc: Tim.Costley@parliament.govt.nz; Paekakariki NZ - Nik Bullard <nik@paekakariki.nz>; Mark Amery <mark@amery.net>; Nikki Carrol <nikki@coastaccessradio.org.nz>
Subject: Media release: Kāpiti Coast District to have a Māori ward
Attachments: image001.png image002.png image003.png

Kia ora koutou

Here's our media release on the Māori ward.

Nā,

Elsbeth

Media release

14 November 2023

Kāpiti Coast District to have a Māori ward

Kāpiti Coast District Council has voted to establish a Māori ward ahead of the 2025 local body elections.

Councillor Martin Halliday, representative on Te Whakaminenga o Kāpiti, moved the motion, saying that the decision would only enhance the strong relationship that council has with mana whenua.

"This is a step in an ongoing journey about relationships that is part of the fabric of who we are as New Zealanders in Aotearoa, and it will be a journey that is with us always."

Mayor Janet Holborow said that councillors carefully considered the comments and thoughts of all of those who responded to the survey.

"While the overall result of the feedback from our communities was not in favour of a Māori ward, the breakdown of the results showed strong support from younger respondents.

"These rangatahi are the future of our district. We want to encourage them to have their say on civic and democratic matters, so they need to see that we are listening to them.

"The community engagement also highlighted that those on the Māori electoral role, who are most directly affected by this decision, were more supportive of establishing a Māori role compared to those not on the Māori role."

"We've committed to be a Council that listens, and that means listening to mana whenua and our wider Māori community, and drilling down below the surface results," Mayor Holborow said.

"We need to communicate clearly that when we seek feedback, it's not just about yes or no answers but the content and quality of arguments that elected members respond to."

Te Whakaminenga o Kapiti representative Kim Tahiwī previously told Council that many Māori hadn't responded but that Ngā Hapū o Ōtaki, who represent mana whenua, were in support of any change that increases Māori representation either locally or nationally.

The decision to proceed with the establishment of a Māori ward triggers a representation review, which must take place next year if the Māori ward is to be in place for the 2025 election.

Council would receive further advice on next steps in due course, Mayor Holborow said.

ENDS

Media contact:

Elsbeth McIntyre
Senior Advisor Communications & Engagement
Te Kaitohutohu Matua Whakapātanga me te Pāheko







From: Terisa Ngobi <Terisa.Ngobi@parliament.govt.nz>
Sent time: 11/14/2023 11:21:34 AM
To: Elspeth McIntyre [REDACTED]
Subject: Automatic reply: Media release: Kāpiti Coast District to have a Māori ward

Talofa lava,

On behalf of Terisa Ngobi, former MP for Ōtaki, thank you for your email.

For constituent needs please contact Tim.Costley@parliament.govt.nz

From: Mailbox - Communications <Communications@kapiticoast.govt.nz>
Sent time: 11/14/2023 11:21:15 AM
Alan - LGNZ magazine <alan@Contrafed.co.nz>; BeachFM <news@beachfm.co.nz>; Breeze Breakfast <troyscott@mediaworks.co.nz>; Capital Mag Content <content@capitalmag.co.nz>; Capital Magazine - Wellington <editor@capitalmag.co.nz>; David Haxton <david.haxton@kapiti.news.co.nz>; Dominion Post - news desk <news@dompost.co.nz>; Francesca Emms <journalism@capitalmag.co.nz>; Frank Neill - Otaki Mail <frank.neill@xtra.co.nz>; Fuseworks Media <news@fuseworksmedia.com>; Georgina Campbell <Georgina@newstalkzb.co.nz>; Grace Odlum <grace.odlum@nzme.co.nz>; Graeme Joyes <accessradio.kapiti@xtra.co.nz>; Grey Power Kapiti <editor.gpkipiti@gmail.com>; Horowhenua Chronicle - editor <janine.baalbergen@chronicle.co.nz>; Hutt News - editor <editor@huttnews.co.nz>; Ian Carson - Otaki Today (ian@idmedia.co.nz) <ian@idmedia.co.nz>; Justin Wong <justin.wong@stuff.co.nz>; Kapi-Mana News - editor <editor@kmananews.co.nz>; Kapiti Observer - editor <editor@kapiti-observer.co.nz>; KC News <editor@kcnews.co.nz>; LGNZ Media <media@lgnz.co.nz>; Lloyd Chapman <otakimail@xtra.co.nz>; Local Government Online News <news@solgm.org.nz>; Manawatu Standard <editor@mssl.co.nz>; Mark Amery - Paekakariki NZ <MarkAmery@mark.amery.net>; newstalk zb <news@newstalkzb.co.nz>; Nic Bullard - Paekakariki NZ <NikBullard@nik.paekakariki.nz>; Nigel Coventry <nigel@insidetourism.com>; NZ Herald Online <online-editor@nzherald.co.nz>; NZME Wellington <wnnews@newstalkzb.co.nz>; ONE News Wellington - news desk <newswn@tvnz.co.nz>; Radio New Zealand - news desk <news@radionz.co.nz>; RNZ Nights <nights@rnz.co.nz>; Scoop <editor@scoop.co.nz>; Stuff.co.nz <newsroom@stuff.co.nz>; Te Karere <tekarere@tvnz.co.nz>; Terisa Ngobi <Terisa.Ngobi@parliament.govt.nz>; Upper Hutt Leader - editor <editor@uhleader.co.nz>; Wairarapa News - editor <editor@wainews.co.nz>; Wellington Access Radio <info@accessradio.org.nz>
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Te Kaitohutohu Matua Whakapātanga me te Pāheko



Find us on
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Subject: URGENT - Letter to Minister for Local Government

Hi Julie

Could you please format this as a formal letter and send through to Simeon Brown.
Also please rename Letter regarding Maori Ward Decisions from Mayor of Kapiti.

Nāku iti nei, nā
Janet

Janet Holborow
Mayor

Kāpiti Coast District Council

Tel [04 296 4757](tel:042964757)

Mobile [027 296 1628](tel:0272961628)

-
www.kapiticoast.govt.nz

Dear Minister

Re: Providing option for Council to rescind Maori Ward decisions.

Congratulations on your appointment, and I look forward to working with you over the coming months and years.

I write regarding the proposal to require Councils who have approved a Maori Ward without a referendum to carry one out, and the situation we and other Councils find ourselves in as a result of that.

Kapiti Coast District Council decided in November to carry out a representation review to establish a Maori Ward.

We are now faced with having to carry out an extensive and expensive review under the legislation, with a referendum having some likelihood of undoing the outcome.

We have no ability to stop that work under the current legislation, so we are spending time and money on a piece of work which is potentially confusing and unnecessary. We would then be faced with the extra cost of a referendum.

We are receiving strong feedback from our community that they are very concerned about these costs. With councils facing record rates rises, we can't be wasting essential funds on pieces of work which won't have a positive benefit on our communities.

We also have no ability to pause the work, as we're required to complete it in time for the next election, now that we've decided to carry it out.

We request that we are provided with the ability to rescind our decision in light of the change of approach of the new government.

This needs to happen as soon as possible, as the longer we delay, the more resources will be wasted, and the more confusion will be faced by the community, who will also be spending time feeding back into a potentially unnecessary process.

Please consider this request urgently, so we can take the necessary steps to align our work with the policies of the new Government.

From: Mayor Janet Holborow <janet.holborow@kapiticoast.govt.nz>
Sent time: 12/07/2023 12:49:36 PM
To: Simeon.Brown@parliament.govt.nz
Subject: Letter regarding Māori Ward Decisions
Attachments: image001.png image002.png Letter regarding Māori Ward Decisions from Mayor of Kāpiti Coast.pdf

Kia ora Minister Brown,

Congratulations on your appointment. Please find attached letter regarding Māori Ward decisions.

Thank you for your time and ask that you consider this request urgently.

Ngā mihi nui

Janet Holborow
Mayor

Kāpiti Coast District Council
Tel [04 296 4757](tel:042964757)
Mobile [027 296 1628](tel:0272961628)

www.kapiticoast.govt.nz

Julie Judge
Executive Secretary to the Mayor

Tel 04 2964 757
Mobile 027 204 7937



7 December 2023

Dear Minister,

Re: Providing option for Council to rescind Māori Ward decisions.

Congratulations on your appointment, and I look forward to working with you over the coming months and years.

I write regarding the proposal to require Councils who have approved a Māori Ward without a referendum to carry one out, and the situation we and other Councils find ourselves in as a result of that.

Kāpiti Coast District Council decided in November to carry out a representation review to establish a Māori Ward.

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Please consider this request urgently, so we can take the necessary steps to align our work with the policies of the new Government.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Janet Holborow', with a large, stylized loop at the end.

Janet Holborow

Mayor, Kāpiti Coast District Council.





From: Amanda Yannetta <[REDACTED]>
Sent time: 10/30/2023 04:00:17 PM
To: [REDACTED]; Councillor Sophie Handford <Sophie.Handford@kapiticoast.govt.nz>; Mayor Janet Holborow <janet.holborow@kapiticoast.govt.nz>
Darren Edwards <Darren.Edwards@kapiticoast.govt.nz>; Community Board Member Sean McKinley <sean.mckinley@kapiticoast.govt.nz>; Community Board Member Kelsey Lee <kelsey.lee@kapiticoast.govt.nz>; Community Board Member Christian Judge <christian.judge@kapiticoast.govt.nz>; Community Board Member Sorcha Ruth <sorcha.ruth@kapiticoast.govt.nz>; ma@parliament.govt.nz; david.seymour@parliament.govt.nz; National Leader's Office <NLO@parliament.govt.nz>; christopher.luxon@parliament.govt.nz; Mailbox - Democracy Services <Democracy.Services@kapiticoast.govt.nz>; Mailbox - Kapiti Council <kapiti.council@kapiticoast.govt.nz>
Cc:
Subject: RE: Objection to the creation by KCDC of a New Electoral Voting Ward based on Apartheid ethnicity.

Mōrena [REDACTED]

Establishment of a Māori Ward will be voted on at an Additional Council meeting on 14 November 2023.

There is also a public briefing this week on Thursday at 1:30pm which you could join either in person or via livestream.

If you wish to attend the briefing in person, you do need to register with our Democracy Services team. Further details can be found in the link below.

<https://www.kapiticoast.govt.nz/your-council/meetings/calendar-of-upcoming-meetings/>

Ngā mihi

Amanda

Amanda Yannetta
Executive Assistant to the Chief Executive
Te Kaiāwhina ki te Tumuaki

Kāpiti Coast District Council

www.kapiticoast.govt.nz

From: [REDACTED]
Sent: Thursday, October 26, 2023 7:53 PM
To: Amanda Yannetta <[REDACTED]> Councillor Sophie Handford <Sophie.Handford@kapiticoast.govt.nz>; Mayor Janet Holborow <Janet.Holborow@kapiticoast.govt.nz>
Cc: Darren Edwards <Darren.Edwards@kapiticoast.govt.nz>; Community Board Member Sean McKinley <Sean.McKinley@kapiticoast.govt.nz>; Community Board Member Kelsey Lee <Kelsey.Lee@kapiticoast.govt.nz>; Community Board Member Christian Judge <Christian.Judge@kapiticoast.govt.nz>; Community Board Member Sorcha Ruth <Sorcha.Ruth@kapiticoast.govt.nz>; ma@parliament.govt.nz; david.seymour@parliament.govt.nz; National Leader's Office <NLO@parliament.govt.nz>; christopher.luxon@parliament.govt.nz; Mailbox - Democracy Services <Democracy.Services@kapiticoast.govt.nz>; Mailbox - Kapiti Council <kapiti.council@kapiticoast.govt.nz>
Subject: RE: Objection to the creation by KCDC of a New Electoral Voting Ward based on Apartheid ethnicity.
Importance: High

Good Morning Amanda,
Thank you for this acknowledgement
Can you please advise the date on which the KCDC Counsellors will be deciding the vote on this decision?

It is noted that Auckland City Council have today decided against the creation of additional Wards based on Ethnicity.

Yours sincerely

From: Amanda Yannetta <[REDACTED]>
Sent: Tuesday, 24 October 2023 9:31 a.m.
To: [REDACTED]
Subject: RE: Objection to the creation by KCDC of a New Electoral Voting Ward based on Apartheid ethnicity.

Mōrena [REDACTED]

Confirming receipt by the Chief Executive.

Ngā mihi

Amanda

Amanda Yannetta

Executive Assistant to the Chief Executive
Te Kaiāwhina ki te Tumuaki

Kāpiti Coast District Council



www.kapiticoast.govt.nz

From: [REDACTED]

Sent: Friday, October 13, 2023 12:45 AM

To: Mailbox - Democracy Services <Democracy.Services@kapiticoast.govt.nz>; Mailbox - Kapiti Council <kapiti.council@kapiticoast.govt.nz>; Mayor Janet Holborow <Janet.Holborow@kapiticoast.govt.nz>; Councillor Sophie Handford <Sophie.Handford@kapiticoast.govt.nz>

Cc: Darren Edwards <Darren.Edwards@kapiticoast.govt.nz>; Community Board Member Sean McKinley <Sean.McKinley@kapiticoast.govt.nz>; Community Board Member Kelsey Lee <Kelsey.Lee@kapiticoast.govt.nz>; Community Board Member Christian Judge <Christian.Judge@kapiticoast.govt.nz>; Community Board Member Sorcha Ruth <Sorcha.Ruth@kapiticoast.govt.nz>; ma@parliament.govt.nz; willie.jackson@parliament.govt.nz; david.seymour@parliament.govt.nz; winston.peters@nzfirst.nz; National Leader's Office <NLO@parliament.govt.nz>; christopher.luxon@parliament.govt.nz

Subject: Objection to the creation by KCDC of a New Electoral Voting Ward based on Apartheid ethnicity.

Dear KCDC Mayor, KCDC CEO , and Councillors
And other interested parties,

Please find attached my objection to your intention to create a new Electoral Ward based on an Apartheid ethnicity.
Please acknowledge receipt of this objection.

Yours faithfully

[REDACTED]

The material in this email is confidential to the individual or entity named above, and may be protected by legal privilege. If you are not the intended recipient please do not copy, use or disclose any information included in this communication without Kāpiti Coast District Council's prior permission.

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Ngā mihi

Amanda

Amanda Yannetta
Executive Assistant to the Chief Executive
Te Kaiāwhina ki te Tumuaki

Kāpiti Coast District Council

www.kapiticoast.govt.nz

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Amanda

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Te Kaiāwhina ki te Tumuaki

Kāpiti Coast District Council



www.kapiticoast.govt.nz

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Sent: Friday, October 13, 2023 12:45 AM

To: Mailbox - Democracy Services <Democracy.Services@kapiticoast.govt.nz>; Mailbox - Kapiti Council <kapiti.council@kapiticoast.govt.nz>; Mayor Janet Holborow <Janet.Holborow@kapiticoast.govt.nz>; Councillor Sophie Handford <Sophie.Handford@kapiticoast.govt.nz>

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And other interested parties,

Please find attached my objection to your intention to create a new Electoral Ward based on an Apartheid ethnicity.
Please acknowledge receipt of this objection.

Yours faithfully

[REDACTED]

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From: LGC <LGC@lgc.govt.nz>
Sent time: 12/01/2023 10:00:34 AM
To: LGC <LGC@lgc.govt.nz>
Subject: LGC Representation Review Pānui 5
Attachments: image001.png

Kia ora koutou

Welcome to our latest pānui. This update covers:

- Responses to recent enquiries we have received regarding Māori wards/constituencies

References to local referendum in coalition agreements

The coalition agreements made public this week include reference to restoring “the right to local referendum on the establishment or ongoing use of Māori wards, including requiring a referendum on any wards established without referendum at the next Local Body elections”.

Several councils have since contacted us with queries regarding Māori wards/constituencies and the upcoming representation reviews. These are addressed below, based on the Local Electoral Act 2001 as it currently stands. We acknowledge the possibility of future legislative change.

Council resolutions regarding the establishment of Māori wards continue in effect for the 2025 local election

Section 19Z of the Local Electoral Act 2001 (the LEA) addresses council decision-making in relation to the establishment of Māori wards/constituencies. Section 19Z(3)(a) of the LEA sets a deadline of 23 November 2023 for council resolutions to establish Māori wards/constituencies.

In our view, any further council resolutions made under section 19Z would not take effect for the 2025 local election. This is because:

- Section 19Z(3)(b) makes it clear that any resolution made after 23 November 2023 will not take effect until the 2028 local election; and
- Section 19Z(3)(c) states that any decision to establish Māori wards takes effect for 2 triennial elections and continues in effect until a further resolution under this section takes effect.

The combined effect of these provisions means that council resolutions regarding the establishment of Māori wards continue in effect for the 2025 local election.

Councils that have established Māori wards/constituencies for the first time must complete a representation review

Clauses 1(1) and 3(1) of Schedule 1A of the LEA require councils that have established Māori wards/constituencies for the first time to undertake a representation review. These clauses do not take into consideration the timing of the council’s previous representation review. This means that all councils that have established Māori ward/constituencies for the first time must complete a representation review next year, whether it is ‘in cycle’ or ‘out of cycle’.

Representation options should include Māori wards/constituencies where these have been established

Sections 19H, 19I and 19J, along with clauses 1(2) and 2(2) of Schedule 1A of the LEA set out the matters that councils must determine as part of an initial representation proposal. There are a number of factors to consider - we touched on these in [pānui 3](#).

Councils may choose to consider various representation options ahead of resolving one initial representation proposal. In our view, where councils have established Māori wards/constituencies, all representation options considered should include these (using the relevant calculation of Māori members in accordance with clauses 2 and 4 of Schedule 1A).

Contact us

If you have any questions, please get in touch with one of the Commission team by emailing lgc@lgc.govt.nz

Ngā mihi,

The Local Government Commission Team

Mana Kāwanatanga ā Rohe | Local Government Commission
PO Box 5362 | Wellington 6140

lgc.govt.nz

The information contained in these updates is intended to support well-informed council decisions and good practice in the representation review process. Specific representation arrangements are decisions for each council. The information is provided by Commission officials and does not reflect a particular view or preference of the Commission for any specific representation arrangement. Where representation is determined by the Commission, each determination is considered on its merits taking into account the information available to the Commission.

We are sending this email primarily to local authority officers and others we believe are responsible for representation and related issues. If you are not the appropriate person in your organisation to receive this information, or if others in the organisation should also receive it, please let us know.

From: Steffi [REDACTED] <Steffi.Haefeli@kapiticoast.govt.nz>
Sent time: 11/14/2023 02:02:20 PM
To: LGC <LGC@lgc.govt.nz>
Subject: RE: LGC Representation Review Pānui 4
Attachments: image001.png

Kia ora e te tīma,

Our kaunihera has today decided to establish a Māori ward.
The resolution is:

That Council resolve to establish a Māori ward for electoral purposes under section 19Z of the Local Electoral Act 2001 ahead of the 2025 local body elections.

This will of course trigger a representation review and we are now planning next steps in this space.

Ngā mihi nui

Steffi Haefeli
Manager Democracy Services
Te Kaiwhakahaere Ratonga Pōti

Kāpiti Coast District Council



www.kapiticoast.govt.nz

From: Steffi Haefeli
Sent: Monday, November 13, 2023 9:27 AM
To: LGC <LGC@lgc.govt.nz>
Subject: RE: LGC Representation Review Pānui 4

Kia ora e te tīma,

Arohamai for not getting any of this to you sooner. [REDACTED] my team was one person down [REDACTED] during a very busy time.

Our kaunihera is currently in the process of considering the establishment of a Māori ward for the 2025 Local Body Elections. The decision is going to kaunihera tomorrow.
The reason it is this close to the due date is because the decision to engage was not made until August. I have attached the report as the first attachment to this email but we will not know the resolution until tomorrow.

Our Māori (mana whenua) stakeholders are Te Ātiawa ki Whakarongotai Cheritable Trust (admin@teatiawakikapiti.co.nz), Ngā Hapū o Ōtaki (secretary@ngahapuootaki.nz) and Ngāti Toa Rangatira (CEO: helmut.modlik@ngatittoa.iwi.nz and representative to kaunihera: [REDACTED])

In terms of our Representation review plans, I have attached our timeline. We do have a draft project plan but it is very much in draft and has a lot of track changes through it. I think the timeline gives you a better indication of what we are planning at this stage.

In terms of the Selection of the Electoral System, there are multiple reports that went up this triennium. Initially, kaunihera resolved in July to hold a poll of electors but they did not specify a date so Council Officers brought another report to kaunihera due to concerns around the poll date falling around the same time as Elections and engagement around a Māori ward and kaunihera then reflected and instead decided not to conduct a poll and to go with STV instead. I have attached the three reports and minutes documents.

Ngā mihi nui

Steffi Haefeli
Manager Democracy Services
Te Kaiwhakahaere Ratonga Pōti

Kāpiti Coast District Council



From: LGC <LGC@lgc.govt.nz>
Sent: Friday, November 3, 2023 3:22 PM
To: LGC <LGC@lgc.govt.nz>
Subject: LGC Representation Review Pānui 4

Kia ora koutou,

Welcome to our latest pānui. This update covers:

- 2023 population estimates
- Release of data from 2023 census
- New LGC website, coming soon
- What we need from you

2023 STATISTICS NZ POPULATION ESTIMATES

Stats NZ have released population estimates as at 30 June 2023 for the following types of area:

- Regions
- Territorial authorities
- Regional constituencies
- Wards
- Communities and local boards
- Subdivisions
- Statistical area 2

The estimates are available in the resources tab of the [representation review page of our website](#).

