



# AGENDA

## Ordinary Council meeting Monday, 18 October 2021

**I hereby give notice that an Ordinary Meeting of Council will be held on:**

**Date: Monday, 18 October 2021**

**Time: 11.15am (Representation Review hearings)**

**Location: Tauranga City Council  
Council Chambers  
91 Willow Street  
Tauranga**

*Please note that this meeting will be livestreamed and the recording will be publicly available on Tauranga City Council's website: [www.tauranga.govt.nz](http://www.tauranga.govt.nz).*

**Marty Grenfell  
Chief Executive**

# Terms of reference – Council

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## Membership

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<b>Chairperson</b>	Commission Chair Anne Tolley
<b>Members</b>	Commissioner Shadrach Rolleston Commissioner Stephen Selwood Commissioner Bill Wasley
<b>Quorum</b>	<u>Half</u> of the members physically present, where the number of members (including vacancies) is <u>even</u> ; and a <u>majority</u> of the members physically present, where the number of members (including vacancies) is <u>odd</u> .
<b>Meeting frequency</b>	As required

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## Role

- To ensure the effective and efficient governance of the City
- To enable leadership of the City including advocacy and facilitation on behalf of the community.

## Scope

- Oversee the work of all committees and subcommittees.
- Exercise all non-delegable and non-delegated functions and powers of the Council.
- The powers Council is legally prohibited from delegating include:
  - Power to make a rate.
  - Power to make a bylaw.
  - Power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.
  - Power to adopt a long-term plan, annual plan, or annual report
  - Power to appoint a chief executive.
  - Power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
  - All final decisions required to be made by resolution of the territorial authority/Council pursuant to relevant legislation (for example: the approval of the City Plan or City Plan changes as per section 34A Resource Management Act 1991).
- Council has chosen not to delegate the following:
  - Power to compulsorily acquire land under the Public Works Act 1981.
- Make those decisions which are required by legislation to be made by resolution of the local authority.
- Authorise all expenditure not delegated to officers, Committees or other subordinate decision-making bodies of Council.
- Make appointments of members to the CCO Boards of Directors/Trustees and representatives of Council to external organisations.
- Consider any matters referred from any of the Standing or Special Committees, Joint Committees, Chief Executive or General Managers.



## **Procedural matters**

- Delegation of Council powers to Council's committees and other subordinate decision-making bodies.
- Adoption of Standing Orders.
- Receipt of Joint Committee minutes.
- Approval of Special Orders.
- Employment of Chief Executive.
- Other Delegations of Council's powers, duties and responsibilities.

## **Regulatory matters**

Administration, monitoring and enforcement of all regulatory matters that have not otherwise been delegated or that are referred to Council for determination (by a committee, subordinate decision-making body, Chief Executive or relevant General Manager).



## Order of Business

<b>1</b>	<b>Opening Karakia .....</b>	<b>7</b>
<b>2</b>	<b>Apologies .....</b>	<b>7</b>
<b>3</b>	<b>Public Forum.....</b>	<b>7</b>
<b>4</b>	<b>Acceptance of Late Items.....</b>	<b>7</b>
<b>5</b>	<b>Confidential Business to be Transferred into the Open.....</b>	<b>7</b>
<b>6</b>	<b>Change to the Order of Business .....</b>	<b>7</b>
<b>7</b>	<b>Confirmation of Minutes.....</b>	<b>7</b>
	Nil	
<b>8</b>	<b>Declaration of Conflicts of Interest.....</b>	<b>7</b>
<b>9</b>	<b>Deputations, Presentations, Petitions .....</b>	<b>7</b>
	Nil	
<b>10</b>	<b>Recommendations from Other Committees .....</b>	<b>7</b>
	Nil	
<b>11</b>	<b>Business.....</b>	<b>8</b>
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<b>12</b>	<b>Discussion of Late Items.....</b>	<b>245</b>
<b>13</b>	<b>Public Excluded Session.....</b>	<b>245</b>
	Nil	
<b>14</b>	<b>Closing Karakia.....</b>	<b>245</b>



- 1 OPENING KARAKIA**
- 2 APOLOGIES**
- 3 PUBLIC FORUM**
- 4 ACCEPTANCE OF LATE ITEMS**
- 5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN**
- 6 CHANGE TO THE ORDER OF BUSINESS**
- 7 CONFIRMATION OF MINUTES**  
Nil
- 8 DECLARATION OF CONFLICTS OF INTEREST**
- 9 DEPUTATIONS, PRESENTATIONS, PETITIONS**  
Nil
- 10 RECOMMENDATIONS FROM OTHER COMMITTEES**  
Nil

## 11 BUSINESS

### 11.1 Submissions to Representation Review Initial Proposal

**File Number:** A12908611

**Author:** Coral Hair, **Manager:** Democracy Services

**Authoriser:** Susan Jamieson, **General Manager:** People & Engagement

#### PURPOSE OF THE REPORT

1. To present the public submissions received on the Council's Initial Proposal.

#### RECOMMENDATIONS

That the Council:

- (a) Receives the report "Submissions to Representation Review Initial Proposal".
- (b) Receives the public submissions on the Representation Review Initial Proposal in Attachments 2 and 3, excluding submissions on the establishment of a Māori ward.
- (c) Accepts the late submissions on the Representation Review Initial Proposal from the Bay of Plenty Regional Council, Christine Hibbs and Hylton Rhodes.

#### BACKGROUND

2. The Council at its meeting on 30 August 2021 resolved to adopt an Initial Proposal to go out for formal public submissions from 3 September to 4 October 2021. Refer to Attachment 1 for the resolutions.

#### SUBMISSIONS

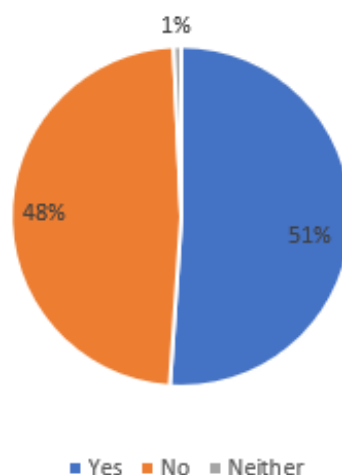
3. 139 submissions were received, including three late submissions from the Bay of Plenty Regional Council, Christine Hibbs and Hylton Rhodes. As these submissions were received after the closing date for submissions it will require a resolution by the Council to enable those submissions to be accepted.
4. 18 submitters wish to speak to the Council about their submission. These submissions are in Attachment 2 and are set out in the following speaking order:

Name of submitter	Organisation	Time speaking
Rob Paterson		11:20 am
Graham Cooney		11:25 am
Keith Johnston		11:30 am
John Robson		11:35 am
Glen Crowther	Sustainable Bay of Plenty Charitable Trust	11:40 am
Greg Brownless		11:45 am
Barry Scott		11:55 am
Roy Edwards		12:00 pm
Sandi Fernandez		12:05 pm
Stephanie Simpson		12:10 pm

Name of submitter	Organisation	Time speaking
Jan Beange		12:15 pm
Mike Baker		12:20 pm
Koro Nicholas	TKKM o Te Kura Kōkiri	12:25 pm
Matthew Roderick		12:30 pm
Jo Allum	Venture Centre	12:35 pm
Susan Hodgkinson		12:40 pm
Cr Andrew von Dadelszen – Tauranga Ward Councillor	Bay of Plenty Regional Council	12:45 pm
Hylton Rhodes		12:50 pm

5. Submissions from those submitters who did not wish to speak to their submissions are set out in Attachment 3.
6. There were 71 submitters (51%) who agreed with the Initial Proposal and 67 (48%) who disagreed with the Initial Proposal and one (1%) who did not state if they agreed or disagreed. This is set out in the graph below.

Do you agree with the Initial Proposal? – 139 responses\*



\*16 submissions on the establishment of a Māori ward were not included in these figures

7. Gate Pa was initially described as included in the Tauriko ward. This was an error; Gate Pa is included in the Te Papa ward. The ward maps were correct, but the original resolution and public notice were incorrect. The description of the Te Papa ward on the website was corrected on 14 September 2021. Staff apologised to the submitter who commented on this in their submission.

### NAME OF MĀORI WARD

8. Te Rangapū Mana Whenua o Tauranga Moana will be gifting the name for the Māori ward.

### SUBMISSIONS REGARDING THE ESTABLISHMENT OF A MĀORI WARD

9. The Local Government Commission and the Council's Electoral Officer have advised all councils that submissions relating to the establishment of a Māori ward are out of scope and cannot be considered by the council and cannot be appealed to the Local Government Commission. The advice is set out below:

*“Submissions, appeals and objections cannot be made on Councils’ decisions to establish (or not establish) Māori wards and constituencies. These are decisions of Council made prior to the representation review process commencing and, similar to the decision on voting system, form the context of the representation review. Submissions, appeals and objections relating to Māori wards and constituencies can be made:*

- *regarding the names of Māori wards and constituencies; and*
  - *where more than one member is eligible to be elected via Māori wards and constituencies, whether there should be one or more Māori wards or constituencies, and the boundaries of any such ward or constituency; and*
  - *regarding the total number of members to be elected”*
10. The submissions can be reported to the Council and these are included for information only, but Council cannot act on them. These submissions have therefore not been included in the figures of those disagreeing with the proposal. Where submitters have made a number of submission points as well as a submission on the establishment of a Māori ward, the other submission points can be considered. Refer to Attachment 4 for submissions related solely to the establishment of a Māori ward.

## NEXT STEPS

11. Hear submitters.
12. Deliberate on submissions and adopt a Final Proposal on 8 November 2021.

## ATTACHMENTS

1. **Council resolution on Initial Proposal 30 August 2021 - A12971692** [↓](#)
2. **Representation Review - Submitters speaking to submissions - A12972787** [↓](#)
3. **Representation Review - Submitters not speaking to submissions. Part A agree, Part B disagree, Part C submitters with attachments and late submissions. - A12972536** [↓](#)
4. **Representation Review submissions on the establishment of a Maori ward - A12971642** [↓](#)



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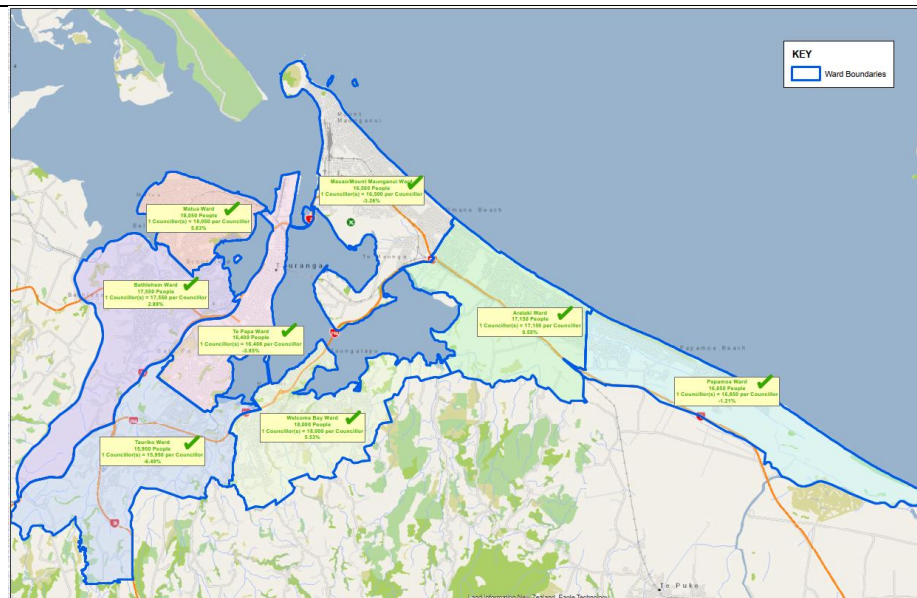
**RESOLUTIONS OF COUNCIL MEETING 30 AUGUST 2021 – INITIAL PROPOSAL**

That the Council:

- (A) Receives the report “Representation Review – Public Feedback and Adoption of Initial Proposal”; and
- (b) Having reviewed its representation arrangements in accordance with sections 19H and 19J of the Local Electoral Act 2001, determines that the following proposal applies for the Tauranga City Council for the elections to be held on 8 October 2022:
  - (i) The Tauranga City Council shall comprise a Mayor and nine councillors.
  - (ii) Eight of the proposed members of the Tauranga City Council are to be separately elected by the electors of eight general wards and one member is to be separately elected by the electors of one Māori ward. The Mayor will be elected at large by all the electors of Tauranga City.
  - (iii) Notes that the proposed name of the Māori ward will be gifted by Te Rangapū Mana Whenua o Tauranga Moana through the submission process on the Initial Proposal.
  - (iv) The proposed names of the wards, the number of members to be elected by the electors of each ward, and the population each member will represent are set out in the table below together with the compliance with the fairness population rule for the general wards.

Ward Name	Number of Members to be elected	Population Per Member	+/- 10%
Māori ward	1	15,300	N/A
Mauao/Mount Maunganui	1	16,500	-3.26
Arataki	1	17,150	0.55
Pāpāmoa	1	16,850	-1.21
Welcome Bay	1	18,000	5.53
Matua	1	18,050	5.83
Bethlehem	1	17,550	2.89
Te Papa	1	16,400	-3.85
Tauriko	1	15,950	-6.49
<b>Total</b>	<b>9</b>		

- (v) In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each member of a general ward represents is within the range of 17,056 +/- 10% (15,350 to 18,762).
  - (vi) The proposed boundaries of each ward are those set out in the map below.
-



- (vii) That in accordance with sections 19H, 19K and 19T of the Local Electoral Act 2001, the wards reflect the following identified communities of interest:

Ward Name	Description of communities of interest
Māori ward	This ward reflects the community of interest for Māori electors and those in the Māori community.
Mauao/Mount Maunganui	This ward includes Mount Maunganui, Omanu, Bayfair and Matapihi. It forms part of the coastal strip and recognises the unique feature of Mauao which is an important cultural, historic and geographical feature. This ward has a focus on leisure and tourism, faces increased tsunami risk, sea level rise and coastal hazards due to its location. Improved transportation links to the City via state highways are of importance to residents.
Arataki	This ward includes Arataki, Te Maunga, Palm Beach and Kairua. It forms part of the coastal strip. Like the Mauao/Mount Maunganui ward, the residents have strong links to the unique feature of Mauao and the ward has a focus on leisure and tourism, faces increased tsunami risk, sea level rise and coastal hazards due to its location. Improved transportation links to the City via state highways are of importance to residents.
Pāpāmoa	This ward includes Pāpāmoa, Golden Sands, Wairakei and Te Tumu. This coastal strip area will continue to have accelerating population growth. In the next 10 years an estimated 2-3,000 new homes will be built in the areas already zoned for housing and 7-8,000 homes once Te Tumu is zoned for housing. It also faces increased tsunami risk, sea level rise and coastal hazards due to its location. Improved transportation links to the City as well as the construction of

		a direct link to the Tauranga Eastern Link via the Pāpāmoa East Interchange are of importance to residents.
	Welcome Bay	This ward includes Welcome Bay, Maungatapu, Kaitemako, Poike and Ohauiti. These areas have a reliance on services and facilities located in other suburbs and transportation to the city centre is an important issue for local residents. More rural based residents have specific needs related to rural living.
	Matua	This ward includes Matua, Otumoetai, Bellevue and Brookfield. With a large population living close to the city centre, the residents of this ward are impacted by the increase of infill housing, are interested in safer transport options and the development of community facilities.
	Bethlehem	This ward includes includes Bethlehem and Judea. With a large population living close to the city centre, the residents of this ward are impacted by the increase of infill housing, are interested in safer transport options and the development of community facilities.
	Te Papa	This ward includes Te Papa Peninsula, Sulphur Point, CBD, Fraser Cove, Tauranga South, Merivale, Yatton Park and Greerton (north of Chadwick Road). The Te Papa Spatial Plan, with its focus on increased density and city-living type housing, is estimated to increase the number of residents on the Te Papa Peninsula by 15,000 by 2050. The Cameron Road redevelopment project with improved passenger services and transport choices will have a major impact on residents. The development of community facilities, spaces and places and the inner-city revitalisation are of importance to residents.
	Tauriko	This ward includes Pyes Pa, Hairini, Oropi, Gate Pa, Greerton (south of Chadwick Road), The Lakes and Tauriko. The expansion of the city to the west has seen boundary changes with Western Bay to facilitate the development of business, industry and residential growth. It is estimated in the next 10 years that 3-4,000 new homes will be built, improvements will be made to SH29 and connections to it, and an additional 100-150 hectares of business land will be provided creating an additional 2,000 jobs. This ward includes rural based residents that have specific needs related to rural living.

