



**Far North  
District Council**



**Te Kaunihera o Tai Tokerau ki te Raki**

# **AGENDA**

## **Extraordinary Council Meeting**

**Thursday, 21 October 2021**

**Time: 1.00 pm**

**Location: Virtually via Microsoft Teams**

**Membership:**

Mayor John Carter - Chairperson  
Deputy Mayor Ann Court  
Cr David Clendon  
Cr Dave Collard  
Cr Felicity Foy  
Cr Mate Radich  
Cr Rachel Smith  
Cr Kelly Stratford  
Cr Moko Tepania  
Cr John Vujcich

**COUNCIL MEMBERS REGISTER OF INTERESTS**

<b>Name</b>	<b>Responsibility (i.e. Chairperson etc)</b>	<b>Declaration of Interests</b>	<b>Nature of Potential Interest</b>	<b>Member's Proposed Management Plan</b>
<b>Hon Mayor John Carter QSO</b>	Board Member of the Local Government Protection Programme	Board Member of the Local Government Protection Program		
	Carter Family Trust			
<b>Deputy Mayor Ann Court</b>	Waipapa Business Association	Member		Case by case
	Warren Pattinson Limited	Shareholder	Building company. FNDC is a regulator and enforcer	Case by case
	Kerikeri Irrigation	Supplies my water		No
	District Licensing	N/A	N/A	N/A
	Ann Court Trust	Private	Private	N/A
	Waipapa Rotary	Honorary member	Potential community funding submitter	Declare interest and abstain from voting.
	Properties on Onekura Road, Waipapa	Owner Shareholder	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Property on Daroux Dr, Waipapa	Financial interest	Any proposed FNDC Capital works or policy change which may have a direct impact (positive/adverse)	Declare interest and abstain from voting.
	Flowers and gifts	Ratepayer 'Thankyou'	Bias/ Pre-determination?	Declare to Governance
	Coffee and food	Ratepayers sometimes 'shout' food and beverage	Bias or pre-determination	Case by case
	Staff	N/A	Suggestion of not being impartial or pre-determined!	Be professional, due diligence, weigh the evidence. Be thorough, thoughtful, considered impartial and balanced. Be fair.
	Warren Pattinson	My husband is a builder and may do work for Council staff		Case by case

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
<b>Ann Court - Partner</b>	Warren Pattinson Limited	Director	Building Company. FNDC is a regulator	Remain at arm's length
	Air NZ	Shareholder	None	None
	Warren Pattinson Limited	Builder	FNDC is the consent authority, regulator and enforcer.	Apply arm's length rules
	Property on Onekura Road, Waipapa	Owner	Any proposed FNDC capital work in the vicinity or rural plan change. Maybe a link to policy development.	Would not submit. Rest on a case by case basis.
<b>David Clendon</b>	Chairperson – He Waka Eke Noa Charitable Trust	None		Declare if any issue arises
	Member of Vision Kerikeri	None		Declare if any issue arises
	Joint owner of family home in Kerikeri	Hall Road, Kerikeri		
<b>David Clendon – Partner</b>	Resident Shareholder on Kerikeri Irrigation			
<b>David Collard</b>	Snapper Bonanza 2011 Limited	45% Shareholder and Director		
	Trustee of Te Ahu Charitable Trust	Council delegate to this board		
<b>Felicity Foy</b>	Flick Trustee Ltd	I am the director of this company that is the company trustee of Flick Family Trust that owns properties Seaview Road – Cable Bay, and Allen Bell Drive - Kaitaia.		
	Elbury Holdings Limited	This company is directed by my parents Fiona and Kevin King.	This company owns several dairy and beef farms, and also dwellings on these farms. The Farms and dwellings are located in the Far North at Kaimaumau, Bird Road/Sandhills Rd, Wireless Road/ Puckey Road/Bell Road, the Awanui Straight and Allen Bell Drive.	

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Foy Farms Partnership	Owner and partner in Foy Farms - a farm on Church Road, Kaingaroa		
	Foy Farms Rentals	Owner and rental manager of Foy Farms Rentals for 7 dwellings on Church Road, Kaingaroa and 2 dwellings on Allen Bell Drive, Kaitaia, and 1 property on North Road, Kaitaia, one title contains a cell phone tower.		
	King Family Trust	This trust owns several titles/properties at Cable Bay, Seaview Rd/State Highway 10 and Ahipara - Panorama Lane.	These trusts own properties in the Far North.	
	112 Commerce Street Holdings Ltd	Owner of commercial property in Commerce Street Kaitaia.		
	Foy Property Management Ltd	Owner of company that manages properties owned by Foy Farms Rentals and Flick Family Trust.		
	Previous employment at FNDC 2007-16	I consider the staff members at FNDC to be my friends		
	Shareholder of Coastline Plumbing NZ Limited			
<b>Felicity Foy - Partner</b>	Director of Coastal Plumbing NZ Limited			
	Friends with some FNDC employees			
<b>Mate Radich</b>	No form received			
<b>Rachel Smith</b>	Friends of Rolands Wood Charitable Trust	Trustee		
	Mid North Family Support	Trustee		
	Property Owner	Kerikeri		
	Friends who work at Far North District Council			
	Kerikeri Cruising Club	Subscription Member		
	Vision Kerikeri	Financial Member		
<b>Rachel Smith (Partner)</b>	Property Owner	Kerikeri		
	Friends who work at Far North District Council			
	Kerikeri Cruising Club	Subscription Member and Treasurer		
	Vision Kerikeri	Financial Member		

<b>Name</b>	<b>Responsibility (i.e. Chairperson etc)</b>	<b>Declaration of Interests</b>	<b>Nature of Potential Interest</b>	<b>Member's Proposed Management Plan</b>
<b>Rachel Smith (Partner) continued</b>	Town and General Groundcare Limited	Director, Shareholder		
<b>Kelly Stratford</b>	KS Bookkeeping and Administration	Business Owner, provides book keeping, administration and development of environmental management plans	None perceived	Step aside from decisions that arise, that may have conflicts
	Waikare Marae Trustees	Trustee	Maybe perceived conflicts	Case by case basis
	Bay of Islands College	Parent Elected Trustee	None perceived	If there was a conflict, I will step aside from decision making
	Karetu School	Parent Elected Trustee	None perceived	If there was a conflict, I will step aside from decision making
	Māori title land – Moerewa and Waikare	Beneficiary and husband is a shareholder	None perceived	If there was a conflict, I will step aside from decision making
	Sister is employed by Far North District Council			Will not discuss work/governance matters that are confidential
	Gifts - food and beverages	Residents and ratepayers may 'shout' food and beverage	Perceived bias or predetermination	Case by case basis
	Taumarere Counselling Services	Advisory Board Member	May be perceived conflicts	Should conflict arise, step aside from voting
	Sport Northland	Board Member	May be perceived conflicts	Should conflict arise, step aside from voting
	He Puna Aroha Putea Whakapapa	Trustee	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	Kawakawa Returned Services Association	Member	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	Whangaroa Returned Services Association	Member	May be perceived conflicts	Should conflict arise, step aside from voting should they apply for funds
	National Emergency Management Advisor Committee	Member		Case by case basis

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
<b>Kelly Stratford continued</b>	Te Rūnanga ā Iwi o Ngāpuhi	Tribal affiliate member	As a descendent of Te Rūnanga ā Iwi o Ngāpuhi I could have a perceived conflict of interest in Te Rūnanga ā Iwi o Ngāpuhi Council relations	Declare a perceived conflict should there appear to be one
	Te Rūnanga ā Iwi o Ngāti Hine	Tribal affiliate member	Could have a perceived conflict of interest	Declare a perceived conflict should I determine there is a conflict
	Kawakawa Business and Community Association	Member		Will declare a perceived conflict should there appear to be one
<b>Kelly Stratford - Partner</b>	Chef and Barista	Opua Store	None perceived	
	Māori title land – Moerewa	Shareholder	None perceived	If there was a conflict of interest I would step aside from decision making
<b>Moko Tepania</b>	Teacher	Te Kura Kaupapa Māori o Kaikohe.	Potential Council funding that will benefit my place of employment.	Declare a perceived conflict
	Chairperson	Te Reo o Te Tai Tokerau Trust.	Potential Council funding for events that this trust runs.	Declare a perceived conflict
	Tribal Member	Te Rūnanga o Te Rarawa	As a descendent of Te Rarawa I could have a perceived conflict of interest in Te Rarawa Council relations.	Declare a perceived conflict
	Tribal Member	Te Rūnanga o Whaingaroa	As a descendent of Te Rūnanga o Whaingaroa I could have a perceived conflict of interest in Te Rūnanga o Whaingaroa Council relations.	Declare a perceived conflict
	Tribal Member	Kahukuraariki Trust Board	As a descendent of Kahukuraariki Trust Board I could have a perceived conflict of interest in Kahukuraariki Trust Board Council relations.	Declare a perceived conflict

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
<b>Moko Tepania continued</b>	Tribal Member	Te Rūnanga ā-Iwi o Ngāpuhi	As a descendent of Te Rūnanga ā-Iwi o Ngāpuhi I could have a perceived conflict of interest in Te Rūnanga ā-Iwi o Ngāpuhi Council relations.	Declare a perceived conflict
<b>John Vujcich</b>	Board Member	Pioneer Village	Matters relating to funding and assets	Declare interest and abstain
	Director	Waitukupata Forest Ltd	Potential for council activity to directly affect its assets	Declare interest and abstain
	Director	Rural Service Solutions Ltd	Matters where council regulatory function impact of company services	Declare interest and abstain
	Director	Kaikohe (Rau Marama) Community Trust	Potential funder	Declare interest and abstain
	Partner	MJ & EMJ Vujcich	Matters where council regulatory function impacts on partnership owned assets	Declare interest and abstain
	Member	Kaikohe Rotary Club	Potential funder, or impact on Rotary projects	Declare interest and abstain
	Member	New Zealand Institute of Directors	Potential provider of training to Council	Declare a Conflict of Interest
	Member	Institute of IT Professionals	Unlikely, but possible provider of services to Council	Declare a Conflict of Interest





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**Far North District Council**  
**Extraordinary Council Meeting**  
**will be held virtually via Microsoft Teams on:**  
**Thursday 21 October 2021 at 1.00 pm**

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**Te Paeroa Mahi / Order of Business**

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**1 KARAKIA TIMATANGA / OPENING PRAYER****2 NGĀ WHAKAPĀHA ME NGĀ PĀNGA MEMA / APOLOGIES AND DECLARATIONS OF INTEREST**

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer or the Team Leader Democracy Support (preferably before the meeting).

It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

**3 NGĀ TONO KŌRERO / DEPUTATIONS**

No requests for deputations were received at the time of the Agenda going to print.