You may note that in many districts, the size of the MEP had decreased while the size of the GEP has increased and that these estimates are different in some circumstances to comparisons looking at the 2019, 2020, 2021 and 2022 estimates where the majority of districts and regions had an increase in the MEP.

At a national level MEP has actually increased, with differences due to changes in the distribution of the Māori descent population across New Zealand, meaning that the MEP for some areas has decreased. This change in distribution is true for the total population estimates as well.

For estimates for proposed electoral areas you will need to request a customised estimate from Stats NZ. The mechanisms for doing this are set out in paragraphs 8.18 to 8.27 of the Commission's [Representation Review Guidelines](#).

More general information about the 2023 estimates and population growth can be found at this link [Population growth in all New Zealand regions | Stats NZ](#)

RELEASE OF DATA FROM 2023 CENSUS

The first release of data from the 2023 census will take place at the end of May 2024. However, it will only provide usually resident population for Regions, TA districts and Local board areas. Data for the following areas will not be available at that time:

- Existing wards, constituencies, communities, and subdivisions
- Statistical areas 1, 2 and 3
- Meshblocks

It should also be noted that statistics for the Māori Electoral Population and the General Electoral Population based on the census are not likely to be available until later in 2024.

Stats NZ will communicate dates for the release of other census data later this year, but it is not anticipated that detailed 2023 census data will be available in time for councils to use when developing their initial representation review proposals. The Commission's view is that the data source used by a council for its initial proposal should continue to be used for the remainder of the process. In practice, this means that councils will need to use the 2023 population estimates (or customised data sets sought from Stats NZ) for the entirety of their representation review process.

NEW LGC WEBSITE COMING SOON

The Local Government Commission is in the process of updating our website. This will make it easier for councils to access information and resources regarding the representation review process. We will let you know via our pānui when this update has been completed.

WHAT WE NEED FROM YOU

Thank you to the many of you that have provided us with below information. If you haven't already, please email us at lgc@lgc.govt.nz with the following:

- Your council's proposed representation review timeline
- Contact details for your council's Māori stakeholder entities (refer our pānui 2)
- Council reports and resolutions on your council's electoral system
- Council reports and resolutions on whether to establish Māori wards/constituencies – note this must be resolved by **23 November 2023**.

Many thanks to councils who have already provided the above.

CONTACT US

If you have any questions, please get in touch with one of the Commission team by emailing lgc@lgc.govt.nz, or calling one of us:

Donald Riezebos – [REDACTED]
Linda Canton – [REDACTED]
EJ Ruthven – [REDACTED]
Courtney Hayward – [REDACTED]

Ngā mihi

The Local Government Commission Team

info@lgc.govt.nz

Local Government Commission | Mana Kāwanatanga ā Rohe
PO Box 5362 | Wellington 6140



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Local Government Commission

Mana Kāwanatanga ā Rohe

From: Steffi Haefeli <Steffi.Haefeli@kapiticoast.govt.nz>
Sent time: 11/13/2023 09:26:57 AM
To: LGC <LGC@lgc.govt.nz>
Subject: RE: LGC Representation Review Pānui 4
image001.png CO_20231114_AGN_2581_AT.pdf Representation Review Timeline.vsd CO20230720_2026_2572_1.pdf
Attachments: CO_20230720_MIN_2572.pdf CO20230831_2045_2532_2.pdf CO_20230831_MIN_2532.pdf CO20230810_2045_2578_4.pdf
CO_20230810_MIN_2578.pdf

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[REDACTED]
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- Statistical area 2

The estimates are available in the resources tab of the [representation review page of our website](#).

You may note that in many districts, the size of the MEP had decreased while the size of the GEP has increased and that these estimates are different in some circumstances to comparisons looking at the 2019, 2020, 2021 and 2022 estimates where the majority of districts and regions had an increase in the MEP.

At a national level MEP has actually increased, with differences due to changes in the distribution of the Māori descent population across New Zealand, meaning that the MEP for some areas has decreased. This change in distribution is true for the total population estimates as well.

For estimates for proposed electoral areas you will need to request a customised estimate from Stats NZ. The mechanisms for doing this are set out in paragraphs 8.18 to 8.27 of the Commission's [Representation Review Guidelines](#).

More general information about the 2023 estimates and population growth can be found at this link [Population growth in all New Zealand regions | Stats NZ](#)

RELEASE OF DATA FROM 2023 CENSUS

The first release of data from the 2023 census will take place at the end of May 2024. However, it will only provide usually resident population for Regions, TA districts and Local board areas. Data for the following areas will not be available at that time:

- Existing wards, constituencies, communities, and subdivisions
- Statistical areas 1, 2 and 3
- Meshblocks

It should also be noted that statistics for the Māori Electoral Population and the General Electoral Population based on the census are not likely to be available until later in 2024.

Stats NZ will communicate dates for the release of other census data later this year, but it is not anticipated that detailed 2023 census data will be available in time for councils to use when developing their initial representation review proposals. The Commission's view is that the data source used by a council for its initial proposal should continue to be used for the remainder of the process. In practice, this means that councils will need to use the 2023 population estimates (or customised data sets sought from Stats NZ) for the entirety of their representation review process.

NEW LGC WEBSITE COMING SOON

The Local Government Commission is in the process of updating our website. This will make it easier for councils to access information and resources regarding the representation review process. We will let you know via our pānui when this update has been completed.

WHAT WE NEED FROM YOU


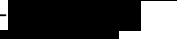


Thank you to the many of you that have provided us with below information. If you haven't already, please email us at lgc@lgc.govt.nz with the following:

- Your council's proposed representation review timeline
- Contact details for your council's Māori stakeholder entities (refer our pānui 2)
- Council reports and resolutions on your council's electoral system
- Council reports and resolutions on whether to establish Māori wards/constituencies – note this must be resolved by **23 November 2023**.

Many thanks to councils who have already provided the above.

CONTACT US

If you have any questions, please get in touch with one of the Commission team by emailing lgc@lgc.govt.nz, or calling one of us:

Donald Riezebos – 
Linda Canton – 
EJ Ruthven – 
Courtney Hayward – 

Ngā mihi

The Local Government Commission Team

info@lgc.govt.nz

Local Government Commission | Mana Kāwanatanga ā Rohe

PO Box 5362 | Wellington 6140



The information contained in these updates is intended to support well-informed council decisions and good practice in the representation review process. Specific representation arrangements are decisions for each council. The information is provided by Commission officials and does not reflect a particular view or preference of the Commission for any specific representation arrangement. Where representation is determined by the Commission, each determination is considered on its merits taking into account the information available to the Commission.

We are sending this email primarily to local authority officers and others we believe are responsible for representation and related issues. If you are not the appropriate person in your organisation to receive this information, or if others in the organisation should also receive it, please let us know.

10.5 SELECTING THE ELECTORAL SYSTEM FOR LOCAL BODY ELECTIONS 2025

Kaituhi | Author: **Jessica Mackman, Senior Advisor, Democracy Services**

Kaiwhakamana | Authoriser: **Janice McDougall, Group Manager People and Partnerships**

TE PŪTAKE | PURPOSE

- 1 This report provides Council with the opportunity to consider reviewing the electoral system ahead of the 2025 local body elections.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required for this report.

TE TUKU HAEPAPA | DELEGATION

- 3 Under section 27 of the Local Electoral Act 2001 (the “Act”) Council has the authority to consider this matter.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council consider the electoral system for the 2025 local body elections and either:
 - A.1. Retain the Single Transferable Vote (STV) system as the electoral system for the 2025 local body elections, and this decision be publicly notified by 19 September 2023 in accordance with statutory requirements;
or
 - A.2. Introduce the First Past the Post (FPP) system as the electoral system for the 2025 local body elections, and this decision be publicly notified by 19 September 2023 in accordance with statutory requirements;
or
 - A.3. Resolve to undertake a poll of electors on the electoral system to be used for the next two triennial elections, in accordance with the provisions in the Local Electoral Act 2001.

TŪĀPAPA | BACKGROUND

- 4 The local body elections 2025 will be held on 11 October 2025.
- 5 There are two electoral systems in use for local body elections in Aotearoa New Zealand, the Single Transferable Vote (STV) system and the First Past the Post (FPP) system.
- 6 The Act provides local authorities or their communities with three options for selecting the electoral system to be used for two consecutive local body elections:
 - a local authority may resolve to change its electoral system; or
 - a local authority may resolve to hold a poll to determine which system should be used; or
 - electors may demand that a poll be held on the matter.
- 7 STV is a proportional electoral system where voters use numbers to rank candidates in their order of preference. Voters can rank as many or as few candidates as they wish. To cast a valid vote, voters need to rank at least one candidate and use sequential numbering. A candidate must reach a vote quota to be elected.

- 8 FPP is a very simple electoral system where voters tick their preferred candidate(s) up to the number of vacancies. Candidates with the highest number of votes are elected.
- 9 The Kāpiti Coast District Council has used the STV system for every local body election since the option first became available for the 2004 local body elections.
- 10 For the 2022 local election, STV was used by 15 councils (out of 67) in Aotearoa New Zealand, including Kāpiti Coast District Council, Porirua City Council and Wellington City Council.
- 11 Council last resolved to confirm the STV system as the preferred electoral system on 27 August 2020. This resolution continues to be in force for two consecutive elections unless Council resolves to adopt a different electoral system. This means that Council is not required to make a decision on its electoral system this triennium, in which case the STV system would automatically remain the electoral system to be used for the 2025 local body elections. However, due to the number of newly elected Councillors this triennium, Council officers are bringing the decision to this Council for consideration.

HE KŌRERORERO | DISCUSSION

He take | Issues

- 12 The Act prescribes that Council may, no later than 12 September 2023, being two years before the year in which the next triennial general election is to be held, resolve the electoral system for the next two triennial local body elections of the Kāpiti Coast District Council and its community boards, and any associated election. This includes the election of the Kāpiti Coast district representative on the Greater Wellington Regional Council.
- 13 While a resolution is not required to retain the STV electoral system for the 2025 local election, one is required if Council wishes to change the electoral system or demand a poll of its electors in accordance with sections 29 and 31 of the Act.
- 14 Public notice is required by 19 September 2023 notifying the electoral system to be used and containing a statement that a poll can be demanded by 5% of electors to change the electoral system. If there was a change in electoral system, the notice would also include the Council resolution.
- 15 In practice, this would mean if Council resolved to introduce the FPP electoral system, approximately 2,155 electors (based on the number of electors in the district as at the 2022 local body elections), which is equal or greater than 5% of enrolled electors under section 29(3) of the Act, would be required in writing containing all signatories to demand a poll. Once such notice has been received, sections 33 and 34 of the Act prescribes that a poll would be required to be held no later than 21 May 2024, being the year immediately before the year of the next elections. The poll would ask voters to decide the electoral system to be used for the next local body elections.
- 16 Under section 31 of the Act, Council can alternatively consider holding a poll of electors on which electoral system is to be used for the 2025 local election. A decision to hold a poll is required no later than 21 February 2024. If a date for the poll is not specified in the resolution, the poll must be held as soon as practicable. However, the Act prescribes that a poll should be held no later than 89 days after the date of the notice given to the electoral officer.

Ngā kōwhiringa | Options

- 17 Council has the option to consider the electoral system for the 2025 local body elections and either:
 - A.1. Retain the Single Transferable Vote (STV) system as the electoral system for the 2025 local body elections, and this decision be publicly notified by 19 September 2023 in accordance with statutory requirements (no resolution required);
 - or

- A.2. Introduce the First Past the Post (FPP) system as the electoral system for the 2025 local body elections, and this decision be publicly notified by 19 September 2023 in accordance with statutory requirements;
- or
- A.3. Resolve to undertake a poll of electors on the electoral system to be used for the next two triennial elections, in accordance with the provisions in the Local Electoral Act 2001.

Electoral Systems

Single Transferable Vote

- 18 STV is a proportional electoral system where voters use numbers to rank candidates in their order of preference. Voters can rank as many or as few candidates as they wish. To cast a valid vote, voters need to rank at least one candidate and use sequential numbering. A candidate must reach a vote quota to be elected. The quota is calculated by a formula set out in the Local Electoral Regulations 2001. This system was first introduced in 2004.

Advantages and disadvantages

- 19 Under the STV representation system electors can cast votes for multiple candidates in one voting document. Voters may be more likely to vote for their preferred candidate as they are still able to rank all other candidates in order of preference and those votes are still counted and therefore voters will not feel they are casting a 'wasted vote' by voting for a candidate that may not have as much community support.
- 20 Using this system votes cast are not lost. If a candidate has received enough votes to be elected all surplus votes for the candidate are then transferred to the next preferred candidate.
- 21 Early research demonstrates that STV leads to improvements in the diversity of representation, specifically the representation of women. However, the representative benefits of STV work best when there is a large pool of candidates and wards with more than one seat being contested.
- 22 Due to its impact on greater diversity, in its final report released in June 2023, the panel for the Review into the Future for Local Government recommended adopting STV as the nationwide method for local elections.
- 23 Kāpiti Coast District voters are familiar with the STV system which has been used in every local body election since the system was introduced in 2004.
- 24 However, STV is a more complex system which requires a candidate to reach a certain quota prescribed by the Local Electoral Regulations 2001 to be elected. The quota calculation is complex and requires a specialist designed computer program (provided by the Department of Internal Affairs) to calculate multiple rounds of vote redistribution each time a candidate meets the quota. So, depending on the number of seats this will require considerable time to produce voting result.

First Past the Post

- 25 FPP is a very simple electoral system where voters tick their preferred candidate(s) up to the number of vacancies. Candidates with the highest number of votes are elected.

Advantages and disadvantages

- 26 FPP is a simple method of electing candidates and is widely used both in Aotearoa New Zealand and globally. Calculating the votes and whether a candidate has been elected does not require any specific programmes or expertise.
- 27 Each voter has once choice per vacancy and to make the vote count electors may vote strategically rather than voting for their most preferred candidate for the vacancy to avoid casting a 'wasted vote'. As a result, there is some argument that FPP may not reflect the majority of voters in the most representative or diverse way possible.

Mana whenua

- 28 As noted above, the STV system leads to more diversity amongst elected members. However, a decision to change the electoral system will not affect current Governance arrangements with mana whenua.
- 29 A decision on considering the establishment of a Māori ward will be brought to Council separately. This decision on the electoral system would have an impact on vote calculation for the Māori ward vacancy if established for the next local body election.

Panonitanga āhuarangi | Climate change

- 30 There are no climate change impacts or considerations arising from this report.

Ahumoni me ngā rawa | Financial and resourcing

- 31 There are no significant financial differences between the two systems. The estimated cost of holding a stand-alone poll is \$95,000 plus GST. There is no current budget to cover a poll, and should a poll be required this would have a budgetary impact.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 32 There are no additional legal or organisational risk implications arising from this report.
- 33 The local body election will need to meet the requirements of the Local Electoral Act 2001 and the Local Electoral Regulations 2001.

Ngā pānga ki ngā kaupapa here | Policy impact

- 35 There are no policy impacts arising from this report.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT**Te mahere tūhono | Engagement planning**

- 36 There is no requirement in the Local Electoral Act 2001 to consult with the public on which electoral system to use and any ensuing action is prescribed by legislation.
- 37 However, when public notice is made as per legislation, it will include a statement that a poll can be demanded by five percent of electors.

Whakatairanga | Publicity

- 38 Council's decision regarding the electoral system must be publicly notified by 12 September 2023 and will also be communicated to the public as part of Council's communication plan for the 2025 local body election.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. How STV and FPP Function as Electoral Systems
2. Timeframes and Statutory Provisions

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL
ADDITIONAL KAUNIHERA | COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 10 AUGUST 2023 AT 11.05 AM**

PRESENT: Mayor Janet Holborow, Deputy Mayor Lawrence Kirby, Cr Glen Cooper, Cr Martin Halliday, Cr Sophie Handford, Cr Liz Koh, Cr Jocelyn Prvanov, Cr Kathy Spiers, Cr Shelly Warwick, Cr Nigel Wilson, Cr Rob Kofoed (via zoom)

IN ATTENDANCE: Mr André Baker, Ms Denise Hapeta, Mr Huriwai Paki, Mr Bede Laracy, Mr Glen Olsen, Mr Richard Mansell, Mr Darren Edwards, Mr Ewen Church, Mr Sean Mallon, Ms Janice McDougall, Ms Hara Adams, Ms Kris Pervan, Mr Tim Power, Ms Kate Coutts, Ms Steffi Haefeli, Ms Anna Smith, Mr Evan Dubisky, Ms Jessica Mackman, Mr James Jefferson, Ms Susan Owens, Mr Jason Holland, Mr Andrew Banks

WHAKAPĀHA | APOLOGIES: Nil

LEAVE OF ABSENCE:

1 NAU MAI | WELCOME

The Mayor welcomed everyone to the meeting

2 KARAKIA | COUNCIL BLESSING

The Mayor asked Mr André Baker to open with karakia.

3 WHAKAPĀHA | APOLOGIES

There were no apologies for this meeting.

4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE | DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA

There were no declarations of interest relating to items on the agenda.

5 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

Mr Richard Mansell spoke to item 7.1 on the agenda with the intention of clearing up any misapprehension that he believed some of the other members of the public may have been under and to inform the council of the fully publicly notified process that had been followed on the Plan Change 2 process.

Cr Glen Cooper arrived at the meeting at 11:19 am.

Ms Leanne Morris spoke to item 7.1 on the agenda, and the re-zoning of Mr Mansell's land in particular. Ms Morris spoke of lack of awareness by the neighbours of Mr Mansell's plans to subdivide, and the general opposition to it.

TABLED DOCUMENTS

Ms Morris tabled a letter to the Mayor and Councillors regarding Plan Change 2.

CARRIED

Appendices

1 Letter to Mayor and Councillors

Mr Chris Webber of the local branch of the Māori Council, spoke to item 7.2 on the agenda in support of conducting public consultation on the creation of a Māori Ward, and the importance of working together and including all groups within the community.

6 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

- (a) No leaves of absence were applied for.
- (b) No matters of an urgent nature had been provided to the Chair prior to the commencement of the meeting.

7 PŪRONGO | REPORTS

7.2 ESTABLISHMENT OF A MĀORI WARD

Steffi Haefeli, Manager Democracy Services introduced the report which had been left to lie on the table and was available to answer any questions that members had regarding the report.

RESOLUTION CO2023/94

Moved: Cr Martin Halliday

Seconder: Cr Nigel Wilson

That Council

- A.2 Resolve to proceed with wider community consultation with tangata whenua and other communities ahead of a final decision on whether to establish a Māori ward this triennium prior to 23 November 2023.

CARRIED

Mr Huriwai Paki arrived at the meeting at 11:49am.

7.3 CONDUCTING A POLL TO SELECT THE ELECTORAL SYSTEM FOR THE LOCAL BODY ELECTIONS 2025

Steffi Haefeli, Manager Democracy Services introduced the report noting that this report was brought to Council as a result of the resolution passed by Council on 20 July 2023 to undertake a poll of electors on the electoral system.

RESOLUTION CO2023/95

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Sophie Handford

- A. That Council revoke the resolution passed at the Council meeting of 20 July 2023 to undertake a poll of electors on the electoral system to be used for the next two triennial elections, in accordance with the provisions in the Local Electoral Act 2001.

AND

- B. That Council ask officers to bring the report on Selecting the Electoral System presented to Council on 20 July 2023 back to Council on 31 August 2023 for Council to re-consider the selection of the electoral System to be used for the next two triennial elections, in accordance with the provisions in the Local Electoral Act 2001.

CARRIED

Cr Nigel Wilson left the meeting at 12:01 pm.

Cr Nigel Wilson returned to the meeting at 12:03 pm.

7.1 DECISIONS ON INDEPENDENT HEARING PANEL'S RECOMMENDATIONS ON PLAN CHANGE 2 TO THE OPERATIVE KAPITI COAST DISTRICT PLAN

Jason Holland, District Planning Manager and Andrew Banks from Boffa Miskell introduced the report and answered questions from members.

Cr Glen Cooper left the meeting at 12:48 pm.

Cr Glen Cooper returned to the meeting at 12:49 pm.

Mr Huriwai Paki left the meeting at 1:11 pm.

Mr Huriwai Paki returned to the meeting at 1:13 pm.

The meeting adjourned at 1:17 pm and resumed at 1:58 pm.