- (viii) That no community boards be established.
- (c) That in accordance with section 19K of the Local Electoral Act 2021, the reason for the proposed changes are:
- (i) This proposal recognises the distinct communities of interest in the City based on geographical areas and provides for fair and effective representation of those communities of interest.
  - (ii) This proposal is seen as more equitable as both general and Māori electors vote for one councillor.

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- (iii) This proposal has a more even distribution of electors per councillor for the general wards than other options.
  - (iv) This proposal has the potential for a more efficient governance model with a reduction in the number of councillors from ten to nine.
  - (v) This proposal is more easily understood than other representation arrangements and has a direct relationship between electors and the ward councillor.
  - (vi) This has the potential for less costs for candidates standing in general wards.
  - (vii) This proposal may address the concerns and issues raised by the Review and Observer Team.
  - (viii) This proposal provides the Mayor with a clear leadership role across the city as elected at large.
- (d) As required by sections 19T and 19W of the Local Electoral Act 2001, the boundaries of the nine wards coincide with the current statistical meshblock areas determined by Statistics New Zealand.
  - (e) In accordance with section 19M of the Local Electoral Act 2001, the Council will give public notice of this proposal on 3 September 2021 (within 14 days of the resolution being made and before 8 September 2021) and that interested people can make submissions on this proposal until 4 October 2021.
  - (f) Approves changes to the timeline for the representation review with the Council hearing submissions on 18 October 2021 and deliberating on submissions and adopting a Final Proposal on 8 November 2021.
-

**Representation Review – Submitters who are speaking to their submissions on the Initial Proposal at the Council meeting on 18 October 2021**

<b>Name of submitter</b>	<b>Organisation</b>	<b>Time speaking</b>
Rob Paterson		11:20 am
Graham Cooney		11:25 am
Keith Johnston		11:30 am
John Robson		11:35 am
Glen Crowther	Sustainable Bay of Plenty Charitable Trust	11:40 am
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Hylton Rhodes		12:50 pm

**PROPOSAL FOR REPRESENTATION  
ARRANGEMENTS FOR THE 2022  
TCC LOCAL GOVERNMENT ELECTIONS**

**SUBMISSION to**

Tauranga City Council  
Private Bag 12022  
Tauranga  
Email: [info@tauranga.govt.nz](mailto:info@tauranga.govt.nz)

**NAME**

Rob Paterson



I Rob Paterson of Tauranga, Retired wish to lodge a submission to the above Tauranga Council representation proposal.

At the outset I would like to say I found the 'submission' form posted online to be completely inappropriate irrelevant and not use-friendly at all.

**What is proposed is that the Council comprise the Mayor and nine elected members. The Mayor will be elected by all electors (city wide). There will be one member elected from one Maori ward and eight members from eight separate general wards.**

I do not support the Council (Commissioners) proposal to adopt a new Option 4A on the basis that this option was never given as an option to the public under the feedback consultation. This option provides for 9 separate wards (including one Maori ward) so that electors can only vote for one Ward Councillor and subsequently can only make representations to their Ward Councillor – this is quite undemocratic and makes no sense at all. It is the worst of all worlds anything else has got to be better. In 2011 and 2016 on the most recent TCC representation reviews, I made submissions opposing any Ward Councillors provision maintaining that all Councillors should be elected at large (city wide) with no Wards. In both cases after Council rejected my submission I had appealed to the Local Government Commission (LGC) which included my questioning the ward boundaries. LGC did not see it my way but later in other districts, LGC to some degree went along with what I said-- in Rotorua and Dunedin as I recall.

*Even Tauranga Council had supported part of what I said particularly on the ward boundaries issue.*

I strongly support and endorse Option 2 which is effectively 9 at large Ward Councillors and 1 Maori Ward Councillor giving 10 councillors in all plus the mayor.

This means every general elector can vote for all large Ward Councillors so they get 9 votes.

Option 2 was the public's first choice by a considerable margin but Council are clearly not listening. If Wards are mandated, then I suggest an option with 6 Wards, with one councillor each which includes the Maori Ward and 6 at large Councillors so electors get 7 votes. This gives a total of 12 Councillors and the Mayor. However I reiterate I do not support wards at all as they are narrow focused and insular whereas at large councillors need to consider all the city-wide issues and address these properly.

Interestingly Hutt Council in 2019 had decided to go with 6 wards only with no at large councillors however LGC did not support that outcome and went for 6 wards of one councillor each and 6 at large councillors plus it retained the 3 community boards even suggesting should look at more which is similar to what we have in Tauranga with the 3 wards giving 6/4 split without the community boards.

Certainly this would be far fairer than what council propose now. There needs to be public participation representation and input. Proposal is not fair and effective representation Councillors act for the entire city not just their wards. Option 4A is a bad choice it is not fair and equitable and the less wards the better as far as the entire city is concerned

Council have not selected Community Boards so it is proposed by Council that no Community Boards established.

*Looking at the Wards there needs to be* needs six and that would be primarily for purposes of Community Boards as follows

Mount

Papamoa

Welcome Bay Greerton Ohauti

Tauriko Pyes pa

Matua Bethlehem Otumoetai

Tauranga Moana (maori ward)

**COMMUNITY BOARDS say six 6 which should be "empowered community boards" and I fully support this concept which could also assist in covering the ward situation particularly on local feedback**

Community Boards are fully canvassed in the attached Voter Empowerment Tauranga (VET) article published in the BAY TIMES on 6 August 2021 which fully sets out the representation position particularly in relation to Option 2 and Community Boards and the reason for them.

2

The attached Local Government Community Empowerment Model case study of Thames -Coromandel District Council 2019 should also be of interest to you.

I wish to be heard in support of my submission on 18<sup>th</sup> October 2021 preferably in the morning.

  
ROB PATERSON -SUBMITTER 4 OCTOBER 2021

3.



# TCC COUNCILLOR ELECTIONS & COMMUNITY BOARDS

## Councillor Elections

The Tauranga City Council has commenced its consultation with Tauranga residents about the Representation system that will be used to elect councillors at the next election in October 2022. Details of the options are posted on the Council's website.

**Google – 'Tauranga City Have Your Say' and click on "Open consultations and engagements."** Or, you can pick up a brochure at your local Library.

**Three of the Options, numbers 1, 3 and 4, are aligned with the multi-ward system** that the Council has tried in one way and another over several years. Under the suggested multi-ward

systems, which splits the City into several parts, voters would get to vote for no more than 5 Councillors out of 10 or 12, and in some cases, depending on the size and number of wards, only 1 councillor. **This is not a democratic way to do things!** There is also the often experienced problem that multi-ward councillors carry with them the perception that they are on the Council to represent their ward only, not the whole city, and sometimes they behave that way.

**Option 2 offers a new system.** Under Option 2 there would be one general ward and 1 Maori Ward for the whole Tauranga City with 10 councillors. Electors on the general roll could vote

for all of the 9 general ward councillors and electors on the Maori roll could vote for the 1 Maori ward councillor. This system is simple to understand, it's fair to voters and it is more likely to bring about all-of-city solutions to the current problems that Tauranga is facing. After due consideration in our view this is the preferred option and the only one that makes sense as councillors would be selected at large on a whole-of-city basis instead of a local ward basis. In addition to councillors under every option 1 Mayor is elected. **Yes, it is time for a change.**

Community Boards can be established with any of the four options being floated.



## Timeline

The feedback opportunity closes on the **13<sup>th</sup> August 2021**. Ten days later, on the **23<sup>rd</sup> August 2021** the Council will meet to decide the terms of its proposal regarding Councillor elections and Community Boards. The process continues through various stages for a few more months and if people are dissatisfied with Council's decision they can appeal to the Local Government Commission for a final decision.

**What you have to do is decide which representation system is best for Tauranga. We think that is Option 2, along with the community boards, and the greater the number of people that support this the greater the chance of success.**

**But, first things first, reply before the 13<sup>th</sup> of August 2021 to the Council's feedback survey. It's short and easy to follow.**



**"In a democracy people used to worry about the misinformed voters. Today one has to worry about the ignorance of those with degrees"**

Sowell

## Community Boards

In addition to questions about the Councillor election system the Council is also asking Tauranga residents if they would like our city to have Community Boards. This is part of the 6 yearly review process and Tauranga's review takes place this year.

**Community boards are a grass roots form of Local Govt they are a statutory mechanism by which Council and the Tauranga community can consult and collaborate to bring about desirable local results. You as a citizen belong to the community board simply by being a member of the community. You don't have to join or pay a sub.**

The Boards would be led by locally elected members and would have the legal power to hold public forums and advocate for the needs and preferences of their local area. Board members are elected every three years. **The members' salaries**

**would be fixed by the Government Remuneration Authority according to the Authority's estimate of the amount of time and work involved and would probably amount to no more than \$4 a year per head of population.** In fact, one estimate indicates the cost could be far less than that for example say there were 6 wards in Tauranga City and each board had a chairman @ \$20,000pa and four board members @ \$10,000pa that equates to \$60,000pa per Board or \$360,000 per annum in total for 6 wards being around \$2.50 per head of population.

That's not much to pay for genuine grassroots democracy!

The secret is to select only community minded people without radical agendas and with some commercial savvy. Council by law must provide boards with staff support and information they require to enable them to carry out their duties - this

kind of help is not available to any other community organization so that is a huge advantage.

**Community Boards conduct their meetings and forums in local venues where residents feel comfortable saying their piece and making their suggestions. Community matters such as road and parking layouts, services in the area, and protecting and improving parks and recreational facilities are among the topics that will commonly be found on a Community Boards' agenda.**

**Tell council you want Community Boards so you can have your say at a local level.**

If a decision is made to establish Community Boards they will come into being late next year 2022 regardless of whether or not the Commissioners stay in office.

VOTER EMPOWERMENT TAURANGA – BULLETIN 6

Contact: vet-tga@gmail.com / 80 Turret Road, Tauranga



21 August 2019 (/results/community-empowerment-model) · Local Government  
 (/results/category/Local+Government), case study (/results/category/case+study), Community  
 (/results/category/Community)

Chat with us

The following case study of the Thames-Coromandel District Council (TCDC) is considered the most devolved council model of operations and governance in New Zealand or Australia.

Called 'Community Empowerment' by TCDC, it represents the most contemporary example of devolving decisions, funding, and service delivery under a Board structure.

The Model was developed and implemented in 2012 by the Council team led by Chief Executive David Hammond - now a Business Lab Director.

The Model garnered national attention a year later when the Taxpayers Union noted TCDC as having the lowest operating costs per property in the Waikato Region, following two consecutive years of rates decreases. These financial results were in an era of high debt and rates for the council following the construction of three new environmentally world-leading sewerage plants in 2009 at a cost of \$93 million. The Peninsula's rates were running at some 14% above the national average at the time this Model change occurred in 2012.

This case study shares the history of the change and aims to help councils considering how to devolve power to their community.

## **The Political Mandate**

The journey Coromandel took began with the 2010 elections. The council had a well-established Community Board systems which was one of the most effective systems in New Zealand at that time. However the public was dissatisfied at what it saw was a 'head office' dominated council and voted for change. Only one existing elected member was returned at that election. Incoming Mayor Glenn Leach had a strong mandate for a community empowerment-led change and a vision for the Community Boards.

Glenn Leach's election manifesto included the following:

- Bring back community leadership
- Give your community board more autonomy to make decisions

The issues that the 2010 Council saw that needed to be changed were:

- Slow decision-making from Council particularly with those things affecting local areas.
- Communities feeling that the decisions, budgets and policy development of the Council had become too centralised and distant from their communities, aspirations, and were in fact stymying the pace of local development.
- Access to council staff was felt to be 'managed' and not open and accessible, no one knew what staff member to speak to, and this made the sense of partnership with communities a one-way process defined by Council willingness to engage. This was not true partnership with them.
- Costs were not under the level of control that the newly elected Council was seeking.
- The new Council opposed the notion that centralised leadership and service delivery is the best and most efficient way to grow Coromandel.

The Council worked with the existing management team from 2010 to 2012 but were not able to effect the council's direction. TCDC recruited a new Chief Executive as a change manager in 2012 and the Community Empowerment Model was developed and implemented in that same year.