**4 NGĀ KŌRERO A TE KOROMATUA / MAYORAL ANNOUNCEMENTS**

## 5 REPORTS

### 5.1 REPRESENTATION REVIEW 2021 - DELIBERATION ON SUBMISSIONS

**File Number:** A3413095

**Author:** Caroline Wilson, Manager - District Administration

**Authoriser:** William J Taylor MBE, General Manager - Corporate Services

#### TAKE PŪRONGO / PURPOSE OF THE REPORT

To deliberate on submissions relating to the 2021 Representation Review Initial Proposal for representation arrangements for the 2022 triennial local government elections (the Initial Proposal).

#### WHAKARĀPOPOTO MATUA / EXECUTIVE SUMMARY

- Council adopted its Initial Proposal for consultation on 12 August 2021
- The six-week submission period closed on 1 October 2021
- 129 submissions were received
- 11 submitters were heard at the Council Hearings Meeting on 14 October 2021

#### TŪTOHUNGA / RECOMMENDATION

**That Council:**

- a) note the 129 valid submissions received on the Representation Review Initial Proposal for the 2022 triennial local government elections;**
- b) deliberate on submissions relating to the Representation Review Initial Proposal for the 2022 triennial local government elections.**

#### 1) TĀHUHU KŌRERO / BACKGROUND

The Local Electoral Act 2001 (LEA) requires local authorities to undertake a review of their representation arrangements at least once every six years to ensure the arrangements provide fair and effective representation for communities.

Council last reviewed its representation arrangements in 2015 which took effect for the 2016 and 2019 triennial elections.

The LEA prescribes the process and timeline that councils are required to follow when undertaking a representation review. On 12 August 2021, Council adopted the following option for representation of the Far North District Council as its Initial Proposal:

- The Far North District Council to comprise the Mayor elected at large and 10 councillors elected under the ward system, specifically 6 general ward councillors and 4 Māori ward councillors.
- The Far North District Council be divided into 4 wards, these being:
  - i) Kaikohe-Hokianga General Ward (represented by 1 general ward councillor), comprising the area in the proposed Kaikohe-Hokianga General Ward map as shown on Attachment 1.
  - ii) Te Hiku General Ward (represented by 2 general ward councillors), comprising the area in the proposed Te Hiku General Ward map as shown on Attachment 2.
  - iii) Te Pēwhairangi ki Whangaroa General Ward (represented by 3 general ward councillors), comprising the area in the proposed Te Pēwhairangi ki Whangaroa General Ward map as shown on Attachment 3.
  - iv) Ngā Tai o Tokerau Māori Ward (represented by 4 Māori ward councillors), comprising the whole of the district in the proposed Māori Ward map as shown on Attachment 4.

- The Bay of Islands-Whangaroa name be changed to Te Pēwhairangi ki Whangaroa being the Māori name for Bay of Islands–Whangaroa.
- The Māori ward be named Ngā Tai o Tokerau.
- The above general wards are the current ward areas with the exception of the Kaikohe-Hokianga and the Te Pēwhairangi ki Whangaroa ward boundaries to be altered as follows:
  - Meshblock 0037202 be added to the Te Pēwhairangi ki Whangaroa General Ward from the Kaikohe-Hokianga General Ward.
  - Meshblock 0036401 be added to the Te Pēwhairangi ki Whangaroa General Ward from the Kaikohe-Hokianga General Ward.
  - Meshblocks 0034600, 0034800 be added to the Te Pēwhairangi ki Whangaroa General Ward from the Kaikohe-Hokianga General Ward.
- The number of Māori ward councillors complies with Schedule 1A of the Local Electoral Act 2001,
- The Far North District Council be divided into 3 subdivided communities, these being:
  - (i) Kaikohe-Hokianga Community subdivided into:
    - 1) Kaikohe Subdivision comprising the area in the proposed Kaikohe Subdivision map as shown on Attachment 5.
    - 2) North Hokianga Subdivision comprising the area in the proposed North Hokianga Subdivision map as shown on Attachment 6.
    - 3) South Hokianga Subdivision comprising the area in the proposed South Hokianga Subdivision map as shown on Attachment 7,being the existing community board and subdivision areas with the exception of the Kaikohe-Hokianga Community Board subdivision boundaries to be altered as follows:
    - a. Meshblocks 0032600, 0033200, 0033100, 0032700, 0033000 be added to the Kaikohe Subdivision from the South Hokianga Subdivision
    - b. Meshblocks 0039200, 0039500, 0040501, 0040502, 0040601 and 0040602 to be added to the South Hokianga from the Kaikohe Subdivision
  - (ii) Te Hiku Community subdivided into:
    - 1) Doubtless Bay Subdivision comprising the area in the proposed Doubtless Bay Subdivision map as shown on Attachment 8.
    - 2) Kaitāia Subdivision comprising the area in the proposed Kaitāia Subdivision map as shown on Attachment 9.
    - 3) North Cape Subdivision comprising the area in the proposed North Cape Subdivision map as shown on Attachment 10.
    - 4) Whatuwhiwhi Subdivision comprising the area in the proposed Whatuwhiwhi Subdivision map as shown on Attachment 11.being the current community board and subdivision areas with the exception of the Te Hiku Community Board subdivision boundaries to be altered as follows:
    - a. Meshblock 0012701 be added to the Whatuwhiwhi Subdivision from the North Cape Subdivision
  - (iii) Te Pēwhairangi ki Whangaroa Community subdivided into:
    - 1) Kawakawa-Moerewa Subdivision comprising the area in the proposed Kawakawa-Moerewa Subdivision map as shown on Attachment 1.
    - 2) Kerikeri Subdivision comprising the area in the proposed Kerikeri Subdivision map as shown on Attachment 13.
    - 3) Paihia Subdivision comprising the area in the proposed Paihia Subdivision map as shown on Attachment 14.
    - 4) Russell-Ōpua Subdivision comprising the area in the proposed Russell-Ōpua Subdivision map as shown on Attachment 15.

- 5) Waipapa Subdivision comprising the area in the proposed Waipapa Subdivision map as shown on Attachment 16.
- 6) Whangaroa Subdivision comprising the area in the proposed Whangaroa Subdivision map as shown on Attachment 17.

being the existing community board and subdivision areas with the exception of the Te Pēwhairangi ki Whangaroa Community Board subdivision boundaries to be altered as follows:

- a. Meshblock 0047701 be added to the Kawakawa-Moerewa Subdivision from the Russell-Ōpua Subdivision
- b. Meshblocks 0046100, 0046400, 0046700, 0046801, 0047801 be added to the Russell-Ōpua Subdivision from the Kawakawa-Moerewa Subdivision
- c. Meshblocks 4009371, 4009372, 0043905, 0044701 be added to the Kerikeri Subdivision from the Whangaroa Subdivision
- d. Meshblocks 0033600, 0033800, 0043902, 0043904, 0043905, 0043907, 0044003, 0044004, 0044005, 0044008, 0044503, 0044504, 0044505, 0044506, 0044507, 0044508, 0044603, 0044604, 0044605, 0044606, 0044607, 0044608, 0044609, 0044701, 0044703, 0044801, 4007581, 4007583, 4008359, 4008360, 4008361, 4009371, 4009372, 4010073, 4011285, 4011286, 4011319 be added to the Waipapa Subdivision from the Kerikeri Subdivision

- There be 19 community board members, being:
  - (i) 7 members elected from the Te Pēwhairangi ki Whangaroa Community Board comprising:
    - 1) Kawakawa-Moerewa Subdivision – 1 member
    - 2) Kerikeri Subdivision – 2 members
    - 3) Paihia Subdivision – 1 member
    - 4) Russell-Ōpua Subdivision – 1 member
    - 5) Waipapa Subdivision – 1 member
    - 6) Whangaroa Subdivision – 1 memberand 1 member of the Council representing the Te Pēwhairangi ki Whangaroa Ward appointed to the community board by Council
  - (ii) 6 members elected from the Kaikohe-Hokianga Community Board comprising:
    - 1) Kaikohe Subdivision – 3 members
    - 2) North Hokianga Subdivision – 1 member
    - 3) South Hokianga Subdivision – 2 membersand 1 member of the Council representing the Kaikohe-Hokianga Ward appointed to the community board by Council
  - (iii) 6 members elected from the Te Hiku Community Board comprising:
    - 1) Doubtless Bay Subdivision – 1 member
    - 2) Kaitāia Subdivision – 3 members
    - 3) North Cape Subdivision – 1 member
    - 4) Whatuwhiwhi Subdivision – 1 memberand 1 member of the Council representing the Te Hiku Ward appointed to the community board by Council
- The reasons for the boundary alterations to the wards and community board subdivisions are:
  - (i) the adjustments ensure that communities of interest that were split are now rectified

(ii) in rectifying the communities of interest, the adjustments largely comply with section 19V Local Electoral Act 2001 (the fair representation criteria) with the exceptions of:

- Te Hiku General Ward
- North Cape Subdivision of the Te Hiku Community Board
- Whangaroa Subdivision of Te Pēwhairangi ki Whangaroa Community Board
- Russell-Ōpua Subdivision of Te Pēwhairangi ki Whangaroa Community Board
- South Hokianga Subdivision of Kaikohe-Hokianga Community Board
- Kaikohe Subdivision of Kaikohe-Hokianga Community Board

(iii) the affected meshblocks are contiguous, have no physical divisions and are similar to the surrounding land.

Public notice of the Initial Proposal was published on 12 August 2021. Consultation on the Initial Proposal ran from 12 August 2021 to 1 October 2021.

As we went live, the nation was faced with a full Alert Level 4 COVID lockdown which impacted on our ability to reach our customers via our usual channels of libraries and service centres. To counteract this, staff set up a dedicated email to receive and respond to queries that would normally occur with our counter-facing staff, and the representation review brochure was broken down into an online friendly version. Despite moving to Level 3 and then later into Level 2 lockdowns, the Delta restrictions meant that public facing interactions were not safe for staff nor members of the public. All materials were available in our service centres and libraries once we were allowed to receive members of the public (under Delta restrictions).

The Initial Proposal was open for feedback on the Council website's Have Your Say page, and in print form at all FNDC libraries and service centres. A letter and brochure (English and Te Reo versions) were sent from the Mayor to our iwi partners, the chief executives of our local rūnanga and Te Kahu o Taonui.

A dedicated communications and advertising campaign was undertaken during this period to draw attention to the consultation.