RESOLUTION CO2023/96

Moved: Deputy Mayor Lawrence Kirby

Seconder: Mayor Janet Holborow

B. Option 3: That Council:

- B.1 Identify which recommendations of the Independent Hearings Panel that it rejects, the reasons for doing so, and any alternative recommendations in Table 1 below:

Recommendation rejected	Reason	Alternative recommendation (if any)
[13](b)(i) Allow submission 023 by the Mansell family by rezoning the land covered by the submission from Rural Lifestyle to General Residential Zone	We concur with our Council Officers reply evidence (point 26, p9) stating the need for a Structure Plan for the wider area of Otaihanga including the block rejected for rezoning off Ratanui Road. "While I appreciate the submitters' willingness to work together to overcome the '10 per cent', and I acknowledge the additional information	Reject submission 023 by the Mansell family by rezoning the land covered by the submission from Rural Lifestyle to General Residential Zone

		<p>provided by them in their further evidence lodged after the hearing, we remain in fundamental disagreement about the need for a structure plan. As outlined in paragraph 10 above and onwards, I consider a comprehensive structure plan of the wider area is necessary prior to any rezoning. Ultimately the timeframes set under the ISPP are not conducive to the preparation of a comprehensive structure plan for the area, and I felt it inappropriate to engage in this process as part of the ISPP given the lack of information available on the issues that may need to be addressed in the surrounding area outside of the submitters' site and the lack of ability for other parties potentially affected by the structure planning to input into the process." Quote from <u>Plan Change 2 Council Officer's Reply Evidence; Author: Katie Maxwell; Dated: 28 April 2023 – p9, point 26.</u></p> <p>We disagree with IHP conclusions for supporting the rezone:</p> <p>1) in their report points [240] & [241] rejecting the need for a Structure Plan. The use of Supplementary Statement s023 Hansen Memo 18.04.2023 points 2.2 & 2.3 does not provide enough evidence to support denying the Structure Plan.</p>	
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		<p>2) We reference Ātiawa ki Whakarongotai's Submission s100.FS.1 p2 in which they say they only "support in part" s023 then add their reasons: "KCDC has a Future urban development plan change scheduled as part of implementing the District Growth Strategy. It may be more appropriate to consider submitter's requests for rezoning as part of that plan change. Decision sought: Seek further assessment of environmental effects, including s6 RMA matters and cumulative effects of rezoning all or some of the proposed sites or deferring for future plan change."</p>	
<p><u>For:</u> Crs Glen Cooper, Sophie Handford, Janet Holborow, Lawrence Kirby, Rob Kofoed, Jocelyn Prvanov, Kathy Spiers and Shelly Warwick</p> <p><u>Against:</u> Crs Martin Halliday and Liz Koh</p> <p><u>Abstained:</u> Cr Nigel Wilson</p> <p>CARRIED 8/2</p> <p>Ms Kim Tahiwai left the meeting at 1:58 pm.</p> <p>Mr Huriwai Paki left the meeting at 2:10 pm.</p> <p>André Baker left the meeting at 2:59 pm.</p> <p>The meeting adjourned at 2:59 pm and resumed at 3:04 pm.</p> <p>Cr Wilson returned to the meeting at 3:07 pm.</p> <p>CARRIED</p>			

RESOLUTION CO2023/97

Moved: Cr Glen Cooper
 Seconder: Cr Shelly Warwick

That the item of business, 7.1 B.1 being discussed should lie on the table and not be discussed further until 3.30 pm..

For: Crs Glen Cooper, Martin Halliday, Rob Kofoed, Jocelyn Prvanov, Kathy Spiers, Shelly Warwick and Nigel Wilson

Against: Crs Sophie Handford, Janet Holborow, Lawrence Kirby and Liz Koh

CARRIED 7/4

The meeting adjourned at 3:10 pm and resumed at 3:30 pm.

RESOLUTION CO2023/98

Moved: Cr Liz Koh
 Seconder: Cr Kathy Spiers

That Council:

- B.2 Accept the recommendations of the Independent Hearings Panel that it does not identify in Table 1 above; and
- B.3 Except for the rejected recommendations identified in Table 1, amend the Kapiti Coast District Plan 2021 as set out in Attachment 2 (which includes minor amendments pursuant to clause 102(2) of Schedule 1 to the RMA); and
- B.4 Publicly notify its decision in accordance with clause 102 of Schedule 1 to the RMA by 20 August 2023; and
- B.5 Where Council rejects some (but not all) of the recommendations of the Independent Hearings Panel, that the public notice specifies that PC2 will become operative-in-part in accordance with clause 104(2) of Schedule 1 to the RMA on 1 September 2023 and
- B.6 Refer the recommendation(s) of the Independent Hearings Panel that it has rejected, along with the reasons for doing so and any alternative recommendations, to the Minister for the Environment in accordance with clause 101(2) of Schedule 1 to the RMA.

CARRIED

For: Crs Sophie Handford, Janet Holborow, Lawrence Kirby, Liz Koh, Kathy Spiers and Shelly Warwick

Against: Crs Glen Cooper, Martin Halliday, Rob Kofoed, Jocelyn Prvanov and Nigel Wilson

CARRIED 6/5

RESOLUTION CO2023/99

Moved: Mayor Janet Holborow
 Seconder: Cr Liz Koh

C That the Council instruct staff to:

- C.1 Investigate, and report back to Council within 6 months, on the potential scope for further changes to the District Plan related to future urban development, mana

whenua (sites and areas of significance to Māori), coastal environment and flood risk;

C.2 Consider the potential impacts of PC2 on the Council's Infrastructure Strategy and Development Contributions Policy as part of the 2024 Long-term Plan review;

C.3 Investigate, and report back to Council within 6 months, on the following matters:

C.3.1 Steps to support the development of papakāinga by tangata whenua, including the development of papakāinga design guides and progressing actions related to Māori housing in the Council's Housing Strategy 2022;

C.3.2 Whether it is necessary to review the Council growth strategy *Te tupu pai – Growing Well*;

C.3.3 Options to build the Council's urban design capacity and expertise, including by building mana whenua kaupapa (values), huanga (vision) and tikanga (approach) capability, developing in-house urban design expertise and/or exploring the use of Design Review Panels.

CARRIED

Item - 7.2 Establishment of a Māori Ward - was moved to another part of the minutes.

Item - 7.3 Conducting a Poll to Select the Electoral System for the Local Body Elections 2025 - was moved to another part of the minutes.

8 PURONGO KĀORE E WĀTEA KI TE MAREA | PUBLIC EXCLUDED REPORTS

RESOLUTION TO EXCLUDE THE PUBLIC

PUBLIC EXCLUDED RESOLUTION CO2023/100

Moved: Cr Sophie Handford

Seconder: Deputy Mayor Lawrence Kirby

That, pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987, the public now be excluded from the meeting for the reasons given below, while the following matters are considered.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
9.1 - Approval of Tender for Civil Works Associated with the Construction of a Reservoir at Te Manuao Road, Ōtaki	Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information Section 7(2)(h) - the withholding of the information is necessary to enable Council	Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

	to carry out, without prejudice or disadvantage, commercial activities	
CARRIED		

RESOLUTION CO2023/102

Moved: Cr Sophie Handford

Seconder: Deputy Mayor Lawrence Kirby

That the Kaunihera | Council moves out of a public excluded meeting.

CARRIED

The Kaunihera | Council meeting went into public excluded session at 3:55 pm.

The Kaunihera | Council came out of public excluded session at 4:03 pm.

The Kaunihera | Council meeting closed with karakia at 4:03 pm.

.....
HEAMANA | CHAIRPERSON

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL
COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 31 AUGUST 2023 AT 9.31AM**

PRESENT: Mayor Janet Holborow, Cr Glen Cooper, Cr Martin Halliday, Cr Sophie Handford, Cr Liz Koh, Cr Jocelyn Prvanov, Cr Kathy Spiers, Cr Shelly Warwick, Cr Nigel Wilson
Via Zoom: Deputy Mayor Lawrence Kirby

IN ATTENDANCE: Mr Bede Laracy, Mr Cam Butler, Mr Glen Olsen, Mr Richard Mansell, Mr Karl Webber, Mr David Shand (Chair of the Risk and Assurance Committee), Mr Darren Edwards, Ms Hara Adams, Mr Sean Mallon, Ms Janice McDougall, Mr Mike Mendonça, Ms Kris Pervan, Ms Kate Coutts, Ms Steffi Haefeli, Ms Anna Smith, Ms Jessica Mackman, Mr David Shand, Mr Ron Minnema, Mr Vijay Soma, Mr Ruchir Gaur, Ms Angela Bell, Mr Chris Pearce, Mr Ian Littleworth, Ms Sarah Wattie, Ms Sheryl Gavin, Ms Aston Mitchell, Ms Jing Zhou, Mr Peter Bollman, Ms Susan Owens, Mr Darryn Grant, Ms Tracey Morgan (Ātiawa ki Whakarongotai), Ms Morag Taimalietane, Ms Nicky Holden, Ms Jacquie Cull, Mr Steve O'Sullivan
Via Zoom: Mr Huriwai Paki (Ngāti Toa Rangatira)

WHAKAPĀHA | APOLOGIES: Ms Kirsten Hapeta (Ngā Hapū o Ōtaki)

LEAVE OF ABSENCE: Cr Rob Kofoed

1 NAU MAI | WELCOME

The Mayor welcomed everyone to the meeting.

2 KARAKIA | COUNCIL BLESSING

Cr Martin Halliday read the Council blessing.

Cr Jocelyn Prvanov arrived to the meeting at 9.32am.

3 WHAKAPĀHA | APOLOGIES

APOLOGY

RESOLUTION CO2023/104

Moved: Cr Jocelyn Prvanov

Seconder: Cr Sophie Handford

That the apology received from Cr Rob Kofoed and Kirsten Hapeta (Ngā Hapū o Ōtaki) be accepted.

CARRIED

4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE | DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA

There were no declarations of interest relating to items on the agenda.

5 TE WHAKATAKOTO PETIHANA | PRESENTATION OF PETITION

There were no petitions.

6 NGĀ WHAKAWĀ | HEARINGS

There were no hearings.

7 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

Gavin Beattie spoke to Item 10.6 Selecting the Electoral System for Local Body Elections 2025, and circulated documentation to elected members (appended). Mr Beattie answered members' questions.

Appendices

- | | |
|---|--|
| 1 | Gavin Beattie - Submission on Item 10.6 Selecting the Electoral System for Local Body Elections 2025 |
|---|--|

Cr Sophie Handford arrived at 9.34am.

8 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

- (a) Leave of Absence

There were no leaves of absences requested.

- (b) Matters of an Urgent Nature (advice to be provided to the Chair prior to the commencement of the meeting)

There were no matters of an urgent nature raised.

9 TE PŪRONGO A TE KORORMATUA | MAYOR'S REPORT

MAYOR'S REPORT

The Mayor tabled a list of activities from 29 June to 20 August 2023. The Mayor highlighted her attendance of the opening of the new MenzShed workshop. Cr Jocelyn Prvanov acknowledged Mr Peter Blackler whom the new workshop was named after.

Appendices

- | | |
|---|--|
| 1 | Mayoral Activities - 29 June to 30 August 2023 |
|---|--|

10 PŪRONGO | REPORTS

10.1 KAPITI COAST DISTRICT COUNCIL - SPEED MANAGEMENT PLAN 2023-33 (FINAL)

Sean Mallon, Group Manager Infrastructure Services and Ron Minnema, Transport Safety Lead

took the report as read and answered members' questions.

RESOLUTION CO2023/105

Moved: Cr Sophie Handford

Seconder: Cr Martin Halliday

- A. Council receives this report.
- B. Council approves the *Speed Management Plan* (August) excluding Paekākāriki Village.
- C. Council approves a second round of consultation involving the two speed management options for Paekākāriki Village with consultation commencing on 4 September and concluding on 15 September 2023.
- D. Note that:
 - D.1 If approved by Council submissions on the two options involving Paekākāriki Village will open on 4 September and close on 15 September 2023.
 - D.2 Following receipt of submissions, the *Speed Management Plan* (August) will be amended and presented to Council for adoption in October 2023 with a covering report.
 - D.3 Once adopted this will enable (1) the *Speed Management Plan* to be submitted for inclusion in the Wellington *Regional Speed Management Plan* (2) budgets for speed related infrastructure to be included in the LTP (3) Council to include bids for speed related infrastructure in the Regional Land Transport Plan 2024 - 27
 - D.4 At the October 2023 meeting approve the Speed Management Plan (October) to include Paekākāriki Village reflecting the preferred option post the second round of consultation without the remaining sites being relitigated as they would have been approved at the 31 August 2023 meeting of Council.

CARRIED

The meeting adjourned at 10.11am and reconvened at 10.18am.

MOTION

Moved: Cr Jocelyn Prvanov

Seconder: Cr Glen Cooper

- E. That the location and need of the two raised threshold treatments near Kapakapanui School are revisited before the final signoff of this specific area of the Speed Management Plan.

For: Crs Glen Cooper, Jocelyn Prvanov and Nigel Wilson

Against: Mayor Janet Holborow, Deputy Mayor Lawrence Kirby, Crs Martin Halliday, Sophie Handford, Liz Koh, Kathy Spiers and Shelly Warwick

LOST 3/7

10.2 ADOPTION OF NEW CODE OF CONDUCT 2022-2025 TRIENNIUM

Steffi Haefeli, Manager Democracy Services and Sarah Wattie, Manager Governance and Legal Services spoke to the report and alongside Janice McDougall, Group Manager People and Partnerships, and Darren Edwards, Chief Executive, answered members' questions.

RESOLUTION CO2023/106

Moved: Cr Nigel Wilson

Seconder: Cr Shelly Warwick

- A. That Council adopt the Code of Conduct appended at Appendix 1 for the 2022-2025 triennium.

CARRIED

RESOLUTION CO2023/107

Moved: Cr Nigel Wilson

Seconder: Cr Shelly Warwick

- B. That Council adopt a two-step complaints of alleged breaches assessment process.

CARRIED

RESOLUTION CO2023/108

Moved: Cr Nigel Wilson

Seconder: Cr Martin Halliday

- C. That Council adopt that recommendations from independent investigators are not binding on Council in the resolution of a Code of Conduct complaint.

CARRIED

RESOLUTION CO2023/109

Moved: Mayor Janet Holborow

Seconder: Cr Sophie Handford

- D. That Council approves Council staff to make any minor editorial changes for clarity.

CARRIED

10.3 WAIKANAE LIBRARY AND SERVICE CENTRE - SUMMARY OF COMMUNITY ENGAGEMENT

Mike Mendonça, Acting Group Manager Place and Space spoke to the report and alongside Tracey Morgan (Ātiawa ki Whakarongotai), Ian Littleworth, Libraries and Cultural Services Manager, Kris Pervan, Group Manager Strategy and Growth, answered members' questions.

RESOLUTION CO2023/110

Moved: Cr Nigel Wilson

Seconder: Cr Jocelyn Prvanov

It is recommended that Council:

- A. Receive the report on the community engagement process.
- B. Note that the community engagement supports the development of a multi-functional space that becomes a social hub for the entire community.
- C. Note that community engagement confirms the project objectives and will inform detailed functional planning.

CARRIED

RESOLUTION CO2023/111

Moved: Cr Nigel Wilson

Seconder: Cr Jocelyn Prvanov

- D. Adopts Option 1 (refurbish and extend the former library) as presented to enable an

immediate start of the construction process of the new Waikanae Library and Community Hub.

CARRIED

Item 10.3 Waikanae Library and Service Centre – Summary of Community Engagement was left to lie on the table until Items 10.5 Audit Proposal for the 2023, 2024 and 2025 Financial Years and 10.8 Wellington Regional Leadership Committee: Updated Agreement and Terms of Reference had been brought forward in the meeting and discussed.

10.5 AUDIT PROPOSAL FOR THE 2023, 2024 AND 2025 FINANCIAL YEARS

Jing Zhou, Chief Financial Officer and Sheryl Gavin, Acting Group Manager Corporate Services spoke to the report and alongside David Shand, Chair of the Risk and Assurance Committee, answered members' questions.

RESOLUTION CO2023/112

Moved: Cr Martin Halliday

Seconded: Cr Nigel Wilson

- A. That the Council approves the EY audit fees and Audit Engagement Letter with the recommendation from the Risk & Assurance Committee.
- B. That the Council notes the EY audit fees, on behalf of the Auditor-General, for the 2023, 2024, 2025 financial years, as per attachment one to this report.
- C. That the Council notes the EY Audit Engagement Letter, dated 27 June 2023, on behalf of the Auditor-General for the years ending 30 June 2023, 2024 and 2025, as per attachment two to this report.
- D. That the Council notes that a remit calling on central government to take action to reduce audit fees was discussed at the Local Government New Zealand conference in July 2023.
- E. The Council delegates the Chief Executive to sign the Audit Proposal Letter and the Audit Engagement Letter.

CARRIED**10.8 WELLINGTON REGIONAL LEADERSHIP COMMITTEE: UPDATED AGREEMENT AND TERMS OF REFERENCE**

Angela Bell, Chief Advisor Strategy and Growth, Kim Kelly, Greater Wellington Regional Council Programme Director and Kris Pervan, Group Manager Strategy and Growth spoke to the report and answered members' questions.

RESOLUTION CO2023/113

Moved: Mayor Janet Holborow

Seconded: Cr Shelly Warwick

That Council:

- A. **Notes** that on 25 February 2021, the Council resolved to establish the Wellington Regional Leadership Committee and for Council to become a member of it. The matters that Joint Committee addresses now need updating and these resolutions reflect those updates. These resolutions should be read as being in addition to the original resolutions.
- B. **Agrees** the Wellington Regional Leadership Committee continues as a joint committee under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002, but on the amended terms set out in the Joint Committee Agreement (dated 2023), with the

amendments in effect from the date the Wellington Regional Leadership Committee Joint Committee Agreement is signed by all local authority parties.

- C. **Notes** the main amendments provide for the Wellington Regional Leadership Committee to:
- C.1 undertake the work necessary to inform, prepare and finalise the Future Development Strategy in accordance with the National Policy Statement for Urban Development 2020.
 - C.2 establish a Joint Committee Subcommittee to hear submissions on the draft Future Development Strategy (and any updates) and make recommendations to the Wellington Regional Leadership Committee on those submissions (which will make the final decision on the Future Development Strategy).
 - C.3 undertake regular reviews of the Future Development Strategy.
 - C.4 prepare the implementation plan in support of the Future Development Strategy.
 - C.5 implement the Future Development Strategy.
- D. **Authorises** the Wellington Regional Leadership Committee to appoint a Joint Committee Subcommittee for the Future Development Strategy to hear and make recommendations on submissions received on the draft Future Development Strategy to be developed under the National Policy Statement for Urban Development 2020 (and any updates to that Strategy).
- E. **Approves** the amended Wellington Regional Leadership Committee Joint Committee Agreement, including the amended Terms of Reference for the Joint Committee and the new Terms of Reference for the Joint Committee Subcommittee for the Future Development Strategy. (Noting that as required by the existing Agreement, the Wellington Regional Leadership Committee Joint Committee has endorsed the amendments to functions and powers of the Joint Committee).
- F. **Delegates** all powers and functions to the Wellington Regional Leadership Committee set out in the amended Wellington Regional Leadership Committee Joint Committee Agreement, including the amended Terms of Reference for the Joint Committee and the new Terms of Reference for the Joint Committee Subcommittee for the Future Development Strategy.
- G. **Notes** that the Wellington Regional Leadership Committee is a joint committee of all local authorities that are parties to the Wellington Regional Leadership Committee Joint Committee Agreement, and it includes members representing iwi and the Crown.
- H. **Authorises** the Mayor to sign the amended Wellington Regional Leadership Committee Joint Committee Agreement on behalf of the Council.
- I. **Appoints** one elected member, Cr Nigel Wilson, to be a member of the Joint Committee Subcommittee for the Future Development Strategy for the purposes of hearing submissions on the draft Future Development Strategy (or any updates to it) and making recommendations on those submissions to the Wellington Regional Leadership Committee.

CARRIED

The meeting adjourned at 11.54am and reconvened at 12.34pm.

10.3 WAIKANAE LIBRARY AND SERVICE CENTRE - SUMMARY OF COMMUNITY ENGAGEMENT

RESOLUTION CO2023/114

Moved: Cr Liz Koh
Seconder: Cr Nigel Wilson

- E. That Council notes that option 1 is a preliminary stage to further strategic investment stages to be considered as part of the Long-term Plan.
- F. That Council notes that this work will be closely linked to wider work around town centre invigoration.

CARRIED

10.4 SUBMISSIONS AND HIGH-LEVEL SUMMARY FOR THE DRAFT EASTER SUNDAY TRADING POLICY 2023

Aston Mitchell, Policy Advisor, Angela Bell, Chief Advisor Strategy and Growth, and Kris Pervan, Group Manager Strategy Growth spoke to the report and answered members' questions.

RESOLUTION CO2023/115

Moved: Cr Shelly Warwick
Seconder: Cr Nigel Wilson

That Council

- A. **Receives** and **notes** this report, including Appendices 1 and 2.
- B. **Note** that following consideration of submissions, and any proposed changes, Council will be presented with a final paper to adopt the Easter Sunday Trading Policy on 10 October 2023.

CARRIED

Item - 10.5 Audit Proposal for the 2023, 2024 and 2025 Financial Years - was moved to another part of the minutes.

10.6 SELECTING THE ELECTORAL SYSTEM FOR LOCAL BODY ELECTIONS 2025

Steffi Haefeli, Manager Democracy Services and Janice McDougall, Group Manager People and Partnerships spoke to the report and answered members' questions.