## **Community Empowerment Model Development**

The Community Empowerment Model drew its inspirations from Community Improvement Districts in the United States, British devolved council models, and in New Zealand from Auckland City, Wanaka and Southland. The following extract from TCDC's March 2012 Report<sup>2</sup> highlights the inspiration that the Auckland City Model provided to Coromandel's change (p.18):

*"The governing body (Mayor and councilors) and local boards share the decision-making responsibilities of Auckland Council jointly with:*

- *The governing body focusing on the big picture and on region-wide strategic decisions.*
- *The local boards represent their local communities and make decisions on local issues, activities and facilities.*

*"The Auckland model has the former Auckland Regional Council incorporated within the greater Auckland Council, whereas the Waikato currently has the regional function stand-alone. However, this does not preclude TCDC adopting the principles of shared responsibility within the Auckland model and applying it at a district level in an enhanced partnership between Council and the community boards."*

*"The four key functions of Auckland local boards in leading, advocating, funding and facilitating appear to provide a sound basis for the future of community boards within an enhanced community governance function for the Thames-Coromandel District."*

*"One key area within the 'leading' function of local boards is the ability to make decisions on a wide range of local services. This is an area that is further developed in the TCDC approach."*

**The change goals set for the project were:**

1. Local people making decisions over local issues and services that affect their lives
2. Faster decision-making
3. To stop the 'one size fits all' culture of central silos
4. Cost savings through local innovation
5. Faster local economic development
6. To grow local leadership
7. Better community planning
8. Bring empathy and 'the local' back into staff culture across all of Council.

**Governance in the Model**

With the strength of mandate for Community Empowerment, TCDC elected members were looking for a model which allowed decision-making to return to local areas as well as being confident in their elected District decision-making roles. The Model managed this seamlessly. In a process of workshopping the changes required, elected Council and Board Chairs jointly agreed to some principles:

- The Council as a strong community leader
- Providing services at the appropriate level personalized and community-based (localism)
- Citizens and communities empowered to design and deliver services and play an active role in their communities
- Elected accountability as a test of Community Board engagement with their communities
- Local accountability and responsibility for local decisions
- Citizen engagement and partnership to guide operations
- One Team of governance – councilors and Board members
- Efficiency – the system has to drive better cost savings.

The Council decided on a similar structure to the Auckland Model and included both elected Council and Boards in a single Governance Body with simply different roles as the following diagram represents:

Based on an agreed document between Council and Boards, elected Council resolved in its April 2012 meeting a list of 25 recommendations which formalised the relationship and established the Community Empowerment model. The tenet was that 'Local manages local services, District manages district services', and District also retained a monitoring role over all in an agreed way.

With elected councilors sitting on Boards, and Board chairs an integral part of Council meetings and workshops, this relationship easily worked as one of mutual respect. The Council had several measures in place to assist Boards with priorities. An overall financial envelope is established at the Council level with Board agreement annually, to assist Boards to understand how much funding is available for local projects.

If in the eventuality there was a serious rift between Board and Council over any particular project, a last resort 'call-in' provision was included where the Mayor and Chief Executive could override and take a project back under District Leadership.

The new Board powers under the Model are as follows. Boards can:

- Choose methods of rating for their services, with Council agreement
- Set new fees and charges for services and ring-fence funding raised in that area
- Set local levels of services in each area. For instance, library hours are set locally according to local preference
- Manage local services' policies and asset planning
- Determine the provision of and funding for facilities (such as sports centres) which were devolved
- Set a different rate rise locally to the Council's overall rate
- Enter into service contracts
- Buy and sell property with Council agreement

Board Chairs sit on every Council meeting including confidential ones.



## Operationalising the Model

The TCDC model returned 14 council services deemed 'local' back under Community Boards with the powers listed earlier. To administer the Boards the Council already had 'Area Offices' of multiple staff located in the Board areas to administer services and build community engagement. In most cases

the Area Office administers more than one Community Board area. With the Community Empowerment Model, a range of new powers came to the Area Offices which required changes of job descriptions, and new roles being established. Community Development Officer functions were devolved from the head office into Area Offices so that local community partnerships could be developed and supported by staff who lived in those communities.

One of the most significant changes was the recruitment of Area Managers to very senior second-tier positions to be able to make the decisions required to assist the Board in their new powers. Staff in Area Offices reported to the Area Managers and Area Managers reported directly to the Chief Executive. The Area Offices were staffed at an agreed permanently located level to manage the community engagement in these areas, local services, and capital projects. Staff levels are agreed by both the Chief Executive (who the area Managers report to) and by the Community Boards as it is local rates which will fund for additional staff.

Support function such as finance, information technology, human resources, communications, District Planning, consenting, regulation remained central. However all support functions were expected to operate in the community empowerment way, meaning that head office teams had dedicated individuals to Board areas for support, and Boards were expected to be well-consulted on central services, planning or strategy issues well before decisions were made.

To achieve the Model meant the need for a fit-for-purpose restructure of the staffing. With so many staff devolved to Area Offices, and lesser workloads centrally in areas such as Policy Planning, restructure is inevitable.

### **The 14 services returned to Boards were:**

- Toilets

- I-Sites

- Cemeteries
- Parks and reserves
- Halls and properties
- Airfields
- Harbours
- Local economic development
- Local social development
- Local transportation: footpaths, street lighting, foliage trimming, kerb and channel, seawall protection
- Libraries
- Pools
- Local strategic planning
- Community grants.

A number of services have both a district and a local function and were managed with a head office 'Centre of Excellence' and staff under Area Managers as in the following example of parks.

#### **Parks - Central functions**

- Contract management and negotiation
- Taking the lead on coordinating strategy and asset management planning
- Development of central policy in coordination with boards
- Central training and quality management of local parks staff

#### **Parks - Local functions**

- Contract performance locally
- Building levels of service into the contract
- Local asset management and updating asset management
- Local Reserves Management Planning
- Responding to local community needs and issues
- Local development of reserves and play facilities
- Local funding and partnerships

## **Funding the Model**

The devolved model can increase council costs operationally if not combined with a staff restructure. The restructure is triggered by the change of Model because a traditional council structure is not fit-for-purpose for a devolved council Model.

The devolved Model can also trigger increased local community costs. If communities are to have services returned locally to them including local funding as TCDC did, this represents more costs on local rates. The following table represents TCDC's 2016 local rate levels which are broadly similar to the range of local rate levels in Auckland City.

In this Model it appears that Thames is experiencing considerably higher local rates than the rest of the District. The Thames local rates are driven higher than other areas by a higher levels of service in libraries and pools. However, overall rate levels (including District rates) are remarkably similar. In part this is because of property values are relatively similar District-wide, and partly because TCDC chose to equalize its District rates for the fixed-charge components of District-wide services. The Council argues for equalizing of District services on the basis that:

- All residents are receiving the same level of service they should pay the same

- The capital costs of District services (such as sewerage and water plants) has risen beyond the means of individual communities to pay for them
- The cross-subsidisation of capital plants provided in one area and funded by other areas is equalised over time as all plants come up for renewal or replacement
- The good of the whole District is enhanced by water and sewerage plants that meet standards.

The devolved model can also represent substantial opportunity to Boards by enabling them to find more cost effective local solutions to service provision. In Mercury Bay Board the Area Manager set a goal of offsetting \$250,000 of local rates annually by other revenue sources. In two years, he and the Board achieved \$200,000 of offset.

The local service delivery model requires that all assets and services under Boards are costed back to the Board level. It also leads to the structuring of the financial model to set rates for each Board area. The complexity for financial systems is substantial. However the benefits are the identification of actual costs back to the areas they are generated which improves transparency and enables Boards to find methods of cost control.

The Council and Boards agreed that the overall financial direction of the Council would be followed by the Boards. However a large degree of autonomy was provided to Boards to achieve local projects. Board rates were different from District rates and if a Board wanted to fund projects in their area then their rate could be higher than the overall District agreement, subject to consultation with their communities.

As the Boards are responsible for funding their own services and assets there is no need for a financial arrangement with the Council. Council resolutions established a level of discretionary fund that each Board area could have, funded by the ratepayers of the Board area, not at-large.

The annual or ten-year planning budgeting process is very similar to the Auckland City budgeting model but has the Board more central in the budget development process. Boards are not given a budget, but they recommend their budgets back to Council in the following way:

## **Challenges of the Change**

The biggest challenge was bringing the Community Empowerment culture all the way through the Council organisation, including staff with services delivered by District-wide contracts. TCDC had to provide more staff, reliable systems and robust reporting frameworks to Area Offices who would be required to deliver more services - and all within a mandate to reduce organisational costs.

Some observers pointed out that a handbrake was applied to projects as consistent and reliable project management procedures were rolled out for all Area Offices. However, this view is countered by Whangamata Board Chair, Mr Keith Johnson's experience:

The change impacted on every staff member's way of working. Some staff welcomed change. Many other staff did not fully understand this unique Model, and some did not agree that it was a better Model and felt that councils should not ever try to operate in this way. Adding to the doubts were vocal critics in the media who claimed it would create mini-councils, that productivity would halt, communities would run riot with unrestrained 'wish lists' of projects, and that the council would be wracked by personal grievances.

None of those predictions proved correct.

## **Results of the Community Empowerment Model**

The results of this Model change validate that the Council got the Model right for its population. The following outline key results:

### **Public Satisfaction Survey 2016 (four years later)**

- Satisfaction in council decision-making improved 15% since the 2012 change and is now 10% higher than the national average

- Satisfaction in council decisions increased by 20%
- Rates spend improved 17% (up to 83%)
- Confidence in their council increased by 18%
- Parks increased to 96% (under the Boards)
- Libraries increased to 99% (under the Boards)

### Financial Results

- Council reduced rates in two successive years (-6%) shown in the following graph
- Commercial and rural rates were not projected to return back to higher 2010 levels for over 15 years
- After restructuring council had the lowest operating cost per property of any local authority in the
- Waikato region as measured by the Taxpayers Union
- \$43M was removed from ten-year capital budgets without degrading assets or reducing levels of service
- Staff engagement post-restructure rose to higher levels than before restructure
- Community and council disciplines over approving capital and setting priorities vastly improved.

Browser: Chrome  
Version: 94.0.4606.71  
Operating System: Windows NT 10.0  
Screen Resolution: 1366x768  
Flash Version: -1  
Java Support: 0  
User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/94.0.4606.71 Safari/537.36

Q2.

## Representation review

Thank you to everyone who provided feedback in July about the possible structures for future Council representation.

Your feedback has enabled us to create one proposed option: a **single member wards model** with nine councillors and a mayor. This option has no community boards.

Before this option is finalised, you have a further opportunity to provide feedback.

It is important to us that you share your views on how you are represented on Council. Thanks for having your say.

### Submissions close at 5pm on Monday, 4 October 2021

Please read about the proposed [single member wards model](#) before completing this survey.

\* indicates a mandatory field

Q24. The initial proposal is for Tauranga residents to elect nine councillors – eight from eight general wards and one from a Māori ward – plus a mayor.

The eight general wards are: Mauao/Mount Maunganui, Arataki, Pāpāmoa, Welcome Bay, Matua, Bethlehem, Tauriko and Te Papa

Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?



The reason I answered "no" above is the word "effectively" in the question. The suggested system can NEVER provide effective governance. It should, above all other considerations (including so called fairness - an impossible concept), adhere to best practice governance principles. This proposal is a long way from that. The size (10 members) is ok. But the representative model (as in wards) is flawed and no body aiming for sensible and high quality governance would consider a model which is completely representative. So I strongly favour 4 changes. a) An appointments committee is set up. Some members (maybe a majority but definitely not all) are elected by the ratepayers. b) Up to 50% of the councillors would be appointed and up to 50% would be elected, but not in a ward system. c) All candidates (or maybe only the elected ones??) have to be available to be mayor. The Council (who are the best placed to judge) votes for the mayor. d) Elections (and appointments) have the same term for all councillors but different anniversary dates, therefore allowing for continuity. This would be sold to ratepayers under the heading of "good governance".

**Q5. Would you like to upload a supporting document?**

- ☐ Yes
- ☒ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

*This question was not displayed to the respondent.*

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☒ Yes
- ☐ No

**Q8.**

**Contact details**

**Q9.**

**First name: \***

Graham

**Q10. Surname: \***

Cooney

**Q23. Organisation**

Browser: Chrome  
Version: 94.0.4606.61  
Operating System: Windows NT 10.0  
Screen Resolution: 1366x768  
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My reasoning is fully described in the attached documents, including; 1. Submission to the Representation Review 2. Case Study - Empowered Community Boards 3. Mayoral Reference - credentials

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- ☒ Yes  
☐ No

**Q6. Would you like to upload a supporting document?**

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[Reference - TCDC Mayor.jpg](#)

1MB  
image/jpeg

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## **Contact details**

**Q9.**

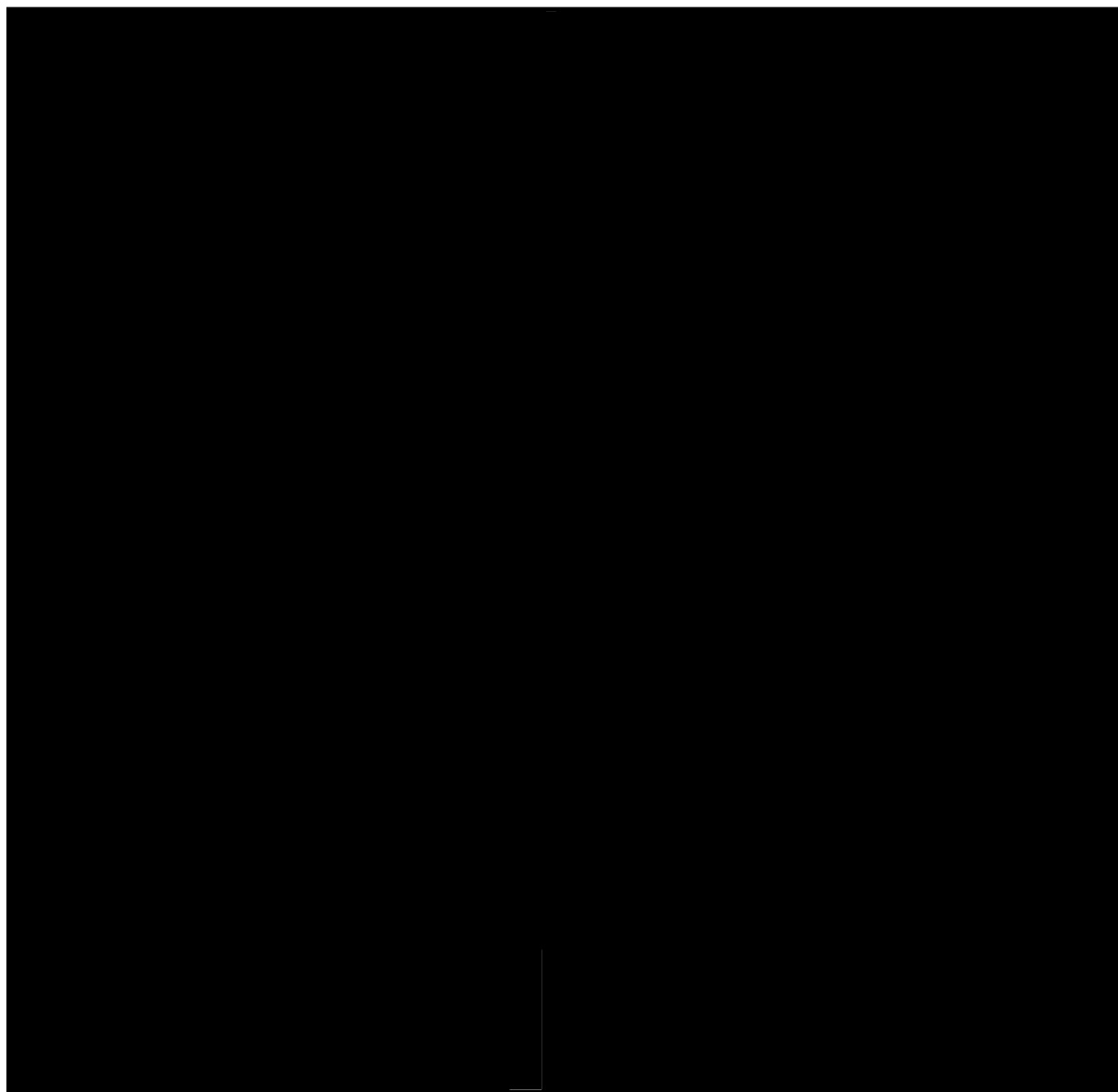
**First name: \***

Keith

**Q10. Surname: \***

Johnston

**Q23. Organisation**



Submission:

To: Tauranga City Council's Representation Proposal

By: Keith Johnston

Date: 3<sup>rd</sup> October 2021

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**I do not support the proposed Representation Model, for the following reasons.**

Fundamentally, there is an absence of Councillors at large, who would be highly focused upon the 'Big Picture', City wide issues and a continued reluctance to properly consider the worth of Community Boards, to comprehensively engage with and represent local residents and ratepayers.