- There were ten posts to Facebook during the submission period. The total reach – number of people who saw the posts – was 11,153. This is an average of 1,153 people per post.
  - The posts, combined, were shared 26 times, receive 54 “likes” and a total of 13 comments. The posts were not monetized (advertised).
  - We did two posts to our LinkedIn page with 618 and 523 impressions\* respectively.  
*\*Views when the update is at least 50% on screen, or when it is clicked, whichever comes first.*
- During the submission period there were a total of 1603 unique hits on the Representation Review page in itself (that is the main consultation page).
  - There were 1632 views of the subpages, of which 1301 were unique page views (i.e. not repeat visitors). 50% of these page views were to the Statement of Proposal and the online map (Mapping the changes).
  - 214 unique views of the online submission form.
  - 120 views of the English brochure online, and 46 views of the Te Reo brochure. What is notable is that the time of page for these averages 3 minutes and 10 seconds.
  - The average time spent on any page across the Council website during this period was 1 minute 15 seconds.
- Radio adverts went out on NZME radio stations (Coast, Newstalk ZB, The Hits and Radio Hauraki) – these radio stations reach an estimated 51,700 Northlanders.
- Council's digital ads were viewed 238,850 times which generated 1,289 clicks to our website.
- Council placed full-page adverts in three editions of The Northern Advocate, The Northland Age, The Bay Chronicle and Northern News.

## 2) MATAPAKI ME NGĀ KŌWHIRINGA / DISCUSSION AND OPTIONS

Formal submissions were able to be made electronically, via email or post or delivered to Council offices and libraries.

129 submissions on the Initial Proposal were received:

- 125 submissions were received within the consultation period
- 4 submissions were received after close of submissions
- 32 submitters did not use the submission form and submitted an email / handwritten submission
- 14 submissions were made by organisations

19 submitters indicated that they wished to speak to their submissions and 11 were heard on 14 October 2021.

The 'Summary and Analysis of submissions', appended as Attachment 1, summarises the submissions and provides staff analysis and recommendations.

Council must now consider, deliberate on all submissions received and adopt changes, to inform the Final Proposal for adoption at Council meeting scheduled 4 November 2021. Council must then give public notice of its Final Proposal within six weeks of the closing date of submissions (i.e. by 12 November 2021). This public notice will summarise the submissions received, decisions made in relation to those submissions and reasons for any changes made to the Initial Proposal.

The LEA provides for a one-month objection / appeal period which will run from 12 November to 13 December 2021. If the Final Proposal does not differ from the Initial Proposal, only those who made a submission may appeal Council's Final Proposal. Should the Final Proposal differ from the Initial Proposal, any person may object to the Final Proposal.

Note that as section 19V Local Electoral Act 2001 has not been complied (+/- 10% rule), the matter is treated as an appeal and automatically referred to the Local Government Commission for determination, such determination to be made by 10 April 2022.

### Take Tūtohunga / Reason for the recommendation

To deliberate on submissions received for Councils Representation Review 2021 Initial Proposal.

## 3) PĀNGA PŪTEA ME NGĀ WĀHANGA TAHUA / FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no budgetary considerations as a result of this report.

## ĀPITIHINGA / ATTACHMENTS

1. **Summary and analysis of submissions - A3440282**  



**Hōtaka Take Ōkawa / Compliance Schedule:**

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
  - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
  - b) Assess the options in terms of their advantages and disadvantages; and
  - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

<b>He Take Ōkawa / Compliance Requirement</b>	<b>Aromatawai Kaimahi / Staff Assessment</b>
State the level of significance (high or low) of the issue or proposal as determined by the <a href="#">Council's Significance and Engagement Policy</a>	The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via Agenda publication on the website.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	This matter pertains to the Local Electoral Act and the Local Government Act.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This matter has district wide relevance and all members of the community have been given an opportunity to provide their feedback formally through the submissions process.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.  State the possible implications and how this report aligns with Te Tiriti o Waitangi / The Treaty of Waitangi.	All members of our community have been given an opportunity to provide feedback through the submissions process. In addition to this, information has been provided to our iwi chairs and a full Te Reo translation of the initial proposal was made available through all our communications channels.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	None particularly identified.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications as a result of this report.
Chief Financial Officer review.	This report has been reviewed by the Chief Financial Officer.



## Summary and analysis of submissions

## Introduction

This document provides a summary and analysis of all submissions received by the Far North District Council on its 2021 Representation Review Initial Proposal. Full copies of the submissions were provided in the 'Submissions Pack' and are available alongside the Council agenda for 14 October 2021 Council meeting.

In completing this analysis staff have endeavoured to ensure that every comment or suggestion included in the 129 submissions have been encompassed (including verbal statements made during hearings). A high proportion of feedback received was considered out of scope of this engagement process but is included for completeness.

Through the document you will see sub-headings: the feedback received, a **Staff Analysis** to provide explanation of the options and the legal requirements and then a **Staff Recommendation** in conclusion.

## Legal Compliance

In reviewing representation arrangements, Council is required by the LEA to consider three legislative criteria:

1. Identify communities of interest;
2. Provide effective representation to these communities of interest (for example number of councillors and wards);
3. Ensure fair representation to these communities of interest (+/-10% rule).

Factors taken into account when considering communities of interest include the following:

- Current and historic boundaries and whether these are still relevant to the district
- Changes to communities over time
- Housing and development patterns and urban growth
- Physical, geographical and topographical features and the issues faced by the communities in relation to these features (rural vs urban vs coastal issues)
- Similarities in the demographical and socio-economic characteristics of the residents of a community
- Provision of goods and services and support to communities.

The +/- 10% rule requires that Council must ensure that the population of each ward divided by the number of elected members to be elected by that ward, produces a figure of no more than 10% greater or smaller than the population of the district divided by the total number of elected members excluding the mayor.

For the initial proposal, the above three criteria were considered. As submissions were made on this point, Council must establish whether there is any merit in the submissions and if so, address the concerns. In addressing the concerns Council must consider the provisions of Section 19V of the LEA 2001, particularly around compliance with the +/-10% rule and specifically the splitting of communities of interest.

Section 19V(3)(a)(ii) LEA permits a council to have non-compliance with the +/-10% rule if compliance would divide a community of interest.

**1. Submissions unable to be considered as part of the Representation Review****1.1 Establishment of Māori ward(s)**

29 submitters provided commentary to their submissions which related solely or in part to the establishment of Māori ward(s).

**Staff analysis**

The issue of whether Māori ward(s) should be established does not form part of this review of representation arrangements.

A territorial authority may resolve to establish one or more Māori wards at any time (and by the transitional date of 21 May 2021 to be effective for the 2022 triennial local elections) - section 19Z of the LEA.

Council resolved on 4 May 2021 to establish Māori ward(s) for the 2022 and 2025 local government elections.

If Māori wards are to be established, a territorial authority must undertake a representation arrangements review under Part 1A, LEA (general review provisions) and subject to the provisions of Schedule 1A, LEA (provisions relating to Māori wards).

The principle (Yes/No) of establishing Māori wards must be made before the representation review can be undertaken – therefore the principle is out of scope of the actual representation review.

## 2. Questions asked in the Submission Form

The Initial Proposal Booklet contained detailed information on the Initial Proposal. A submission form was made available as an online form, or a downloadable PDF.

129 submissions were received in total. One submission was received after the submissions set had been sent to elected members and was circulated under separate email cover.

32 submitters did not use the submission form and submitted an email / handwritten submission. Their feedback has been incorporated into the submission statistics in this report.

The submission form required submitters to provide their details. One submitter asked for their details to be withheld.

The submission form asked submitters to confirm their current ward. Of the 129 submissions, the ward breakdown was as follows:

- Te Hiku ward – 25 submitters
- Kaikohe-Hokianga ward – 18 submitters
- Bay of Islands-Whangaroa ward – 67 submitters
- Outside the Far North – 5 submitters
- Not specified – 14 submitters

Submitters were asked to answer the following questions relating to the proposal:

### Te Hiku Ward

- At the moment, Awanui is split across two subdivisions. Do you support all of Awanui being included in the Whatuwhiwhi subdivision? Yes No No opinion

### Kaikohe-Hokianga Ward

- In the last review Ōkaihau was split across two subdivisions. Do you support all of Ōkaihau being included in the Kaikohe subdivision? Yes No No opinion
- If Ōkaihau moves to the Kaikohe subdivision, a portion of the rural Kaikohe subdivision will have to move to the South Hokianga subdivision to balance the numbers in accordance with legislation. Do you support this? Yes No No opinion
- Ngāpipito settlement is currently in the Kaikohe subdivision. Do you support Ngāpipito moving to the Kawakawa-Moerewa subdivision to reconnect Ngāpipito with its community of interest? Yes No No opinion

### Bay of Islands-Whangaroa Ward

- At the moment, Waimate North is split across two wards and two subdivisions. Do you support all of Waimate North being included in the Paihia subdivision of the Bay of Islands-Whangaroa ward? Yes No No opinion
- At the moment, Pakaraka is split across two wards and two subdivisions. Do you support all of Pakaraka being included in the Paihia subdivision of the Bay of Islands-Whangaroa ward? Yes No No opinion
- Do you support the establishment of a new Waipapa subdivision within the Bay of Islands-Whangaroa ward? Yes No No opinion
- At the moment, Sandys Road and Pungaere Road are in the Whangaroa subdivision. We have identified that they both have a closer association with the Waipapa or Kerikeri subdivision due to location. Do you support these being included in either the Kerikeri subdivision or the proposed new Waipapa subdivision? Kerikeri subdivision Waipapa subdivision No opinion

- Taumārere settlement is currently in the Russell-Ōpua subdivision. Do you support all of Taumārere moving to the Kawakawa-Moerewa subdivision to reconnect Taumārere with its community of interest? Yes No No opinion
- Maromākū and Waiomio settlements are currently in the Kawakawa-Moerewa subdivision. Do you support Maromākū and Waiomio moving to the Russell-Ōpua subdivision? This is partly to reconnect these settlements with their community of interest and also to balance the numbers in accordance with legislation. Yes No No opinion
- Do you support renaming the Bay of Islands-Whangaroa ward to its Māori name, Te Pēwhairangi-Whangaroa? Yes No No opinion
- What other names should we consider for the Bay of Islands-Whangaroa ward?

### **Māori Ward - Ngā Tai o Tokerau**

- Ngā Tai o Tokerau is the proposed name for the new Māori ward. Do you support this name? Yes No No opinion
- What other names should we consider?

### **Do you have any other comments you would like to make about the Representation Review proposal?**

A question which was not specifically asked but was specifically commented on was the following:

### **Do you agree with Council's proposal to increase the number of councillors from nine to ten?**

Not every submitter answered every question or provided commentary on every aspect.

### 3. Responses and Recommendations

The following is a detailed breakdown of statistical information and qualitative responses for each of the questions posed.

#### 3.1 Do you support all of Awanui being included in the Whatuwhiwhi subdivision?

##### Submission statistics

- 22 submitters supported.
- 17 submitters did not support.

One submitter commented as follows:

- *“I suggest that Whatuwhiwhi as a peninsula could be changed to be more negative variation leaving the Awanui township and rural land either within the North Cape division or and recreate a new Ahipara/Awanui/Broadwood subdivision by reducing Kaitaia to 2 seats”*

##### Staff Analysis

The initial proposal shifted one meshblock into the Whatuwhiwhi subdivision in recognition of growth that has occurred in the Awanui community, currently split by the state highway, and as the option of least change. It resulted in a -12% variation for North Cape but could be justified by keeping Awanui together as a community of interest.

