
Thursday, 22 April 2021

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

Emergency Council Meeting

Kaupapataka

Agenda

Te Rā Hui:
Meeting date: **Thursday, 22 April 2021**

Te Wā:
Time: **10.00 am**

Te Wāhi:
Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

Te Hoapā:
Contact: **Democracy and Governance Services
P: 06 871 5000 | E: democracy@hdc.govt.nz**

Te Āpiha Matua:
Responsible
Officer: **Chief Executive - Nigel Bickle**

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HASTINGS DISTRICT COUNCIL
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TE KAUNIHERA Ā-ROHE O HERETAUNGA

Thursday, 22 April 2021

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

Emergency Council Meeting

Kaupapataka

Agenda

Tiamana

Chair: Mayor Sandra Hazlehurst

Mematanga:

Membership:

Ngā KaiKaunihera

Councillors: Bayden Barber, Alwyn Corban, Malcolm Dixon, Damon Harvey, Tania Kerr (Deputy Chair), Eileen Lawson, Simon Nixon, Henare O'Keefe, Peleti Oli, Ann Redstone, Wendy Schollum, Sophie Siers, Geraldine Travers and Kevin Watkins

Tokamatua:

Quorum:

8 members

Apiha Matua

Officer Responsible:

Chief Executive – Nigel Bickle

*Te Rōpū Manapori me te
Kāwanatanga*

Democracy and

Governance Services:

Jackie Evans (Extn 5018)

Te Rārangi Take

Order of Business

1.0 Opening Prayer – *Karaki a Whakatūwheratanga*

2.0 Apologies & Leave of Absence – *Ngā Whakapāhatanga me te Wehenga ā-Hui*

An apology from Councillor O'Keefe has been received.

At the close of the agenda no requests for leave of absence had been received.

3.0 Conflict of Interest – *He Ngākau Kōnatunatu*

Members need to be vigilant 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 scan the agenda and assess their own private interests and identify where they may have a pecuniary or other conflict of interest, or where there may be perceptions of conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the relevant item of business and withdraw from participating in the meeting. If a Member thinks they may have a conflict of interest, they can seek advice from the General Counsel or the Manager: Democracy and Governance (preferably before the meeting).

It is noted that while Members can seek advice and discuss these matters, the final decision as to whether a conflict exists rests with the member.

4.0 Confirmation of Minutes – *Te Whakamana i Ngā Minitī*

There are no minutes to confirm.

5.0 Establishment of Māori Wards - Commencement of Public Engagement

7

6.0 Minor Items – *Ngā Take Iti*

7.0 Urgent Items – *Ngā Take Whakahihiri*

Thursday, 22 April 2021

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Item 5

Te Rārangi Take

Report to Council

Nā:
From: Jackie Evans, Manager: Democracy and Governance

Te Take: Establishment of Māori Wards - Commencement of Public
Subject: Engagement

1.0 Purpose and summary - Te Kaupapa Me Te Whakarāpopototanga

- 1.1 The purpose of this meeting is to approve the commencement of a public engagement and decision making process with regard to the establishment of Māori wards. Heretaunga Takota Noa Māori Standing Committee (HTNMSC) at its meeting on 21 April 2021 will resolve
 - **EITHER**
 - A) To recommend to Council the establishment of Māori Wards in the Hastings District in time of the 2022 local authority elections.
 - **OR**
 - B) To recommend to Council to delay consideration of the establishment Māori Wards as part of the 6 yearly representation review for the 2025 and 2028 local authority elections
- 1.2 A copy of the report to HTNMSC is attached for information (**Attachment 1**) and the resolution of the Committee will be tabled at the Council meeting.
- 1.3 The Council must decide by 21 May 2021 (less than one month) if it wishes to establish Māori Wards in time for the 2022 local authority elections. This decision would trigger a full representation review. Notably the representation review is not an opportunity to revisit the question of Māori Wards. Any proposal and consultation for the representation review would be on the basis that Māori Wards are to be established.
- 1.4 Emergency Council approval is required to commence a consultation process from 23 April 2021 – 12 May 2021. This is because officers have assessed this decision as being at the higher end of the significance continuum as set out in the Council's Significance and Engagement Policy on the following criteria:-
 - the number of people affected;

- the extent of the consequence;
- the level of public interest; and
- reversibility, how easily a decision can be undone.