I consider the proposed model to be neat, tidy and simplistic in a numerical sense, but lacks any depth of understanding of Human Nature and how that impacts upon 'EFFECTIVE' representation.

Regrettably, it dismisses the Concept of Community Boards, which have been highly effective elsewhere in NZ and properly established, could help transform the historically turbulent history of Tauranga's Local Government experience.

Many years of participating in Council meetings, both as a Community Board Chair and Audit Committee member, has given me experience, which I wish to share, in order to develop an effective Representation structure.

Why?

Firstly, Councillors at Large, will be more effective in considering City Wide, strategic matters, given that they are largely unfettered by local, narrowly focused, views.

Secondly, Fundamental to the objectives of Council, is the need to ENGAGE and CONSULT with the Community. Those who pay the rates. Community Boards maximise the opportunity to do so, by providing a bottom up flow of information.

In my experience, a single Councillor representing an area, will not do justice to effectively representing the views of an area. There needs to be a forum, whereby views, opinions and debate can occur, which clearly mandates a Councillor to carry forward Community aspirations and needs.

To have one Councillor, effectively work with a Community, to not only represent their needs and aspirations, plus balance out the needs of Council for the greater good of the entire region, can amount to an almost 'Mission Impossible' situation. The danger, is that a single Councillor can become conflicted over too many objectives, options and the Ward versus district conundrum.

Empowered Community Boards (including Councillor Involvement) can interface and fully engage with Community members, thereby considering and prioritising needs.

Having regular Community Board meetings, deals with the 'small stuff' that inevitably clogs up bureaucracy and leads to Community frustration, through lack of action.

I see Community Boards as an essential part of Democracy, which if not properly considered by Council for Tauranga City, will be an opportunity lost.

Keith Johnston

## **Tauranga City – Representation Review, ‘Case Study’.**

### **The ‘Empowered’ Community Board Model**

#### **Thames Coromandel District Council – 2010 onwards**

##### **Introduction**

October 2010 introduced significant potential for change, to the future of Thames Coromandel District Council, given the election of a new Mayor, Glenn Leach.

A highly centralised, overly bureaucratic Council, was the catalyst for a landslide election result, with the incoming Mayor polling more votes, than all other candidates combined.

The new Mayor was determined to reach Communities, through the already established, but largely impotent, Community Boards.

First steps first, an independent review of operations, identified a need for structural change and a change to management/staff culture. A need for fresh operational leadership, embracing the Strategic Direction of Council, was identified and pursued.

A new CEO (David Hammond) was engaged and the plan for change commenced.

Putting aside all operational aspects, other than the role Community Boards would play, the benefits to flow would be significant.

The first and perhaps most influential step taken towards embracing Communities, was to have Community Board Chairs attend and fully participate in all Council Meetings and Workshops. Except of course, being able to vote, given prevailing Local Government legislation.

Within the next several years, a ‘Community Empowerment’ Model was developed, which identified a clear demarcation between Essential and Non- Essential (local) activities.

The model provided for Head Office to address District wide needs (3 Waters, district roads, major projects, Regulatory, compliance, etc.)

Community Boards were specifically mandated to address all local activities (local roads, Parks & Reserves, Libraries, etc.) and as such, to establish their own work priorities, budgets and action plans.

##### **What were the Benefits of this structure?**

###### **Communication**

Firstly, Community Boards became fully aware of Council thinking on all matters, given 2 Councillors and a Community Board Chair per ward, being in attendance at full Council meetings. The potential for any individual Councillor promoting pet projects was neutralised, whilst information was taken back to the Community, by the 3 Council participants, to keep the Community full informed.

If ever there were any difficult issues arising, Community Boards had a direct hotline to the Mayor and were not constrained by a restrictive, constrained, single line, communication pathway.

Area Managers were crystal clear in their responsibility to facilitate local initiatives on behalf of Community Boards, which in turn overcame the sometimes 'road block, of some Council Officers operating according to their own agenda and /or priorities.

Community Board meetings were the conduit for local resident/ratepayers, airing low level needs, grievances, etc, which ordinarily became bogged down or shifted sideways, by otherwise disinterested Council departments.

### **Financial**

The fact that Community Boards were given responsibility to budget and set local rates, a strong incentive to cost and prioritise works existed.

The philosophy was, Communities could have whatever they desired, providing they were prepared to pay for it. On this basis, they were fully empowered to make their own decisions. The safeguard was that they were fully accountable to the local population. In the process of assessing projects Community Board members quickly identified with the true costs of projects, the need for diligence and clear prioritisation.

Local 'Strategic Plans' were developed, alongside Community Groups, which resulted in more local residents being mobilised to improve local facilities and delivery of events.

### **Community Resource**

It's no secret that Communities tend to be well endowed with numerous Clubs and Societies, with incredible access to expertise. Supporting these organisations and harnessing the extensive energies and outputs of these Community hubs, is best achieved through constant interface with Community Board members.

The reach of the Boards, through all members, is broad, as compared with the narrow alternative of relying upon a single Councillor and Council Officers operating out of Head Office.

### **District Wide – Tangible outcomes**

A restructure of Council's personnel, a change in organisational culture and a devolvement of responsibility to Communities (through mandated Community Boards), all combined to produce efficiencies in work outputs and control over previously rampant rates rises. Several million dollars of annual operating expenses were shaved off expenditure, whilst projects were not optimistically scheduled and hence, unspent rates not accumulated under Retained Earnings.

The impact on Annual rates was significant, as follows

**Pre-2010 Election**

05/06	4.26%
06/07	9.69%
07/08	14.55%
08/09	13.36%
09/10	4.16%

**Post 2010 Election**

10/11	5.39%
11/12	- 0.92%
12/13	-5.39%
13/14	1.33%
14/15	2.21%
15/16	2.88%
16/17	1.38%

Whilst Rates in themselves were not the only measure of performance, Levels of service had been maintained and efficiencies achieved, paid dividends in terms of controlling costs and consequently, rates.

Local Government New Zealand later acknowledged that the adopted Model of Community Empowerment, was indeed one which should be considered amongst other TLAs, going forward.





*Office of His Worship The Mayor*

30 May 2016

To Whom it may concern

Keith Johnston

I first met Keith in the lead up to Local Body elections, approx. September 2010.

Following his success in being elected to the Whangamata Community Board and subsequently being elected as Chairman, it became very evident that his Business and Community experience would likely prove invaluable to Council in its endeavours.

In addition to Chairing the Whangamata Community Board, Keith was seconded by me to the Thames Coromandel Audit Committee, where his particular finance sector background and expertise was put to very good use during his initial term of 3 years. His contribution to this committee was outstanding, particularly given that it was made on a purely voluntary, unremunerated basis, due to the constraints of Remuneration Authority regulations.

A particular feature of our Council has been the active participation of all Community Board Chairs in all Council meetings and workshops, notwithstanding they have not been able to vote, again, due to statutory requirements. However, this has not prevented their active involvement and again, Keith has demonstrated both his Business acumen and Community commitment at this level. His understanding of good Governance principles has been exemplary and one of Councils key Strategic Initiatives – 'Community Empowerment', has been successfully embraced, in part due to the advocacy role Keith has played in its implementation.

As we approach the October elections, several of our members will be standing down, as will I and I believe, as will Keith.

However, I will do so with a strong sense of satisfaction for our accomplishment, which will identify TCDC as one of our countries leading Territorial Authorities, given a raft of financial results and a restructuring of our organisation, whereby Communities are now 'empowered' to make many decisions on local initiatives.

Unquestionably, Keith has played an important role in helping us to reach this milestone position and as I am, our Community should be grateful to him for his input and support.

Yours sincerely

A handwritten signature in black ink, appearing to read "Glenn Leach", is written over the "Yours sincerely" line.

Glenn Leach

Mayor - Thames Coromandel District Council

District Office: 515 Mackay Street, Private Bag, Thames 3540, New Zealand  
P +64 7 868 0200 F +64 7 868 0234 E [customer.services@tcdc.govt.nz](mailto:customer.services@tcdc.govt.nz)  
Offices at: Coromandel • Whitianga • Whangamata  
[www.tcdc.govt.nz](http://www.tcdc.govt.nz)

Can I also recommend that you check out the following link and add it to my submission.

<https://www.businesslab.co.nz/results/community-empowerment-model>

[21 August 2019](#)

[Local Government, case study, Community](#)

The following case study of the Thames-Coromandel District Council (TCDC) is considered the most devolved council model of operations and governance in New Zealand or Australia.

Called 'Community Empowerment' by TCDC, it represents the most contemporary example of devolving decisions, funding, and service delivery under a Board structure.

The Model was developed and implemented in 2012 by the Council team led by Chief Executive David Hammond - now a Business Lab Director.

The Model garnered national attention a year later when the Taxpayers Union noted TCDC as having the lowest operating costs per property in the Waikato Region, following two consecutive years of rates decreases. These financial results were in an era of high debt and rates for the council following the construction of three new environmentally world-leading sewerage plants in 2009 at a cost of \$93 million. The Peninsula's rates were running at some 14% above the national average at the time this Model change occurred in 2012.

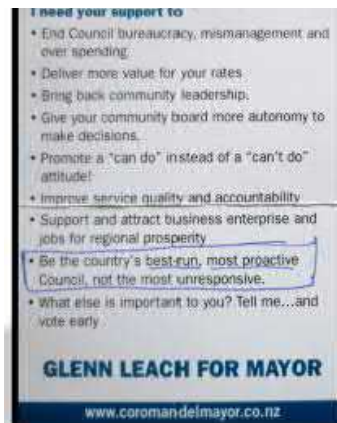
This case study shares the history of the change and aims to help councils considering how to devolve power to their community.

## **The Political Mandate**

The journey Coromandel took began with the 2010 elections. The council had a well-established Community Board systems which was one of the most effective systems in New Zealand at that time. However the public was dissatisfied at what it saw was a 'head office' dominated council and voted for change. Only one existing elected member was returned at that election. Incoming Mayor Glenn Leach had a strong mandate for a community empowerment-led change and a vision for the Community Boards.

Glen Leach's election manifesto included the following:

- Bring back community leadership
- Give your community board more autonomy to make decisions



I was on Council from 1989-95 and at that time we had a very devolved system of Boards, like Southland. The Council moved away from these roots of democracy and inclusiveness. Power had to be returned to the people. But to get this through after the election meant hard decisions had to be taken about who could lead this process. It would be massive. We had to stay tough at the top because it was a fight to bring this change. I take my hat off to our elected members who stayed united and strong through some very lonely times.

— GLEN LEACH, MAYOR



The issues that the 2010 Council saw that needed to be changed were:

- Slow decision-making from Council particularly with those things affecting local areas.
- Communities feeling that the decisions, budgets and policy development of the Council had become too centralised and distant from their communities, aspirations, and were in fact stymying the pace of local development.
- Access to council staff was felt to be 'managed' and not open and accessible, no one knew what staff member to speak to, and this made the sense of partnership with communities a one-way process defined by Council willingness to engage. This was not true partnership with them.

- Costs were not under the level of control that the newly elected Council was seeking.
- The new Council opposed the notion that centralised leadership and service delivery is the best and most efficient way to grow Coromandel.

The Council worked with the existing management team from 2010 to 2012 but were not able to effect the council's direction. TCDC recruited a new Chief Executive as a change manager in 2012 and the Community Empowerment Model was developed and implemented in that same year.

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3. To stop the 'one size fits all' culture of central silos

4. Cost savings through local innovation
5. Faster local economic development
6. To grow local leadership
7. Better community planning
8. Bring empathy and 'the local' back into staff culture across all of Council.

## **Governance in the Model**

With the strength of mandate for Community Empowerment, TCDC elected members were looking for a model which allowed decision-making to return to local areas as well as being confident in their elected District decision-making roles. The Model managed this seamlessly. In a process of workshopping the changes required, elected Council and Board Chairs jointly agreed to some principles:

- The Council as a strong community leader
- Providing services at the appropriate level personalized and community-based (localism)
- Citizens and communities empowered to design and deliver services and play and active role in their communities
- Elected accountability as a test of Community Board engagement with their communities
- Local accountability and responsibility for local decisions
- Citizen engagement and partnership to guide operations
- One Team of governance – councilors and Board members
- Efficiency – the system has to drive better cost savings.

The Council decided on a similar structure to the Auckland Model and included both elected Council and Boards in a single Governance Body with simply different roles as the following diagram represents:



Based on an agreed document between Council and Boards, elected Council resolved in its April 2012 meeting a list of 25 recommendations which formalised the relationship and established the Community Empowerment model. The tenet was that 'Local manages local services, District manages district services', and District also retained a monitoring role over all in an agreed way.

With elected councilors sitting on Boards, and Board chairs an integral part of Council meetings and workshops, this relationship easily worked as one of mutual respect. The Council had several measures in place to assist Boards with priorities. An overall financial envelope is established at the Council level with Board agreement annually, to assist Boards to understand how much funding is available for local projects.

If in the eventuality there was a serious rift between Board and Council over any particular project, a last resort 'call-in' provision was included where the Mayor and Chief Executive could override and take a project back under District Leadership.