Looking at location of dwellings in the Awanui area, Council has modelled moving the Awanui community to the North Cape subdivision by adding additional meshblocks.

The acceptable range for community board representation based on six members within the Te Hiku Community is 3,323-4,062.

##### Addition of a further 12 meshblocks to North Cape from Whatuwhiwhi

- North Cape subdivision: 4,030/1 = 4,030
- **Whatuwhiwhi subdivision: 2,840/1 = 2,840**

This model makes Whatuwhiwhi significantly non-compliant at -23.10%.

##### Addition of a further 9 meshblocks to North Cape from Whatuwhiwhi

- North Cape subdivision: 3,930/1 = 3,930
- **Whatuwhiwhi subdivision: 2,940/1 = 2,940**

This model makes Whatuwhiwhi significantly non-compliant at -20.40%.

To create a new subdivision for the Ahipara/Awanui/Broadwood areas would affect the subdivisions of Kaitaia, North Cape, Whatuwhiwhi and North Hokianga (which is in the Kaikohe-Hokianga ward).

The majority of submitters support Awanui remaining in the Whatuwhiwhi subdivision as it currently proposed.

##### Staff Recommendation

No change to the Initial Proposal.

#### 3.2 Do you support all of Ōkaihau being included in the Kaikohe subdivision?

##### Submission statistics

- 31 submitters supported.
- 13 submitters did not support.

##### Staff Analysis

In 2015 the Ōkaihau Community Association submitted against the proposal of the time to split the Ōkaihau community between South Hokianga and Kaikohe. Council's Initial Proposal remedies that split.

**Staff Recommendation**

No change to the Initial Proposal.

**3.3 If Ōkaihau moves to the Kaikohe subdivision, a portion of the rural Kaikohe subdivision will have to move to the South Hokianga subdivision to balance the numbers in accordance with legislation. Do you support this?****Submission statistics**

- 28 submitters supported.
- 15 submitters did not support.

**Staff Analysis**

There was no additional commentary received either for or against this proposal.

**Staff Recommendation**

No change to the Initial Proposal.

**3.4 Do you support Ngāpipito moving to the Kawakawa-Moerewa subdivision to reconnect Ngāpipito with its community of interest?****Submission statistics**

- 36 submitters supported.
- 8 submitters did not support.

**Staff Analysis**

There was no additional commentary received either for or against this proposal.

**Staff Recommendation**

No change to the Initial Proposal.

**3.5 Do you support all of Waimate North being included in the Paihia subdivision of the Bay of Islands-Whangaroa ward?****Submission statistics**

- 55 submitters supported.
- 16 submitters did not support.

**Staff Analysis**

There was no additional commentary received either for or against this proposal.

**Staff Recommendation**

No change to the Initial Proposal.

**3.6 Do you support all of Pakaraka being included in the Paihia subdivision of the Bay of Islands-Whangaroa ward?****Submission statistics**

- 57 submitters supported.
- 14 submitters did not support.

**Staff Analysis**

There was no additional commentary received either for or against this proposal.



## Staff Recommendation

No change to the Initial Proposal.

### 3.7 Do you support the establishment of a new Waipapa subdivision within the Bay of Islands-Whangaroa ward?

#### Submission statistics

- 48 submitters supported.
- 25 submitters did not support.
- Submitters commented as follows:
  - *“Re the proposed Waipapa Subdivision, this should be abandoned as it is contradicts any concept of community of interest. Apart from a small isolationist group, this area shares a community of interest with Kerikeri and should not be split off. The nonsense of the proposal can be seen by the claim that Purerua Peninsula is part of Kerikeri but the rest of Purerua Road, the only access belongs in Waipapa”;*
  - *“We support the creation of a new “Waipapa subdivision”, but wonder why you haven’t also divided the extensive area known as Kerikeri into 2 separate subdivisions – given the clear distinction is possible between those served by network services and those rural-residential areas with no networked services other than local roads”.*
  - *“Support a new subdivision for Waipapa”.*

#### Staff Analysis

The creation of the Waipapa subdivision was to reflect the growth in recent years and recognise Waipapa as a separate community of interest. The meshblocks around the eastern boundary of the proposed Waipapa subdivision are mostly unpopulated, and the majority of the population are located at the far southern coastal end boundary. Council modelled three options in response to the matter of the Purerua Peninsula.

The acceptable range for community board representation based on seven members within the Te Pēwhairangi ki Whangaroa Community is 4,234-5,175.

#### Option 1 - Keep the Purerua Peninsula with Kerikeri and take two meshblocks (Taronui Bay and Purerua Rd) from Waipapa to Kerikeri to create a large “corridor”

- Kerikeri subdivision:  $10,370/2 = 5,185$
- Waipapa subdivision:  $4,590/1 = 4,590$

This model is non-compliant with the +/- 10% rule by 0.25%.

Creating this new model creates a “land” corridor from the peninsula right through to the township of Kerikeri which is likely to be closely aligned as its’ community of interest.

#### Option 2 - Move Purerua Peninsula to the Waipapa subdivision

- Kerikeri subdivision:  $9,940/2 = 4,970$
- Waipapa subdivision:  $5,020/1 = 5,020$

This model is compliant with the +/- 10% rule.

Creating this new model moves the peninsula to the Waipapa subdivision which is unlikely to be as closely aligned as a community of interest than if it remained with Kerikeri subdivision.

#### Option 3 - Retain the Purerua Peninsula in Kerikeri and take one meshblock (Purerua Rd) from Waipapa to Kerikeri to create a “corridor”

- Kerikeri subdivision:  $10,300/2 = 5,150$
- Waipapa subdivision:  $4,680/1 = 4,680$

This model is compliant with the +/- 10% rule.

Creating this new model creates a narrow “land” corridor from the peninsula right through to the township of Kerikeri which is likely to be closely aligned as a community of interest. It does exclude Taronui Bay from the Kerikeri subdivision which may split Taronui Bay from Kerikeri as a community of interest.

There was no additional commentary received either for or against this proposal.

### **Staff Recommendation**

Adopt **Option 1** - Alter Te Pēwhairangi-Whangaroa Community Board subdivision boundaries as follows:

- a) Meshblocks 0044008 and 4010073 to be added to the Kerikeri Subdivision from the Waipapa Subdivision.

This recognises the Purerua Peninsula (Purerua Rd and Taronui Bay) as communities of interest within the Kerikeri subdivision rather than the Waipapa subdivision. It will be slightly non-compliant with the +/- 10% rule but can be justified by not splitting communities of interest.

**3.8 At the moment, Sandys Road and Pungaere Road are in the Whangaroa subdivision. We have identified that they both have a closer association with the Waipapa or Kerikeri subdivision due to location. Do you support these being included in either the Kerikeri subdivision or the proposed new Waipapa subdivision?**

### **Submission statistics**

- 64 submitters supported of which:
  - 40 submitters supported moving to Waipapa subdivision.
  - 24 submitters supported moving to Kerikeri subdivision.
- One submitter commented as follows:
  - *“Sandys Road to be included in Whangaroa subdivision (maybe the right hand side including the lake Manuwai)”*.

### **Staff Analysis**

More submitters were in support of moving Sandys Road and Pungaere Road to the proposed Waipapa subdivision.

Creating the new Waipapa subdivision requires that the properties identified for Sandys and Pungaere Roads be moved into the Waipapa subdivision.

### **Staff Recommendation**

No change to the Initial Proposal.

**3.9 Do you support all of Taumāreere moving to the Kawakawa-Moerewa subdivision to reconnect Taumāreere with its community of interest?**

### **Submission statistics**

- 47 submitters supported.
- 10 submitters did not support.

### **Staff Analysis**

There was no additional commentary received either for or against this proposal.

### **Staff Recommendation**

No change to the Initial Proposal.

### 3.10 Do you support Maromākū and Waiomio moving to the Russell-Ōpua subdivision? This is partly to reconnect these settlements with their community of interest and also to balance the numbers in accordance with legislation?

#### Submission statistics

- 20 submitters supported.
- 30 submitters did not support.
- Submitters commented as follows:
  - *“In our opinion the boundary reviews are of common sense reasoning except amalgamating Waiomio area with Opua Russell? We cannot see any linkage between these areas?”*

#### Staff Analysis

The acceptable range for community board representation based on seven members within the Te Pēwhairangi-Whangaroa Community is 4,234-5,175.

- **Russell-Ōpua subdivision: 3,970/1 = 3,970**
- Kawakawa-Moerewa subdivision: 4,800/1 = 4,800

This model is non-compliant with the +/- 10% rule.

Reverting back to the original subdivision boundaries (with the exception of Taumārere which will remain in the Kawakawa-Moerewa subdivision) does impact on the +/- 10 rule and puts Russell-Ōpua slightly beyond what was trying to be addressed in this representation review. However, submissions indicate that there are more people opposed to, rather than in support of, Maromākū and Waiomio moving to the Russell-Ōpua subdivision.

#### Staff Recommendation

Alter Te Pēwhairangi-Whangaroa Community Board subdivision boundaries as follows:

- a) Meshblocks 0046100, 0046400, 0046700, 0046801, 0047801 to be added to the Kawakawa-Moerewa Subdivision from the Russell-Ōpua Subdivision.

This recognises Maromākū and Waiomio as communities of interest within the Kawakawa-Moerewa subdivision rather than the Russell-Ōpua subdivision. It will be non-compliant with the +/- 10% rule but can be justified by not splitting communities of interest.

### 3.11 Do you support renaming the Bay of Islands-Whangaroa ward to its Māori name, Te Pēwhairangi-Whangaroa?

#### Submission statistics

- 22 submitters supported.
- 58 submitters did not support.
- Submitters commented as follows:
  - *“Te Pēwhairangi/ Bay of islands-Whangaroa - we should use a name that is readily recognisable to all people using all languages. We shouldn't use only one languages name for the ward particularly when one option is not well known. Just as we live alongside each other in the ward we should recognise the known names not just the indigenous name”.*
  - *“None, BOI is internationally recognised”.*
  - *“No need to change a name....waste of money”*
  - *“Not broken do not need change. stop playing with history”*
  - *“Why change it just keep as it is already called now”*
  - *“The names should reflect some of the diversity of culture living in our country, the current name is a mix of cultures, why not leave it, or add in the Te Pēwhairangi after the words Bay of Islands.”*
  - *“Te Pēwhairangi recognises the Southern forces of Ngapuhi”*
  - *“Leave as is”*

- *“As an important tourist destination the name Bay of Islands is too important to lose. Keep the existing name.”*
- *“Remain with the present name that is recognised”.*
- *“Please respect the legal name which exists. There is no need to change. Because of the multicultural population English is the most universal and known language”.*

### **Staff Analysis**

With respect to changing the name of the Bay of Islands-Whangaroa general ward to its Te Reo name, there was demonstrable opposition to changing the name.