1.5 The requirement to conduct broad consultation within the limited time available has been confirmed by external expert legal opinion. The key aspect of that opinion being:

- The Local Government Act (2002) provides the relevant framework for the Council to give consideration to community views and preferences in its decision making (in particular Sections 6, 78 and 82 (a) and (b)).
- These sections above point Council to the following process:-
 - Seeking the views and preferences of the community in the time available before its decision on 18 May 2021 on whether or not to establish Māori Wards in time for the 2022 local authority elections.
 - Seeking the views and preferences of both Māori and the wider community more broadly in advance of decision making on 18 May 2021.

1.6 The Council is therefore requested to approve the commencement of consultation and a timetable for decision making as follows:-

- 23 April – 12 May Community Engagement Campaign
- 18 May 2021 – Extraordinary Council meeting to decide whether or not to establish Māori wards in time for the 2022 local authority elections.

1.7 A copy of the draft communications plan is appended (**Attachment 2**) for your information. Communications Advisor Rachel Wattie and the Pou Ahurea Mātua, Dr James Graham will update Council on the broader proposals and on a suggested process to conduct targeted consultation with Māori.

1.8 Notwithstanding the recommendation of the HTNMSC, the Council may alternatively decide that it does not wish to establish Māori Wards at this time and could consider other consultation arrangements, such as a non-binding referendum as part of the 2022 election to inform the consultation process on the establishment of Māori Wards for the representation review for 2025 and beyond.

2.0 Recommendations – Ngā Tūtohunga

- A) That the Council receive the report titled Establishment of Māori Wards - Commencement of Public Engagement dated 22 April 2021.
- B) That the Council commence community engagement on the establishment of Māori Wards in time for the 2022 local authority elections from 23 April – 12 May 2021.
- C) That an extraordinary Council meeting be held on 18 May 2021 at 1.00pm to decide whether or not to establish Māori Wards in time for the 2022 local authority elections following consideration of the views of HTNMSC, tangata whenua and the broader community.

Attachments:

- | | | |
|----|---|---------------|
| 1↓ | Report of Heretaunga Takoto Noa Māori Standing Committee Meeting - 21 00 2021 | CG-16-2-00583 |
| 2↓ | Māori Wards Marketing & Comms Plan Template Feb 2019 | CG-16-2-00584 |



Wednesday, 21 April 2021

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
**Hastings District Council: Heretaunga Takoto Noa
Māori Standing Committee Meeting**

Te Rārangi Take

Report to Heretaunga Takoto Noa Māori Standing Committee

Nā:
From: Jackie Evans, Manager:Democracy and Governance

Te Take: Creation of Māori Wards in Hastings District for 2022 Local
Subject: Authority Triennial Elections

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The Local Electoral Act 2001 (LEA) provides for the establishment of one or more Māori wards and is part of a suite of legislative provisions put in place by the Crown with the aim of increasing Māori representation and participation in local authority decision making.
- 1.2 The intent of the recent Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 is to improve the democratic representation of Māori interests, ensure equity in representation and to provide a Māori voice in local decision-making. To achieve this, the following changes have been made to the LEA:
 - Repeal of the provisions in the LEA that relate to polls on the establishment of Māori wards and constituencies;
 - Prohibition of binding council-initiated polls on whether to establish Māori constituencies (while retaining the right for councils to initiate non-binding polls to gauge public sentiment); and,
 - Establishment of a transition period ending on 21 May 2021 during which any local authority may, regardless of any previous decisions or previous

poll outcomes, resolve to establish Māori constituencies for the 2022 local government elections.

- 1.3 The implications of this Amendment Act have been shared with all Councillors and the Heretaunga Takoto Noa Māori Standing Committee (HTNMSC) in informal sessions. As a result of a discussion at the HTNMSC retreat on 7 April 2021, a report has been prepared to enable the Committee an opportunity to debate the matter and make a recommendation to Council on their preferred course of action.

2.0 Recommendations – Ngā Tūtohunga

- A) That the Committee receive the report titled Creation of Māori Wards in Hastings District for 2022 Local Authority Triennial Elections dated 21 April 2022.
- B) That the Committee recommend to Council **EITHER** Option A **OR** Option B as set out in the report.
- C) That in the event that Option A is the preferred option the Committee:
 - i. Ask the Council to commence consultation with the community on the establishment of Māori wards in Hastings District as soon as possible; and,
 - ii. Give direction to the Council on the method and timing of targeted consultation with tangata whenua as suggested in the report.