The new Board powers under the Model are as follows. Boards can:

- Choose methods of rating for their services, with Council agreement
- Set new fees and charges for services and ring-fence funding raised in that area
- Set local levels of services in each area. For instance, library hours are set locally according to local preference
- Manage local services' policies and asset planning
- Determine the provision of and funding for facilities (such as sports centres) which were devolved
- Set a different rate rise locally to the Council's overall rate
- Enter into service contracts
- Buy and sell property with Council agreement



Board Chairs sit on every Council meeting including confidential ones.

## Operationalising the Model

The TCDC model returned 14 council services deemed 'local' back under Community Boards with the powers listed earlier. To administer the Boards the Council already had 'Area Offices' of multiple staff located in the Board areas to administer services and build community engagement. In most cases

the Area Office administers more than one Community Board area. With the Community Empowerment Model, a range of new powers came to the Area Offices which required changes of job descriptions, and new roles being established. Community Development Officer functions were devolved from the head office into Area Offices so that local community partnerships could be developed and supported by staff who lived in those communities.

One of the most significant changes was the recruitment of Area Managers to very senior second-tier positions to be able to make the decisions required to assist the Board in their new powers. Staff in Area Offices reported to the Area Managers and Area Managers reported directly to the Chief Executive. The Area Offices were staffed at an agreed permanently located level to manage the community engagement in these areas, local services, and capital projects. Staff levels are agreed by both the Chief Executive (who the area Managers report to) and by the Community Boards as it is local rates which will fund for additional staff.

Support function such as finance, information technology, human resources, communications, District Planning, consenting, regulation remained central. However all support functions were expected to operate in the community empowerment way, meaning that head office teams had dedicated individuals to Board areas for support, and Boards were expected to be well-consulted on central services, planning or strategy issues well before decisions were made.

To achieve the Model meant the need for a fit-for-purpose restructure of the staffing. With so many staff devolved to Area Offices, and lesser workloads centrally in areas such as Policy Planning, restructure is inevitable.

### **The 14 services returned to Boards were:**

- Toilets
- Cemeteries
- Parks and reserves
- Halls and properties
- Airfields
- Harbours
- Local economic development
- Local social development

- I-Sites
- Local transportation: footpaths, street lighting, foliage trimming, kerb and channel, seawall protection
- Libraries
- Pools
- Local strategic planning
- Community grants.

A number of services have both a district and a local function and were managed with a head office 'Centre of Excellence' and staff under Area Managers as in the following example of parks.

#### **Parks - Central functions**

- Contract management and negotiation
- Taking the lead on coordinating strategy and asset management planning
- Development of central policy in coordination with boards
- Central training and quality management of local parks staff

#### **Parks - Local functions**

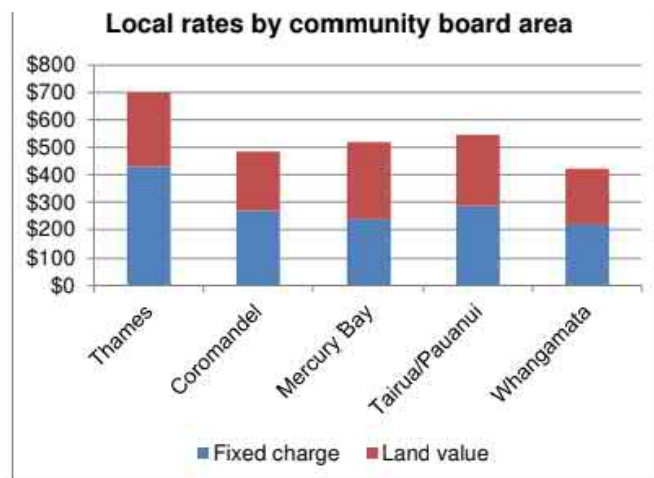
- Contract performance locally
- Building levels of service into the contract
- Local asset management and updating asset management
- Local Reserves Management Planning
- Responding to local community needs and issues
- Local development of reserves and play facilities
- Local funding and partnerships

### **Funding the Model**

The devolved model can increase council costs operationally if not combined with a staff restructure. The restructure is triggered by the change of Model because a traditional council structure is not fit-for-purpose for a devolved council Model.

The devolved Model can also trigger increased local community costs. If communities are to have services returned locally to them including local funding as TCDC did, this represents more costs on local rates. The following table represents TCDC's 2016 local rate levels which are broadly similar to the range of local rate levels in Auckland City.





In this Model it appears that Thames is experiencing considerably higher local rates than the rest of the District. The Thames local rates are driven higher than other areas by a higher levels of service in libraries and pools. However, overall rate levels (including District rates) are remarkably similar. In part this is because of property values are relatively similar District-wide, and partly because TCDC chose to equalize its District rates for the fixed-charge components of District-wide services. The Council argues for equalizing of District services on the basis that:

- All residents are receiving the same level of service they should pay the same
- The capital costs of District services (such as sewerage and water plants) has risen beyond the means of individual communities to pay for them
- The cross-subsidisation of capital plants provided in one area and funded by other areas is equalised over time as all plants come up for renewal or replacement
- The good of the whole District is enhanced by water and sewerage plants that meet standards.

The devolved model can also represent substantial opportunity to Boards by enabling them to find more cost effective local solutions to service provision. In Mercury Bay Board the Area Manager set a goal of offsetting \$250,000 of local rates annually by other revenue sources. In two years, he and the Board achieved \$200,000 of offset.

The local service delivery model requires that all assets and services under Boards are costed back to the Board level. It also leads to the structuring of the financial model to set rates for each Board area. The complexity for financial systems is substantial. However the benefits are the identification of actual costs back to the areas they are generated which improves transparency and enables Boards to find methods of cost control.

The Council and Boards agreed that the overall financial direction of the Council would be followed by the Boards. However a large degree of autonomy was provided to Boards to achieve local projects. Board rates were different from District rates and

if a Board wanted to fund projects in their area then their rate could be higher than the overall District agreement, subject to consultation with their communities.

As the Boards are responsible for funding their own services and assets there is no need for a financial arrangement with the Council. Council resolutions established a level of discretionary fund that each Board area could have, funded by the ratepayers of the Board area, not at-large.

The annual or ten-year planning budgeting process is very similar to the Auckland City budgeting model but has the Board more central in the budget development process. Boards are not given a budget, but they recommend their budgets back to Council in the following way:

(approximate)	
August	<ul style="list-style-type: none"> <li>• Council and Board chairs meet to discuss and set the overall financial envelope for the Council eg a rate rise of no more than 3%</li> <li>• Boards also consult with community organisations about their aspirations and projects as the Board Plans are reviewed</li> </ul>
August/ September	<ul style="list-style-type: none"> <li>• The Finance Team from head office send out budget allocation templates to Boards with a column for last year's expenditure and a new column with those same costs with an inflation adjustment as appropriate. The new column is in red text for Board review.</li> </ul>
September	<ul style="list-style-type: none"> <li>• Area Managers and their staff hold workshops with the Board the budgets and any justifiable projects, including projects that have been costed which may come from community organisations that the Board wishes to champion.</li> </ul>
September/ October	<ul style="list-style-type: none"> <li>• Area Managers meet with the CEO, CFO and a budget review team to go through the suggested Board budgets, look at the overall impact, query the robustness of figures and take issues of cost or projects back to Boards to review.</li> </ul>
October	<ul style="list-style-type: none"> <li>• Boards with their Area Managers and staff, review the feedback from the Budget Peer Review team and amend or firm up on their original position as they see fit and can justify.</li> <li>• Board Plans are re-drafted with the updated projects and priorities and only contain justifiable and costed spend which has been through business cases.</li> </ul>
November	<ul style="list-style-type: none"> <li>• Council budget workshops go through all district and local spend. The Board chairs speak to their proposals, take questions and have the draft budgets confirmed.</li> </ul>

## Challenges of the Change

The biggest challenge was bringing the Community Empowerment culture all the way through the Council organisation, including staff with services delivered by District-wide contracts. TCDC had to provide more staff, reliable systems and robust reporting frameworks to Area Offices who would be required to deliver more services - and all within a mandate to reduce organisational costs.

Some observers pointed out that a handbrake was applied to projects as consistent and reliable project management procedures were rolled out for all Area Offices. However, this view is countered by Whangamata Board Chair, Mr Keith Johnson's experience:

More 'local' projects have been completed under the first year of Community Empowerment, with contemporaneous reductions in rates, than had been completed in several prior years of convoluted and expensive bureaucracy.

— KEITH JOHNSON, WHANGAMATA COMMUNITY BOARD CHAIR



The change impacted on every staff member's way of working. Some staff welcomed change. Many other staff did not fully understand this unique Model, and some did not agree that it was a better Model and felt that councils should not ever try to operate in this way. Adding to the doubts were vocal critics in the media who claimed it would create mini-councils, that productivity would halt, communities would run riot with unrestrained 'wish lists' of projects, and that the council would be wracked by personal grievances.

None of those predictions proved correct.

## Results of the Community Empowerment Model

The results of this Model change validate that the Council got the Model right for its population. The following outline key results:

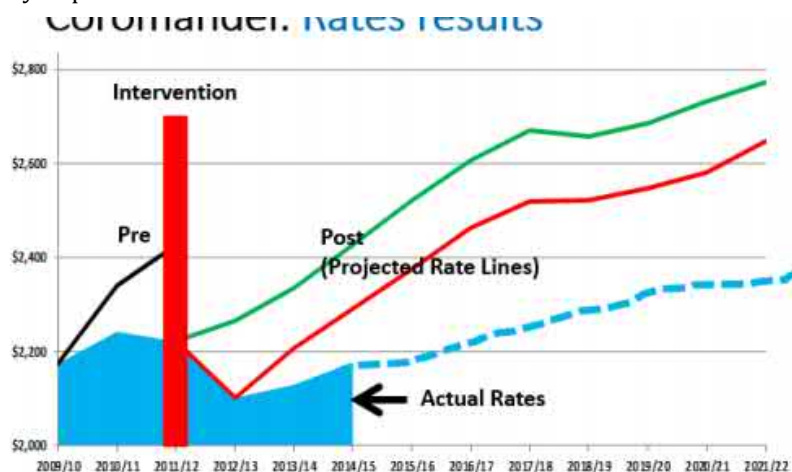
### Public Satisfaction Survey 2016 (four years later)

- Satisfaction in council decision-making improved 15% since the 2012 change and is now 10% higher than the national average
- Satisfaction in council decisions increased by 20%
- Rates spend improved 17% (up to 83%)
- Confidence in their council increased by 18%
- Parks increased to 96% (under the Boards)
- Libraries increased to 99% (under the Boards)

### Financial Results

- Council reduced rates in two successive years (-6%) shown in the following graph
- Commercial and rural rates were not projected to return back to higher 2010 levels for over 15 years
- After restructuring council had the lowest operating cost per property of any local authority in the
- Waikato region as measured by the Taxpayers Union

- \$43M was removed from ten-year capital budgets without degrading assets or reducing levels of service
- Staff engagement post-restructure rose to higher levels than before restructure
- Community and council disciplines over approving capital and setting priorities vastly improved.



## How could your council benefit from the Community Empowerment model?

Reduced rates. More satisfied residents. More local development. If these sound like results your council would like to achieve, we would welcome an open discussion with you about our experience with Thames-Coromandel.

Browser: Edge  
Version: 93.0.961.52  
Operating System: Windows NT 10.0  
Screen Resolution: 1920x1080  
Flash Version: -1  
Java Support: 0  
User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/93.0.4577.82 Safari/537.36 Edg/93.0.961.52

Q2.

## Representation review

Thank you to everyone who provided feedback in July about the possible structures for future Council representation.

Your feedback has enabled us to create one proposed option: a **single member wards model** with nine councillors and a mayor. This option has no community boards.

Before this option is finalised, you have a further opportunity to provide feedback.

It is important to us that you share your views on how you are represented on Council. Thanks for having your say.

### Submissions close at 5pm on Monday, 4 October 2021

Please read about the proposed [single member wards model](#) before completing this survey.

\* indicates a mandatory field

Q24. The initial proposal is for Tauranga residents to elect nine councillors – eight from eight general wards and one from a Māori ward – plus a mayor.

The eight general wards are: Mauao/Mount Maunganui, Arataki, Pāpāmoa, Welcome Bay, Matua, Bethlehem, Tauriko and Te Papa

Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

Please see attached...

**Q5. Would you like to upload a supporting document?**

☒ Yes

☐ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

[Representation Review Submission - Final.docx](#)

39KB

application/vnd.openxmlformats-officedocument.wordprocessingml.document

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

☒ Yes

☐ No

**Q8.**

## Contact details

**Q9.**

**First name: \***

John

**Q10. Surname: \***

Robson

1

**Representation Review: Submission**

Submitter: John Robson

Date: 4 October 2021

**Contents:**

- 2. Introduction
- 3. Reasons for proposal
- 4. Response to reasons
- 8. A wider discussion
- 10. Conclusion

**Introduction:**

In my consulting career, it was not unusual to review and critique proposals (and, of course, write them), whether it was as part of a 'red team – blue team' exercise to improve the quality of my own consultancy's work, or as a service to a client in either an advisory role or as a contracted peer reviewer.

Unsurprisingly, given the professional environment, the proposals were generally on-brief, clear and coherent, and contained all the key elements that one would expect in such a 'document', i.e.: current state and problem definition, objectives and principles, evidence and analyses, outcomes and metrics, plans and budgets, and conclusions and recommendations.

Reviewing and critiquing them was a positive exercise – the objective was always to deliver the best outcome for the client by ensuring that the proposal was the best it could be (optimised within the usual constraints of time, quality, and cost).

I relished the challenge - it was an opportunity to test my own skills against those of the best in the industry, whether they were people from my own organisation, a client, or a competitor.

And the better the proposal, the easier and more pleasurable my work was.

Which leads me to the 'proposal' resulting from the representation review process to date.

For reasons that will become obvious later in this submission, reviewing and critiquing it, for the purpose of making this submission, has been neither easy nor pleasurable.



**Reasons for proposal:**

I would contend that as a general 'rule', any proposal should start with a **clear** and **comprehensive** description of the current state and the problem, as understood, and an **explicit** and **fully transparent** statement of the objectives and principles that are intended to frame the 'solution'.

This 'rule' has clearly not been applied in the case of the representation review proposal.

