

HE PĀNUI WHAKAMŌTINI & TE TONO HUI OHORERE

NOTICE OF MOTION & CALL FOR EXTRAORDINARY MEETING

16 April 2021

In accordance with the Standing Orders of the Far North District Council the following notice of motion to be tabled at an extraordinary meeting to be held on Monday 3 May 2021 is proposed by Councillor Moko Tapania and supported by Councillors Clendon, Smith and Stratford.

Motion:

That the Far North District Council establish Māori wards in accordance with Schedule 1, Part 1, 2(1) of the Local Electoral Act for the 2022 and 2025 local government elections.

Rationale:

The Local Electoral (Māori Wards and Māori Constituencies) Amendment Bill received Royal Assent on the 1 March 2021. The Local Electoral Act now includes a transitional period which allows Council to establish Māori wards for the next triennial election regardless of any previous decisions or previous poll outcomes. To do so, Council must resolve to establish Māori wards by the 21 May 2021.

The Local Government Act sets out provisions for Council to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local government decision-making. There are many different ways that Council can enable these opportunities for Māori. Mostly however these are to enable Māori participation rather than representation.

Participation gives Māori an opportunity to give advice into a decision-making process and provisions for this can be established at any time by Council. Māori participation is still an ongoing conversation and Council is awaiting further information and the costs of implementing these.

The Local Electoral Act is an opportunity to specifically enable the representation of Māori at a Council level through the establishment of Māori wards and the opportunity for Māori representatives to be at the Council table.

Council has had a number of workshops and meetings on Māori wards and a timeline of these is shared below to inform the rationale of this notice of motion:

21 May 2020 – Council Meeting

Te Maruata Elected Member report tabled to Council.

Council resolved to:

- ensure an appropriate level of engagement, and due respect, be given to the representation review.
- agree an appropriately resourced programme to review Māori representation be implemented.
- hold informative workshops and receive robust analysis on Māori wards, including options to enable Māori participation in its processes and decision-making.
- that the review include guest speakers from Māori and Councils who have unsuccessfully and successfully enshrined Māori Wards/Constituencies.

24 June 2020 – Workshop

Workshop on Māori wards, voting systems and the representation review. Electoral Officer Dale Ofoske outlined the provisions of the Local Electoral Act in allowing Māori representation through Māori wards. Notes from this workshop share that it was universally agreed by elected members that consultation with iwi and hapū needed to occur to find out their aspirations.

27 August 2020 – Workshop

Staff and Deputy Mayor Hine Flood of Wairoa District as well as the former mayor of New Plymouth District Andrew Judd attended the workshop as guest speakers. Wairoa District has 3 Māori wards and 3 general wards, with a similar Māori population percentage to the Far North and multiple iwi and hapū groups in their district.

15 September 2020 – Workshop

Willow-Jean Prime, a former councillor of the Far North who is also currently completing a thesis on Māori representation as well as leaders from Te Kahu o Taonui, the iwi chairs' collective, attended the workshop as guest speakers. Te Kahu o Taonui expressed their support for Māori wards and called on Council to establish them.

29 October 2020 – Council Meeting

Through Part 1A 19Z of the Local Electoral Act, Council considered establishing Māori wards for the 2022 and 2025 Local Government elections. This was an equal vote, and Council considered polling options.

Council resolved:

- That Council hold a poll of electors during the 2022 local body elections.

22 February 2021 – Workshop

This workshop was called in light the impending passing of the Amendment Bill, to offer elected members different options available to hear from the community as well as new legislative timeframes should Council revisit establishing Māori wards. Leaders from Te Kahu o Taonui as well as a representative from Federated Farmers and the Doubtless Bay Business Association attended. Federated Farmers expressed that they are neutral on the establishment of Māori wards. The business association representative expressed that they were against the establishment of Māori wards. Te Kahu o Taonui leaders, again expressed their support for the establishment of Māori wards.

The workshop was also attended by Electoral Officer Dale Ofoske who shared again that the number of Māori and general ward councillors would be proportionate to the Māori (35.36%) and general (64.64%) electoral populations. How this would look practically would come down to the wider Representation Review. The Local Electoral Act allows between 5 and 29 councillors, this number is decided by Council. If Council retained 9 councillors, then, 3 would become Māori ward councillors and 6 would be general ward councillors. This ratio would change according to the total number of councillors that Council can choose to have. Establishing Māori wards also comes at no additional cost to the ratepayer as the remuneration pool remains the same no matter the number of wards, councillors or whether there is a mix of Māori and general wards.

23 February 2021 – Council Meeting

As the Amendment Bill would nullify Council's previous resolution made on the 29 October 2020 to hold a poll, an extra-ordinary council meeting was called to decide on whether or not to continue with non-binding poll options.

Council resolved:

- That Council does not hold a non-binding poll, under section 9 of the Local Electoral Act on Māori Wards prior to 21 May 2021.
- That Council agree to discuss with the community via informal consultation, to gauge community feedback on Māori representation and report back to 8 April 2021 Council meeting.

Separate to the provision in the Local Electoral Act to enable Māori representation. Council also resolved:

- That Council direct the Chief Executive to bring a paper to a Council meeting to establish a working party to look at options for improving community participation in Far North District Council decision making.

8 April 2021 – Council Meeting

Council received an information report on community feedback received on Māori representation as resolved at the council meeting on the 23 February 2021. 499 responses were received with 408 (81.76%) in support of Māori wards and 91 (18.24%) not in support of Māori wards.

Council resolved:

- That the Council receive the report Informal Consultation Feedback on Māori Wards.

Council has now received this feedback which was overwhelmingly in support of establishing Māori wards. Te Kahu o Taonui, the iwi chairs' collective whom Council has a relationship agreement, Te Whanaungatanga Kī Taurangi with, have also repeatedly called on Council to establish Māori wards. Council however has not indicated what it will now do with this information and the new legislative provision to be able to establish Māori wards for the next triennial election.

Māori wards or constituencies are already established in Bay of Plenty Region, Waikato Region and Wairoa District. Out of the 4 northern councils, Kaipara District, Northland Region and Whangārei District have all resolved to establish Māori wards or constituencies for the 2022 local government elections. At the time of the writing of this notice they are also joined by the councils of Gisborne District, New Plymouth District, Palmerston North City, Ruapehu District, South Taranaki District, Taranaki Region, Taupō District and Tauranga City who have voted to establish Māori wards or constituencies for the 2022 local government elections.

Following the timeline of workshops and meetings, the Far North District Council is still unresolved on Māori representation through the establishment of Māori wards. This is a decision that can only be made by Council. This notice of motion and call for an extraordinary council meeting to be held on Monday 3 May 2021, is made to revisit establishing Māori wards considering changes to the Local Electoral Act, feedback received during public consultation, calls to do so by Treaty partners, Te Kahu o Taonui, and a need to give staff and the community a clear direction on Māori wards for the Far North District. This is specific to the Local Electoral Act provisions, and is not intended to detract from other Council workstreams to enable better Māori and wider community participation. This will also inform the wider Representation Review.

Nā mātou iti,



Cr Moko Tepania



Cr David Clendon



Cr Rachel Smith



Cr Kelly Stratford