3.0 Background – Te Horopaki

- 3.1 In 2014, the HDC: Māori Joint Committee made a recommendation to Council to consider a Māori Ward with the Council eventually passing a resolution regarding Māori wards at its extraordinary meeting held on 18 November 2014. The Council resolved: "That the Council not undertake any action to introduce a Māori ward for the 2016 triennial election, but it confirm that if the local government reorganisation of Hawke's Bay does not proceed it will, as soon as the matter has been concluded, initiate the appropriate process with a view to ensuring, subject to the poll provisions of the Local Electoral Act 2001, that a Māori ward can be put in place for the 2019 triennial election".
- 3.2 The matter was reconsidered by the HDC: Māori Joint Committee and Council in 2017. Council's position at the time was that it considered it unfair that Māori wards are the only part of the representation process, which is subject to poll provisions, as this effectively prevents, in most communities, Māori from pursuing the representation arrangements that best suit them.
- 3.3 In April 2017 the HDC: Māori Joint Committee made a majority decision to recommend to the Council that it resolve not to introduce a Māori ward at the

2019 election. In reaching a decision not to adopt Māori wards in April 2017, a significant concern for both Council and its Māori Joint Committee was that the outcome of a poll would not achieve Māori wards and could potentially cause conflict, create divisions and harm relationships with Māori.

- 3.4 The Committee also recommended that the Chief Executive be asked to report back to the HDC: Māori Joint Committee and Council on options for increasing Māori participation in Council governance and decision-making.
- 3.5 On 28 March 2019, Council agreed to a recommendation from the Māori Joint Committee for the appointment of tangata whenua members to all Council Standing Committees with full voting rights.
- 3.6 On 10 December 2019 the incoming Council approved a governance structure and scheme of delegation for the 2019 -22 triennium, which included tangata whenua appointments with full voting rights to all of the Council's Standing Committees and Subcommittees.
- 3.7 On 1 March 2021 the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 received royal assent, making amendments to the LEA and changing the process for Councils establishing Māori wards.
- 3.8 Specifically, the LEA was amended to remove electors' ability to demand a binding poll on establishing Māori wards, to remove the ability for Council to resolve to conduct a binding poll, and to provide for a 'transition period' ending on 21 May 2021 for Councils to consider or reconsider establishing Māori wards for the 2022 local elections.
- 3.9 The Government indicated further legislative changes would be introduced at a later date to change the way Māori wards work more broadly, and that this initial amendment was primarily to allow Councils to make decisions ahead of the 2022 local elections. At this stage, there are no details of what the further legislative changes might entail.
- 3.10 Under the amended LEA, Council may resolve to establish Māori wards for the 2022 local elections at any time before 21 May 2021. This decision is final and cannot be reversed as part of the representation review which is triggered as a result of this decision.
- 3.11 Any resolution to establish Māori wards applies for at least the next two general triennial elections. After that, Council would continue to have Māori wards unless the Council resolved to disestablish them.
- 3.12 If the Council does resolve to establish Māori wards, then it must subsequently conduct a representation review. The representation review process is explained later in this report.

4.0 Discussion – Te Matapakitanga

- 4.1 Now that the requirement for a binding poll has been removed, the HTNMSC at its retreat on 7 April 2021 expressed a strong desire for the Council to explore the introduction of Māori wards in time for the 2022 election. The purpose of this report is to inform the HTNMSC of the legislative requirements and implications of introducing Māori wards and seek Committee direction whether it wishes to make a formal recommendation to Council about the introduction of Māori wards.

How Māori Wards Work

- 4.2 Wards broadly are a way of dividing the district for elections to enable communities of interest to elect representatives. Hastings District is currently divided into 5 wards: Flaxmere, Hastings/Havelock North, Heretaunga, Mōhaka and Kahurānaki Wards.
- 4.3 A Māori ward is one way Council may choose to define a community of interest. Instead of grouping electors by geographic location like other wards, all electors who are on the Māori electoral roll vote in Māori wards. If Hastings had Māori ward(s), people on the Māori electoral roll would be able to vote for any candidates standing in the Māori ward(s), any candidates standing at large (Hastings District currently does not elect any candidates at large apart from the Mayor), and the Mayor. They would also be able to vote for the Rural Community Board based on their geographic location.
- 4.4 This is the same as electors in any of the other wards. The electors on the Māori roll simply vote for candidates standing in the Māori ward instead of the relevant general ward. All other votes remain the same. A copy of frequently asked questions with regards to Māori wards is appended to this report (**Attachment A**).
- 4.5 The number of Councillors elected by a Māori ward or wards is set by a formula in the Act. A ratio is found between the Māori electoral population (MEP) and the total electoral population of the district. This is multiplied by the number of Councillors (excluding the Mayor). The resulting number (rounded) is the number of Councillors that can be elected in Māori wards.