Instead, we are presented with a lightweight list of eight 'reasons' for the proposed 'structure' which are "that it":

1. *recognises the distinct communities of interest in the city based on geographical areas and provides for fair and effective representation of those communities of interest.*
2. *is seen as the most equitable, as both general and Māori electors vote for one councillor and the mayor.*
3. *has a more even distribution of electors per councillor for the general wards than other options.*
4. *has the potential for a more efficient governance model with a smaller number of councillors (reduced from ten to nine).*
5. *is easier to understand than other representation arrangements and has a direct link between electors and the ward councillor.*
6. *has the potential for less costs for candidates standing in general wards.*
7. *could address the concerns and issues raised by the Review and Observer Team.*
8. *presents the mayor with a clearly defined leadership role being elected at large (by all voters).*

From the above list of 'reasons', other information on the representation review web page, and the report of the Review and Observer Team, I have inferred the following:

1. 'Communities of interest' defined by geography is the primary frame.
2. 'Voter reach' of those on the Maori roll and those on the general roll should be equal.
3. Wards should have similar numbers of voters.
4. Ceteris paribus, smaller governance bodies are more 'efficient'.
5. A direct (geographic) link between voters and their representatives is important (oh, and voters are stupid).
6. There is concern re barriers (e.g. cost) to potential candidates.
7. There is concern re the risk of 'at large' councillors challenging the leadership role of the mayor.
8. There is concern that the leadership role of the mayor will be weakened if other councillors have a similar constituency (i.e. all voters).

**Response to reasons:**

Taking each of the stated reasons (and my associated inferences) in turn, my initial response is as follows:

1. In 2022, and in an increasingly diverse, intensified, and interconnected city, the idea that 'communities of interest' defined by geography should be the primary representation frame is patently absurd. For any who doubt this, 10 minutes exploring Jono Cooper's award-winning Commuter Waka data visualisation app should provide more than enough compelling evidence.

The absurdity is further compounded by the relatively small area of Tauranga (135km<sup>2</sup>) which results in the proposed wards having an average area of circa 17km<sup>2</sup> (think of a circle with a radius of less than 2.5km), significantly smaller than the wards of any other major city in New Zealand.

By way of contrast, Hamilton, which is a city of a similar size (110km<sup>2</sup>), is divided into only two wards, while Auckland would have 291 wards if 17km<sup>2</sup> were an optimum ward size whereas currently the average Auckland ward is nearly three times the size of Tauranga City.

If one of the unstated objectives of the representation review was to ensure that the resultant structure was, in part, a homage to the work of Ernest Rutherford, then mission accomplished, but if not, then, *prima facie*, there is little to favour the proposed ward structure.

2. The issue of equal 'voter reach' is not a reason specific to the proposal - equal voter reach can be delivered by any number of structures including, for example, having one Maori ward, one general ward, and 'n' councillors elected 'at large'.

More importantly, asserting that it is 'equitable' to constrain the reach of all voters to that of the voters in the Maori ward (who, in the proposed structure, because of legislation, have only one 'representative') is based on the false assumption that Maori wards are no different to general wards. This is self-evidently not the case, and for those that struggle with this fact, the hint is in the name, and understanding can be obtained by reading the existant specific legislation that applies to Maori wards.

[As an aside, I note that this 'voter reach' principle was not identified in the discussion, debate and decision re the creation of a Maori ward, but given there was so much missing from the professionally sub-par 'work' that underpinned that particular decision-making process, this is not surprising]

Finally creating single member wards, and thereby constraining voter reach to 'one representative', comes with its own recognised set of downsides which, at the very least, should be openly weighed against the simplistic 'equitable' argument of the proposal.

3. The idea that wards should have similar numbers of voters is not a reason specific to the proposal – at the risk of being labelled pedantic, it is, in fact, an externally imposed constraint, not a reason at all, and applies to any proposed structure.

**Response to reasons (cont.):**

4. There is some evidence that smaller groups make better quality decisions, with current management thinking suggesting that 3-5 members is an optimum number in a corporate environment – and it is interesting to note that the commission currently in place in Tauranga has four members.

However, local government is different to the corporate world in that there is a different level of tension between ‘quality’ of decision-making, and other important concepts such as diversity, representation, etc. that must be factored in to the ‘size’ question.

Also, in response to the proffered ‘smaller equals better’ reason, I note that:

- a) the difference between having 10 councillors and a mayor (11 votes), and having 9 councillors and a mayor (10 votes) is not significant, and
  - b) the proposed structure would make Tauranga City’s council, already the smallest of all New Zealand’s major cities, even smaller.
5. Reason 5 is, in essence, a repetition of the primacy of the ‘geographic link’ stated in reason 1.

Unfortunately, it reinforces a false perception that a voter has only one ‘representative’, and the false corollary that a councillor’s primary role is to represent their ward.

I would argue that **every** councillor has **two** roles – to ensure that **all** ‘voices’ are heard at the council table (and therefore by the council ‘machine’), and to make **governance** decisions in **the best interests of the city as a whole**, as the current oath requires.

Voters having only one ‘representative’ in the city’s representation structure, would (like the proposed 17km<sup>2</sup> ward sizes) make Tauranga City an outlier – every other major city in New Zealand with one councillor per ward offers additional/alternative representation via councillors ‘at large’ and/or via community boards.

6. While the point re campaigning costs being greater for a larger (kn<sup>2</sup>) constituency has some prima facie merit, the relationship is much more nuanced than this point suggests, and I speak as someone who was elected to council as an independent ‘at large’ councillor in 2013 having spent the princely sum of \$112.

And while cost is one barrier to effective candidacy, there are other recognised barriers created by single member wards – the fact that these barriers are not even mentioned, let alone discussed and ‘weighed’ is part of a repeating pattern of ‘missing’ evidence and analyses that suggests, at best, a chronic lack of understanding in the council machine of the need for transparency (to both increase political legitimacy and reduce risk), or, at worst, a toxic combination of ignorance and pre-determination.

On the substantive point, which might be described as ‘wealth disparity between candidates’, I believe there are relatively low-cost actions that could and should be taken by the council to ‘level the playing field’. These might include organising and promoting a number of public meetings (perhaps using council facilities) and funding some minimum level of both mainstream and social media presence (perhaps via council media partners) at no cost to candidates.

**Response to reasons (cont.):**

7. Leaving aside wider concerns re the Review and Observer Team (ROT) and their error-ridden report (also 'rot'), I will focus on the specific 'issue' raised by the ROT re the impact of 'at large' councillors on the 2019 triennium governance dynamic as that clearly falls within the scope of the representation review.

The ROT suggested in their report that the councillors elected 'at large' who had also unsuccessfully campaigned for the mayoralty had refused to accept the result of the mayoral election and continued to 'campaign' against the elected mayor, and that this was a significant cause of the interpersonal dysfunction evident in the 2019 triennium.

In assessing the merits of this argument, it is interesting to note that the two previous triennia (2013 and 2016) both had councillors 'at large' who had unsuccessfully campaigned for the mayoralty, yet there was no similar level of interpersonal dysfunction. The only rational conclusion that can be drawn is that the dysfunction of 2019 was the product of something else.

So what had changed? The obvious changes were a new and inexperienced mayor (Tenby Powell) and one new and inexperienced 'at large' councillor who had unsuccessfully stood for the mayoralty (Andrew Hollis). There was also, in my opinion, thanks to STV, a more **politically diverse** council.

Even a minimal level of critical thinking results in the conclusion that the cause of the dysfunction was not the structure but rather the direct and indirect impacts of the new incumbents in combination with a more complex and nuanced political dynamic

While I am very clear on what the primary cause of the dysfunction was, suffice to say that as someone who served on the last three councils (one of only three councillors so lucky), I am certain that it was not the structure.

For further evidence that 'at large' might not be a 'real' issue, one simply has to look at the very similar interpersonal dysfunction at Wellington City Council in the current triennium where there are no 'at large' councillors, and contrast that with the lack of 'noise' around Hutt City Council which, like Tauranga, has a mix of 'at large' and ward councillors.

As I said in my earlier feedback in this representation review process:

*"Finally, in respect of delivering quality governance, while the 'model' is important, the critical success factor is the qualities of those elected – for example, if the city elects a mayor who is a paltering narcissist with anger management issues and the leadership skills of a Greerton roundabout, then all bets are off."*

**Response to reasons (cont.):**

8. As reason 5 is a variant of reason 1, so reason 8 is a variant of reason 7.

The leadership role of a mayor is clearly defined in the Local Government Act - and nowhere in the LGA is there a link made between the mayor's leadership role and the territorial authority's representation structure.

I think reason 8 conflates (and thereby confuses) the well-defined 'role' of the mayor (which specifically includes 'leading') with the antediluvian concept of 'positional authority'.

The topic of modern leadership (and its associated critical success factors) is well traversed in management literature, and while there is not a 'one style fits all' prescription, generally the primary focus is on the requisite qualities and behaviours of the 'nominal' leader.

In this day and age, the concept of 'positional authority' is going the way of the dinosaurs, as are those 'leaders' who need to rely on it. Even in those traditional bastions of 'hierarchical power' and 'positional authority', such as the military and the police force, there is increasing recognition that 'positions' don't make 'leaders'.

Just as abusing informational asymmetry (as Tenby Powell did), losing one's temper (as Tenby Powell did), and demanding fealty while threatening retribution (as Tenby Powell did) are no longer the hallmarks of a leader they once were, no successful modern leader would ever need, or need to play, the 'my constituency is bigger than yours' card.

I would argue that the strength of a mayor's leadership role (as defined in the LGA) is, at the most basic level, a function of their ability to persuade a majority of the councillors to follow (hence the bon mot: *you are not a leader if no-one is following*) or, to put it another way, to effectively represent the views of the majority of the councillors on those matters that are most important to the people of the city.

If a mayor loses the support of the majority of their councillors (as Tenby Powell did) they should either change their position or resign – as Tenby Powell eventually chose to do.

**A wider discussion:**

Analysis of the proposal (a proposal in name but not in substance), and the supporting reasons offered, suggests that most of the (evidently not very much) thinking behind the proposed structure has been framed by an unsophisticated reaction to a singular, simplistic and skewed narrative around the 'events' of the first 14 months of the 2019 triennium.

In my view, the representation review requires much more than this.

However, it is not my place to rewrite the proposal, so, in this 'discussion', I will suggest a small number of 'constructs' that I believe should have been at the heart of the representation review process and the subsequent proposal, but, sadly, were, and are, largely absent

First, at the very least, the strengths and weaknesses of ward and 'at large' representation should have been shared and openly discussed with the community, as should the impact of the STV voting system on both.

In addition, there should have been an open discussion of the **key principles** that the community might wish to have embodied in **their** representation structure, and some attempt to establish the community's priorities.

Just as it was shocking to see the recent LTP consultation collateral sans the word 'emissions', so it was equally shocking to see the representation review consultation collateral sans the word '**diversity**'.

But maybe, and sadly, for some, including the proposal's authors and authorisers, diversity is simply giving te ao Maori one voice of 10 at the council table.

I believe diversity means much more than that.

The evidence shows that the best 'system' for promoting diversity in councils in Aotearoa / New Zealand is to use STV combined with multi-member constituencies (either wards or 'at large').

Sadly, there is compelling evidence (from the public forum section of a recent council meeting) that the commissioners (and Cr Larry Baldock who was speaking on exactly that topic at said forum) simply don't understand how STV works.

So it comes as no surprise that the proposed structure negates much of the opportunity for diversity that those of us that both understood and supported STV were hoping for.

**I contend that 'diversity should be a core principle of the representation review, and the use of STV combined with multi-member constituencies should be the foundational element of the representation 'system' (process and structure) of Tauranga City.**

Even more concerning, given the '**governance**' role of all Councillors, there was no informed discussion of how structure might influence better governance.

Experts are generally agreed that 'at large' systems and ward systems have differing advantages and disadvantages – and, as previously mentioned, I would suggest that a comprehensive list of the same, rather than a skewed selection, should have been part of the consultation collateral.

**A wider discussion: (cont.):**

That said, one accepted advantage of 'at large' structures is that they promote a 'whole of town/city' approach to issues while wards may promote parochialism and a tactical 'horse-trading' that produces sub-optimal outcomes.

Conversely one disadvantage of 'at large' structures is that geographic neighbourhoods may not have a voice, while wards can ensure that at least some neighbourhoods have a voice, although the 'representativity' of that voice can be debated.

Looking at the relative strengths and weaknesses of ward and 'at large' structures reveals that unlike the intrinsic weakness of a ward based structure for which there is no obvious solution or mitigation, the weakness of an 'at large' structure can be effectively mitigated by either community boards and/or the effective engagement of communities (including, but not limited to, those of geography) as and when appropriate by the council machine.

Or of course, the city could simply have a mix of both as it (and Hutt City) does now.

**I contend that 'whole of city' governance is likely to be improved if a councillor's accountability is not divided between a ward and the 'city as a whole', and consequently I believe the 'structural' element that best serves the 'city as a whole' is the 'at large' councillor.**

Finally in this section, I would like to discuss 'political legitimacy', earlier described as 'voter reach'.

The famous phrase 'no taxation without representation' speaks to the need for a 'relationship' between those governing and those governed, and 'political legitimacy' (which includes the 'right' to tax) is, at least in part, a function of the ability of the governed to choose their governors.

[As an aside, I will treat the twin questions of 'can voters get it wrong?' and 'what happens if they do?', while germane to Tauranga, as outside the scope of the representation review, and therefore outside the scope of this submission]

I use 'voter reach', in the context of the representation review, as a simple measure of the ability of voters to choose their councillors.

For example, if a every voter has an opportunity to impact on the election/selection of every councillor, the 'political legitimacy' score would be 100, while in the case of the current proposal, the political legitimacy score for Tauranga would be 11 (as every voter can only impact on the election/selection of one of nine councillors).

It goes without saying that, ceteris paribus, the higher the score the better.

Finally, there is an argument that can be made that higher political legitimacy delivers more stable governance, and thereby facilitates more 'strategic' governance decision-making.

**I contend that political legitimacy should be a core principle of the representation review, and that it should be the subject of a full and transparent disclosure when evaluating structures.**

*Note: For a 'textbook example of the consideration of political legitimacy in a representation review, the council machine should look at the current review collateral of Rotorua Lakes Council.*

**Conclusion:**

The primary outcome I want from the representation review is quality governance – one that will deliver a sustainable, equitable and attractive Tauranga City.

My mahi (necessary due to the absence of the same from the council machine) suggests that to get quality governance for the city, the ideal is that **all voices** are heard at the council table, and all decisions are optimised for **the city as a whole**.

While all voices can't sit at the council table, the evidence suggests that diversity at the council table is the best way of maximising the number of voices that are heard, and the best way of delivering diversity is via a combination of STV and multi-member constituencies.

Likewise, while there are trade-offs between ward and 'at large' representation models, the evidence suggests that the best option for optimising decisions for the city as a whole is the 'at large' model, for which low cost, practical mitigations for its relative weaknesses are readily available.

Finally, political legitimacy provides both a principled and a practical support to the stability of governance (both intra and inter triennia) that facilitates sound strategic city-as-a-whole decision-making.

Unfortunately, the representation review proposal is based on the singular use of single-member wards – a structure that the evidence suggests directly compromises both diversity and legitimacy, and ultimately the quality of city-as-a-whole decision-making.