RESOLUTION CO2023/116

Moved: Mayor Janet Holborow
Seconder: Cr Jocelyn Prvanov

- A. That Council consider the electoral system for the 2025 local body elections and either:
 - A.1 Retain the Single Transferable Vote (STV) system as the electoral system for the 2025 local body elections, and this decision be publicly notified by 19 September 2023 in accordance with statutory requirements.

CARRIED

10.7 REPORTS AND RECOMMENDATIONS FROM STANDING COMMITTEES AND COMMUNITY BOARDS

Steffi Haefeli, Manager Democracy Services, spoke to the report and answered members' questions.

RESOLUTION CO2023/117

Moved: Cr Shelly Warwick
 Secunder: Cr Nigel Wilson

- A. That the Council receives this report.

CARRIED

Item - 10.8 Wellington Regional Leadership Committee: Updated Agreement and Terms of Reference - was moved to another part of the minutes.

11 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES

11.1 CONFIRMATION OF MINUTES

RESOLUTION CO2023/118

Moved: Cr Shelly Warwick
 Secunder: Cr Nigel Wilson

- A. That the minutes of the Council meeting of 20 July 2023 be accepted as a true and correct record.
- B. That the minutes of the Council meeting of 10 August 2023 be accepted as a true and correct record.

CARRIED

12 PURONGO KĀORE E WĀTEA KI TE MAREA | PUBLIC EXCLUDED REPORTS

RESOLUTION TO EXCLUDE THE PUBLIC

PUBLIC EXCLUDED RESOLUTION CO2023/119

Moved: Cr Sophie Handford
 Secunder: Cr Shelly Warwick

That, pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987, the public now be excluded from the meeting for the reasons given below, while the following matters are considered.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
12.1 - Confirmation of Minutes	Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably	Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information

	<p>to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>for which good reason for withholding would exist under section 6 or section 7</p>
<p>13.1 - Waikanae Water Treatment Plant Stage 2 Main Contract</p>	<p>Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p>CARRIED</p>		

The Kaunihera | Council meeting went into public excluded session at 1.22pm.

RESOLUTION CO2023/122

Moved: Cr Sophie Handford

Seconder: Cr Shelly Warwick

That the Kaunihera | Council moves out of a public excluded meeting.

CARRIED

The Kaunihera | Council came out of public excluded session at 1.57pm.

The Mayor closed the meeting with karakia.

The Kaunihera | Council meeting closed at 1.58pm.

.....
HEAMANA | CHAIRPERSON

10.6 SELECTING THE ELECTORAL SYSTEM FOR LOCAL BODY ELECTIONS 2025

Kaituhi | Author: **Steffi Haefeli, Manager Democracy Services**

Kaiwhakamana | Authoriser: **Janice McDougall, Group Manager People and Partnerships**

TE PŪTAKE | PURPOSE

- 1 This report provides Council with the opportunity to consider reviewing the electoral system ahead of the 2025 local body elections.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required for this report.

TE TUKU HAEPAPA | DELEGATION

- 3 Under section 27 of the Local Electoral Act 2001 (the “Act”) Council has the authority to consider this matter.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council consider the electoral system for the 2025 local body elections and either:
 - A.1. Retain the Single Transferable Vote (STV) system as the electoral system for the 2025 local body elections, and this decision be publicly notified by 19 September 2023 in accordance with statutory requirements;or
 - A.2. Introduce the First Past the Post (FPP) system as the electoral system for the 2025 local body elections, and this decision be publicly notified by 19 September 2023 in accordance with statutory requirements;or
 - A.3. Resolve to undertake a poll of electors with a polling date of ____ on the electoral system to be used for the next two triennial elections (2025 and 2028), in accordance with the provisions in the Local Electoral Act 2001.

TŪĀPAPA | BACKGROUND

- 4 The local body elections 2025 will be held on 11 October 2025.
- 5 There are two electoral systems in use for local body elections in Aotearoa New Zealand, the Single Transferable Vote (STV) system and the First Past the Post (FPP) system.
- 6 The Act provides local authorities or their communities with three options for selecting the electoral system to be used for two consecutive local body elections:
 - a local authority may resolve to change its electoral system; or
 - a local authority may resolve to hold a poll to determine which system should be used; or
 - electors may demand that a poll be held on the matter.
- 7 STV is a proportional electoral system where voters use numbers to rank candidates in their order of preference. Voters can rank as many or as few candidates as they wish. To cast a valid vote, voters need to rank at least one candidate and use sequential numbering. A candidate must reach a vote quota to be elected.

- 8 FPP is a very simple electoral system where voters tick their preferred candidate(s) up to the number of vacancies. Candidates with the highest number of votes are elected.
- 9 The Kāpiti Coast District Council has used the STV system for every local body election since the option first became available for the 2004 local body elections.
- 10 For the 2022 local election, STV was used by 15 councils (out of 67) in Aotearoa New Zealand, including Kāpiti Coast District Council, Porirua City Council and Wellington City Council.
- 11 Council last resolved to confirm the STV system as the preferred electoral system on 27 August 2020. This resolution continues to be in force for two consecutive elections (2022 and 2025) unless Council resolves to adopt a different electoral system. This means that Council is not required to make a decision on its electoral system this triennium, in which case the STV system would automatically remain the electoral system to be used for the 2025 local body elections. However, it is good practice to give Councils the opportunity to re-consider the electoral system each triennium.
- 12 The Local Government Electoral Legislation Bill is currently before Parliament at Select Committee stage and is expected to pass before the central government elections in October 2023. Among other changes, the Bill propose to bring the dates relating to polls on electoral systems forward. As the Bill is expected to pass and the Local Government Commission have amended their guidance material to reflect this, the new earlier dates are used in this report to ensure legislative timeframes are met.

Consideration of Electoral System 2023

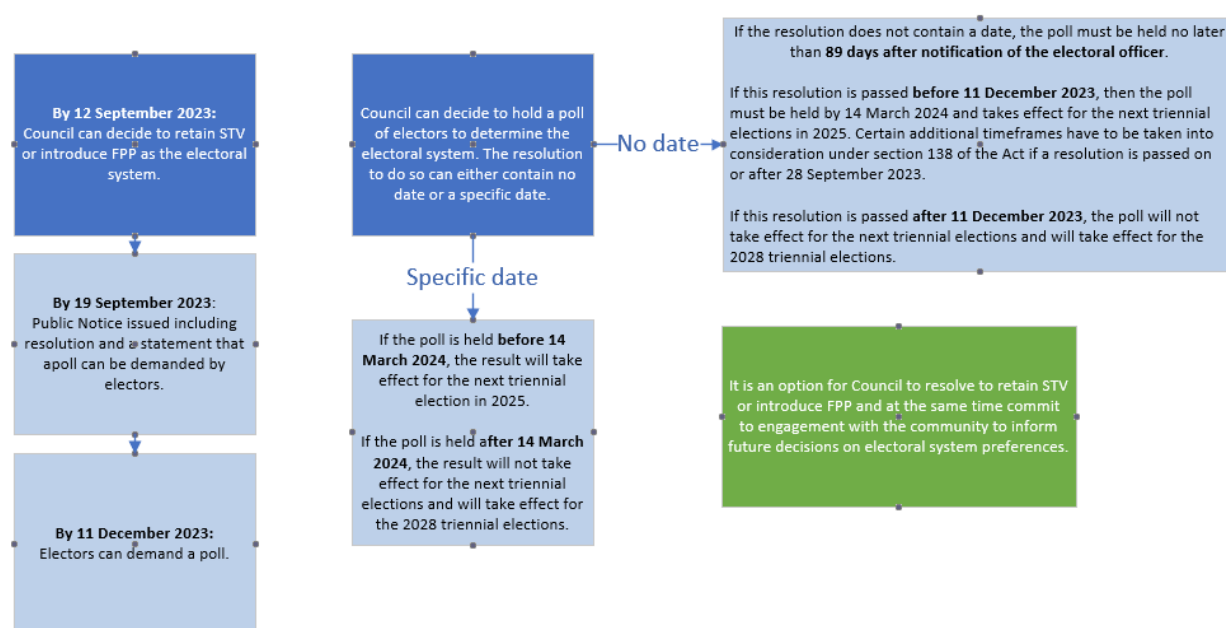
- 13 At a Council meeting on 20 July 2023 a report was presented to Council to consider reviewing the electoral system ahead of the 2025 elections. Upon debating the options, Council resolved to hold a poll of electors on the electoral system. The outcome of that poll would have determined the electoral system to be used for the next two triennial elections and no further resolution by Council would have been required. The resolution passed by Council did not contain a date which, under the provisions of the Act, requires a poll to be conducted no later than 89 days after the notification of the electoral officer.
- 14 With no date, the poll would have been required to have been conducted in October 2023, with an information campaign to help educate electors about the options to be conducted in the months prior. Staff investigated this timing and how it aligned with other engagement activities and other matters such as the central government elections. Due to the elections and a significant number of other engagement activities before the community in October 2023, Council's Chief Executive resolved to bring a new report to Council to consider altering the resolution and adding a date for the poll.
- 15 By setting the date for the poll, Council could ensure that this fitted with other community engagement underway and balance the risk of engagement and information fatigue as well as the Council's capacity to deliver a robust information and education campaign ahead of the poll.
- 16 Council officers brought a further report to Council on 10 August 2023, providing additional opportunity for Council to consider the timing of the poll. At this meeting, Council resolved to revoke the resolution in full and asked council officers to bring another report to Council to reconsider the selection of the electoral system.

HE KŌRERORERO | DISCUSSION

He take | Issues

- 17 The Act prescribes that Council may, no later than 12 September 2023, being two years before the year in which the next triennial general election is to be held, resolve the electoral system for the next two triennial local body elections of the Kāpiti Coast District Council and its community boards, and any associated election. This includes the election of the Kāpiti Coast district representative on the Greater Wellington Regional Council.

- 18 While a resolution is not required to retain the STV electoral system for the 2025 local election, one is required if Council wishes to change the electoral system or demand a poll of its electors in accordance with sections 29 and 31 of the Act. If Council decides to introduce FPP as the electoral system, then a resolution is required by 12 September 2023 and if Council decides to conduct a poll of electors to determine the electoral system for the next triennial election, then a resolution is required by 11 December 2023.
- 19 If Council decides to retain STV or introduce FPP, public notice is required by 19 September 2023 notifying the electoral system to be used and containing a statement that a poll can be demanded by 5% of electors to change the electoral system. If there was a change in electoral system, the notice would also include the Council resolution.
- 20 In practice, this would mean if Council resolved to introduce the FPP or retain the STV electoral system, section 29(3) of the Act prescribes that a poll may be demanded by electors. To demand a poll approximately 2,155 electors (based on the number of electors in the district as at the 2022 local body elections), which is equal or greater than 5% of enrolled electors would be required to do so in writing containing all signatories. Once such notice has been received, sections 33 and 34 of the Act prescribe that a poll would be required to be held no later than 14 March 2024, being the year immediately before the year of the next elections.
- 21 Under section 31 of the Act, Council can alternatively decide to hold a poll of electors on which electoral system is to be used for the 2025 local election. In order for the poll result to take effect for the 2025 triennial elections, a decision to do so is required no later than 11 December 2023. If a date for the poll is not specified in the resolution, the poll must be held as soon as practicable but no later than 89 days after the date of the notice given to the electoral officer. Alternatively, if Council states a poll date, for the result to take effect for the next triennial election, the poll must take place before 14 March 2024. Legislatively, it is also possible for Council to decide after 11 December 2023 to hold a poll but the result of the poll would then no longer take effect for the 2025 triennial elections. Council can also decide to hold a poll but postpone the poll date until after 14 March 2024, which would also lead to the result not taking effect at the next triennial elections.
- 22 The poll, whether Council resolves to hold one or it is demanded by electors, would directly determine the electoral system to be used for the next two triennial elections and a decision by Council to resolve the electoral system will not be required after the poll closes.
- 23 The flowchart below outlines the different timeframe impacts of each decision:



Ngā kōwhiringa | Options

- 24 Council has the option to consider the electoral system for the 2025 local body elections and either:
- A.1. Retain the Single Transferable Vote (STV) system as the electoral system for the 2025 local body elections, and this decision be publicly notified by 19 September 2023 in accordance with statutory requirements (no resolution required);
 - or
 - A.2. Introduce the First Past the Post (FPP) system as the electoral system for the 2025 local body elections, and this decision be publicly notified by 19 September 2023 in accordance with statutory requirements;
 - or
 - A.3. Resolve to undertake a poll of electors on the electoral system to be used for the next two triennial elections, in accordance with the provisions in the Local Electoral Act 2001.
- 25 Alongside the above options, Council may also consider mechanisms for testing the views of the community to inform future decisions on the electoral system. Due to legislative timeframes, a poll is now the only viable option for enabling the community's views to influence the choice of electoral system for the 2025 election. However, community engagement on this topic over the course of this triennium could inform decisions of Council in selecting the electoral system for the 2028 and 2031 triennial elections. Options for testing the community's views this triennium could include:
- 25.1 Seeking feedback alongside other co-ordinated, districtwide engagement activities (such as long term plan, consultation on major strategies or plans)
 - 25.2 Conducting a dedicated engagement survey or other research into the views of the community on this topic; or
 - 25.3 Conducting a poll later in the triennium or at the same time as the next triennial election in 2025. This would align the poll with electoral activities for the triennial elections.

Electoral Systems**Single Transferable Vote**

- 26 STV is a proportional electoral system where voters use numbers to rank candidates in their order of preference. Voters can rank as many or as few candidates as they wish. To cast a valid vote, voters need to rank at least one candidate and use sequential numbering. A candidate must reach a vote quota to be elected. The quota is calculated by a formula set out in the Local Electoral Regulations 2001. This system was first introduced in 2004.

Advantages and disadvantages

- 27 Under the STV representation system electors can cast votes for multiple candidates in one voting document. Voters may be more likely to vote for their preferred candidate as they are still able to rank all other candidates in order of preference and those votes are still counted and therefore voters will not feel they are casting a 'wasted vote' by voting for a candidate that may not have as much community support.
- 28 Using this system votes cast are not lost. If a candidate has received enough votes to be elected all surplus votes for the candidate are then transferred to the next preferred candidate.
- 29 Early research demonstrates that STV leads to improvements in the diversity of representation, specifically the representation of women. However, the representative benefits of STV work best when there is a large pool of candidates and wards with more than one seat being contested.

- 30 Due to its impact on greater diversity, in its final report released in June 2023, the panel for the Review into the Future for Local Government recommended adopting STV as the nationwide method for local elections.
- 31 Kāpiti Coast District voters are familiar with the STV system which has been used in every local body election since the system was introduced in 2004.
- 32 However, STV is a more complex system which requires a candidate to reach a certain quota prescribed by the Local Electoral Regulations 2001 to be elected. The quota calculation is complex and requires a specialist designed computer program (provided by the Department of Internal Affairs) to calculate multiple rounds of vote redistribution each time a candidate meets the quota. So, depending on the number of seats this will require additional time to produce voting result.

First Past the Post

- 33 FPP is a very simple electoral system where voters tick their preferred candidate(s) up to the number of vacancies. Candidates with the highest number of votes are elected.

Advantages and disadvantages

- 34 FPP is a simple method of electing candidates and is widely used both in Aotearoa New Zealand and globally. Calculating the votes and whether a candidate has been elected does not require any specific programmes or expertise.
- 35 Each voter has once choice per vacancy and to make the vote count electors may vote strategically rather than voting for their most preferred candidate for the vacancy to avoid casting a 'wasted vote'. As a result, there is some argument that FPP may not reflect the majority of voters in the most representative or diverse way possible. For example, for a community board with four vacancies, under FPP voters will be able to choose four candidates to fill the vacancies. Candidates can decide to stand for both community board and councillor vacancies. So, if one of these candidates chosen by a voter gets elected into a councillor vacancy, the voters choice is a lost vote as it cannot be counted towards another candidate.

Holding a Poll of Electors – either by resolution or demanded by electors

- 36 Council can either decide to hold a poll or its electors can demand a poll. If electors demand a poll or Council resolves to hold a poll and does not specify a date in the resolution, then a poll must be held no later than 89 days after the notification to the electoral officer. Council could also resolve to hold a poll and include a specific date which could be any date even the date of the 2025 triennial election to align it with other electoral activities.
- 37 If Council either received a demand for a poll or resolved a date before 11 December 2023, the following timeframes are prescribed in the Act:
- 37.1 If Council received a demand for, it would be required to hold a poll no later than 14 March 2023.
- 37.2 If Council resolved to hold a poll, it could:
- 37.2.1 set no date and then a poll is required to be held no later than 89 days after the notification of the electoral officer; or
- 37.2.2 set a date to hold a poll before 14 March 2024 which would mean the electoral system determined by the poll would come into force for the next triennial elections in 2025; or
- 37.2.3 set a date to hold a poll after 14 March 2024 which would mean the electoral system determine by the poll would not come into force until the 2028 triennial elections.
- 38 There are additional timeframe provisions to take into consideration under section 138 of the Act if Council wanted to set a date before 14 March 2024 but was not able to resolve to hold a poll until 28 September 2023. If Council resolved to hold a poll, depending on the date it

resolves for the poll to take place, after that date, certain no earlier than a specified date provisions would have to be adhered to.

- 39 If Council resolved to hold a poll to determine the Electoral System for the 2025 local body elections, council officers recommend the poll be conducted in late November with a polling day of 1 December 2023. As noted above, a number of engagement activities are underway or proposed between September and November so creating some space between these engagements and poll will help mitigate the risk of community engagement and information fatigue and Council's ability to deliver a robust information and education campaign.
- 40 The conduct of polls must comply with the provisions of the Act and the Local Electoral Regulations 2001. Voting documents for the poll must be sent to all electors prior to the close of voting (the last date of the poll) within timeframes prescribed by legislation and the voting methods must be by postal vote, booth vote, or a combination of both.

Mana whenua

- 41 As noted above, research has indicated the STV system has the potential to lead to more diversity amongst elected members. However, a decision to change the electoral system will not affect current governance arrangements with mana whenua enacted via the Governance Structure.
- 42 A decision on considering the establishment of a Māori ward will be brought to Council separately. This decision on the electoral system would have an impact on vote calculation for the Māori ward vacancy if established for the next local body election.

Panonitanga āhuarangi | Climate change

- 43 There are no climate change impacts or considerations arising from this report.

Ahumoni me ngā rawa | Financial and resourcing

- 44 If Council decided to retain STV or introduce FPP, there is no cost impact on the budget for the next triennial elections, as there are no significant financial differences between the administration of the two electoral systems.
- 45 If Council decided to hold a poll or a demand for a poll was received, the estimated cost of holding a stand-alone poll is \$130,000 plus GST. This cost is unbudgeted and includes the costs directly relating to holding the poll with the support of our electoral officer which is estimated at \$105,000 (plus GST) as well as costs relating to a campaign to educate voters on the two electoral systems and to encourage participation in the poll which is estimated at \$20,000-\$30,000.
- 46 If Council decided to seek the community's views and feedback on their preferred electoral system by utilising an alternative engagement mechanism, this has not been budgeted and would have to be included in any projects budgets, such as the representation review budget, depending on Council's resolution.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 47 There are no additional legal or organisational risk implications arising from this report.
- 48 The local body election will need to meet the requirements of the Local Electoral Act 2001 and the Local Electoral Regulations 2001.

Ngā pānga ki ngā kaupapa here | Policy impact

- 50 There are no policy impacts arising from this report.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT**Te mahere tūhono | Engagement planning**

- 51 There is no requirement in the Local Electoral Act 2001 to consult with the public on which electoral system to use and any ensuing action is prescribed by legislation.
- 52 However, when public notice is made as per legislation, it will include a statement that a poll can be demanded by five percent of electors.

Whakatairanga | Publicity

- 53 Council's decision regarding the electoral system must be publicly notified by 12 September 2023 and will also be communicated to the public as part of Council's communication plan for the 2025 local body election.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. First Past the Post and Single Transferable Vote Information from DIA
2. Legislative Timeframes

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL
COUNCIL MEETING****HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 20 JULY 2023 AT 9.32AM**

PRESENT: Mayor Janet Holborow, Deputy Mayor Lawrence Kirby, Cr Glen Cooper, Cr Martin Halliday, Cr Sophie Handford, Cr Liz Koh, Cr Kathy Spiers, Cr Shelly Warwick, Cr Nigel Wilson

IN ATTENDANCE: Denise Hapeta (Ngā Hapū o Ōtaki)(via Zoom), Huriwai Paki (Ngāti Toa Rangatira)(via Zoom), Cam Butler, Glen Olsen, Richard Mansell, Tim Sutton, Darren Edwards, Ewen Church, Janice McDougall, Mike Mendonça, Kris Pervan, Glen O'Connor, Steffi Haefeli, Kate Coutts, Evan Dubisky, Jessica Mackman, Anna Smith, Hayley Collett, Nicky Holden, Kelvin Irvine, Hamish McGillivray, Sarah Wattie, Claire Winter, Cr Penny Gaylor (Greater Wellington Regional Council), Bruce Henderson, Lynne Sleath, John Tocker, Glenn Wiggs

WHAKAPĀHA | APOLOGIES: André Baker (Ātiawa ki Whakarongotai)

LEAVE OF ABSENCE: Cr Rob Kofoed, Cr Jocelyn Prvanov

1 NAU MAI | WELCOME

Mayor Janet Holborow welcomed everyone to the meeting.