$$nmm = \frac{mep}{mep + gep} \times nm$$

nmm is the number of councillors elected in Māori ward(s)

mep is the number of Māori in the region enrolled on the Māori electoral roll*

gep is the number of voters in the region enrolled on the General electoral roll*

nm is the (proposed) total number of elected members (councillors) of the Council

Fractions are rounded up or down to the nearest whole number.

** figures used are latest population estimates provided by the Local Government Commission.*

- 4.6 Any official calculation will be determined from population estimates provided by the Local Government Commission, which is a different calculation from actual numbers on the current Māori and General electoral rolls. The most recent estimates show that Hastings District has a Māori electoral population of 16,400 and a general electoral population of 71,600. If the number of Councillors remained the same as it is currently then this would allow for three Councillors elected from Māori ward(s).

	MEP	GEP	Total Electoral Population	No. of members	Māori Ward members	Māori Ward Members (Rounded)
Hastings District	16,400	71,600	88,000	14	2.6	3

- 4.7 This could change in the future if the Māori electoral population increases through demographic shifts or more Māori choosing to be on the Māori roll.
- 4.8 Māori Wards allow for fairer representation for all Māori ratepayers on the Māori roll, with the ability for Māori voters to select their own Māori representatives in a democratic process.

Significance and Engagement

- 4.9 The Council's Significance and Engagement policy allows for full participation of the wider communities and their feedback regards the establishment of Māori Wards. Officers recommend undertaking general consultation **and** more focussed engagement with local iwi and hapū, post-settlement treaty groups and tangata whenua in Hastings District so as to ensure that Council considers all views and preferences prior to making their decision regards the establishment of Māori wards.
- 4.10 The Electoral Officer has commissioned a legal opinion that confirms the most appropriate approach is general consultation on the basic proposal (public notification of the proposal and the key elements of the process the decision would give rise to), with focussed engagement with Māori. This would be to explain the process that the decision would generate, and the parameters of

Māori and general ward outcomes for the district, and seek their views on the proposal and indications of what they would expect from it.

- 4.11 The LEA does not provide any specific engagement requirements for establishing Māori wards. Therefore the general decision-making requirements under the Local Government Act 2002 (LGA) and the Council's Significance and Engagement Policy are relevant to determining what level of engagement is required.
- 4.12 The LGA requires Council to analyse different options for achieving an objective, and its costs and benefits. The Council must be satisfied that consideration has been given to the views and preferences of persons likely to be affected or have an interest in the matter. This does not itself require any consultation process or procedure to be undertaken.
- 4.13 Compliance with these requirements is a matter of discretion for the Council. The primary factor informing what sufficient compliance looks like is the significance of the matter, and the Council's Significance and Engagement policy. Also relevant are the s14 Local Government Principles, Council resourcing, the nature of the decision and the circumstances, and any applicable legislative framework with decision-making requirements.
- 4.14 The Council must also ensure that significant alterations in policy are explained, Māori are provided with opportunities to contribute to the decision-making process, and any consultation is undertaken in accordance with the consultation principles.
- 4.15 Current representation arrangements on HTNMSC meet LGA S81 requirements as a process for Māori to contribute to decision-making. However, in acknowledging Treaty of Waitangi partnerships, the current model is mainly represented by mana whenua entities, with the exception of Māori Community Development Act Māori Committees. As such, the main representation is derived from the mana whenua Māori population.
- 4.16 This would also ensure that Council meets its obligations under the LGA to provide opportunities for Māori to contribute to decision-making.
- 4.17 A suggested time frame for engagement is:
- 21 April 2021 – HTNMSC Resolution.
 - 22 April 2021 – Emergency Council meeting to resolve the commencement of consultation on the establishment of Māori wards if the HTNMSC resolution recommends the establishment of Māori wards for the 2022 elections

- 23 April – 12 May 2021 – Information dissemination and community engagement campaign for wider community and targeted consultation with local iwi, post settlement treaty groups, hapū and marae.
- 18 May 2021 – Extraordinary Council Meeting to consider the recommendation from HTNMSC and outcome of consultation. Council decides whether or not to establish Māori wards.
- 21 May 2021 – Deadline for Councils to resolve to establish Māori wards in time for 2022 elections.