**I cannot (and do not) support the proposal.**

**John Robson**  
**4.10.2021**



Browser: Chrome  
Version: 94.0.4606.61  
Operating System: Windows NT 10.0  
Screen Resolution: 1280x720  
Flash Version: -1  
Java Support: 0  
User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/94.0.4606.61 Safari/537.36

Q2.

## Representation review

Thank you to everyone who provided feedback in July about the possible structures for future Council representation.

Your feedback has enabled us to create one proposed option: a **single member wards model** with nine councillors and a mayor. This option has no community boards.

Before this option is finalised, you have a further opportunity to provide feedback.

It is important to us that you share your views on how you are represented on Council. Thanks for having your say.

### Submissions close at 5pm on Monday, 4 October 2021

Please read about the proposed [single member wards model](#) before completing this survey.

\* indicates a mandatory field

Q24. The initial proposal is for Tauranga residents to elect nine councillors – eight from eight general wards and one from a Māori ward – plus a mayor.

The eight general wards are: Mauao/Mount Maunganui, Arataki, Pāpāmoa, Welcome Bay, Matua, Bethlehem, Tauriko and Te Papa

Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

Please see attached document.

**Q5. Would you like to upload a supporting document?**

- ☒ Yes  
☐ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

[Submission to TCC Representation Review - Sustainable BOP.pdf](#)  
296.1KB  
application/pdf

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☒ Yes  
☐ No

**Q8.**  
**Contact details**

**Q9.**  
**First name: \***

Glen

**Q10. Surname: \***

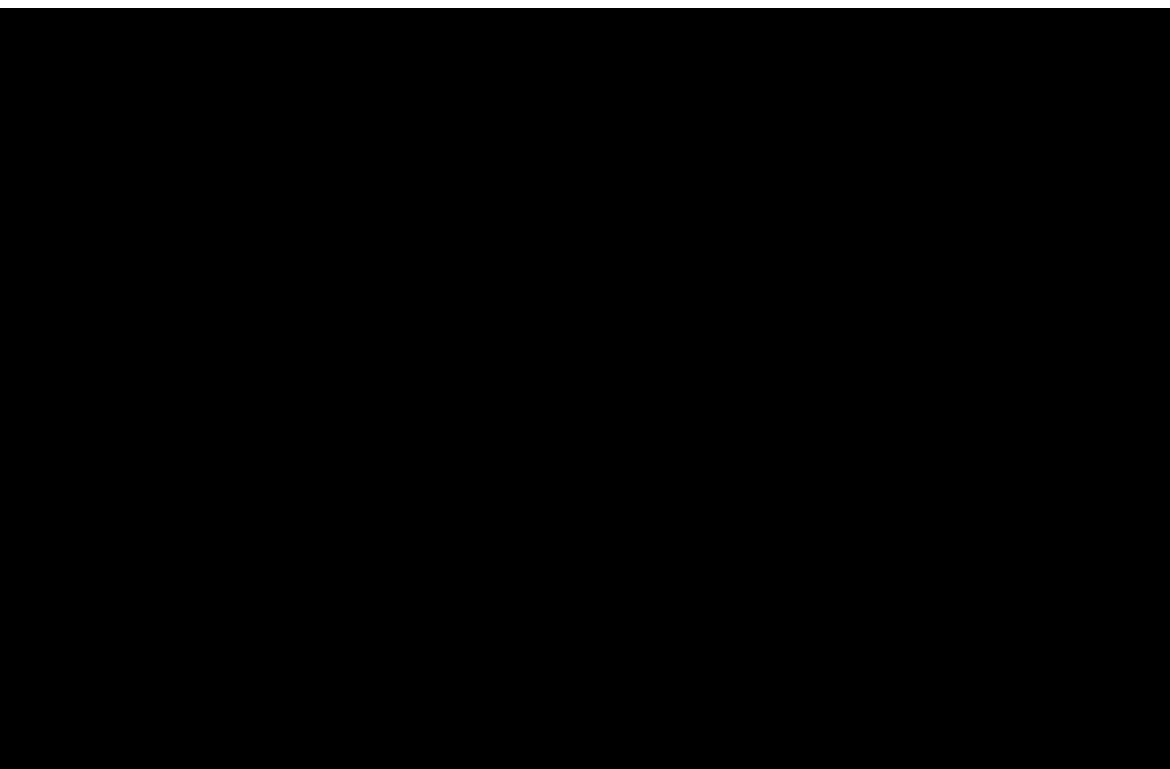
Crowther

**Q23. Organisation**

Sustainable Bay of Plenty Charitable Trust
--

**Q11. Email: \*****Q12. Phone:****Q13.****Privacy statement**

Tauranga City Council is collecting personal information from you as part of this survey. This includes your name, email address and survey answers. Your survey answers will be used to make recommendations to Council for decision making. Your name and email address will only be used by us to notify you of the outcome of the survey or a Council decision. We also collect demographic information (suburb, age, ethnicity, gender) because we want to ensure we have engaged with a wide cross section of people from across Tauranga. Providing your demographic information is optional. We will not share your personal information with any other organisation or individual. You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like a copy of your information, or to have it corrected, please contact us at [info@tauranga.govt.nz](mailto:info@tauranga.govt.nz), or [07 577 7000](tel:075777000). For further information about this and our obligations and your rights under the Privacy Act 2020, please refer to [Tauranga City Council's privacy statement](#).





04 October 2021

## Submission to Tauranga City Council Representation Review 2021

### Summary

- We do not support the proposal
- We do not support the number of elected members
- We do not believe that only having small, equally populated wards is desirable
- We do not think the proposed wards all capture communities of interest (functional or perceptual)
- We do not support all the ward names
- We do not believe that allowing electors to vote for only one councillor will lead to an inclusive democracy (quite the reverse)
- We do support an STV election process combined with multi-member constituencies
- We do support larger wards
- We do support adding at-large councillors into the mix
- We do support retaining 10 or 11 councillors plus a mayor until a better case for change is made
- We do support a more comprehensive analysis of the pros and cons of community boards

**Sustainable Bay of Plenty**  
Basestation, 148 Durham Street  
Tauranga, BOP, 3110, New Zealand

**[www.sustainablebop.nz](http://www.sustainablebop.nz)**  
Call: 027 576 8000  
Email: [info@sustainablebop.nz](mailto:info@sustainablebop.nz)

*Sustainable Bay of Plenty Charitable Trust | Charity Number: CC58526 | GST: 133-045-546*

## Number of Councillors and Size of Wards - Tauranga An Outlier

In the same way that Tauranga City has had no sustainability strategy, or climate change plan or carbon targets, it seems Tauranga is yet again trying to be an exception amongst NZ cities. A comparison of other city councils shows that the proposed TCC structure would create the smallest number of councillors (9), with the others ranging from 12 to 20 plus a mayor.

In our view, the optimal number of councillors is not clear, with smaller numbers often leading to better cohesion. However it is important to factor in the need for diversity and good representation. On those grounds, we favour retaining a council of at least 11, unless stronger rationale can be shown for reducing that number. As you'd understand, the oft-quoted cost of paying additional councillors is not relevant.

What's more, Tauranga City Council's Representation Review proposal would lead to significantly smaller wards than those in any other NZ city. The wards would be much, much smaller geographically than other cities (about one-quarter the size of other comparable cities), and also by far the smallest in terms of population per ward.

We note that Auckland is an obvious outlier too, with 20 wards, each having an average population of nearly Tauranga's total population. However, there are well-understood reasons for that, including the role of Community Boards, so we'll put the super-city to one side.

Of the other six cities with greater than 100,000 population, three have (had) at-large councillors (none have had Maori wards until this time). In particular, Dunedin is the closest in size to Tauranga and had undertaken a thorough review that indicated at-large only councillors was preferable to their previous system. They have seen no reason to change this time around.

Hutt City has 6 at-large and 6 wards, and is noticeably the only other council smaller than Tauranga. They see benefits in a mix of at-large, wards, and community boards.

Hamilton is closest to Tauranga in term of geographical size and has a similar population, and it does have wards. However, it only has two. So every voter gets to vote for 6 councillors, meaning it is a similar situation to Tauranga now, whereby everyone votes for over half of the elected members (including the mayor).

Wellington and Christchurch currently only have ward councillors, no at-large. However, Wellington is proposing 3 or 5 or 6 general wards, plus a Maori ward, and 3 at-large councillors.

So that only leaves Christchurch, but Christchurch is much bigger, geographically and in terms of population, and it also has community boards.

We understand that we shouldn't just copy others, and every city is unique. However, TCC's Representation Review proposal does not contain the detailed analysis that was undertaken by most other NZ cities before making their decisions. That should give reason to pause, consider the evidence from other cities and towns, and revamp the proposal to incentivise much-needed better governance.

## Why So Many Small Wards?

Some of the reasons stated in favour of the proposal are actually reasons to choose another option.

The argument that those on the General roll should only vote for someone to represent a very small local ward makes no sense when TCC's proposal is for Maori to elect a representative across the whole city. In a way, the reverse would make more sense, as hapu-based representation would fit well with a Te Ao Maori model, while the 'Western' democratic model has historically created larger structures (e.g. electorates).

Of course, we know the reason is for the proposed structure to appear 'fair' to everyone, but that is an overly simplistic view that doesn't get to the heart of the issue of fairness and equity. It seems to favour one aspect of diversity (number of votes for Maori on the Maori electoral roll) and forgets all the others.

We see and hear no evidence that the people of Tauranga (outside TCC circles) want an increase in the number of wards. The proposed increase seems to come from an obsession to allow voters on the General roll to each have only one vote, so that it is a match for someone on the Maori roll.

That seems completely illogical. Just look at other councils to see how they handle this issue. Even here in the Bay of Plenty, BOP Regional Council has long had Maori wards and does not try to match the number of votes.

Presently, Rotorua Lakes Council has released a far more sophisticated public consultation document for their representation review, and have come up with far better options. They favour a mixed model, incorporating Maori or General wards plus At-large, to ensure "fair" and "effective" representation. Their council's more comprehensive analysis reinforces our view that single-member General Wards to match a single-member Maori Ward with no At-large councillors is a simplistic and flawed solution.

TCC's analysis seems to be a simplistic and obsessive response that misses the key points. It is not an optimal solution if it just 'dumps down' the representation on the General roll to match the Maori roll option. Remember that tangata whenua have a choice, and can choose to vote on either roll. Therefore, if the option to elect one Maori ward councillor seems unfair to anyone, s/he can choose to elect more General ward councillors by switching rolls.

Or we could add extra at-large councillors. As Rotorua Council points out, having at-large councillors is a great way to even up any imbalance, whilst also providing multiple other benefits.

Again, Tauranga City is an outlier on this issue. Every other NZ city with one councillor per ward offers additional representation through having at-large councillors and/or community boards.

### **Why No At-Large councillors?**

This seems to be a response to some of the concerns raised by the Review and Observer team appointed to oversee Tauranga City Council in 2020. In hindsight, it seems that the 'ROT' gave an overly simplistic analysis about the causes of the Council's many dysfunctions.

The ROT's view seems to be that having city-wide elected councillors who also stood for mayor was the cause of much of the dysfunction. The most obvious counter to their view is that previous councils had also had at-large councillors that had stood for mayor with vastly diverging views on many issues, but had not imploded or exploded in the same way.

Even a casual observer could see that the main difference was the personalities involved this triennium, especially that of the mayor. Notwithstanding the pros and cons of any policy positions, it is clear that Mayor Powell took a different approach in the management of his councillors compared to the mayor in regards to 2010, 2013 and 2016 elected members. If councillors are not following, you are not a leader – whatever your title.

Those of us with some degree of closeness to the elected members know that this difference was absolutely the crucial factor in 2020, and that is backed all four at-large candidates having different views and alignments on certain key issues – some in alignment with the mayor.

That also seems to be reinforced by the example of the somewhat dysfunctional Wellington City Council (with no at-large councillors) compared to Hutt City Council (with six at-large councillors).

This all makes a lie of the necessity to scrap at-large elected members to ensure a workable council. We contend that the combination of no at-large councillors, no community boards, and only one vote for one elected member based on one small geographical ward (not necessarily a community of interest) is a recipe for disaster. People will have had a say in electing 1/9 of their city representatives, compared to 7/11 as it currently stands. That points us in precisely the wrong direction, at a time when the city needs to pull together to create a more sustainable city.

The seeming obsession to scrap at-large councillors goes against some very important principles. These include:

- 1) The legal requirement for all councillors to govern in the best interests of the whole city. The council's governance will likely be better if they are not divided between supporting the specific needs of their ward (who elected them and will possibly elect them next time) and the city as a whole. This lends to either solely at-large councillors (e.g. Dunedin) or a mix (e.g. Hutt). Having only wards, especially small wards as TCC proposes, will almost inevitably result in a local ward bias in decision-making and politically motivated decisions that lead to poor outcomes.
- 2) That "communities of interest" are, especially these days, not just geographical. Just as our friendships are not limited to our local neighbourhood, so our issues of concern are not limited to our local ward.

- 3) Ward only councillors reinforce a false perception that a particular voter has their one representative and that councillor's role is to represent their constituents. We acknowledge that wards are technically just a method to elect councillors, but this has a psychological impact on the voter and the councillor. Who will I turn to if I have an 'issue'? If I don't know any of the councillors, then surely it's my local ward councillor/s, who canvassed for votes in my part of town.
- 4) Political 'legitimacy' means that every voter has had a chance to elect a good chunk of the council, so they feel they've had a say. If they've only had a chance to vote for one alternate ward candidate against a well-known incumbent, they'll probably feel the same way that many Tauranga Labour or Social Credit or Values voters felt over the years of first-past-the-post national elections.
- 5) The STV system aims to encourage diversity. It encourages a mix of people, some of whom may not get in otherwise. However, it only works well if there are multiple-member constituencies. As an example, look at the results last time in Tauranga, which saw Cr Salisbury and Cr Hughes bumped up higher than they'd have ranked under FFP. While that didn't change their own elected status on that occasion, STV could well allow other women/people to have a better chance at being elected.
- 6) Leadership does not mean a dictatorial mayor supported by lesser councillors. This is especially relevant in the modern context of leadership. Every elected member, including the mayor, is one elected member that makes collective decisions. Every councillor has a leadership role. Sure, the mayor is the figurehead, but if our elected representatives don't support something the mayor wants, then the majority rules. Having some well-supported councillors should strengthen the council's legitimacy and, on issues of alignment, deliver much better supported decisions.
- 7) If the city's residents are divided on some issues, then it is natural for councillors to also be divided at times. The key thing we need is not 'yes' men/women as councillors, but good governance.
- 8) Even the downsides of at-large councillors can be mitigated. A solely at-large structure, such as Dunedin uses, could allegedly not allow geographical neighbourhoods to have a specific voice on some issues. However, that downside can be allayed by a number of measures, including:
  - a mix of wards and at-large (as Tauranga has now, and as per Hutt City)
  - community boards
  - community co-governance on community-specific issues
  - more effective localised community engagement



### **Accessibility and Cost to Stand as a Councillor**

There seems to be an assumption that having only ward councillors will make standing for council more accessible and cost-effective. We believe the opposite could even happen, with wealthier people running for mayor and gaining a higher profile, thereby giving themselves a much better opportunity to get elected in a ward.