### **Staff Recommendation**

That Te Pēwhairangi-Whangaroa be changed to Bay of Islands-Whangaroa (retain the existing ward name).

## **3.12 What other names should we consider for the Bay of Islands-Whangaroa general ward?**

### **Submission statistics**

- Submitters proposed:
  - *“Whangaroa-Pēwhairangi”*
  - *“Queen Victoria Provence”*
  - *“Bay of Islands”*
  - *“Bay of Islands-Kerikeri-Whangaroa”*

### **Staff Analysis**

With regard to alternatives for re-naming the Bay of Islands-Whangaroa general ward, there was very little feedback.

### **Staff Recommendation**

That Te Pēwhairangi-Whangaroa be changed to Bay of Islands-Whangaroa (retain the existing ward name).

## **3.13 Ngā Tai o Tokerau is the proposed name for the new Māori ward. Do you support this name?**

### **Submission statistics**

- 33 submitters supported.
- 38 submitters did not support.

### **Staff Analysis**

A significant proportion of the feedback centred around the decision to establish Māori ward/s, which is not within scope of the representation review. This may have led to the disproportionate lack of support for the proposed name.

### **Staff Recommendation**

No change to the Initial Proposal.

### 3.14 What other names should we consider?

#### Submission statistics

- Submitters proposed:
  - “Tangata o nga hau e wha”
  - “Touchy Feely”
  - “Te Tai O Muriwhenua”
  - “North Auckland”
  - “Tai Tokerau Māori Ward”
  - “Ngā Hau Kōtiu”
  - “FNDC Māori Ward”
  - “Te Whare Tapu O Ngapuhi”
  - “Te Taitokerau”

#### Staff Analysis

With regard to proposed names for the new Māori ward, there were no consistent alternatives provided that would support changing the name from Ngā Tai o Tokerau as proposed.

#### Staff Recommendation

No change to the Initial Proposal.

### 3.15 Do you agree with Council’s proposal to increase the number of councillors from nine to ten?

#### Submission statistics

- 3 submitters supported.
- 7 submitters did not support.
- 119 submitters did not answer this question.
- Submitters commented as follows:
  - *“The addition of one new councillor causes an imbalance in the representation ratios. I suggest that 2 new councillors be added, with 4 on the Māori ward, and 7 representing the non Māori. This would also prohibit the Māori reps from totally controlling the council meetings. It would also bring some balance into where the rating income is drawn from”.*
  - *“I believe there should be 8 general ward councillors and 2 Māori ward councillors”.*
  - *“I don’t think we need an extra councillor.”*
  - *“Support increasing the total number of Councillors to reflect the increase in population”.*
  - *“It is suggested to increase the number of Councillors to 10. I am surprised there is no question about this in this questionnaire: Why? However, I agree to the suggestion”.*
  - *“I am against the increase to 10 FNDC councillors...the total should remain 9. The reason given is population growth...if this was the real reason you would link it to representation in each ward per councillor. Each ward councillor will be representing far more people even with 10 councillor because the Māori councillors will represent the whole FNDC district, not a particular ward. My preference is for 9 councillors. I’m not too worried how the 9 seats are divided. Either: - 6 ward and 3 Māori seats...which would bring the representation per councillor closer together. Or 5 ward and 4 Māori...drop 1 from the BOI by changing the boundaries to give more area to Te Hiku and Hokianga. One more councillor is just too expensive for no real return”.*

- *“Māori ward should be limited to two representatives”. It's not just the salary, but the iPad, printing, paper, staff, allowances, travel, legal, food at meetings, trips to conferences, trips and hotel expenses for workshops, and just general money that is wasted supporting our Council. No doubt you will choose 10 councillors...if that is the case the salary pool should remain the same size so the extra councillor means smaller salaries for each councillor...and hopefully the mayor.*
- *“I object to the number of councillors representing Ngā Tai o Tokerau. The path of segregation/apartheid is not a good one to take, but as government and some of our councillors are pushing for this it should at least be fair and reasonable, and 40% of council is not. On a population basis (figures from 16.4 to 20%) 2 councillors would be fair. Or, in light of councils 20 million Māori rates write-off (unheard of for NZers) perhaps a fairer system would be a proportion of councillors to ratePAYERS. All very well to want to spend others money, but for representation there first must be contribution. In the words of George Orwell we have, sadly, progressed from 'All animals are equal' (a system in which Moko Tepania was elected) to 'All animals are equal - but some are more equal than others’”.*
- *“If we are to have this form of apartheid, my comments on the proposed structure are as follows:  
Please make the system proportional, with the number of Māori ward representatives not set at 4 out of 10, but instead set after each election based on how many people actually vote on the Māori roll relative to how many actually vote on the General roll (i.e. so that you have, say, 7 general ward seats, and then add the right number of Māori ward seats to match the voting proportions on each roll). For example, using statistics from the last general election, there'd be about 28,500 General roll votes, and 9,700 Māori roll votes. If my proposal were adopted, then, as the Māori roll votes are 34% of the General roll vote cast, after that election there would be the set 7 General ward representatives plus  $34\% \times 7 = 2.4 = 2$  (rounding to closest whole number) Māori ward seats - the two Māori roll contenders with the highest number of votes would be selected. Of course, Māori are free to stand in the General roll too, so actual Māori representation could be higher given not everyone votes along racial lines. You ask this question: "whether the structure supports fair and effective representation of your community". I consider that a non-racist, non-First Past the Post system would be fairer to all communities. The proposed numbers are definitively not fair - if we voted as above, Māori roll votes supporting four Councillors would gain about twice the representation per vote as General roll votes supporting six Councillors. As for effective representation, given Māori roll candidates would not depend on my community for re-election, I would not expect them to represent me as effectively as the under-represented General roll candidates. The proposed system therefore supports neither fair nor effective representation for my community”.*
- *“For its percentage of population Kerikeri should have more Councillors”.*
- *“How 4 councillors represent 5 main tribes and countless hapū is beyond me. At 44 percent of population proper ratio should be 5 and 5 councillors”.*
- *“Recent population growth as well as expected further population growth, however, is something that should come into the equation. This growth has been approx 5% higher in the Bol/Whangaroa area since 2008 than in other parts. Why should an area like Kaikohe/Hokianga with only just about half the population have the almost same no. of representatives?”*
- *“What will the extra councillor cost when you propose a 6.7% rate increase during Covid - more inflation during a hard time”.*

- Of the 119 submitters, 10 submitters proposed that the Māori ward councillors represent up to 6,000 voters.
  - *“I recommend that each of the 4 Māori ward representatives speak for up to 6,000 voters on the Māori roll in the upcoming 2022 local body elections. This will ensure Māori roll residents are evenly represented throughout the district”.*

## **Staff Analysis**

### Split of general ward versus Māori ward positions

The LEA prescribes a set formula to determine the number of councillors to be elected from both the general and Māori wards. In terms of this formula, the number of Māori ward councillors is dependent on the total number of councillors. Through the review process, six possible representation scenarios were developed and considered by Council, including retaining the current number or increasing the number of councillors. Council resolved through the Initial Proposal to increase the number of councillors to ten plus the mayor as the number of councillors providing the most effective representation for the District. For ten councillors, under the formula there would be four Māori ward councillors and six general ward councillors.

### Cost of additional members

The remuneration pool remains the same regardless of the number of councillors. Remuneration is set by central government (the Remuneration Authority) and councils are required to adhere to the remuneration set each financial year.

### Number of councillors in the proposed Te Pēwhairangi-Whangaroa general ward

Council modelled reducing the number of councillors in the proposed Te Hiku general ward to one by moving this position to the proposed Te Pēwhairangi-Whangaroa general ward. The acceptable range for councillor representation based on six general ward councillors is between 6,907-8,442.

- Te Hiku general ward:  $13,260/1 = 13,260$
- Te Pēwhairangi-Whangaroa general ward:  $25,160/4 = 6,290$
- Kaikohe-Hokianga general ward:  $7,630/1 = 7,630$

This model is non-compliant with the +/- 10% rule.

Council modelled increasing the total number of general ward councillors to 11 resulting in seven general ward councillors and four Māori ward councillors. For the proposed Te Pēwhairangi-Whangaroa general ward, this would increase the number of councillors to four.

The acceptable range for councillor representation based on seven general ward councillors within the three wards is between 5,901–7,212.

- Te Hiku general ward:  $13,260/2 = 6,630$
- Te Pēwhairangi-Whangaroa general ward:  $25,160/4 = 6,290$
- Kaikohe-Hokianga general ward:  $7,630/1 = 7,630$

This model is non-compliant with the +/- 10% rule.

### Represent up to 6,000 voters

The Ngā Tai o Tokerau Māori ward has an estimated Māori electoral population of 25,000, resulting in 6,250 per councillor. Using the set formula, Council would be required to increase the number of councillors to 13 (resulting in five Māori ward councillors and eight general ward councillors) in order for the number of Māori electoral population being represented to be less than 6,000.

### Increase Councillor numbers (Hearings feedback)

Council previously modelled increasing the number of councillors from nine through to 13 councillors (11 May 2021 workshop) and the effect on the numbers of seats for both the

Māori and general wards based on both a three general ward and four general ward model. The general ward numbers are outlined in the tables below:

**Table: 3 general ward structure**

NON-COMPLIANT	COMPLIANT				
General Electoral Population	Range For Compliance	Ward	3 GEN Wards 11 Crs	3 GEN Wards 12 Crs	3 GEN Wards 13 Crs
GEP 46050 / 7 = 6579	5921-7237	THCB	13260/2 = 6630		
		BWCB	25160/3 = 8387		
		KHCB	7630/2 = 3815		
GEP 46050 / 8 = 5756	5180-6332	THCB		13260/2 = 6630	
		BWCB		25160/4 = 6290	
		KHCB		7630/2 = 3815	
GEP 46050 / 9 = 5117	4605-5629	THCB			13260/3 = 4420
		BWCB			25160/4 = 6290
		KHCB			7630/2 = 3815

**Table: 4 general ward structure**

NON-COMPLIANT	COMPLIANT				
General Electoral Population	Range For Compliance	Ward	4 GEN Wards 11 Crs	4 GEN Wards 12 Crs	4 GEN Wards 13 Crs
GEP 46050 / 7 = 6579	5921-7237	THCB	13260/2 = 6630		
		NEW BOI 1 (Whangaroa, Waipapa, Kerikeri)	15,250/2 = 7625		
		NEW BOI 2 (Paihia, Kawakawa-Moerewa, Russell-Opua)	9,800/2 = 4,900		
		KHCB	7630/1 = 7630		
GEP 46050 / 8 = 5756	5180-6332	THCB		13260/2 = 6630	
		NEW BOI 1 (Whangaroa, Waipapa, Kerikeri)		15,250/2 = 7625	
		NEW BOI 2 (Paihia, Kawakawa-Moerewa, Russell-Opua)		9,800/2 = 4900	
		KHCB		7630/2 = 3815	
GEP 46050 / 9 = 5117	4605-5629	THCB			13260/3 = 4420
		NEW BOI 1 (Whangaroa, Waipapa, Kerikeri)			15,250/2 = 7625
		NEW BOI 2 (Paihia, Kawakawa-Moerewa, Russell-Opua)			9,800/2 = 4900
		KHCB			7630/2 = 3815

*\* figures for 4 general ward based on earlier modelling and may differ by less than 1%*



Increasing the number of councillors allows for distribution of responsibilities between more members, thus reducing the workload which for some is quite considerable.