Representation Review

4.18 If Council does resolve to establish Māori wards, then it must subsequently conduct a representation review. Legislative timeframes for this representation review are set by the Local Electoral Act:

- 31 August 2021 Deadline for Council to resolve an initial proposal.
- 8 September 2021 Deadline for public notification of initial proposal.
- 8 September 2021 – 8 October 2021 Submissions open (minimum period).
- 8 October 2021 – 19 November 2021 Consider submissions and amend proposal if required (within six weeks of the close of submissions).
- 19 November 2021 Deadline for public notification of proposal.
- 20 December 2021 Deadline for appeals and objections to the proposal.
- 15 January 2022 Deadline for appeals and objections to be forwarded to the Local Government Commission.
- 11 April 2022 Deadline for Local Government Commission to make determination if any appeals or objections are received.

4.19 In a representation review the Council would be required to determine:

- The total number of Councillors.
- Whether all Councillors will be elected from wards, or from a mixture of wards and at large.
- The names and boundaries of any wards.
- The number of Councillors elected in each ward, and the number elected at large (if any).
- The number and composition of Community Boards (if any).

4.20 Notably, the representation review is not an opportunity to revisit the question of Māori wards. Any proposal and consultation would be on the basis that Māori wards have been established.

4.21 If Māori wards have been established, then within the representation review Council cannot propose to elect all Councillors at large. It can propose to have some Councillors elected at large but there must be at least one Māori ward and one general ward.

Resource Implications

4.22 The last representation review was in 2018 and in the normal course of events the review of Council's representation arrangements would be in 2023/24 for the 2025 and 2028 triennial elections. Therefore in 2020/21 no budget or staffing resource has been allocated to undertake the required consultation, project planning and reporting and delivery of a representation review.

5.0 Options – Ngā Kōwhiringa

EITHER Option One - Te Kōwhiringa Tuatahi

5.1 To recommend to Council:

- That the Committee recommends the introduction of Māori wards in the District for the 2022 triennial election

Advantages

- The legislative change provides the Council with an opportunity to increase the level of Māori participation in Local Authority decision making which is fully representative, meaningful and sustainable.
- Opportunity for Hastings District Council to lead out on this issue and move in alignment with mana whenua aspirations for the Rohe.

Disadvantages

- The introduction of Māori Wards may be controversial and potentially divisive.

OR Option Two – Status Quo - Te Kōwhiringa Tuarua

5.2 Recommend to Council to delay the consideration of establishing Māori wards until the second tranche of legislation has been passed, noting that any decision made later would not have any effect until the 2025 local government elections.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 If the Committee resolves at its meeting on 21 April 2021 to recommend to Council the introduction of Māori wards in time for the 2022 election, then Council approval will be sought at an emergency Council meeting called On 22 April 2022 to commence the consultation process as described in paragraph 4.17 above.

Attachments:

- 1 Māori wards and constituencies QAs CG-16-5-00043

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future. This proposal promotes the social and cultural wellbeing of communities in the present and for the future.

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This report contributes primarily towards enabling tangata whenua and mana whenua to exercise partnership in decision making.

Māori Impact Statement - *Te Tauāki Kaupapa Māori*

Current representation meets LGA S81 requirements as a process for Māori to contribute to decision-making. However, in acknowledging Treaty of Waitangi partnerships, the current model is mainly represented by mana whenua entities, with the exception of Māori Community Development Act Māori Committees. As such the main representation is derived from the mana whenua Māori population (NB: this is not isolated to Hastings District and is common across the country).

Māori wards allow for fairer representation for all Māori ratepayers on the Māori roll, with the ability for Māori voters to select their own Māori representatives in a democratic process.

Māori wards do not remove the LGA S81 obligation to engage Māori. The Heretaunga Takoto Noa Kōmiti currently fulfils LGA S81, however a Kōmiti is one mechanism and some councils follow other mechanisms to exercise LGA S81.