2 KARAKIA | COUNCIL BLESSING

The Mayor read karakia a te Kaunihera (the Council Blessing).

3 WHAKAPĀHA | APOLOGIES**APOLOGY****RESOLUTION CO2023/83**

Moved: Cr Kathy Spiers

Seconder: Cr Nigel Wilson

That the apology received from André Baker (Ātiawa ki Whakarongotai) be accepted.

CARRIED**4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE |
DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

There were no declarations of interest made.

5 TE WHAKATAKOTO PETIHANA | PRESENTATION OF PETITION

There were no petitions presented.

6 NGĀ WHAKAWĀ | HEARINGS

There were none.

7 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

Glenn Wiggs and John Tocker of the Waikanae Beach Residents' Society spoke in relation to item 10.3 Asset Management Plan - Halls and Community Centres with a focus on the needs of the Waikanae Beach community and answered members' questions.

Lynn Sleath, Secretary of Kāpiti Cycling Action, spoke in relation to item 10.2 Cycleways, Walkways, and Bridleways Advisory Group - Revised Terms of Reference for 2022-2025 and proposed possible actions for the Cycleways, Walkways, and Bridleways Advisory Group.

TABLED DOCUMENTS

The following documents were tabled.

Document from Lynn Sleath, Secretary of Kāpiti Cycling Action.

Appendices

1 Document from Lynn Sleath 20 July 2023

8 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

(a) Leave of Absence

There were none.

(b) Matters of an Urgent Nature (advice to be provided to the Chair prior to the commencement of the meeting)

There were none.

9 TE PŪRONGO A TE KORORMATUA | MAYOR'S REPORT

There was no Mayor's Report submitted at this meeting.

Mayor Janet Holborow indicated that the meeting would adjourn at 10.30am in order for members to attend a book launch for Kāpiti Arts Studio at the Paraparaumu library.

10 PŪRONGO | REPORTS**10.1 PROGRESS AND NEXT STEPS ON THE WAINUIWHENUA PROJECT**

Hamish McGillivray, Manager Research & Policy introduced the report and took the report as read.

Hamish McGillivray and Kris Pervan, Group Manager Strategy & Growth answered members' questions together with Councillor Penny Gaylor, Greater Wellington Regional Council.

Councillor Kathy Spiers left the meeting at 10.27am.

RESOLUTION CO2023/84

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Nigel Wilson

- A. Council notes progress on the Wainuiwhenua project.
- B. Council supports further work to scope options including shared ownership and management arrangements to inform decisions in support of the Wainuiwhenua project.

CARRIED

The meeting adjourned at 10.31am and reconvened at 10.55am.

Councillor Kathy Spiers returned to the meeting at 10.55am.

10.2 CYCLEWAYS, WALKWAYS, AND BRIDLEWAYS ADVISORY GROUP - REVISED TERMS OF REFERENCE FOR 2022-2025

Mike Mendonça, Acting Group Manager Place & Space introduced the report.

Bruce Henderson, Chair of the Cycleways, Walkways and Bridleways Advisory Group (CWBAG) and Steve Lewis, member of the Cycleways, Walkways and Bridleways Advisory Group, spoke to the presentation and provided an update on the work of the Group and a proposed Kāpiti trail network.

Bruce Henderson and Steve Lewis answered members' questions.

Councillor Glen Cooper left the meeting at 11.08am and returned at 11.11am.

RESOLUTION CO2023/85

Moved: Mayor Janet Holborow

Seconder: Cr Shelly Warwick

That Council approves the revised Terms of Reference for the Cycleways, Walkways and Bridleways Advisory Group with the following amendments:

- a. 3.2.1 to read 'walking and running'
- b. 18 to read 'the quorum is comprised of; one elected member, plus three community or iwi representatives, plus one Council officer.'

CARRIED**TABLED DOCUMENTS**

The following documents were tabled.

Presentation by Bruce Henderson, Chair of the Cycleways, Walkways and Bridleways Advisory Group.

Appendices

- 1 Presentation by Bruce Henderson 20 July 2023

10.3 ASSET MANAGEMENT PLAN HALLS AND COMMUNITY CENTRES

Mike Mendonça, Acting Group Manager Place & Space introduced the report.

Mike Mendonça answered members' questions alongside Claire Winter, Contractor to Kāpiti Coast District Council and Kelvin Irvine, Property & Facilities Maintenance Manager.

RESOLUTION CO2023/86

Moved: Cr Nigel Wilson

Seconder: Cr Sophie Handford

That the Council:

- A. Notes the Asset Management Plan Halls and Community Centres (Enclosure 1).
- B. Approves in principle the Asset Management Plan as the basis for long term planning.
- C. Notes that funding options will be presented as part of the process for the Long-Term Plan 2024.

CARRIED

The meeting adjourned at 12.21pm and reconvened at 12.57pm.

10.4 ESTABLISHMENT OF A MĀORI WARD

Mayor Janet Holborow proposed that this item be left to lie on the table as mana whenua representatives were not all present and requested the report be brought to the Council meeting of 10 August 2023.

RESOLUTION CO2023/87

LIE ON THE TABLE

Moved: Mayor Janet Holborow

Seconder: Cr Nigel Wilson

That the item of business, 10.4 Establishment of a Māori Ward, should lie on the table and not be discussed until it is brought to the Council meeting of 10 August 2023.

CARRIED

10.5 SELECTING THE ELECTORAL SYSTEM FOR LOCAL BODY ELECTIONS 2025

Anna Smith, Senior Advisor Democracy Services, took the report as read, and alongside Steffi Haefeli, Manager Democracy Services and Janice McDougall, Group Manager People & Partnerships, answered members' questions.

MOTION

Moved: Cr Nigel Wilson

Seconder: Cr Glen Cooper

That Council consider the electoral system for the 2025 local body elections and:

- A2. Introduce the First Past the Post (FPP) system as the electoral system for the 2025 local body elections, and this decision be publicly notified by 19 September 2023 in accordance with statutory requirements.

LOST

MOTION

Moved: Cr Sophie Handford

Seconder: Cr Kathy Spiers

That Council consider the electoral system for the 2025 local body elections and:

- A1. Retain the Single Transferable Vote (STV) system as the electoral system for the 2025 local body elections, and this decision be publicly notified by 19 September 2023 in

accordance with statutory requirements;

LOST

RESOLUTION CO2023/88

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Liz Koh

That Council consider the electoral system for the 2025 local body elections and:

A3. Resolve to undertake a poll of electors on the electoral system to be used for the next two triennial elections, in accordance with the provisions in the Local Electoral Act 2001.

CARRIED

10.6 ELECTED MEMBERS' REMUNERATION, EXPENSES AND ALLOWANCES POLICY 2022-2025 & NON-ELECTED MEMBERS' FEES FRAMEWORK 2022-2025 UPDATE

Jessica Mackman, Senior Advisor Democracy Services introduced the report and took the report as read.

RESOLUTION CO2023/89

Moved: Cr Nigel Wilson

Seconder: Deputy Mayor Lawrence Kirby

A. That Council notes the updated Elected Members' Remuneration, Expenses and Allowances Policy in Appendix 2 – Elected Members' Remuneration, Expenses and Allowances Policy 2022-2025.

B. That Council notes the updated Non-Elected Members' Fees Framework 2022-2025 in Appendix 3 – Non-Elected Members' Fees Framework 2022-2025.

CARRIED

10.7 REPORTS AND RECOMMENDATIONS FROM STANDING COMMITTEES AND COMMUNITY BOARDS

Steffi Haefeli, Manager Democracy Services, introduced the report. Waikanae Community Board Chair Richard Mansell spoke to the report and Glen O'Connor, Acting Group Manager Infrastructure Services, answered members' questions.

RESOLUTION CO2023/90

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Sophie Handford

A. That the Council receives this report.

B. That the Council notes the following recommendation from the Waikanae Community Board meeting on 27 June 2023:

- Recommends to Council to allocate funds in the first three years of the Long-Term Plan for the design and implementation of safety measures for pedestrian safety on Te Moana Road.

CARRIED

Cr Glen Cooper left the meeting at 2.01pm.

Cr Liz Koh left the meeting at 2.02pm and did not return.

Cr Glen Cooper returned to the meeting at 2.03pm.

11 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES

11.1 CONFIRMATION OF MINUTES

TAUNAKITANGA | RECOMMENDATIONS

That the minutes of the Council meeting of 29 June 2023 be accepted as a true and correct record.

RESOLUTION CO2023/91

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Nigel Wilson

CARRIED

12 PURONGO KĀORE E WĀTEA KI TE MAREA | PUBLIC EXCLUDED REPORTS

RESOLUTION TO EXCLUDE THE PUBLIC

PUBLIC EXCLUDED RESOLUTION CO2023/92

Moved: Cr Shelly Warwick

Seconder: Deputy Mayor Lawrence Kirby

That, pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987, the public now be excluded from the meeting for the reasons given below, while the following matters are considered.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
12.1 - Strategic Property Update	Section 7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

CARRIED

The Kaunihera | Council meeting went into public excluded session at 2.03pm.

RESOLUTION CO2023/93

Moved: Cr Shelly Warwick

Seconder: Cr Nigel Wilson

That the Kaunihera | Council moves out of a public excluded meeting.

CARRIED

The Kaunihera | Council came out of public excluded session at 2.50pm

Mayor Janet Holborow closed the meeting with karakia.

The Kaunihera | Council meeting closed at 2.50pm.

.....
HEAMANA | CHAIRPERSON

7.3 CONDUCTING A POLL TO SELECT THE ELECTORAL SYSTEM FOR THE LOCAL BODY ELECTIONS 2025

Kaituhi | Author: **Anna Smith, Senior Democracy Services Advisor**

Kaiwhakamana | Authoriser: **Janice McDougall, Group Manager People and Partnerships**

TE PŪTAKE | PURPOSE

- 1 On 20 July 2023, Council resolved to undertake a poll of electors on the electoral system to be used for the next two triennial elections, in accordance with the provisions of the Local Electoral Act 2001 (the Act).
- 2 This report provides Council with the option to alter its resolution to specify a date for the poll to occur. This will allow the poll to be conducted at a time that allows for an appropriate communications campaign to inform the community about the different electoral systems ahead of the poll and for this to be aligned with other community conversations already underway.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council alter the resolution passed at the Council meeting of 20 July 2023 to *undertake a poll of electors on the electoral system to be used for the next two triennial elections, in accordance with the provisions in the Local Electoral Act 2001*

That the resolution be altered to say: That the Council resolves to undertake a poll of electors on the electoral system to be used for the next two triennial elections, in accordance with the provisions in the Local Electoral Act 2001. Polling day will be 1 December 2023.

TŪĀPAPA | BACKGROUND

- 3 The next local body elections 2025 will be held on 11 October 2025.
- 4 The Local Electoral Act 2001, sections 27 to 34, provides for local authorities and their communities to choose either of the following as their electoral system for local elections:
 - first past the post (FPP) or,
 - single transferable vote (STV).
- 5 A territorial authority's chosen electoral system also applies to the election of members of any local boards or community boards.
- 6 A change of electoral system can be achieved by:
 - local authority resolution, or
 - favourable outcome of a poll of electors. This poll may be:
 - demanded by electors, or
 - the result of a local authority resolution.
- 7 On 20 July 2023, Council were asked to consider the electoral system for future elections. Council resolved to undertake a poll of electors on the electoral system to be used for the next two triennial elections. The outcome of this poll determines the electoral system to be used and no further resolution of Council is required.
- 8 The recommendation to Council regarding a poll did not specify a date for the poll to be held. The Act provides that if a date for the poll is not specified in the resolution, the poll must be held as soon as practicable but no later than 89 days after the date of notice to the electoral officer. It is good practice to notify the electoral officer in good time after the resolution is passed.

- 9 In preparation for notifying the electoral officer council officers investigated the likely timing of the poll in line with provision in the Act. The poll would have been required to have been conducted in October, with an information campaign to help educate electors about the options to be conducted in the months prior.
- 10 The Act provides that if a local authority sets a date for when a poll is to take place, that it must take place by a certain date the year before elections (in this case 2024). Under the current version of the Act this date is 21 May 2024. However, a bill seeking amendments to the Act is currently travelling through parliament which would change that date to 14 March 2024. It is expected that these date changes will come into effect in the near future.

HE TAKE | ISSUES

- 11 The conduct of polls must comply with the provisions of the Act and the Local Electoral Regulations 2001. Voting documents for the poll must be sent to all electors prior to the close of voting (the last date of the poll) within timeframes prescribed by legislation and the voting methods must be by postal vote, booth vote, or a combination of both.
- 12 A number of engagement activities are proposed and planned throughout the months of September, October and November including engagement on Councillor's ten strategic priorities, Vision Kāpiti, Takutai Kāpiti, and consultations of a draft Culture and Creative Strategy, draft TAB venue/Class 4 Gaming Policies, Local Alcohol Policy and Smokefree Policy and engagement on various draft Council policies. Also relevant is the General Election taking place between 2 October 2023 to 14 October 2023.
- 13 Officers considered the risk of engagement and information fatigue on the part of the community and the Council's capacity to deliver a robust information and education campaign if the poll were to be conducted in October. Officers are of the view that creating some space between these engagement and consultation activities and the poll will help mitigate these risks.
- 14 Council staff recommend the poll be conducted in late November with a polling day of 1 December. On this basis the notification to the electoral officer of a requirement for a poll has been deferred pending the Council's consideration of this report.
- 15 If Friday 1 December was selected for a poll date, the electoral officer would be notified within a reasonable timeframe after this meeting.
- 16 If Council chooses not to alter its resolution passed at the Council meeting of 20 July 2023 the electoral officer will be advised of the requirement for a poll shortly after this meeting. with the result that the poll must be held as soon as practicable but no later than 89 days after the date of notice to the electoral officer. This would likely result in a poll being conducted in late October/early November.
- 17 The updated estimated cost of holding a stand-alone poll is \$105,000 (plus GST). There will also be costs relating to the campaign to educate voters on the two electoral systems and to encourage participation in the poll. Staff have begun developing this campaign, which would require us to utilise a range of traditional and digital communications channels to make sure we provide equitable access to information and opportunities for people to participate in the poll. The estimated cost of this is \$20,000-\$30,000.

Council officers will bring a subsequent report to council outlining how this will be funded from within existing budgets.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Timeframes and Statutory Provisions



RĀRANGI TAKE AGENDA

Additional Hui Kaunihera | Council Meeting

**I hereby give notice that a Meeting of the Kāpiti Coast District Council
will be held on:**

Te Rā | Date: Tuesday, 14 November 2023

Te Wā | Time: 9.30am

**Te Wāhi | Location: Council Chamber
Ground Floor, 175 Rimu Road
Paraparaumu**

**Darren Edwards
Chief Executive**

Kāpiti Coast District Council

Notice is hereby given that a meeting of the Kāpiti Coast District Council will be held in the Council Chamber, Ground Floor, 175 Rimu Road, Paraparaumu, on Tuesday 14 November 2023, 9.30am.

Kaunihera | Council Members

Mayor Janet Holborow	Chair
Deputy Mayor Lawrence Kirby	Deputy
Cr Glen Cooper	Member
Cr Martin Halliday	Member
Cr Sophie Handford	Member
Cr Rob Kofoed	Member
Cr Liz Koh	Member
Cr Jocelyn Prvanov	Member
Cr Kathy Spiers	Member
Cr Shelly Warwick	Member
Cr Nigel Wilson	Member

Te Raupapa Take | Order Of Business

1	Nau Mai Welcome	5
2	Karakia a te Kaunihera Council Blessing.....	5
3	Whakapāha Apologies.....	5
4	Te Tauākī o Te Whaitake ki ngā Mea o te Rārangi Take Declarations of Interest Relating to Items on the Agenda	5
5	He Wā Kōrero ki te Marea mō ngā Mea e Hāngai ana ki te Rārangi Take Public Speaking Time for Items Relating to the Agenda	5
6	Ngā Take a ngā Mema Members’ Business	5
7	Pūrongo Reports.....	6
	7.1 Consideration of Establishment of a Māori Ward.....	6
8	Closing Karakia.....	47

1 NAU MAI | WELCOME

2 KARAKIA A TE KAUNIHERA | COUNCIL BLESSING

I a mātou e whiriwhiri ana i ngā take kei mua i ō mātou aroaro, e pono ana mātou ka kaha tonu ki te whakapau mahara huapai mō ngā hāpori e mahi nei mātou. Me kaha hoki mātou katoa kia whaihua, kia tōtika tā mātou mahi, ā, mā te māia, te tiro whakamua me te hihiri ka taea te arahi i roto i te kotahitanga me te aroha.

“As we deliberate on the issues before us, we trust that we will reflect positively on the communities we serve. Let us all seek to be effective and just, so that with courage, vision and energy, we provide positive leadership in a spirit of harmony and compassion.”

3 WHAKAPĀHA | APOLOGIES

4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE | DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA

Notification from Elected Members of:

4.1 – any interests that may create a conflict with their role as an elected member relating to the items of business for this meeting, and

4.2 – 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

5 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

6 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

(a) Leave of Absence

(b) Matters of an Urgent Nature (advice to be provided to the Chair prior to the commencement of the meeting)

7 PŪRONGO | REPORTS

7.1 CONSIDERATION OF ESTABLISHMENT OF A MĀORI WARD

Kaituhi | Author: **Steffi Haefeli, Manager Democracy Services**

Kaiwhakamana | Authoriser: **Hara Adams, Group Manager Iwi Partnerships**

TE PŪTAKE | PURPOSE

- 1 This report asks Council to consider the establishment of a Māori ward for the 2025 local body elections.

HE WHAKARĀPOOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required for this report.

TE TUKU HAE PAPA | DELEGATION

- 3 Section A.2 of the Governance Structure and Delegations for the 2022-2025 triennium provides Council with authority to consider this matter.
- 4 Section A.1 refers to Council's partnership with mana whenua of the district comprising the iwi and hapu of Ngā Hapū o Ōtaki (Ngāti Raukawa), Ngāti Toa Rangatira and Ātiawa ki Whakarongotai Charitable Trust (together forming the A.R.T. Confederation).

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council either:
 - A.1 Resolve to establish a Māori ward for electoral purposes under section 19Z of the Local Electoral Act 2001 ahead of the 2025 local body elections;
 - or
 - A.2 For Council to resolve not to establish a Māori ward ahead of the 2025 local body elections, noting that Council will be required to consider this next triennium ahead of the 2028 local body election.

TŪĀPAPA | BACKGROUND

- 5 Last triennium, as part of the Representation Review process which has to be carried out every six years, Council considered the establishment of a Māori ward.
- 6 On 6 May 2021, following the recommendation of its three iwi partners, Te Āti Awa ki Whakarongotai Charitable Trust, Ngā Hapū o Ōtaki (Ngāti Raukawa) and Ngāti Toa Rangatira, Council resolved not to establish a Māori ward for electoral purposes under section 19Z of the Local Electoral Act 2001 before the 2022 local body elections. As part of this decision, Council committed to reconsidering the question this triennium.
- 7 Council considered alternative mechanisms of Māori participation and in June 2022, Council passed a resolution that provided for mana whenua representation through Council's Governance Structure.

Current Legislative Context

- 8 On 26 July 2022, the Government announced the introduction of the Local Government Electoral Legislation Bill (the Bill). The Bill has enacted amendments to the Local Electoral Act 2001 making revisions to the process that local authorities are required to follow in deciding their representation arrangements, making the consideration of a Māori ward a mandatory step in the representation review process. However, changes were introduced in

the Select Committee process so that certain provisions in the Bill relating to Māori representation do not come into force until 12 October 2025.

- 9 The Act, as passed, means that local authorities are not required to consider Māori representation as part of their representation review until after the 2025 Local Body Elections. Local authorities still have the ability to optionally consider Māori representation, but it is no longer a legal requirement ahead of the next elections. Council may therefore resolve whether to establish a Māori ward ahead of the elections in 2025.
- 10 Under the provisions that come into force after 12 October 2025, local authorities will be required to consider Māori representation as part of their representation review for the 2028 elections. Local authorities that have not established a Māori ward in the previous triennium, will be required to reconsider whether to create a Māori ward. In addition, they will be required to undertake specific engagement with 'Māori and other communities' and to 'have regard to' this engagement in deciding whether to establish a Māori ward.
- 11 In the last triennium, Council guided by mana whenua resolved not to establish a Māori ward and committed to reconsidering the question this triennium. As such, it is appropriate that Council and mana whenua consider the matter again this triennium.
- 12 Under current provisions of the Local Electoral Act 2001, a resolution to establish a Māori ward must be made by 23 November 2023 to take effect for that next election. If Council does resolve to establish a Māori ward, a representation review will need to take place in 2024 ahead of the 2025 elections.

HE KŌRERORERO | DISCUSSION

He take | Issues

What is a Māori Ward?