Increasing the number of councillors results in the pool of remuneration being split between the increased members.

The question on whether to increase the number of councillors to ten was not specifically asked on the basis that the total number of councillors must be decided before the formula under the LEA is applied to determine the number of general ward and Māori ward positions. With 119 submitters not providing feedback on the matter it appears that this is not a particular point of concern despite the comments received above.

**Staff Recommendation**

No change to the Initial Proposal.

Increasing to ten councillors as the total number would, in terms of the formula set by the LEA, allow for six general ward councillors and four Māori ward councillors.

## 4. Other issues raised through submissions

In addition to the commentary provided to questions asked in the submission form, submitters also raised other issues or provided preferences for representation in the Far North district.

### 4.1 One general ward and one Māori ward with at large voting

#### Submission statistics

Three submitters commented as follows:

- *“Council to use the Representation Review to amend the Ward system for each Ward to have equal number of representatives on Council (adjusting boundaries if necessary). Make the voting system “at large” for all the positions of Mayor and Councillors to ensure full democracy and total fairness and to ensure people with the required skill sets are elected to Council. Ensure the right to vote for whom you want to is fully democratic and totally fair and not restricted by which electoral roll or Ward you are registered on”.*
- *“If it was such a good idea for the Māori councillors to be elected districtwide then the seats voted by the General roll voters should also be elected districtwide...ie. 5 General councillors voted for by the whole FNDC district and not separated into wards....and 4 Māori councillors also voted for districtwide....9 total!”*
- *“An ‘at large’ election for 6 councillors from one general ward (and 4 elected from one Māori ward) would have the following benefits compared to three general wards:*
  - *Allow general voters to vote for all general councillors giving them a sense of having a greater say in the running of the district*
  - *Provide voters with a greater choice of candidates*
  - *provide residents with more choice when approaching councillors after the elections*
  - *make it easier for councillors to act in the interests of the whole district in line with their oath of office*
  - *free council from the constraints of the ‘+/- 10% rule’ and the requirement to seek Local Government Commission endorsement of any non-compliance with the rule.”*

#### Staff Analysis

One submitter, experienced in how the STV electoral system works, suggested that STV is more effective in providing proportional representation when there are wards with at least five-members. The submitter suggests Council seriously considers larger general wards than are proposed, including a fully ‘at large’ system (i.e. one general ward and one Māori ward).

The same submitter also suggested the three community boards not be subdivided on the same basis that STV works better where community boards elect at least five members.

Moving to a one general ward system removes the need to adhere to the +/-10% rule which gives a certain degree of flexibility with numbers of councillors. There are advantages, and disadvantages to moving to one general ward.

#### Advantages of one general ward

- effectively uses the STV electoral system for proportional representation
- allows general voters to vote for all general councillors
- provides voters with a greater choice of candidates
- makes it easier for councillors to act in the interests of the who district
- frees Council from the +/- 10% rule

#### Disadvantages of one general ward

- could result in a clustering of elected councillors from within one or two areas
- could remove the local aspect of representation
- system not well understood by voters

The submitter also recommended retaining the community board structure based on the existing ward structure, but that the subdivisions be removed to all “at large” voting within each community board. Similar to the one general ward model, this model has pros and cons but is unlikely to address the issue of representation being more reflective of the smaller localities (i.e. Russell). Representation is dependent on who stands as a candidate in the elections and is ultimately elected by the voters within that ward.

#### **Staff Recommendation**

No change to the Initial Proposal.

#### **4.2 Add new wards to ensure equal representation by councillors**

Submitters commented as follows:

- *“The Council needs to go back to the way it was, one councillor each for Kaikohe, North Hokianga & South Hokianga, three councillors for Te Hiku, one councillor for Kaitaia Ahipara and the areas around Kaitaia to meet up with the boundary of North Hokianga, One councillor for Awanui Te Koe, Te Haupa [ as known as north cape] one councillor for Whatawhiwhi, Mangonui Taupo Bay area. One Councillor for Whangaroa, one Councillor for Kerikeri, one Councillor for Paihia, Russell, Kawakawa, Mayor elected at large. The 3 Māori Wards Councillors should be one from the TeHiku ward one from Kaikohe-Hokianga ward and one the Eastern ward Whangaroa, Kerikeri, Paihia Russell Kawakawa. The 3 Māori Councillors need to be elected from the ward they reside in and represent their wards. Given a total number of 12 Councillors plus the Mayor”.*
- *“The residents of the Whangaroa subdivision have continually voiced that they wish to have a councillor for the Whangaroa subdivision. I agree. The present councillors do their best to represent Whangaroa but to be fair their efforts fall short on understanding this area. Whangaroa is worlds apart from Kerikeri. I believe the Māori wards erode the possibility of this happening”.*
- *“There should be one councillor representing specifically Kerikeri, one councillor for Paihia-Opua, one councillor for Russell-Rawhiti-Kawakawa and one for Whangaroa”.*

#### **Staff Analysis**

##### 12 Ward Structure (nine general wards and three Māori wards)

Creating new wards or redrawing the current wards to achieve perceived equal representation does not necessarily meet the requirement to keep communities of interest together, nor will it necessarily meet the +/- 10% rule.

A nine general ward structure would largely negate any benefits of providing proportional representation through the STV electoral system. Councillors would primarily be elected on a FPP basis.

The initial proposal recommends retaining current community boards which retains local representation.

Council cannot have nine general ward councillors and three Māori ward councillors under the prescribed formula within the LEA. A total of 12 councillors results in 4 Māori ward and 8 general ward councillors.

The acceptable range for Māori councillor representation based on four Māori councillors elected to the current three ward structure is between 5,647-6,902. Council has modelled this using the highest Māori electoral population number (Te Hiku):

- Te Hiku area:  $8,930/2 = 4,465$
- Te Pēwhairangi-Whangaroa area:  $7,810/1 = 7,810$
- Kaikohe-Hokianga area:  $8,380/1 = 8,380$

This model is non-compliant with the +/- 10% rule.

Furthermore, Council cannot have three Māori councillors elected to three wards and one elected district-wide.

#### Councillor representation at subdivision level

Councillors are elected from wards to represent the district. Community board members are elected from subdivision/s to represent communities. It is not possible to have specific representation by councillors at the subdivision level.

Representation of the various communities within the ward is dependent on who stands as a candidate in the elections and is ultimately elected by the voters within that ward.

#### **Staff Recommendation**

No change to the Initial Proposal.

#### **4.3 Split Bay of Islands general ward into two separate general wards**

Eight submitters commented as follows:

- *“Split the huge Bay of Islands-Whangaroa Ward (to be renamed: Te Pēwhairangi - Whangaroa General Ward) into 2 new Wards (northern and southern).*

#### **Staff Analysis**

Council modelled a four general ward structure (with ten councillors in total) on the basis of splitting Te Pēwhairangi-Whangaroa general ward into two separate general wards (Whangaroa, Waipapa and Kerikeri) and (Paihia, Kawakawa-Moerewa and Russell-Ōpua).

*(Note: Very early modelling gave slightly different figures with a difference of less than 1% in the figures below (110 population) for Te Pēwhairangi-Whangaroa ward).*

The acceptable range for councillor representation based on six general ward councillors is between 6,885–8,415.

- Te Hiku general ward:  $13,260/2 = 6,630$
- New Te Pēwhairangi-Whangaroa 1 (Whangaroa, Waipapa, Kerikeri) general ward:  $15,250/2 = 7,625$
- New Te Pēwhairangi-Whangaroa 2 (Paihia, Kawakawa-Moerewa and Russell-Ōpua) general ward:  $9,800/1 = 9,800$
- Kaikohe-Hokianga general ward:  $7,630/1 = 7,630$

This model is non-compliant with the +/- 10% rule.

Council further modelled increasing the total number of councillors to 11 resulting in seven general ward councillors and four Māori ward councillors. For the general wards, this would increase the number of councillors to four in the Te Pēwhairangi-Whangaroa general ward (two in each new general ward).

(Note: Very early modelling gave slightly different figures with a difference of less than 1% in the figures below (110 population) for Te Pēwhairangi-Whangaroa ward).

The acceptable range for councillor representation based on seven general ward councillors is between 5,901–7,212.

- Te Hiku general ward:  $13,260/2 = 6,630$
- **New Te Pēwhairangi-Whangaroa 1 (Whangaroa, Waipapa, Kerikeri) general ward:  $15,250/2 = 7,625$**
- **New Te Pēwhairangi-Whangaroa 2 (Paihia, Kawakawa-Moerewa and Russell-Ōpua) general ward:  $9,800/2 = 4,900$**
- **Kaikohe-Hokianga general ward:  $7,630/1 = 7,630$**

This model is non-compliant with the +/- 10% rule.

### Staff Recommendation

No change to the Initial Proposal.

### 4.4 Inequality of community board representation

Several submitters commented as follows:

- *“reduce the number of community board seats in the Kaikohe-Hokianga Ward by 2 to have only 4 members. Increase number of community board seats to be divided between the two newly-created Bay of Islands Wards to 9 seats, with 5 seats in the northern area comprising Whangaroa, Waipapa and Kerikeri and 4 seats for the remaining southern Bay of Islands area”.*
- *Opua is connected to the same sewage scheme as serves Te Haumi, Paihia, Waitangi, Haruru and Watea. The residents of Opua are also more likely to be employed in, and to access services associated with the township of Paihia, than they are to be employed in and utilize services in Russell”.*
- *“We need more representation for the West ward namely Herekino, Whangape, Owata, Pawarenga nothing seems to get done out these ways”.*

### Staff Analysis

#### Kaikohe-Hokianga

The acceptable range for community board representation based on four members within the Kaikohe-Hokianga Community is 3,588-4,385.

- **North Hokianga subdivision:  $2,490/1 = 2,490$**
- **South Hokianga subdivision:  $4,660/1 = 4,660$**
- **Kaikohe subdivision:  $8,800/2 = 4,400$**

This model is non-compliant with the +/- 10% rule.