Māori wards do not remove the operational RMA S35 obligation to engage mana whenua in RMA matters of importance.

Sustainability - Te Toitūtanga

N/A:

Financial considerations - Ngā Whakaarohanga Ahumoni

See paragraph 4.22. There is no budget allocated for this work in 20/21. If Option A is recommended the Council will need to approve unbudgeted funds of \$70,000.

Significance and Engagement - Te Hiranga me te Tūhonotanga

This report has been assessed under the Council's Significance and Engagement Policy as being at the higher end of the continuum and requiring an appropriate level of community engagement taking into account the limited time available prior to the decision deadline of 21 May 2021.

Consultation – internal and/or external - Whakawhiti Whakaaro-ā-roto / ā-waho

See paragraphs 4.9 - 4.17

Risks

Opportunity: To improve the democratic representation of mana whenua and Māori interests, ensure equity in representation and to provide a mana whenua and Māori voice in local decision-making.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
<p>The legislative change provides the Council with an opportunity to increase the level of Māori participation in Local Authority decision making which is fully representative, meaningful and sustainable.</p> <p>Opportunity for Hastings District Council to lead out on this issue and move in alignment with mana whenua aspirations for the rohe.</p>	<p>The introduction of Māori wards may be controversial and potentially divisive.</p>

Rural Community Board – *Te Poari Tuawhenua-ā-Hāpori*

If a Māori ward(s) is established, electors on the Māori roll will have the opportunity to vote for any community boards set up in the geographic area where they live.

Item 5 Creation of Māori Wards in Hastings District for 2022 Local Authority Triennial Elections
Māori wards and constituencies QAs

Attachment 1



QUESTIONS AND ANSWERS ABOUT MĀORI WARDS AND CONSTITUENCIES AND THE REPRESENTATION REVIEW PROCESS

Below are answers to questions the Local Government Commission has commonly received about Māori wards and constituencies and how they are dealt with in the representation review process.

What population is to be used to calculate:

- The number of members to be elected from Māori wards and constituencies?
- Compliance for Māori and general wards and constituencies with +/-10% rule?

The population statistics to be used are the Māori electoral population (MEP) and the General electoral population (GEP). These populations are calculated by Statistics New Zealand after each census and the subsequent Māori electoral option.

The technical definitions of these populations are as follows:

- MEP: the total number of people registered as voters in Māori parliamentary electorates, plus a proportion of people of New Zealand Māori descent who are not registered as electors of any electorates, plus a proportion of the people of New Zealand Māori descent under the age of 18 years.
- GEP: the total ordinarily resident population as shown in the last Census of Population and Dwellings, with the exception of the Māori electoral population.

In other words:

- MEP is based on the number of people enrolled on the Māori electoral roll plus a proportion of those people who are not enrolled or who are aged under 18 years.
- GEP is the rest of the population.

MEP and GEP are also used in the periodic review of parliamentary electorates.

Other statistics such as the total Māori population and the number of electors on the Māori roll are not to be used in the representation review calculations.

Page 1 of 4

Item 5 Creation of Māori Wards in Hastings District for 2022 Local Authority Triennial Elections
Māori wards and constituencies QAs

Attachment 1

How are the number of members to be elected from Māori wards and constituencies calculated?

The number of members to be elected from Māori wards and constituencies is calculated through a formula and depends on:

- The total number of elected members for the district that are to be elected through wards; and
- The Māori Electoral Population (MEP) and General Electoral Population (GEP) of the district.

See also:

- clauses 2 and 4, Schedule 1A, Local Electoral Act 2001
- Chapter 4 of the Local Government Commission's representation review guidelines which can be found [here](#).

Is the timetable for a representation review involving Māori wards or constituencies the same as the timetable for a review not involving Māori wards or constituencies?

With one small difference the timetables are the same. That small difference is that:

- For a review involving Māori wards or constituencies a council's initial resolution must be made by 31 August 2021.
- For a review not involving Māori wards and constituencies there is no date specified in the Local Electoral Act for when the initial resolution must be made, but the public notice of that resolution must be given not later than 8 September 2021.

Can the council's decision to establish Māori wards and constituencies be reversed through the council's representation review as a result of submissions to the council or appeals and objections to the Local Government Commission?

No, the initial decision to establish Māori wards and constituencies cannot be reversed by the representation review.