- 13 The Local Government Act 2002 requires local authorities to provide for Māori participation in decision-making, but it does not prescribe how this should happen. The establishment of one or more Māori wards is one avenue to be considered under the Local Electoral Act 2001.
- 14 A Māori ward is a distinct form of representation to the appointment of mana whenua representatives to Council's governance structure. Council's current governance structure allows for the appointment of mana whenua representatives to its committees and subcommittees with full voting rights which currently provides a mechanism for all of Council's mana whenua partners to be represented around the Council and committee table. While these forms of representation are distinct, they are not mutually exclusive.
- 15 A Māori ward is a representation structure which would allow Māori electors enrolled on the Māori electoral role to directly elect a Councillor to Council. The person standing for the Māori ward vacancy does not have to identify as mana whenua or tangata whenua to stand; however, only those on the Māori electoral role can nominate that person and vote for the person to be elected.
- 16 The Electoral Act 2001 sets out a formula to determine how many Māori wards may be established which is based on population size of the territorial authority area.
- 17 Previous amendments to the Local Electoral Act 2001 under the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021:
 - 17.1 removed the ability for electors to bring a petition requiring a poll on the introduction of Māori wards (only the Council will be able to undo a decision to establish a Māori ward or constituency);
 - 17.2 removed the ability for local authorities to resolve to hold binding polls on whether to establish Māori wards or constituencies (although non-binding polls may continue to be conducted);

17.3 provided that past polls, or Council resolution to hold binding polls, on whether to establish Māori wards or constituencies cease to have any effect.

Future for Local Government Review

- 18 Current local governance structures and systems were designed many years ago and are now facing considerable pressure. Over the past three years an independent review has been conducted by the Future for Local Government Review panel which in reviewing the sector makes a number of recommendations relating to local governance to create the conditions for communities to prosper and thrive.
- 19 While the recently released final report from the panel conducting the Review into the Future for Local Government recommend that the threshold for Māori wards in legislation be reduced, it also acknowledges that changes to legislative frameworks alone are not sufficient to ensure a Te Tiriti based partnership between local government and Māori.
- 20 The panel recommends councils develop partnership frameworks with hapū/iwi and Māori to give effect to Te Tiriti provisions and enabling Tiriti-based appointments to councils for iwi and hapu who want to participate in the kāwanatanga sphere.

Implications of a Māori ward

- 21 If a Māori ward is established, Māori electors enrolled on the Māori electoral roll will need to vote for Māori ward councillors in the place of general ward councillors. Māori electoral roll electors will still be able to vote for the Mayor, district-wide councillors and community board representatives of the community they reside in. In comparison, general roll electors would be able to vote for the Mayor, three district-wide councillors, community board representatives and up to three ward councillors depending on the ward they are able to vote for. For example, for a Māori elector voting for the Paraparaumu ward electorate, establishing a Māori ward would mean that instead of voting for three ward councillors they might only be able to vote for one Māori ward councillor.
- 22 The exact number of Māori ward councillors would not be known with certainty until a representation review has taken place, however, this is determined by a 'fair representation' ratio in the Local Electoral Act 2001 and based on 2022 population data from Statistics New Zealand it is likely that one Māori ward councillor could be established with the current number of ward councillors.¹ As the legislative ratio is between Māori ward and general ward councillors, a decision to establish a Māori ward has the potential to impact on Council's representation structure, in particular, the number of ward councillors across general wards and boundaries.
- 23 While Māori electors are able to switch between the Māori electoral roll and the general electoral roll easily due to a recent change in electoral legislation, this can still only be done up to three months before the relevant elections. Messaging around these considerations for Māori electors can be incorporated in pre-election communications and engagement to ensure Māori are aware of the impacts of the different rolls.

Community Engagement

- 24 On 10 August 2023 Council resolved to consult with mana whenua and the wider community ahead of making a decision on the establishment of a Māori ward prior to 23 November 2023.
- 25 At the same time Council acknowledged its long-standing partnership (a 29-year MOU) with mana whenua and committed to engaging with mana whenua on this matter, through Te Whakaminenga o Kāpiti and engagement with Council's iwi partners.
- 26 Feedback was sought from mana whenua and the wider Kāpiti Coast community between 12 September and 13 October 2023.

¹ Based on 2022 electorate population data from Statistics New Zealand, a ratio of 6-17 general ward councillors would allow for 1 Māori ward councillor. A ratio of 18 general ward councillors would allow for 2 Māori ward councillors.

- 27 Communications and engagement activities focused on one-way channels to inform the community of the purpose of a Māori ward and upcoming Council decision. The intent was to:
- educate the community on what a Māori Ward would mean, who it would affect and what the impacts would be.
 - engage effectively with those most affected, i.e., mana whenua, people on the Māori electoral roll, and those who may choose to switch rolls before the next local body election.
 - to obtain wider public feedback on whether establishing a Māori Ward will assist Council to achieve outcomes relating to Māori representation in Council decision-making and processes.
- 28 The channels of communication included media releases, a one-page spread in Everything Ōtaki, social media marketing, and Council's Have Your Say platform.
- 29 Feedback was provided via email, the digital Have Your Say survey platform, and paper copies of the surveys with collection boxes being placed in all district libraries/services centres, and in the main reception area of the civic building. All responses received in hard copy or via email were then added into the digital Have Your Say platform.
- 30 Public Voice, a research and engagement consultancy was contracted to provide a summary and analysis of submissions. This report is attached at Attachment 3.
- 31 Overall, Council received 548 submissions – representative of approximately 1.27% of the eligible voting population in the Kāpiti Coast District. Of the respondents, 31% favoured establishing a Māori ward, while 69% were against it.
- 32 In the consultation process, Waikanae was overrepresented by 7%, while Paraparaumu and Ōtaki were underrepresented by 7% compared to the general population.
- 33 Of the respondents who supported the establishment of a Māori ward, the most frequently cited reasons were ensuring Māori representation in local governance and upholding the principles and obligations of Te Tiriti o Waitangi.
- 34 Of the respondents opposed to the establishment of a Māori ward the most frequently cited reasons for this were principles of equality and democracy, opposition to race-based representation, and concerns of racial divisiveness.

Age-based Observations

- 35 The age group 65+ recorded the highest participation, with 57% of the total respondents in this bracket. However, they also registered the highest opposition to the proposal, with 73% responding "No/Kāo".
- 36 The 15-34 age group, while having the lowest overall participation (5% of respondents), demonstrated the most support for the proposal, with 61% saying "Yes/Ae".
- 37 Middle-aged participants, specifically those in the 45-54 age bracket, showed a balanced opinion with 39% in favour ("Yes/Ae") and 61% opposed ("No/Kāo").
- 38 The age groups of 35-44 and 55-64 had similar sentiment distributions, with affirmative responses ranging between 29%-32%.

Whakapapa and Electoral Roll Observations

- 39 67 of submitters (approximately 12%) identified as of Māori descent.
- 40 Respondents on the Māori Electoral Roll are more supportive of establishing a Māori ward, with 56% in favour, compared to 44% opposed.
- 41 Conversely, those not on the Māori Electoral Roll are less supportive, with 67% against and only 33% in favour.

Location-based Observations

- 42 Paekākāriki had the highest percentage of respondents in favour of the proposal, with 87% saying "Yes/Ae".
- 43 Waikanae, and Paraparaumu followed by Raumati had the highest number of respondents against the proposal.
- 44 Locations such as Waikanae, Raumati, and Paraparaumu had similar opposition levels, with approximately 72-73% saying "No/Kāo".
- 45 The location with the smallest number of respondents was Peka Peka.

Ngā kōwhiringa | Options

- 46 In the last triennium, Council guided by mana whenua resolved not to establish a Māori ward and committed to reconsidering the question this triennium.
- 47 The current options are:
- 47.1 Option A: for Council to resolve to establish a Māori ward for electoral purposes under section 19Z of the Local Electoral Act 2001 ahead of the 2025 local body election.
- 47.2 Option B: for Council to resolve not to establish a Māori ward;

Table 1: Options - Risks and Benefits

Kōwhiringa Options	Hua Benefits	Tūraru Risks
Option A – establish Māori ward	<ul style="list-style-type: none"> Opportunity to increase Māori representation in local government decision-making processes and consistent with Te Tiriti o Waitangi commitments in the LGA. Māori ward councillor would have a vote at Council meetings. Streamlining the voting of mana whenua at Councils committees ensuring consistency. Ability to strengthen relationship with our mana whenua partners. May increase engagement and participation in council decision making by those of Māori descent. Recognises and enhances the Māori-Crown relationship at a localised level. Ability for council to ensure that Māori communities are represented on council. Increases the visibility of Māori issues within the district to be 	<ul style="list-style-type: none"> Elected representative is not required according to legislation to be of/or identify as Māori descent. There is potential for the viewpoint of the Māori Ward councillor to differ from time to time with those of mana whenua and impact on Council decision-making on issues of significance to Council's iwi partners. Could impede, if not managed appropriately, the strengthening of Council's partnership agreement with mana whenua. Will trigger a representation review earlier than scheduled with a financial impact.

	<p>discussed and included in council thinking and processes.</p> <ul style="list-style-type: none"> • Positive step in the right direction to improve Māori electoral representation at local government – a Māori voice. • Supports equity of process for Māori and General Wards • Potentially encourage the number of voters of Māori descent on the general role to be change to the Māori roll 	
Option B – do not establish a Māori ward	<ul style="list-style-type: none"> • This reflects the majority view for those submitted during community engagement (excepting mana whenua) noting that the majority view was more prevalent in those in the older age groups and in certain locations in Kāpiti. • Ability to revisit this decision <i>next</i> triennium as part of the 6-yearly representation review. • Candidates for the Māori ward are not required to be of/or identify as Māori descent. There is potential for the viewpoint of the Māori Ward councillor to differ from time to time with those of mana whenua and impact on Council decision-making on issues of significance to Council's iwi partners. 	<ul style="list-style-type: none"> • Loss of opportunity for Council to increase and encourage Māori participation in local government decision-making as required under LGA principles. • May signal an unwillingness to include a Māori voice in Council's decision-making process. • Potential to further decrease engagement and participation by those of Māori descent. • The minority voices of those who submitted during community engagement may feel unheard. • Rangatahi, the future of our district, 15-34 age group of submitters may feel unheard and decrease engagement and participation with Council activities.

Mana whenua

- 48 At the 20 June 2023 Te Whakaminenga o Kāpiti, the Chair, André Baker, reflected the position of A.R.T Confederation. This position was a preference to embed the new partnership arrangement and relationship with Council's Iwi Partnerships group this triennium and did not consider the establishment of a Māori ward a priority. The Chair indicated that mana whenua would continue to consider this matter throughout the triennium.
- 49 Following Council's resolution in August 2023 to proceed with wider community consultation, we have received statements from Ngāti Toa Rangatira and Ngā Hapū o Ōtaki outlining their position. These letters are attached as Appendix 5 and Appendix 6 respectively.
- 50 Following on from earlier indications, at the public briefing on Thursday 2 November 2023 to discuss the consideration of a Māori ward, mana whenua representatives around the table

from Ngāti Toa Rangatira, Ātiawa ki Whakarongotai, and Ngā Hapū o Ōtaki indicated support for the establishment of a Māori ward and commended Council for considering the matter.

- 51 Mana whenua representatives around the table expressed a view that the establishment of a Māori ward was likely to be beneficial to the broader community with increased Māori representation and would add to the current partnership agreement with mana whenua. The decision to establish a Māori ward does not exclude other governance mechanisms for mana whenua to contribute to decision-making and rather would be enhancing the current partnership arrangement.

Panonitanga āhuarangi | Climate change

- 52 There are no climate change considerations to note in this report.

Ahumoni me ngā rawa | Financial and resourcing

- 53 If a decision is made to establish a Māori ward for the 2025 local body elections, a representation review would need to take place in 2024 with a budget impact. The cost is estimated at between \$250,000-\$300,000, which is factored into planning for the long-term plan.

Tūraru ā-Ture me te Whakahaere | Legal and Organisational Risk

- 54 As Council considered whether to establish a Māori last triennium, under the Local Electoral Act 2001 Council is not required to consider the establishment of a Māori ward until next triennium ahead of the 2028 local body elections. Consideration of this matter this triennium is optional (noting that Council and mana whenua committed to revisiting this matter this triennium when they resolve not to establish a Māori ward last triennium).

Under the Local Electoral Act 2001, if Council wishes to establish a Māori ward ahead of the 2025 elections, it must make a decision by 23 November 2023.

Ngā pānga ki ngā kaupapa here | Policy impact

- 55 There will be no direct impact on any existing or planned policies as a result of this decision.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 56 Community engagement is set out earlier in this report.

Whakatairanga | Publicity

- 57 If a decision is made to consider the establishment of a Māori Ward, publicity will be in line with an agreed communications and engagement plan. The decision on whether or not to establish a Māori ward will also be publicly notified.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. 19Z Local Electoral Act 2001 [↓](#)
2. Schedule 1A Local Electoral Act 2001 [↓](#)
3. Summary of submissions report [↓](#)
4. Survey Responses (under separate cover) [⇒](#)
5. Letter from Ngāti Toa Rangatira [↓](#)
6. Letter from Ngā Hapū o Ōtaki [↓](#)

- (b) a copy must be kept at the office of the territorial authority or regional council, and must be available for inspection without fee by any person during normal office hours.

Compare: 1974 No 66 s 101M

Section 19Y: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19Y(1): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 19Y(2)(a)(iv): amended, on 29 June 2013, by section 14 of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19Y(3): amended, on 8 August 2014, by section 76 of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Māori wards and Māori constituencies

Heading: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19Z Territorial authority or regional council may resolve to establish Māori wards or Māori constituencies

- (1) Any territorial authority may resolve that the district be divided into 1 or more Māori wards for electoral purposes.
- (2) Any regional council may resolve that the region be divided into 1 or more Māori constituencies for electoral purposes.
- (3) A resolution under this section,—
 - (a) if made after a triennial general election but no later than 23 November of the year that is 2 years before the next triennial general election, takes effect, subject to paragraph (c), for the purposes of the next triennial general election of the territorial authority or regional council; and
 - (b) in any other case, takes effect, subject to paragraph (c), for the purposes of the next but one triennial general election; and
 - (c) in either case, takes effect for 2 triennial general elections of the territorial authority or regional council, and for any associated election, and continues in effect after that until a further resolution under this section takes effect.
- (4) This section—
 - (a) is subject to clauses 2(5) and 4(4) of Schedule 1A; and
 - (b) does not apply in relation to a territorial authority or regional council if another enactment requires,—
 - (i) in the case of a territorial authority, that the district be divided into 1 or more Māori wards; or
 - (ii) in the case of a regional council, that the region be divided into 1 or more Māori constituencies.

- (5) In this section, **associated election**, in relation to any 2 successive triennial general elections of a territorial authority or regional council, means—
- (a) any election to fill an extraordinary vacancy in the membership of the body concerned that is held—
 - (i) between those elections; or
 - (ii) after the second of those elections but before the subsequent triennial general election:
 - (b) an election of the members of the body concerned under section 258I or 258M of the Local Government Act 2002 that is held—
 - (i) between those elections; or
 - (ii) after the second of those elections but before the subsequent triennial general election.

Section 19Z: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19Z(3)(c): replaced, on 2 March 2021, by section 6(1) of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

Section 19Z(4): replaced, on 2 March 2021, by section 6(2) of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

Section 19Z(5): amended, on 2 March 2021, by section 6(3) of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

Section 19Z(5)(b): amended, on 5 December 2012, by section 43 of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

19ZA Public notice of right to demand poll

[Repealed]

Section 19ZA: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZB Electors may demand poll

[Repealed]

Section 19ZB: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZC Requirements for valid demand

[Repealed]

Section 19ZC: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZD Territorial authority or regional council may resolve to hold poll

[Repealed]

Section 19ZD: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZE Limitation on division into Māori wards or Māori constituencies*[Repealed]*

Section 19ZE: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZF Poll of electors*[Repealed]*

Section 19ZF: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZG Effect of poll*[Repealed]*

Section 19ZG: repealed, on 2 March 2021, by section 7 of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (2021 No 3).

19ZH Basis of election of territorial authority and regional council

If, for the purpose of a triennial general election,—

- (a) a district of a territorial authority is required to be divided into 1 or more Māori wards; or
- (b) a region of a regional council is required to be divided into 1 or more Māori constituencies,—

the provisions of this Part (other than those of sections 19B, 19G, and 19J, and those of this section) are subject to the provisions of Schedule 1A.

Section 19ZH: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Guidelines

Heading: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

19ZI Guidelines in relation to reviews of representation or minor alterations to boundaries

- (1) The Commission must issue guidelines identifying factors and considerations for territorial authorities or regional councils to take into account in making determinations under any of the provisions of sections 19H to 19JB and Schedule 1A.
- (2) The Commission may, from time to time, amend or revoke any guidelines issued under subsection (1).
- (3) Any guidelines issued under subsection (1) may relate to territorial authorities or regional councils generally or to a specific class of territorial authorities or regional councils.
- (4) The Commission must, as soon as practicable after issuing any guidelines under subsection (1),—

- (a) send a copy of those guidelines to every territorial authority and every regional council; and
 - (b) publish in the *Gazette* a notice—
 - (i) stating that the guidelines have been issued; and
 - (ii) naming the place or places at which copies of the guidelines are available for inspection free of charge or for purchase or both.
- (5) The Commission must ensure that, so long as the guidelines remain in force, copies of the guidelines are available—
 - (a) for inspection by members of the public free of charge; and
 - (b) for supply to members of the public either free of charge or for purchase at a reasonable price.
- (6) The provisions of subsections (4) and (5) apply, with all necessary modifications, in respect of any amendment or revocation of any guidelines issued under subsection (1).

Section 19ZI: inserted, on 25 December 2002, by section 6 of the Local Electoral Amendment Act 2002 (2002 No 85).

Section 19ZI heading: amended, on 29 June 2013, by section 15(1) of the Local Electoral Amendment Act 2013 (2013 No 40).

Section 19ZI(1): amended, on 29 June 2013, by section 15(2) of the Local Electoral Amendment Act 2013 (2013 No 40).

Part 2

Local elections and polls

Electoral rights

20 Right to vote in election or poll

- (1) Every person whose name appears on the electoral roll in force in any district of a territorial authority or in the local government area of any other local authority as a residential elector or a ratepayer elector is, unless the person has ceased to possess a qualification as a residential elector or ratepayer elector, an elector and is entitled to exercise 1 vote—
 - (a) at every election for which that roll indicates the elector is qualified to exercise a vote; and
 - (b) at every poll for which that roll indicates the elector is qualified to exercise a vote.
- (2) Every person who has qualified as a residential elector before the close of voting, and who applied to enrol as an elector not later than the day before the close of voting but whose name does not appear on the electoral roll or whose voting entitlements are incorrectly recorded on that roll, is an elector and is entitled to exercise 1 vote—

Schedule 1A

Provisions relating to Māori wards and Māori constituencies

s 19ZH

Schedule 1A: inserted, on 25 December 2002, by section 49 of the Local Electoral Amendment Act 2002 (2002 No 85).

1 Review of representation arrangements for election of territorial authority

- (1) If, for the purposes of a triennial general election, a district of a territorial authority (being a district that is not already divided into 1 or more Māori wards) is required to be divided into 1 or more Māori wards, the territorial authority must, in the year immediately before the year in which the triennial general election is to be held, but not later than 31 July in the year immediately before the year in which the triennial general election is to be held, make a determination under section 19H.
- (2) That determination must be made as if the territorial authority were required by section 19H to determine by resolution, in accordance with Part 1A,—
 - (a) the proposed number of members of the territorial authority (other than the mayor); and
 - (b) whether—
 - (i) all of the proposed members of the territorial authority (other than the mayor) are to be separately elected by the electors of 1 or more Māori wards and the electors of 1 or more general wards; or
 - (ii) some of the proposed members of the territorial authority (other than the mayor) are to be elected by the electors of the district as a whole and some to be elected separately by the electors of 1 or more Māori wards and 1 or more general wards, and, if so, what number of members are to be elected by electors of the district as a whole, and what number are to be elected separately; and
 - (c) the proposed number of members of the territorial authority to be elected by the electors of 1 or more Māori wards; and
 - (d) the proposed number of members of the territorial authority to be elected by electors of 1 or more general wards; and
 - (e) the proposed name and the proposed boundaries of each ward; and
 - (f) the number of members proposed to be elected by the electors of each Māori ward; and
 - (g) the number of members proposed to be elected by the electors of each general ward.
- (3) This clause does not limit section 19B(1).

Compare: 2001 No 1 (L) s 5

Schedule 1A clause 1(1): amended, on 31 August 2023, by section 37(2) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Schedule 1A clause 1(2)(b)(ii): amended, on 29 June 2013, by section 42 of the Local Electoral Amendment Act 2013 (2013 No 40).

2 Calculation of number of Māori and general ward members

- (1) The number of members to be elected by the electors of 1 or more Māori wards of the district of a territorial authority (**Māori ward members**) is to be determined in accordance with the following formula:

$$nmm = mepd \div (mepd + gepd) \times nm$$

where—

nmm is the number of Māori ward members

$mepd$ is the Māori electoral population or estimated Māori electoral population of the district

$gepd$ is the general electoral population or estimated general electoral population of the district

nm is the proposed number of members of the territorial authority (other than the mayor).