#### Create two community boards within Te Pēwhairangi-Whangaroa ward – nine members

Council modelled creating two community boards in the Te Pēwhairangi-Whangaroa general ward based on the current subdivision structure and adding two members increasing the number of community board members from seven to nine members.

The acceptable range for community board representation based on nine members within the Te Pēwhairangi-Whangaroa Community is between 3,294-4,026.

- **New Te Pēwhairangi Community Board 1 (Whangaroa, Waipapa, Kerikeri):  $19,140/5 = 3,828$**
- **New Te Pēwhairangi Community Board 2 (Paihia, Kawakawa-Moerewa and Russell-Ōpua):  $13,800/4 = 3,450$**

At the macro level, this model is compliant with the +/- 10% rule. When breaking down at the subdivision level, both new community boards become non-compliant.

New Te Pēwhairangi Community Board 1: 3,828 (acceptable range is 3,445 - 4,210):

- Whangaroa subdivision:  $4,160/1 = 4,160$
- Waipapa subdivision:  $4,800/1 = 4,800$
- Kerikeri subdivision:  $10,180/3 = 3,393$

New Te Pēwhairangi Community Board 2: 3,450 (acceptable range is 3,105-3,795):

- Paihia subdivision:  $5,030/2 = 2,515$  OR  $5,030/1 = 5,030$
- Russell-Ōpua subdivision:  $4,210/1 = 4,210$
- Kawakawa-Moerewa subdivision:  $4,560/1 = 4,560$

Removing a member from the Paihia subdivision still results in a non-compliant model. Amending the boundaries of Waipapa and Kerikeri subdivision (as proposed earlier) reduces the population within the Waipapa subdivision to 4,590 which is still non-compliant.

If the subdivisions were removed from each of the wards, this model would be compliant.

Section 19V(3)(a)(ii) LEA permits a council to have non-compliance with the +/-10% rule if compliance would divide a community of interest. Whilst the board level is compliant, most of the subdivision levels are significantly non-compliant and therefore should not be proposed.

#### Amalgamate Ōpua into Paihia subdivision

The current combined Russell-Ōpua subdivision is non-compliant with the +/-10% rule at 4,210. Creating one standalone subdivision for Russell and amalgamating the Ōpua community into the Paihia subdivision would increase non-compliance with the +/-10% rule.

The acceptable range for community board representation based on seven members within the Te Pēwhairangi-Whangaroa Community is between 4,234–5,175.

Using 2018 census data to undertake rough order calculations results in the following:

- New Paihia-Ōpua subdivision:  $6,364/1 = 6,364$  OR  $6,364/2 = 3,182$
- New Russell subdivision:  $1,761/1 = 1,761$
- Kawakawa-Moerewa subdivision:  $4,275/1 = 4,275$

Adding one member to the Paihia-Ōpua subdivision (2 representatives) still results in a non-compliant model.

This model is non-compliant with the +/-10% rule and is likely to remain so even with 2020 population estimates.

Council decided to retain these communities being in the same community board subdivision because:

- a. these communities have previously been/are linked;
- b. these communities are linked by the car/passenger ferry; and
- c. separate subdivisions fall way outside the fair representation criteria (+/-10% rule).

#### Increase Community Board member numbers

Council had not previously modelled increasing the number of community board members prior to the adoption of the Initial Proposal.

One submission was unclear (Kaikohe-Hokianga ward) as to whether it pertained to number of councillors or community board members. The population estimates do not support increased representation of either councillors or community board members in this ward.

One submission was clear on the numbers by which to increase community board membership in Te Pēwhairangi -Whangaroa ward, which has been modelled above.

Council cannot amend the Initial Proposal without having received supporting submissions. Council has modelled the community board numbers as proposed through submissions.

### Staff Recommendation

No change to the Initial Proposal.

### 4.5 Russell Peninsula

Several submitters commented as follows:

- *“So why can't the Russell Peninsula be represented at least by a dedicated community board seat that does not include Opua, Maromaku, Towai and Akerama?”*
- *“If the name of the Bay of Islands-Whangaroa Ward is to be changed to ‘Te Pēwhairangi - Whangaroa General Ward’, then kindly refer to Russell as Russell/Kororāreka”.*

### Staff Analysis

The current combined Russell-Ōpua subdivision is non-compliant with the +/-10% rule at 4,210. Creating one standalone subdivision for Russell and either creating one standalone subdivision for Ōpua, Maromaku, Towai and Akerama or amalgamating these communities into the Paihia subdivision would increase non-compliance with the +/-10% rule.

The acceptable range for community board representation based on seven members within the Te Pēwhairangi-Whangaroa ward is 4,234-5,175.

Using 2018 census data to undertake rough order calculations results in the following:

- **New Paihia-Ōpua subdivision:  $6,364/1 = 6,364$  OR  $6,364/2 = 3,182$**
- **New Russell subdivision:  $1,761/1 = 1,761$**
- Kawakawa-Moerewa subdivision:  $4,275/1 = 4,275$

This model is non-compliant with the +/-10% rule and is likely to remain so even with 2020 population estimates.

Changing the name of the Russell-Ōpua subdivision to Russell/Kororāreka-Ōpua is a repetition of the name Russell. The submitter provided this option on the basis of changing the name of the Bay of Islands-Whangaroa ward to Te Pēwhairangi-Whangaroa which is yet to be decided as to whether that will proceed.

### Staff Recommendation

No change to the Initial Proposal.

### 4.6 Split the Māori ward into three or four separate wards

Submitters commented as follows:

- *“I am very concerned that the addition of the 4 districtwide Māori seats will make the system undemocratic. The 4 seats should be spread, with 1 or 2 Māori seats in each ward, depending on population. It might seem unlikely that all 4 councillors are elected from 1 ward but it is possible...and it will be too late to do anything when it does happen”.*
- *“I think the Māori seats should be per ward rather than over the whole district. There is a chance...maybe tiny...that all four Māori councillors are from, for example, north of the Mangamuka Gorge. How would that be fair representation if 2 ward councillors, 4 Māori councillors and the mayor live near Kaitaia...leaving 3 votes for the Hokianga and BOI. The Māori Seats should be per ward”.*
- *“I am opposed to 4 roving Māori counsellors covering the entire FNDC- it could lead to a lack of accountability or worse double up. Just adding to the above - possible groupings  
1) Cape , Kaitaia, Whatuwhiwhi and Doubtless Bay (horrible name)*



- 2) North & South Hokianga
- 3) Whangaroa, Kerikeri, Paihia
- 4) Kaikohe, Kawakawa, Russell”
- “While I am very pleased to have Māori wards in the council make-up - one ward to cover the whole mid and far north region is a lot of area to cover – it’s a burn-out workload. I would suggest to have 4 wards to ensure that the region is adequately represented in reflecting a genuine partnership with tangata whenua/mana whenua”.

### Staff Analysis

Creating the most meaningful model for Māori representation at the Council table requires a high degree of engagement and consultation with our MOU partners, iwi leaders and wider Māori community such as hapū. Within the timeframes under the legislation, this engagement was largely unable to be undertaken.

Council’s available resources to draw Māori wards are the Te Puni Kōkiri maps which are not necessarily viewed by Māori as an authoritative source. Council investigated creating a north and south Māori ward (two wards) but was unable to reach consensus as to the appropriate boundaries without having the opportunity to meaningfully engage with iwi and hapū. It also investigated a four ward structure but again, were unable to reach consensus as to the appropriate boundaries without engagement with iwi and hapū.

Council had discussion with some of our iwi chairs and MOU partners in lieu of other engagement opportunities. The general view of those we were able to talk to is that one district-wide Māori ward for the 2022 elections is a useful starting point and could be reviewed in time for the 2025 elections if required.

In using the current ward structure, the acceptable range for Māori councillor representation based on four Māori councillors elected to the current three ward structure is between 5,647-6,902. Council has modelled this using Te Hiku (with the highest Māori electoral population):

- Te Hiku area:  $8,930/2 = 4,465$
- Te Pēwhairangi-Whangaroa area:  $7,810/1 = 7,810$
- Kaikohe-Hokianga area:  $8,380/1 = 8,380$

This model is non-compliant with the +/- 10% rule but more importantly does not take into account communities of interest and tribal affiliations as required by the legislation.

Council cannot have three Māori councillors elected to three wards and one elected district wide.

Council also modelled a 9 councillor structure (6 general ward and 3 Māori ward councillors) on the basis that the acceptable range for councillor representation based on three Māori ward councillors within the current three ward structure is between 7,530-9,203.

- Te Hiku Māori ward:  $8,930/1 = 8,930$
- Te Pēwhairangi-Whangaroa Māori ward:  $7,810/1 = 7,801$
- Kaikohe-Hokianga Māori ward:  $8,380/1 = 8,380$

This model is compliant with the +/- 10% rule but does not take into account communities of interest and tribal affiliations as required by the legislation.

The possible groupings outlined in the submitters’ proposal does not take into account iwi or hapū boundaries. A high level desktop review of these groupings based on Te Puni Kōkiri maps is as follows:

- North Cape, Kaitāia, Whatuwhiwhi and Doubtless Bay  
This grouping splits Ngāti Kahu ki Whangaroa, Ngāpuhi/Ngāti Kahu ki Whaingaroa Ngāti Kahu and Te Rarawa iwi



- North and South Hokianga  
This grouping splits Te Rarawa and Ngāpuhi iwi
- Whangaroa, Kerikeri and Paihia  
This grouping splits Ngāpuhi and Ngāti Kahu ki Whangaroa and Ngāpuhi/Ngāti Kahu ki Whangaroa iwi
- Kaikohe, Kawakawa and Russell  
This splits Ngāpuhi iwi with the Hokianga grouping

At an iwi level, this splits communities of interest, and does not take into account communities of interest and tribal affiliations as required by the legislation.

Without consulting with iwi and hapū, Council simply cannot determine the appropriate boundaries for Māori wards. Only once those boundaries are determined can the assessment on fair representation (+/- 10% rule) be undertaken.

#### **Staff Recommendation**

No change to the Initial Proposal.

#### **4.7 Electoral Population Statistics**

One submitter required Council to ensure that electoral roll statistics were used in the review process, rather than electoral population.

#### **Staff analysis**

The LEA requires Council to use either the last Census (2018) data or the latest population estimates (30 June 2020) supplied by Statistics New Zealand for the representation review process. Council chose to use the latest population estimates (30 June 2020).

#### **Staff Recommendation**

No change to the Initial Proposal.

#### **4.8 Figures for the general and Māori rolls are different from the information provided by the Electoral Commission and is therefore incorrect and misleading.**

#### **Staff analysis**

Councils are required to follow legislation when undertaking a representation review.

Specifically, when establishing the number of Māori and general councillors (where Māori wards are being established) Councils must follow Schedule 1A clause 2 of the LEA which requires the use of Māori electoral population (MEP) and general electoral population (GEP) - not the number of Māori or general electors.