However, submissions, appeals and objections may be made on detailed arrangements such as:

- the total number of members of the council
- the names of Māori wards and constituencies
- if there are to be 2 or more members elected from Māori wards and constituencies, whether there should be 1 ward or multiple wards
- if there are to be multiple Māori wards or constituencies, the number and boundaries of those wards and constituencies.

Page 2 of 4

Item 5 Creation of Māori Wards in Hastings District for 2022 Local Authority Triennial Elections
Māori wards and constituencies QAs

Attachment 1

Our council is currently elected at large. If we establish a Māori ward do we have to establish a General ward?

Yes, if a Māori ward or constituency is established there has to be one or more General wards or constituencies (see clause 1, Schedule 1A, LEA). It is possible that the Māori ward and the General ward may cover the whole of the district. This is currently the case in Wairoa District.

Can some members be elected from wards and some "at large"?

Yes, if the council is a territorial authority. If the council has decided to have 1 or more Māori wards, the first step in the representation review process is to determine whether:

- all of the members (other than the mayor) are to be elected through a combination of Māori and General wards; or
- some of the proposed members are to be elected by the electors of the district as a whole ("at large") and some are to be elected through a combination of Māori and General wards.

In either case, the Māori and General wards may cover the whole of the district.

When a council first establishes Māori wards or constituencies, are the members for the new wards/constituencies additional to the current councillor positions, or do they replace existing positions?

Either can be the case. The second step in the representation review process is to decide what the total number of members for the council should be. This number is used to calculate how many of those members are to be elected from Māori wards or constituencies.

Where the council has decided that some members are to be elected from wards and some at large the calculation uses the number of members to be elected from wards. The "at large" members are not included in the calculation.

Is the +/-10% rule calculated collectively over both Māori and General wards, or separately – once for Māori wards/constituencies and once for general wards/constituencies?

It is calculated separately for each category of ward (see clause 6(a), Schedule 1A, LEA).

Page 3 of 4

Item 5 Creation of Māori Wards in Hastings District for 2022 Local Authority Triennial Elections
Māori wards and constituencies QAs

Attachment 1

If Māori wards or constituencies are established, who votes in which elections?

At territorial authority elections:

- A person on the Māori roll may vote for:
 - the Mayor
 - members elected from a Māori ward
 - any members elected "at large" from the district as a whole (if applicable)
 - community board or local board members (if applicable)
- A person on the General roll may vote for:
 - the Mayor
 - members elected from a General ward
 - any members elected "at large" from the district as a whole (if applicable)
 - community board or local board members (if applicable)

At regional council elections:

- A person on the Māori roll may vote for members elected from a Māori constituency
- A person on the General roll may vote for members elected from a General constituency

When can people move from the Māori electoral roll to the General electoral roll, or vice versa?

If a person of Māori descent is already enrolled, they can change rolls during the next Māori electoral option, scheduled for 2024.

A person of Māori descent enrolling for the first time can choose which roll they wish to be on - the General roll or the Māori roll.

Status of document:

Updated on 10 March 2021

Page 4 of 4



MARKETING & COMMUNICATIONS PLAN

MĀORI WARDS

1. BACKGROUND

The government's Local Electoral (Māori wards and Māori constituencies) Amendment Act 2021 aims to improve the democratic representation of Māori interests, ensure equity in representation and provide a Māori voice in local decision-making.

The Amendment Act introduced changes to the Local Electoral Act 2001 including:

1. It repeals Local Electoral Act provisions relating to polls on the establishment of Māori wards and constituencies
2. It removes the mechanisms for binding council-initiated polls to be held that oppose the establishment of Māori wards and constituencies (while retaining the right for councils to initiate non-binding polls to gauge public sentiment)
3. Local authorities may decide to establish Māori constituencies for the 2022 local government elections during a transition period ending on 21 May 2021.

As a result of this legislation change, Hastings District Council has until 21 May 2021 to decide whether or not to introduce Māori wards.

Next week, Hastings District Council's Heretaunga Takoto Noa Maori standing committee will consider whether or not to recommend to Council that it should introduce Māori wards. If they make a recommendation in favour of Māori wards, Council plans to ask the Hastings District community what they think, prior to making a decision on 21 May 2021.