- (2) If a determination is made under clause 1(2)(b)(ii), the definition of nm in the formula must be applied as if for the words “proposed number of members of the territorial authority (other than the mayor)” there were substituted the words “proposed number of members of the territorial authority (other than the mayor and the members to be elected by electors of the district as a whole)”.
- (3) If the number of the Māori ward members (other than the mayor) calculated under subclause (1) includes a fraction, the fraction must be disregarded unless it exceeds a half. If the fraction exceeds a half, the number of Māori ward members must be the next whole number above the number that includes the fraction.
- (4) The number of members to be elected by the electors of 1 or more general wards is to be determined by subtracting from the proposed number of members of the territorial authority (other than the mayor, or, if the case requires, other than the mayor and the members of the territorial authority to be elected by electors of the district as a whole) the number of Māori ward members, as calculated under subclauses (1) and (3).
- (5) Despite Part 1A and the provisions of this schedule, if the number of Māori ward members, as determined in accordance with the method of calculation in this clause, is zero (because the number of Māori ward members as so determined is a fraction of the whole number 1 that does not exceed one half),—
- (a) the district must not be divided into 1 or more Māori wards and 1 or more general wards:

- (b) the provisions of clauses 1, 5, and 6 of this schedule must not be applied for the purposes of any determination under section 19H or section 19R.

Compare: 2001 No 1 (L) s 6

Schedule 1A clause 2(1) formula: amended, on 31 August 2023, by section 37(4)(a) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Schedule 1A clause 2(1) formula: amended, on 31 August 2023, by section 37(4)(b) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Schedule 1A clause 2(5): amended, on 28 June 2006, by section 5(1) of the Local Electoral Amendment Act 2006 (2006 No 25).

3 Review of representation arrangements for election of regional council

- (1) If, for the purposes of a triennial general election, a region of a regional council (being a region that is not already divided into 1 or more Māori constituencies) is required to be divided into 1 or more Māori constituencies, the regional council must, in the year immediately before the year in which the triennial general election is to be held, but not later than 31 July in the year immediately before the year in which the triennial general election is to be held, make a determination under section 19I.
- (2) That determination must be made as if the regional council were required by section 19I to determine by resolution, in accordance with Part 1A,—
- the proposed number of members of the regional council; and
 - the proposed number of members of the regional council to be elected by the electors of 1 or more Māori constituencies; and
 - the proposed number of members of the regional council to be elected by electors of 1 or more general constituencies; and
 - the proposed name and the proposed boundaries of each constituency; and
 - the number of members proposed to be elected by the electors of each Māori constituency; and
 - the number of members proposed to be elected by the electors of each general constituency.

Compare: 2001 No 1 (L) s 5

Schedule 1A clause 3(1): amended, on 31 August 2023, by section 37(2) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

4 Calculation of number of Māori and general constituency members

- (1) The number of members to be elected by the electors of 1 or more Māori constituencies of a regional council (**Māori constituency members**) is to be determined in accordance with the following formula:

$$\text{nm} = \text{mepr} \div (\text{mepr} + \text{gepr}) \times \text{nm}$$

where—

nm is the number of Māori constituency members

mepr is the Māori electoral population or estimated Māori electoral population of the region

gepr is the general electoral population or estimated general electoral population of the region

nm is the proposed number of members of the regional council.

- (2) If the number of the Māori constituency members calculated under subclause (1) includes a fraction, the fraction must be disregarded unless it exceeds a half. If the fraction exceeds a half, the number of Māori constituency members must be the next whole number above the number that includes the fraction.
- (3) The number of members to be elected by the electors of 1 or more general constituencies is to be determined by subtracting from the proposed number of members of the regional council the number of Māori constituency members, as calculated under subclauses (1) and (2).
- (4) Despite Part 1A and the provisions of this schedule, if the number of Māori constituency members, as determined in accordance with the method of calculation in this clause, is zero (because the number of Māori constituency members as so determined is a fraction of the whole number 1 that does not exceed one half),—
 - (a) the region must not be divided into 1 or more Māori constituencies and 1 or more general constituencies;
 - (b) the provisions of clauses 3, 5, and 6 of this schedule must not be applied for the purposes of any determination under section 19I or section 19R.

Compare: 2001 No 1 (L) s 6

Schedule 1A clause 4(1) formula: amended, on 31 August 2023, by section 37(4)(a) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Schedule 1A clause 4(1) formula: amended, on 31 August 2023, by section 37(4)(b) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Schedule 1A clause 4(4): amended, on 28 June 2006, by section 5(2) of the Local Electoral Amendment Act 2006 (2006 No 25).

5 Relationship with other provisions

- (1) In exercising its powers and duties under sections 19H to 19U, and sections 19W to 19Y, a territorial authority or regional council or, as the case may require, the Commission must ensure that any proposal, revised proposal, or determination made under any of those sections is,—
 - (a) in the case of a territorial authority, consistent with the calculations required by clause 2; and
 - (b) in the case of a regional council, consistent with the result of the calculations required by clause 4.
- (2) If it is proposed to alter the proposed number of members of a territorial authority or regional council at any time after that number is first determined in accordance with clause 1 or clause 3, the territorial authority or regional council

cil or, as the case may require, the Commission must again make, in accordance with the method of calculation specified in clause 2 or the method of calculation specified in clause 4, as the case may require, the determinations required by clause 1 or clause 3.

- (3) Subclause (2) does not limit subclause (1).

Compare: 2001 No 1 (L) s 7

6 Supplementary provisions regarding wards, constituencies, and boundaries

In determining the number of wards and the boundaries of Māori wards, and the number of constituencies and the boundaries of Māori constituencies, a territorial authority or regional council or, as the case may require, the Commission must, in addition to satisfying the requirements of section 19T or section 19U,—

- (a) ensure, to the extent that is reasonably practicable and is consistent with the requirements of paragraph (b), that—
 - (i) the ratio of members to Māori electoral population or estimated Māori electoral population in each Māori ward produces a variance of no more than plus or minus 10% (if 2 or more Māori wards for the district are proposed); and
 - (ii) the ratio of members to Māori electoral population or estimated Māori electoral population in each Māori constituency produces a variance of no more than plus or minus 10% (if 2 or more Māori constituencies for the region are proposed):
- (b) have regard to—
 - (i) the boundaries of any existing Māori electoral district; and
 - (ii) communities of interest; and
 - (iii) rohe of iwi and hapū.

Schedule 1A clause 6(a)(i): amended, on 31 August 2023, by section 37(7) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Schedule 1A clause 6(a)(ii): amended, on 31 August 2023, by section 37(7) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Schedule 1A clause 6(b)(ii): amended, on 31 August 2023, by section 37(9) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Schedule 1A clause 6(b)(iii): inserted, on 31 August 2023, by section 37(10) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

7 Population figures

- (1) The Government Statistician must, at the request of a territorial authority or regional council or, if appropriate, the Commission, supply the territorial authority or regional council or the Commission with—
 - (a) a certificate specifying—

- (i) the Māori electoral population of the district or region; and
 - (ii) the general electoral population of the district or region; or
- (b) a certificate specifying—
 - (i) the estimated Māori electoral population of the district or region; and
 - (ii) the estimated general electoral population of the district or region.
- (2) The numbers included in the certificate described in subclause (1)(a) must be derived from information contained in—
 - (a) the most recent report of the Government Statistician to the Surveyor-General and the other members of the Representation Commission made under section 35(6) of the Electoral Act 1993; or
 - (b) if subclause (2A) applies, the alternative report referred to in subclause (2A)(b).
- (2A) In a year where a periodic census is held but a report under section 35(6) of the Electoral Act 1993 is not due to be completed (for the purposes of that Act) until after 1 April of the following year (*see* the definition of counting day in section 79(2) of that Act),—
 - (a) the Electoral Commission must, as soon as practicable after census day, supply to the Government Statistician the information listed in section 79(1) of that Act as on census day; and
 - (b) the Government Statistician must prepare an alternative report for the purposes of this Act, with the information referred to in paragraph (a).
- (3) A certificate issued under subclause (1) is conclusive evidence of the information contained in that certificate.

Compare: 2001 No 1 (L) s 9

Schedule 1A clause 7(1): replaced, on 31 August 2023, by section 37(11) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Schedule 1A clause 7(2): replaced, on 31 March 2023, by section 15 of the Electoral (Māori Electoral Option) Legislation Act 2022 (2022 No 62).

Schedule 1A clause 7(2): amended, on 31 August 2023, by section 37(12) of the Local Government Electoral Legislation Act 2023 (2023 No 57).

Schedule 1A clause 7(2A): inserted, on 31 March 2023, by section 15 of the Electoral (Māori Electoral Option) Legislation Act 2022 (2022 No 62).

8 This schedule to be read with Local Government Act 1974 or Local Government Act 2002 and other provisions of this Act

- (1) This schedule is to be read in conjunction with the provisions of the Local Government Act 1974 or the Local Government Act 2002 and the other provisions of this Act, and the provisions of the Local Government Act 1974 or the Local Government Act 2002 and the other provisions of this Act and the provisions of any regulations made under either the Local Government Act 1974 or

the Local Government Act 2002 or this Act apply accordingly and with any necessary modifications.

- (2) However, if there is any inconsistency between the provisions of this schedule and any provisions of the Local Government Act 1974 or the Local Government Act 2002 or of this Act or of any regulations made under the Local Government Act 1974 or the Local Government Act 2002 or this Act, this schedule prevails.

Compare: 2001 No 1 (L) s 4



Kāpiti Coast District Council

Māori ward consultation
Summary of submissions
November, 2023

Māori ward consultation — Summary of submissions

About PublicVoice

PublicVoice Limited is a leading research and engagement consultancy headquartered in Wellington, New Zealand. We concentrate on public policy research and consultation, providing services to various local and central government agencies throughout New Zealand. To learn more about our work, please visit www.publicvoice.co.nz.

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1 Introduction

This report summarises the submissions received during the consultation process on potentially establishing a Māori ward in Kāpiti. The consultation aimed to offer elected members insights into public sentiment regarding this significant governance change.

The consultation is not binding, nor is it a vote, but served as an avenue for the community to express their views. This feedback will inform the Council's decision on establishing a Māori ward in time for the 2025 local elections. The deadline for this decision is 23 November 2023, and if approved, it will trigger a representation review in 2024.

The report analyses the various channels through which feedback was received, including online submissions and physical forms. It also identifies the key themes that emerged from the consultation.

By synthesising the diverse range of opinions and perspectives gathered, this report aims to facilitate informed decision-making by the Council.

2 Key findings

548 submissions were received. Below are the key findings from the consultation process.

Do you support Council establishing a Māori ward in Kāpiti?/ Kei te tautoko koe i te whakatūnga o tētahi rohe ngā pōti Māori?



Community members were consulted on whether Kāpiti Coast District Council should retain the status quo or establish a Māori ward. Of the respondents, 31% (n=168) favoured establishing a Māori ward, while 69% (n=379) were against it.

Community feedback - key insights

Age-based Observations:

- The age group 65+ recorded the highest participation, with 57% of the total respondents in this bracket. However, they also registered the highest opposition to the proposal, with 73% responding "No/Kāo".
- The 15-34 age group, while having the lowest overall participation (5% of respondents), demonstrated the most support for the proposal, with 61% saying "Yes/Ae".
- Middle-aged participants, specifically those in the 45-54 age bracket, showed a balanced opinion with 39% in favour ("Yes/Ae") and 61% opposed ("No/Kāo").
- The age groups of 35-44 and 55-64 had similar sentiment distributions, with affirmative responses ranging between 29%-32%.

Electoral Roll Observations:

- Respondents on the Māori Electoral Roll are more supportive of establishing a Māori ward, with 56% in favour, compared to 44% opposed.
- Conversely, those not on the Māori Electoral Roll are less supportive, with 67% against and only 33% in favour.

Location-based Observations:

- Paekākāriki had the highest percentage of respondents in favour of the proposal, with 87% saying "Yes/Ae".
- Locations such as Waikanae, Raumati, and Paraparaumu had similar opposition levels, with approximately 72-73% saying "No/Kāo".
- The location with the smallest number of respondents was Peka Peka, with a total of 5 participants, displaying a 40% "Yes/Ae" and 60% "No/Kāo" split.

Reasons provided for supporting the establishment of a Māori ward



31% (n=168) of respondents supported the establishment of a Māori ward. The most frequently cited reasons for supporting the establishment of a Māori ward were:

- Ensuring Māori representation in local governance (18%, n=96)
- Upholding the principles and obligations of Te Tiriti o Waitangi (7%, n=39)

Reasons provided for opposing the establishment of a Māori ward



69% (n=379) of respondents opposed the establishment of a Māori ward. The most frequently cited reasons for opposing the establishment of a Māori ward were:

- Principles of equality and democracy (41%, n=226)
- Opposition to race-based representation (26%, n=144)
- Concerns of racial divisiveness (23%, n=128)

3 Data analysis methodology

3.1 Thematic analysis

PublicVoice used a step-by-step method called thematic analysis to review open-ended responses. This method follows six main steps:

1. **Understanding the Data:** Analysts read the data multiple times to grasp its content.
2. **Initial Coding:** The data was sorted into labelled segments highlighting key points.
3. **Identifying Themes:** These segments were then grouped into broader themes.
4. **Refining Themes:** Themes were checked for relevance and clarity.
5. **Finalising Themes:** Each theme was carefully defined, possibly with sub-themes.

3.2 Reporting

Tables illustrating the frequency of the key themes have been included to demonstrate the significance of each theme.

4 Who we heard from

548 submissions were received during the consultation process. This section provides an overview of who responded.

4.1 Where do you live?/ E noho ana koe ki whea?

Figure 1 and Table 1 details the location of community members who participated in the consultation process. Note: this question was not mandatory, so the data only reflects those who chose to answer this question.

Key Insights:

- Paekākāriki had the highest percentage of respondents in favour of the proposal, with 87% saying "Yes/Ae".
- Locations such as Waikanae, Raumati, and Paraparaumu had similar opposition levels, with approximately 72-73% saying "No/Kāo".
- The location with the smallest number of respondents was Peka Peka, with a total of 5 participants, displaying a 40% "Yes/Ae" and 60% "No/Kāo" split.

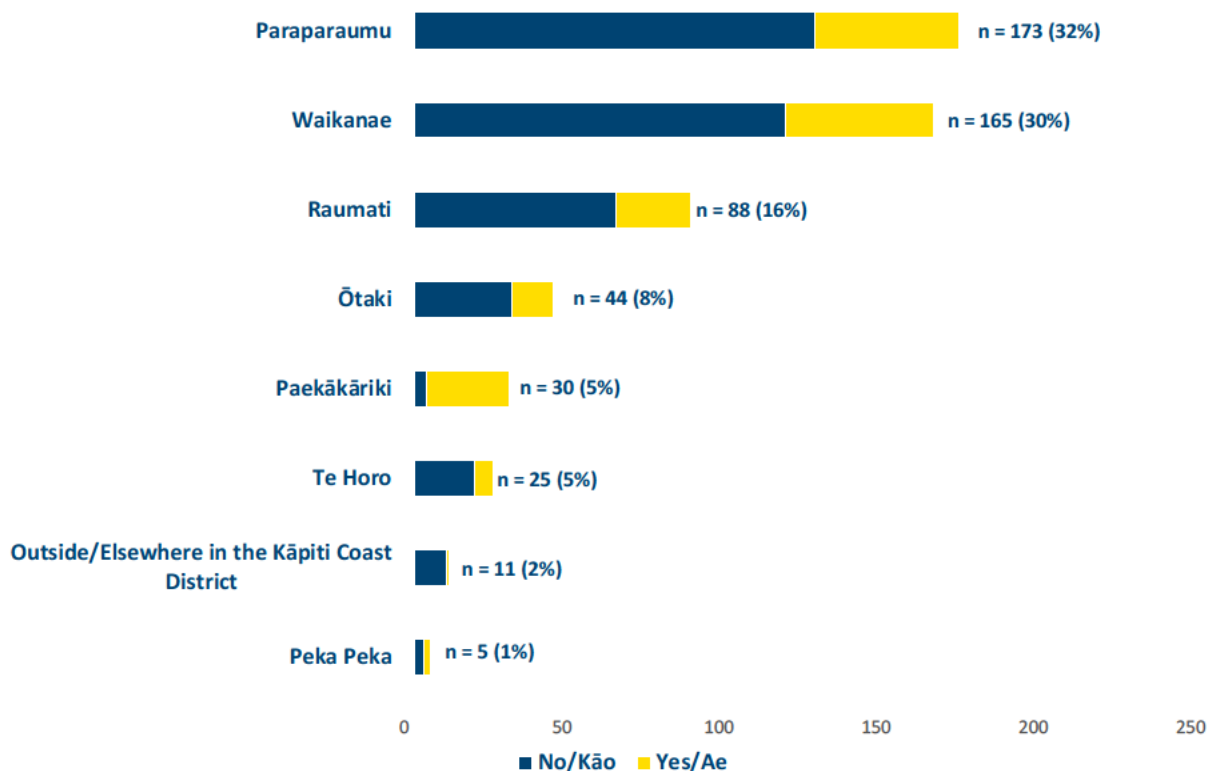


Figure 1: Where do you live?/ E noho ana koe ki whea? By support for the proposal

Māori ward consultation — Summary of submissions

	Yes/Ae	No/Kāo	n
Paekākāriki	87%	13%	30
Peka Peka	40%	60%	5
Ōtaki	30%	70%	44
Waikanae	28%	72%	165
Raumati	27%	73%	88
Paraparaumu	27%	73%	173
Te Horo	24%	76%	25
Outside/Elsewhere in the Kāpiti Coast District	9%	91%	11

Table 1: Where do you live?/ E noho ana koe ki whea? By support for the proposal

4.1.1 Location of respondents compared to the general population

Figure 2 provides a comparative analysis of the locations of community members who participated in the consultation process against the general population distribution. It's important to note that participation in this question was optional, and as such, the data only includes responses from those who opted to provide their location.

Key Insights:

- **Waikanae:** Overrepresented in the consultation process by 7% compared to the general population.
- **Paraparaumu:** Underrepresented in the consultation process by 7% compared to the general population.
- **Ōtaki:** Underrepresented in the consultation process by 7% compared to the general population.

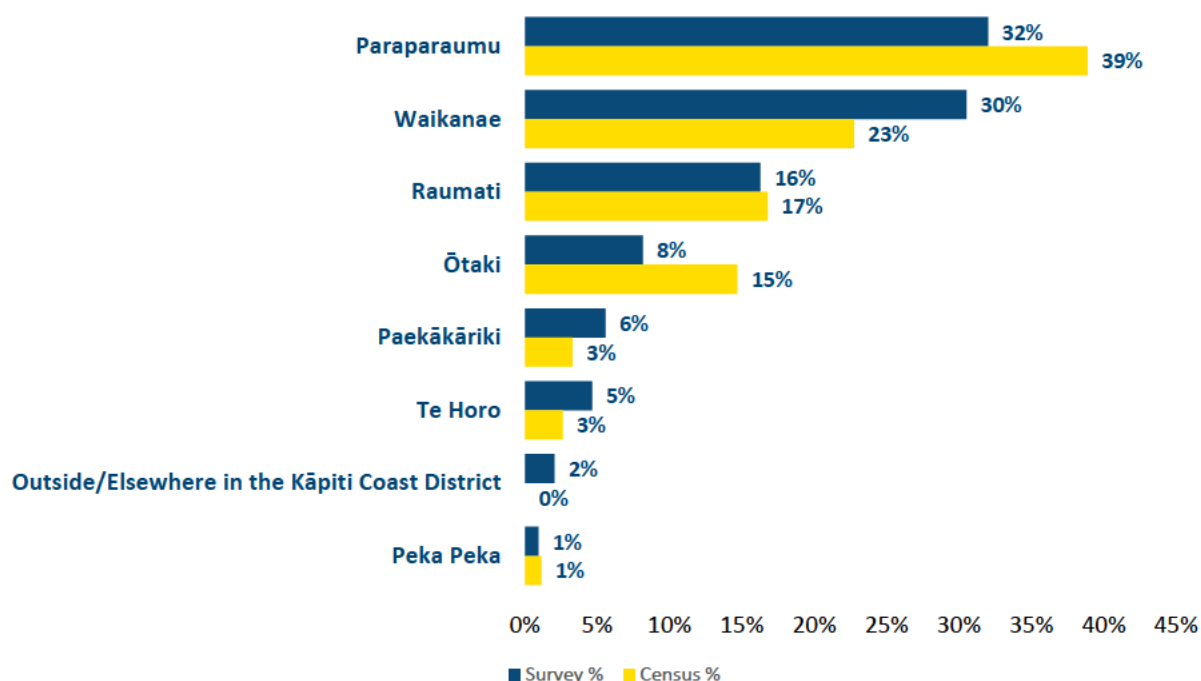


Figure 2: Where do you live?/ E noho ana koe ki whea? vs. population census data

Māori ward consultation — Summary of submissions

4.2 Are you on the Māori electoral roll?/ Kei te rārangi pōti Māori koe?

Figure 3 details whether the respondent is currently on the Māori electoral roll. Note: this question was not mandatory, so the data only reflects those who chose to answer this question.