To use the number of Māori or general electors would in fact be unlawful. The MEP and GEP statistics are required to be obtained from the Department of Statistics (not the Electoral Commission) under Schedule 1A clause 7 of the LEA.

The FNDC representation review has been undertaken correctly following the legislation prescribed for this.

#### **Staff Recommendation**

No change to the Initial Proposal.

**4.9 Population estimates for Councillors and Community Board members are different and therefore incorrect.**

When determining the population estimate for wards, we are required to use GEP for general wards and MEP for Māori wards. When determining the population estimates for community boards and their subdivisions, we are required to use the total population estimates (GEP and MEP). This is why the population figures are different between ward calculation and community board calculations.

**4.10 Figures for the general and Māori should be calculated on 2018 census data.**

One submitter required Council to use the figures from the last census in 2018. Submitter commented as follows:

- *“The numbers shown for the calculations of normally resident, total 70,050, have been dated as at 30 June 2020. This is not in accordance with the Local Electoral Act 2001 which requires the figures to be taken from the last census 2018. Thus all calculations re representation proportions require to be recalculated based on the correct information. This may have a significant impact on the number of members from the Māori ward”.*

**Staff analysis**

Councils are required to follow legislation when undertaking a representation review.

The LEA requires Council to use either the last Census (2018) data or the latest population estimates (30 June 2020) supplied by Statistics New Zealand for the representation review process. Council chose to use the latest figures available (30 June 2020).

The FNDC representation review has been undertaken correctly following the legislation prescribed for this.

**Staff Recommendation**

No change to the Initial Proposal.

**4.11 How do we address the matter of Māori being part of the Māori electoral population figures when they might be enrolled on the General roll?****Staff analysis**

Councils are constrained by the legislation and the requirement to use statistics provided to us by the Department of Statistics.

**Staff Recommendation**

No change to the Initial Proposal.

**4.12 With the comments around changing**

**g boundaries to avoid splitting communities it would be good to see the Whangape harbour reunited instead of the north and south in different wards.**

**Staff analysis**

In the initial proposal the Whangape Harbour is the boundary between the North Hokianga and the Kaitaia subdivisions, and the Kaikohe-Hokianga and Te Hiku wards.

There are very few meshblocks around the Whangape harbour as an area within the district that has low population.

The low population numbers mean that moving meshblocks from one ward or subdivision to another would result in splitting another community of interest such as the Herekino harbour or communities that have previously advised have a stronger connection to the Hokianga harbour such as Pawarenga.

**Staff Recommendation**

No change to the Initial Proposal.

**4.13 Consultation with Māori organisations**

One submitter cited it was unclear who Council has consulted with in establishing Māori wards. Submitter commented as follows:

- *“Just like to note that in comparing other Councils' inviting feedback on Māori Wards, they cite who within Māoridom they have consulted. In FNDC it is not forthcoming or clear, who or what Māori organizations have had input prior to publication and requesting public feedback”.*

**Staff analysis**

Creating the most meaningful model for Māori representation at the Council table requires a high degree of engagement and consultation with our MOU partners, iwi leaders and wider Māori community. Within the timeframes under the legislation, this engagement was largely unable to be undertaken.

Council had discussion with some of our iwi chairs and MOU partners in lieu of other engagement opportunities. The general view of those we were able to talk to is that one district-wide Māori ward for the 2022 elections is a useful starting point and could be reviewed in time for the 2025 elections if required.

**Staff Recommendation**

No change to the Initial Proposal.

**4.14 Three councillors for the Western (Kaikohe-Hokianga) ward**

One submitter commented as follows:

- *“It is acknowledged that there is not a population that the Eastern Ward has and there is no objection to the 4 councillors, but as the Western ward is by and large the economic driving force of the district it follows logically this influence needs to proper representation in Council forums”.*

**Staff analysis**

The acceptable range for general ward councillor representation is between 6,885-8,415. The general electoral population number for the Kaikohe-Hokianga general ward is 7,630. With one councillor proposed in the Initial Proposal, this is currently compliant with the +/- 10% rule. Moving to three general ward councillors would be significantly non-compliant with the +/- 10% rule (at 2,543 per general ward councillor).

The General Electoral Population figures for the Kaikohe-Hokianga general ward do not support increasing the number of councillors from one to three.

**Staff Recommendation**

No change to the Initial Proposal.

## Submission number break down

TE HIKU WARD							
Count of Last name	Ward						
Awaniu incl in Whatuwhiwhi?	BOI-W	KHO-H	TH	Outside Far North	Not specified	Total	
No		4	1	10	1	1	17
No opinion		13	8	6	2	0	29
Yes		14	2	5	1	0	22
(blank)		12	4	3	0	12	31
No Comment		1	0	0	0	0	1
<b>Total</b>		<b>44</b>	<b>15</b>	<b>24</b>	<b>4</b>	<b>13</b>	<b>100</b>

KAIKOHE-HOKIANGA WARD							
Count of Last name	Ward						
Okaihau incl in Kaikohe?	BOI-W	KHO-H	TH	Outside Far North	Not specified	Total	
No		5	3	3	1	1	13
No opinion		10	3	6	1	0	20
Yes		16	9	4	2	0	31
(blank)		12	2	4	0	12	30
No Comment		1	0	0	0	0	1
<b>Total</b>		<b>44</b>	<b>17</b>	<b>17</b>	<b>4</b>	<b>13</b>	<b>95</b>

Count of Last name	Ward						
Part of rural Kaikohe move to Sth Hokianga?	BOI-W	KHO-H	TH	Outside Far North	Not specified	Total	
No		5	5	3	1	1	15
No opinion		12	2	7	1	0	22
Yes		14	8	4	2	0	28
(blank)		13	2	4	0	12	31
No Comment		1	0	0	0	0	1
<b>Total</b>		<b>67</b>	<b>18</b>	<b>25</b>	<b>5</b>	<b>13</b>	<b>128</b>

BAY OF ISLANDS-WHANGAROA WARD							
Count of Last name	Ward						
Ngapipito incl in Kawakawa-Moerewa?	BOI-W	KHO-H	TH	Outside Far North	Not specified	Total	
No		2	2	2	1	1	8
No opinion		11	4	4	1	0	20
Yes		17	9	8	2	0	36
(blank)		14	2	4	0	12	32
No Comment		1	0	0	0	0	1
<b>Total</b>		<b>67</b>	<b>18</b>	<b>25</b>	<b>5</b>	<b>13</b>	<b>128</b>

Count of Last name	Ward						
Waimate Nth incl in Paihia?	BOI-W	KHO-H	TH	Outside Far North	Not specified	Total	
No		8	4	2	1	1	16
No opinion		7	1	4	2	0	14
Yes		40	5	8	2	0	55
(blank)		10	4	4	0	12	30
No Comment		1	0	0	0	0	1
<b>Total</b>		<b>66</b>	<b>14</b>	<b>18</b>	<b>5</b>	<b>13</b>	<b>116</b>

Count of Last name	Ward						
New Waipapa subdivision?	BOI-W	KHO-H	TH	Outside Far North	Not specified	Total	
No		15	3	5	2	0	25
No opinion		5	2	4	1	0	12
Yes		35	5	5	2	1	48
(blank)		10	4	4	0	12	30
No Comment		1	0	0	0	0	1
<b>Total</b>		<b>67</b>	<b>18</b>	<b>25</b>	<b>5</b>	<b>13</b>	<b>128</b>

Count of Last name	Ward						
Sandys & Pungaere Rds to Kerikeri or Waipapa?	BOI-W	KHO-H	TH	Outside Far North	Not specified	Total	
Kerikeri subdivision		14	3	6	1	0	24
No opinion		10	4	4	2	0	20
Waipapa subdivision		30	3	4	2	1	40
(blank)		11	4	4	0	12	31
No Comment		1	0	0	0	0	1
<b>Total</b>		<b>66</b>	<b>14</b>	<b>18</b>	<b>5</b>	<b>13</b>	<b>116</b>

Count of Last name	Ward							
<b>Taumarere incl in Kawakawa-Moerewa?</b>	BOI-W	KHO-H	TH	Outside Far North	Not specified	<b>Total</b>		
No		4	3	1	2	0	10	
No opinion		19	3	5	1	0	28	
Yes		32	4	8	2	1	47	
(blank)		10	4	5	0	12	31	
No Comment		1	0	0	0	0	1	
<b>Total</b>		<b>67</b>	<b>18</b>	<b>25</b>	<b>5</b>	<b>13</b>	<b>128</b>	

Count of Last name	Ward							
<b>Maromaku &amp; Waioomio incl in Russell-Opua?</b>	BOI-W	KHO-H	TH	Outside Far North	Not specified	<b>Total</b>		
No		17	3	7	3	0	30	
No opinion		23	5	4	1	0	33	
Yes		14	2	2	1	1	20	
(blank)		10	4	5	0	12	31	
No Comment		1	0	0	0	0	1	
<b>Total</b>		<b>66</b>	<b>14</b>	<b>18</b>	<b>5</b>	<b>13</b>	<b>116</b>	

Count of Last name	Ward							
<b>Rename BOI-W ward to suggested?</b>	BOI-W	KHO-H	TH	Outside Far North	Not specified	<b>Total</b>		
No		42	6	7	2	1	58	
No opinion		3	1	1	1	0	6	
Yes		10	4	6	2	0	22	
(blank)		10	3	5	0	12	30	
No Comment		1	0	0	0	0	1	
<b>Total</b>		<b>67</b>	<b>18</b>	<b>25</b>	<b>5</b>	<b>13</b>	<b>128</b>	

**DISTRICT**

Count of Last name	Ward							
<b>Naming of new Maori ward as suggested</b>	BOI-W	KHO-H	TH	Outside Far North	Not specified	<b>Total</b>		
No		24	6	7	1	0	38	
No opinion		16	3	5	2	1	27	
Yes		15	6	10	2	0	33	
(blank)		10	3	3	0	12	28	
No Comment		1	0	0	0	0	1	
<b>Total</b>		<b>66</b>	<b>18</b>	<b>25</b>	<b>5</b>	<b>13</b>	<b>127</b>	

**DISTRICT**

Ward	Count of Last name
BOI-W	67
KHO-H	18
TH	25
Outside Far North	5
Not specified	13
<b>Total</b>	<b>128</b>

\* there was one late submission that was circulated under separate cover to elected members

**HEARINGS (INDIVIDUALS)**

Count of Last name	Ward							
<b>Hearing y/n</b>	Last name	BOI-W	KHO-H	TH	Outside Far North	Not specified	<b>Total</b>	
Yes			9	4	3	2	2	20
<b>Total</b>			<b>9</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>20</b>

\* one submitter put in two submissions and is therefore counted as one submitter for the purpose of hearings (19 submissions in total)

**6 KARAKIA WHAKAMUTUNGA / CLOSING PRAYER**

**7 TE KAPINGA HUI / MEETING CLOSE**