If Council decides by 21 May to introduce Māori wards, we would then undertake a representation review to decide the overall number of Councillors, number of wards and ward boundaries including Māori wards. This representation review is subject to extensive community engagement and formal consultation. Initial proposals will be publicly notified by 8 September 2021, followed by formal consultation and the hearing of submissions in late October.

James Graham will consult with mana whenua and provide input on the best way to target the Māori population.

2. MARKETING & COMMUNICATIONS OBJECTIVES

- Ensure that the Hastings District is fully aware that:
 - Hastings District Council needs to decide by 21 May whether or not to introduce Maori wards
 - What it means if we decide to introduce Māori wards (including the representation review process and who can vote for Māori wards)



- That they can have their say online at www.myvoicemychoice.co.nz until Wednesday 12 May
- Encourage people to have their say so we get an accurate snapshot of public opinion.
- Provide helpful and accessible information so that people make fully informed, relevant, submissions to aid Council's decision.

3. TARGET AUDIENCES & KEY MESSAGE

Audience	Key message
Hastings district	<p>[after Wednesday 21 April 3pm]</p> <p>Let us know if you think Hastings District Council should introduce Māori wards or not.</p> <p>The Local Electoral (Māori wards and Māori constituencies) Amendment Act 2021 introduced changes to the Local Electoral Act 2001 to improve the representation of Māori interests in government, and give Māori a voice in local decision making.</p> <p>Among other changes, the amendment to the Act means Councils have until 21 May 2021 to decide whether or not to have Māori wards, and we would like to hear your thoughts. Have your say at www.myvoicemychoice.co.nz before Wednesday 12 May 2021.</p> <p>Wards are a way of dividing the city for elections to enable communities of interest to elect representatives. Hastings district is currently divided into five wards including: Flaxmere, Hastings/Havelock North, Heretaunga, Mohaka and Kahurānaki.</p> <p>If Hastings District Council decides to introduce Māori wards then:</p> <ul style="list-style-type: none"> • Electors on the Māori roll would vote for candidates standing in the Māori wards instead of those standing in the general ward, but their votes for the Mayor remain the same. • The number of candidates standing in the Māori wards would be proportionate to the Māori electorate population. (E.g. On the current arrangement of 14 Councillors in the Hastings district, three would be elected from Māori wards.) • Council would then have to undertake a representation review to decide the overall number of Councillors, number



of wards and ward boundaries including Māori wards. This representation review is subject to extensive community engagement and formal consultation. Initial proposals will be publicly notified by 8 September 2021, followed by formal consultation and the hearing of submissions in late October.

MARKETING & COMMUNICATIONS ACTIVITY

4. COMMUNICATIONS ACTION PLAN

When	Tool/Channel	Costs
Monday 19 April 2021	Press release – telling people about Māori standing committee is to consider whether or not to recommend to Council to introduce Māori wards	None
Wednesday 21 April	Press release and FB Post – telling people about Māori standing committee recommendation and next steps	
Wednesday 28 April and Wednesday 5 May Wednesday 12 May	¼ page ad in Hastings Leader	\$888
Saturday 24 April	¼ page ad in Tihei Kahungunu	Tbc
Saturday 1 May	¼ page ad in Hawke's Bay Today	Tbc
Saturday 3 May to Wednesday 12 May	Radio advertising – Radio Kahungunu	tbc
Friday 21 April 2021	My Voice My Choice page live	None
Wednesday 19 April 2021	FAQs page live on HDC website	None

5. RISKS AND MITIGATIONS

Risk	Mitigation
If community is not fully informed about the chance to have their say then we may	Promote the MVMC and encourage people to have their say on MVMC rather than comments on social media posts. Include FAQs to ensure people are



not get feedback that's representative, and may make a decision that is not based on the broader public opinion sparking people to feel unheard and angry.

fully aware of what it means if Māori wards are introduced.

If community don't have a chance to have their say on whether or not to introduce Māori wards then Council's decision may potentially be at risk of legal challenge by opponents.

Ensure our decision is fully informed by a robust My Voice My Choice feedback process. Promote the MVMC and why it matters to the public so they care enough to have their say.

6. EVALUATION/MEASURES

- Getting a large number of MVMC submissions with a wide range of viewpoints before 12 May 2021.
- That there is no need for public to challenge our decision whether or not to introduce Māori wards.
- Only informative, educational accurate press coverage that encourages people to have their say exists in the print and online media on this topic.