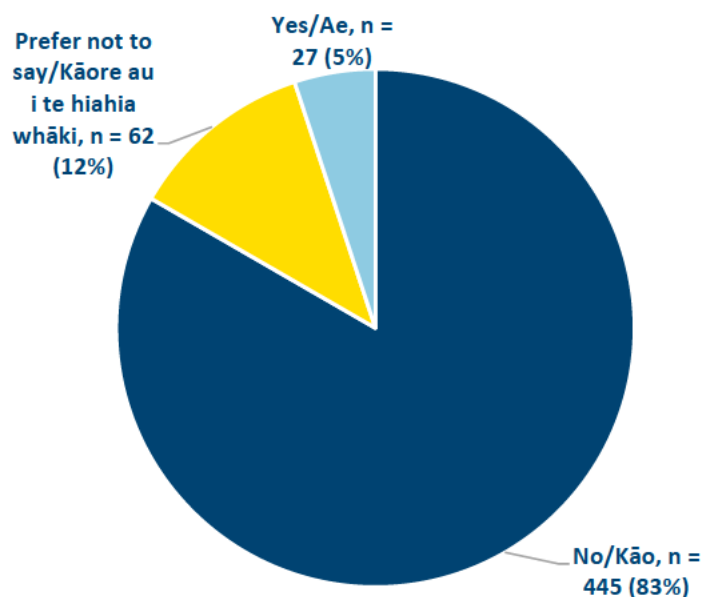


Figure 3: Are you on the Māori electoral roll?/ Kei te rārangi pōti Māori koe?

4.3 Ka whai whakaaro koe ki te uru ki te rārangi pōti Māori ā ngā tau e tū mai nei? / Would you consider enrolling on the Māori electoral roll in the future?

Figure 4 details whether the respondents would consider enrolling on the Māori electoral roll in the future. Note: this question was not mandatory, so the data only reflects those who chose to answer this question.

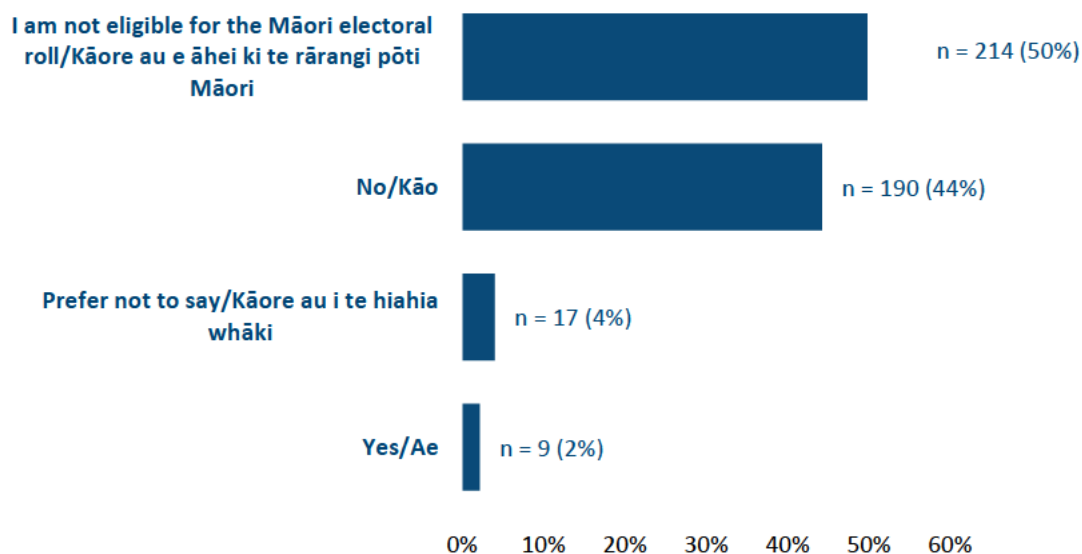


Figure 4: Would you consider enrolling on the Māori electoral roll in the future?/Ka whai whakaaro koe ki te uru ki te rārangi pōti Māori ā ngā tau e tū mai nei?

Māori ward consultation — Summary of submissions

4.4 If you whakapapa Māori, what are your iwi affiliations?/ Mēnā he whakapapa Māori ōu, ko wai ō iwi?

Table 2 outlines the iwi/hapū affiliation of community members who participated in the consultation process. Respondents had the option to select multiple affiliations from a list and/or write in their own. It's important to note that this question was not mandatory; therefore, the data only reflects those who chose to answer this question.

Iwi/hapū	n
Ngāpuhi	9
Ngāti Toa Rangatira	9
Ngāi Tahu	8
Ngā Hapū o Ōtaki	6
Te Ātiawa ki Whakarongotai	6
Ngāti Porou	4
Ngāti Tūwharetoa	3
Ngāti Maniapoto	2
Te Atiwa Iwi	2
Muaūpoko	1
Ngā Rauru	1
Ngāti Apa	1
Ngāti Apakura	1
Ngāti Awa	1
Ngāti Haumia ki Paekakariki	1
Ngāti Kahu ki te Whangaroa	1
Ngāti Kahungunu	1
Ngāti Kinohaku	1
Ngāti Mamoe	1
Ngāti Whātua Ōrākei	1
Rongowhakaata	1
Taranaki Iwi	1
Te Aitanga a Hauiti	1
Te Arawa	1
Te Whānau a Apanui	1
Te Whānau-a-Kai	1
Waitaha	1

Table 2: If you whakapapa Māori, what are your iwi affiliations?/ Mēnā he whakapapa Māori ōu, ko wai ō iwi?

4.5 What's your age group?/ E hia tō pakeke?

Figure 5 presents the age distribution of community members who participated in the consultation process. It's worth noting that participation in this question was optional, so the data only represents those who chose to respond.

Key Insights:

- The age group 65+ recorded the highest participation, with 57% of the total respondents in this bracket. However, they also registered the highest opposition to the proposal, with 73% responding "No/Kāo".
- The 15-34 age group, while having the lowest overall participation (5% of respondents), demonstrated the most support for the proposal, with 61% saying "Yes/Ae".
- Middle-aged participants, specifically those in the 45-54 age bracket, showed a balanced opinion with 39% in favour ("Yes/Ae") and 61% opposed ("No/Kāo").
- The age groups of 35-44 and 55-64 had similar sentiment distributions, with affirmative responses ranging between 29%-32%.

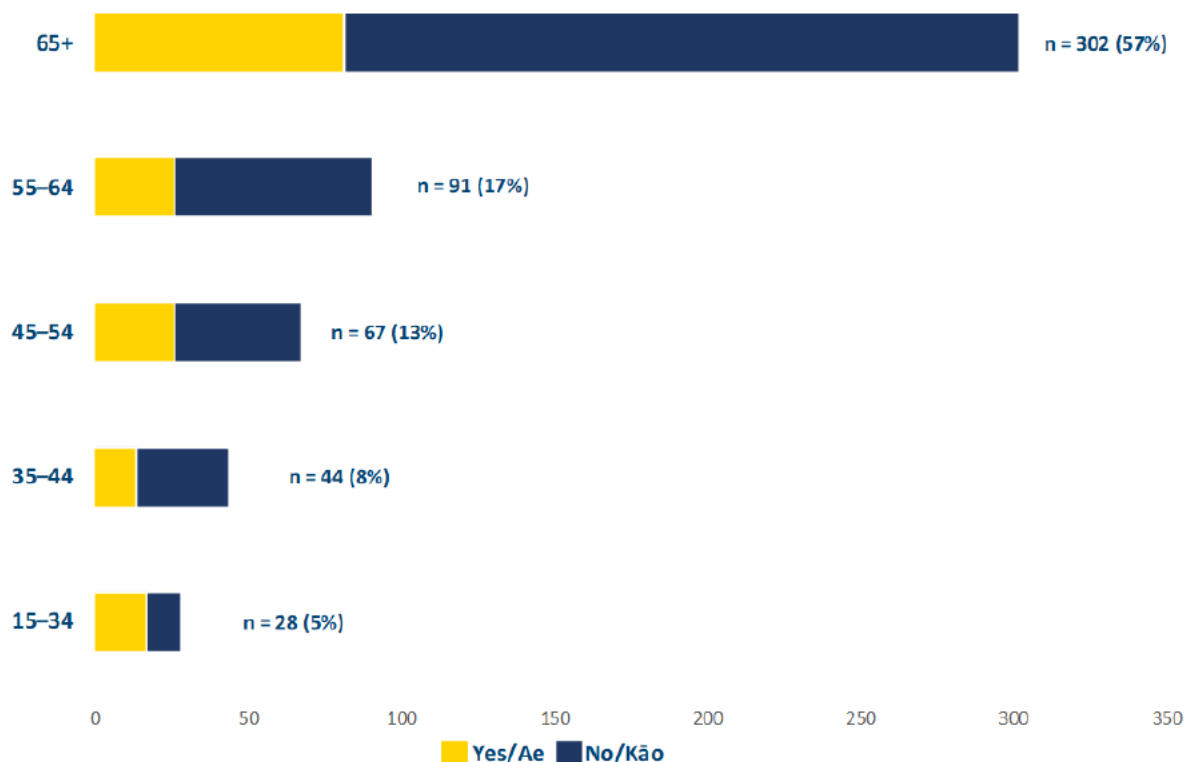


Figure 5: What's your age group?/ E hia tō pakeke? By Do you support Council establishing a Māori ward in Kāpiti?/ Kei te tautoko koe i te whakatūnga o tētahi rohe henga pōti Māori?

	Yes/Ae	No/Kāo	Row n
15-34	61%	39%	28
35-44	32%	68%	44
45-54	39%	61%	67
55-64	29%	71%	91
65+	27%	73%	302

Table 3: What's your age group?/ E hia tō pakeke? By Do you support Council establishing a Māori ward in Kāpiti?/ Kei te tautoko koe i te whakatūnga o tētahi rohe henga pōti Māori?

Summary of submissions

5 Do you support Council establishing a Māori ward in Kāpiti?/ Kei te tautoko koe i te whakatūnga o tētahi rohenga pōti Māori?

Community members were consulted on whether Kāpiti Coast District Council should retain the status quo or establish a Māori ward. Of the respondents, 31% (n=168) favoured establishing a Māori ward, while 69% (n=379) were against it.

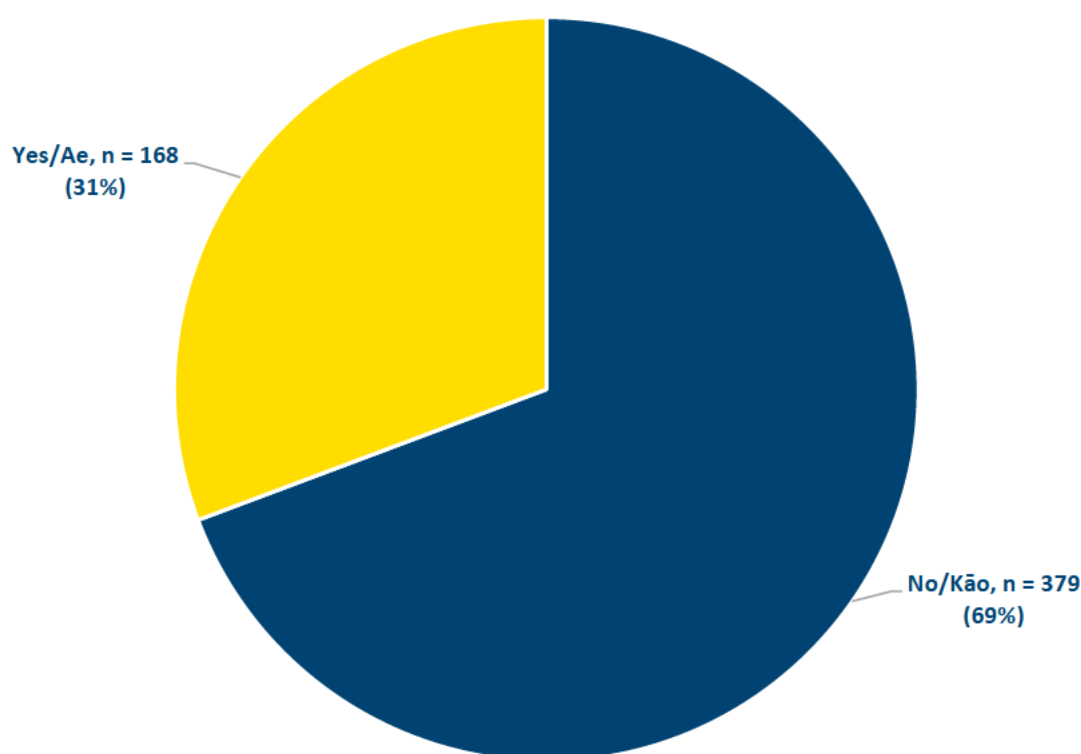


Figure 6: Do you support Council establishing a Māori ward in Kāpiti?/ Kei te tautoko koe i te whakatūnga o tētahi rohenga pōti Māori?

5.1 Support/Opposition for Māori ward by Age/Electoral Roll status

Table 4 presents a breakdown of responses to the proposed Māori ward, categorised by age group and whether the respondent is on the Māori Electoral Roll. It provides the percentage and actual number of responses within each category, offering a comprehensive view of the demographics that supported or opposed the proposal.

Age-based Observations:

- The age group 65+ recorded the highest participation, with 57% of the total respondents in this bracket. However, they also registered the highest opposition to the proposal, with 73% responding "No/Kāo".
- The 15-34 age group, while having the lowest overall participation (5% of respondents), demonstrated the most support for the proposal, with 61% saying "Yes/Ae".
- Middle-aged participants, specifically those in the 45-54 age bracket, showed a balanced opinion with 39% in favour ("Yes/Ae") and 61% opposed ("No/Kāo").
- The age groups of 35-44 and 55-64 had similar sentiment distributions, with affirmative responses ranging between 29%-32%

Electoral Roll Observations:

- Respondents on the Māori Electoral Roll are more supportive of establishing a Māori ward, with 56% in favour, compared to 44% opposed.
- Conversely, those not on the Māori Electoral Roll are less supportive, with 67% against and only 33% in favour.

	Age/Pakeke					Māori Electoral Roll/Rārangī Pōti Māori		Total
	15-34	35-44	45-54	55-64	65+	No/Kāo	Yes/Ae	
Yes/Ae	61%	32%	39%	29%	27%	33%	56%	31%
	17	14	26	26	82	145	15	168
No/Kāo	39%	68%	61%	71%	73%	67%	44%	69%
	11	30	41	65	220	300	12	379
Total number of responses	28	44	67	91	302	445	27	547

Table 4: Do you support Council establishing a Māori ward in Kāpiti?/ Kei te tautoko koe i te whakatūnga o tētahi rohe pōti Māori? - by age and electoral status

Māori ward consultation — Summary of submissions

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The views expressed in this report are those of the author(s) and do not necessarily reflect the position of the Kāpiti Coast District Council. Nor does the Kāpiti Coast District Council accept any liability for claims arising from the report's content or reliance on it.

Ngāti Toa's position on the establishment of Māori Wards is (a) we support their establishment as consistent with Te Tiriti o Waitangi and a step in the right direction of partnered governance in our land, but (b) are clear that any such Ward does not constitute a Tiriti partnership between Mana Whenua and Kāwanatanga. We therefore encourage KCDC to consider a Māori Ward as proposed, while retaining (and building) its substantive partnership with Ngāti Toa. Our ART confederation whanaunga will no doubt express their views on the matter in due course.

Mauri Ora

Helmut Karewa Modlik

Tumu Whakarae | CEO

[A Block, Whitireia Polytech, 3 Wi Neera Drive, Porirua](#)

ngatitoa.iwi.nz



TE AO TŪROA | OHANGA | ORANGA | WHAI MANA | NGĀTI TOA RANGATIRATANGA





P O Box 39
Ōtaki
5512

25 October 2023

KAUPAPA: ESTABLISHMENT OF A MAORI WARD

Tēnā koe

i ngā tini āhuatanga o te wā, me te manako ia kei te haumaruru te noho a te whānau.

As you are aware, in 2020 Council resolved not to establish a Māori Ward as guided by Mana Whenua at the time. Council committed to reconsider this question in this triennium.

Ngā Hapū o Ōtaki wish to submit their written response to be included in the Community Consultation.

Ngā Hapū o Ōtaki recognises that the establishment of a Māori Ward is a first basic step in establishing representation for Maori in the Local Government decision making process however it is not without its limitations:

1. What effect, if any, does a Māori Ward seat have on Mana Whenua Representation? There is a risk for council and its decision-making process should we find that Mana Whenua view conflicts with the view of the Māori Ward Councilor.
2. A Māori Ward has the potential to diminish Mana Whenua and their ability to exercise manaakitanga to Matawaka according to tikanga and kawa.
3. Under the current process there is no guarantee that the Māori Ward will be of Māori descent.

4. Voting is restricted to only those enrolled on the Māori Roll which excludes all Māori listed on the General Roll, living in Kapiti.

In principle we support a process that allows Māori to participate in Local Government decision making, however the establishment of a Māori Ward should not replace, absolve or interfere with Council's obligation to Mana Whenua under Te Tiriti.

Understanding the commitment of the Council to reconsider this question in this triennium, Ngā Hapū o Ōtaki extend our manakitanga to support the Council in seeking community feedback on this kaupapa despite our concerns. We also encourage the Council to investigate other avenues that enable Mana Whenua appointed representatives to participate in the Local Government decision making process as well.

Ngā Hapū is currently investigating other legislative options that would enable Mana Whenua participation in Local Government decision making.

Please forward all responses to office@ngahapuootaki.nz.

Kia rarau ai ngā manaakitanga a te waahi ngaro ki runga i a koe.

Nāku noa, nā



Denise Hapeta
Chairperson NHoŌ



Local Government Commission

Mana Kāwanatanga ā Rohe

From: Julie Judge [REDACTED]
Sent time: 02/20/2024 12:12:07 PM
To: Mayor Janet Holborow <janet.holborow@kapiticoast.govt.nz>
Subject: RE: URGENT - Letter to Minister for Local Government
Attachments: FW: Letter regarding Māori Ward Decisions

Hi Janet,

Yes, the letter went out on 7 December. I have searched both accounts and cannot see an acknowledgement or a reply. Would you like me to resend as URGENT?

Thanks
Julie

Julie Judge
Executive Secretary to the Mayor

Kāpiti Coast District Council

[REDACTED]
[REDACTED]

www.kapiticoast.govt.nz

From: Mayor Janet Holborow <Janet.Holborow@kapiticoast.govt.nz>
Sent: Tuesday, February 20, 2024 11:34 AM
To: Julie Judge <[REDACTED]>
Subject: Re: URGENT - Letter to Minister for Local Government

Hi Julie
Just checking that this was sent and whether we've had a reply

Nāku iti nei, nā
Janet

Janet Holborow
Mayor

Kāpiti Coast District Council

Tel [04 296 4757](tel:042964757)

Mobile [027 296 1628](tel:0272961628)

www.kapiticoast.govt.nz

From: Mayor Janet Holborow <Janet.Holborow@kapiticoast.govt.nz>
Sent: Wednesday, February 14, 2024 3:37:42 PM
To: Julie Judge <[REDACTED]>
Subject: Re: URGENT - Letter to Minister for Local Government

Hi Julie
Just checking this got sent off. I can't find the final version but it might have gone from your account.

Nāku iti nei, nā
Janet

Janet Holborow
Mayor

Kāpiti Coast District Council

Tel [04 296 4757](tel:042964757)

Mobile [027 296 1628](tel:0272961628)

www.kapiticoast.govt.nz

From: Mayor Janet Holborow
Sent: Thursday, December 7, 2023 11:13:16 AM
To: Julie Judge <[REDACTED]>
Subject: URGENT - Letter to Minister for Local Government

Hi Julie

Could you please format this as a formal letter and send through to Simeon Brown.
Also please rename Letter regarding Maori Ward Decisions from Mayor of Kapiti.

Nāku iti nei, nā
Janet

Janet Holborow
Mayor

Kāpiti Coast District Council
Tel [04 296 4757](tel:042964757)
Mobile [027 296 1628](tel:0272961628)

www.kapiticoast.govt.nz





7 December 2023

Dear Minister,

Re: Providing option for Council to rescind Māori Ward decisions.

Congratulations on your appointment, and I look forward to working with you over the coming months and years.

I write regarding the proposal to require Councils who have approved a Māori Ward without a referendum to carry one out, and the situation we and other Councils find ourselves in as a result of that.

Kāpiti Coast District Council decided in November to carry out a representation review to establish a Māori Ward.

We are now faced with having to carry out an extensive and expensive review under the legislation, with a referendum having some likelihood of undoing the outcome.

We have no ability to stop that work under the current legislation, so we are spending time and money on a piece of work which is potentially confusing and unnecessary. We would then be faced with the extra cost of a referendum.

We are receiving strong feedback from our community that they are very concerned about these costs. With councils facing record rates rises, we can't be wasting essential funds on pieces of work which won't have a positive benefit on our communities.

We also have no ability to pause the work, as we're required to complete it in time for the next election, now that we've decided to carry it out.

We request that we are provided with the ability to rescind our decision in light of the change of approach of the new government.

This needs to happen as soon as possible, as the longer we delay, the more resources will be wasted, and the more confusion will be faced by the community, who will also be spending time feeding back into a potentially unnecessary process.

Please consider this request urgently, so we can take the necessary steps to align our work with the policies of the new Government.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Janet Holborow', with a large, stylized loop at the end.

Janet Holborow

Mayor, Kāpiti Coast District Council.