Many people may consider standing, perhaps on a platform such as keeping rates down or improving environmental outcomes or whatever, and might gain enough votes city-wide to become a councillor. However these people may not have the cut-through in their local ward. We contend that Cr Hughes may well have been such an example on the previous Tauranga Council.

Although campaigning in a ward can be cheaper in terms of signage, that is not such a big advantage in the modern context of social media and diverse networks. That could apply to many people who'd make ideal councillors. These could be younger or less-well-known candidates, or perhaps parents that have spent time bringing up a family and ended up with a lower profile than, for instance, an opponent running a local business.

Of course, we could argue about the extent of the importance of each of the pros and cons, but it is clear that this is not a simple black and white matter. At best, the small wards may improve accessibility for some candidates.

Our view is that in the modern context, this issue of cost and accessibility is far outweighed by the other factors discussed in our submission. What's more, a proactive approach from TCC could ensure that all candidates are given a campaign platform.

That could involve a low-cost option that provides all candidates with multiple in-person and virtual platforms to campaign, including real/virtual meetings. That could offer a much better deal for low-income or low-wealth candidates - especially that bring diversity to Council.

The omission of the barriers created by small single-member wards, with none of them being considered and lack of evidence, indicates either a pre-determined outcome or a lack of understanding of these issues.

## Ward Names and Communities of Interest

We won't get into the merits of each name, but will put a strong submission that Matua is not the appropriate name for the Otumoetai ward. In fact, just typing those words made it clear that the default is to describe this area as Otumoetai - NOT as Matua, or Bellevue, or Brookfield, or Cherrywood, or Bureta, or Pillans Point, or Judea, or Te Reti, which are all defined quite precisely. The one name that isn't precisely defined as a sub-area (a sub-suburb?) is Otumoetai, because that is the historic name for that whole larger area of Tauranga (as well as the more precise modern definitions of Otumoetai North and Otumoetai South statistical areas that most residents have no knowledge about).

From Otumoetai Pa (pre-1800s) to Otumoetai Primary (19<sup>th</sup> century) to Otumoetai College (20<sup>th</sup> century) to Otumoetai cycle plan (21<sup>st</sup> century), everyone always called the wider area Otumoetai. If you know this city, it seems so self-evident that we can only conclude that the staff member labelling the proposed ward was not from that part of Tauranga, and that the Commissioners from outside of Tauranga did not realise the error.

To rub salt in the wound, Matua is the one name more than any other that would 'wind people up' if they live in places such as Brookfield or Bellevue, due to the historic socio-economic disparity between Matua and many other parts of 'greater' Otumoetai. If, for some strange reason, you don't like the beautiful word Otumoetai (goodness knows why that would be the case), it should be not named after any of the smaller mini-suburbs – including Matua.

The related problem is that Brookfield is split between Matua (a name it has no particularly strong relationship with) and Bethlehem (a suburb with a lesser relationship than Otumoetai, although we accept it does have a shopping area that some Brookfield residents use). It seems better in cases like this to accept a less equal numerical allocation in favour of a better community of interest, and place all of Brookfield in an Otumoetai ward.

The idea that every ward has to have the same voters has been taken too far. To the average person, that wouldn't matter anywhere near as much as whether or not the ward relates to a community of interest. Even more important than that is whether the whole voting system gives people a genuine say in who they elect. We could even invoke the old saying that there should be no taxation without representation, because one vote in one ward won't make someone feel they have had much of a say.

Bigger wards that represent the whole, historic communities of interest are the best solution. In our example, that would include the western suburbs from Otumoetai foreshore around the Waikareao to the Kopurererua and westwards through to the Wairoa, and back past Bellevue and Matua.

## Alternative Options

If there is to be an increase in wards, we favour no more than five wards. We do not believe the best options were considered when assessing the proposed structure. Better options that we see are:

**1) 3 Wards** (names to be determined):

- Eastern
- Central
- Western

**2) 4 Wards** (names to be determined):

- Eastern
- Central
- Western
- Southern

**2) 5 Wards** (names to be determined):

- Mount Maunganui
- Papamoa-Wairakei
- Te Papa-Greerton
- Otumoetai-Bethlehem
- Tauriko-Pyes Pa-Ohauti-Welcome Bay

These ward options all have much better communities of interest than those proposed and give a much more appropriate scale. For instance, they would remove many of the boundary problems that occur under the proposed eight wards.

An example is that a community such as Brookfield (as defined by Statistics NZ) is seemingly split into three wards: Matua, Bethlehem and Te Papa. Under our alternative proposal of three, four, or five wards, all could be in their natural community of interest Otumoetai or a western ward.

1) The 3-ward option could be the same as previously, with the addition of one Maori ward councillor. That would result in a council of 7 ward councillors (2 from each General + 1 Maori) + 4 at-large councillors + 1 mayor = 12.

2) The 4-ward option lends itself to 9 ward councillors (2 from each General + 1 Maori) + 1 mayor = 10. We do not favour this option.

3) The 5-ward option offers two possible sub-options for electing councillors:

- a. 6 ward councillors (1 from each General + 1 Maori) + 4 (or more) at-large + 1 mayor = 11
- b. 11 ward councillors (2 from each General + 1 Maori) + 1 mayor = 12

Both those options would be preferable to the Council's default proposal. We would favour (a), as we believe at-large councillors offer greater diversity and a better check against locally-based decision-making.

The five ward options in detail are:

- a. Otumoetai-Bethlehem 1  
Te Papa-Greerton 1  
Tauriko-Ohauiti-Welcome Bay 1  
Mount-Aratakī 1  
Papamoa-Wairakei 1  
Maori 1  
At-large 4 (or more)  
Mayor 1  
**TOTAL 11** (or more)
- b. Otumoetai-Bethlehem 2  
Te Papa-Greerton 2  
Tauriko-Ohauiti-Welcome Bay 2  
Mount-Aratakī 2  
Papamoa-Wairakei 2  
Maori 1  
At-large 0 (or more)  
Mayor 1  
**TOTAL 12** (or more)

## Closing Comments

Compared to what we have seen from other councils, the lack of options and poor analysis presented by TCC meant that the pros and cons of various ward and at-large combinations were not clearly presented to the community. Neither was the role of the STV voting system and how it works best in multi-member constituencies.

As is often the case with TCC, instead of the community helping to determine the key principles to determine the representation structure, this was driven by the Council itself.

Finally, while the role of tangata whenua in our city is critically important, diversity means much more than a Maori ward. The current proposal will not lead to the representative, diverse, and quality governance that we believe all residents would like to see as the outcome. That is what will support the transition to Tauranga becoming a truly sustainable and equitable city.

Browser: Safari iPhone  
Version: Unknown  
Operating System: iPhone  
Screen Resolution: 414x896  
Flash Version: -1  
Java Support: 0

User Agent: Mozilla/5.0 (iPhone; CPU iPhone OS 14\_7\_1 like Mac OS X) AppleWebKit/8611 (KHTML, like Gecko) Mobile/18G82  
[FBAN/FBIO;FBDV/iPhone12,5;FBMD/iPhone;FBSN/iOS;FBSV/14.7.1;FBSS/3;FBID/phone;FBLC/en\_GB;FBOP/5]

Q2.

## Representation review

Thank you to everyone who provided feedback in July about the possible structures for future Council representation.

Your feedback has enabled us to create one proposed option: a **single member wards model** with nine councillors and a mayor. This option has no community boards.

Before this option is finalised, you have a further opportunity to provide feedback.

It is important to us that you share your views on how you are represented on Council. Thanks for having your say.

### Submissions close at 5pm on Monday, 4 October 2021

Please read about the proposed [single member wards model](#) before completing this survey.

\* indicates a mandatory field

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The eight general wards are: Mauao/Mount Maunganui, Arataki, Pāpāmoa, Welcome Bay, Matua, Bethlehem, Tauriko and Te Papa

Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

The 8 general wards will lead to parochialism. Citizens should be able to vote for or not in the case of all those standing for Council. Councillors swear an oath to represent the interests of the city as a whole. A large number of wards with only one councillor each will not be conducive to good governance. I suggest one Maori ward as already mandated plus one general ward with 8 or 9 councillors. Another consideration could be that the mayor and councillors totalling an even number (10) could lead to the use of a mayoral casting vote which in my opinion isn't ideal. The previous consultation did not favour the method chosen by commissioners. As democracy is a human right in enlightened countries I would actually prefer the system of election to be chosen by the people.

**Q5. Would you like to upload a supporting document?**

- ☐ Yes
- ☒ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

*This question was not displayed to the respondent.*

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☒ Yes
- ☐ No

**Q8.**  
**Contact details**

**Q9.**  
**First name: \***

Gregory

**Q10. Surname: \***

Brownless

**Q23. Organisation**

Browser: Chrome  
Version: 94.0.4606.61  
Operating System: Windows NT 6.1  
Screen Resolution: 1920x1080  
Flash Version: -1  
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Q2.

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Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

See my attached submission. I will be making a separate submission regarding community boards.

**Q5. Would you like to upload a supporting document?**

☒ Yes

☐ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

[Representation review submission to IP.docx](#)

15.3KB

application/vnd.openxmlformats-officedocument.wordprocessingml.document

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

☒ Yes

☐ No

**Q8.**

## Contact details

**Q9.**

**First name: \***

Barry

**Q10. Surname: \***

Scott



## Submission regarding Initial Proposal

**Submitter: Barry Scott**

### Introduction.

1. In my submission I will refer to the initial proposal as either the IP or Option 4A, and other council options by the numbers that were allocated to them in the feedback survey and the 30 August meeting agenda.
2. When I refer to a total number of wards or councillors I mean the general wards (GWs) and the Maori ward (MW) together and likewise the councillors. To save myself some writing I will not refer to a mayor in my statements about the systems. Every option is to be assumed to include a mayor.

### Synopsis

3. I will submit that Option 4A is the wrong representative system for Tauranga. I will put forward fairer and more effective systems as possible replacements. I will also submit that community boards should be established in Tauranga.

### The IP

4. The IP = a total of 9 councillors, 8 elected from 8 GWs and 1 from the MW. No community boards.

Electors on the general roll (GR) will be entitled to vote for 1 councillor; their ward councillor, and electors on the Maori roll (MR) will be entitled to vote for the MW councillor. No-one is entitled to vote for more than 1 out of the 9 councillors.

I submit that this is not fair and effective representation.

5. A multi-ward system that only allows electors to vote for only one-ninth of the council's cohort may well encourage many of those electors to choose their councillor solely on the basis of what he or she can do for the ward, not on what they can do for the city as a whole. It is not possible to produce empirical evidence of this contention, but anyone who understands human nature will know that it is true. And, what about the candidates? Many of them will recognise that their "sell" needs to resonate with only one-ninth of the city electors – the ones in their ward - and that with them, local matters will be what counts. There will be no need to demonstrate your skill and experience and long term whole-of-city vision because for most locals that will be of secondary importance. There is a real risk that this will result in the election of ward councillors whose skills, experience and focus will be found wanting when long term decisions have to be made about complex whole-of-city matters.

6. Councillors swear an oath to "...*faithfully and impartially...*" perform their duties "...*in the best interests of the city of Tauranga.*" That means the entire city, not just their ward. Ward councillors will become involved in matters that affect their ward and its residents but that shouldn't be the sole purpose for their having a seat at the council table. Nevertheless, many ward councillors enter local government genuinely believing that their most important mandate is to put their ward's interests first at all times and in all matters.

**7. Submission: A multi-ward system has the potential to reduce the chances of candidates with a whole-of city, long term vision being elected.**

8. 9 councillors plus a mayor means that there will be 10 people voting at the council table. Obviously, that brings with it a potential for tied 5/5 votes. And, when there is a tied vote the matter under consideration is decided by the mayor's casting vote. This means that the mayor frequently has two votes. Is that fair? Of course it isn't, and residents won't look on it as fair. Furthermore, frequent decision making by way of the mayor's casting vote – whether the decisions are good or bad - will quickly lead to the kind of loss of trust and confidence that caused residents to turn against the last council.

**9. Submission: Choose a system that provides an even total number of councillors so as to avoid decision making by way of the mayor's casting vote. Option 4A is a bad choice in this regard.**

**Reasons.**

10. Section 19K of the Local Electoral Act (LEA) states that a council that proposes any change to the basis of its representation arrangements "must include an explanation of the reasons for the proposed changes." That's a mandatory requirement, not a discretionary option.

11. Our council has given 8 reasons for its proposed changes but there's nothing that could fairly be regarded as an explanation of those 8 reasons. Readers of the IP are mostly left to guess how the council arrived at these 8 reasons. Perhaps I am being pedantic about this, but I consider that the LEA had something better in mind than what the council has provided. In some cases one gets the feeling that the council doesn't care whether we understand or not.

**12. Submission: the council's statement of reasons is flawed because it does not provide an adequate explanation of the reasons for the changes. I will be making this submission to the Local Government Commission (LGC) if the process goes that far.**

Despite this annoying deficiency I will deal with the reasons in the order they are given.

13. Reason 1. The council contends that its proposal "recognises the distinct communities of interest in the city." All I can say is: Should've gone to Specsavers! What the council "recognises" as communities of interest are counterfeit copies; and not good ones at that. The gaggle of wards looks as though it has been designed to fit in with the the council's determination to have 8 general wards no matter what anyone else thinks. It could even be alleged that the ward boundaries have been put where they are primarily to make sure that the council's predetermined scheme complies with the +/- 10% fair representation requirement of Section 19V(2) and without true regard to the communities of interest that they are supposed to epitomise.

14. Take, for example, the Mount/Arataki/Papamoa ward. Mount/Papamoa? Yes. But Mount/Arataki/Papamoa? No. The people who thought up that one are dreaming! Arataki does not meet any one of the criteria that define a community of interest. So far as locals are concerned there are and always have been only two communities of interest on this side: the Mount and Papamoa. And, in my opinion, today's dividing line is Domain Road, with the Papamoa Domain and the Holiday Park falling into the Papamoa community of interest.

15. Then, there's Greerton. Greerton goes out to Barkes Corner and always has done! But, suddenly, at the whim of the council, Greerton stops at Chadwick Road! The residents who live on the south side of Chadwick Road now find themselves voting for a different candidate and possibly being affected by different local policies to their neighbours living directly across the road. But, they're still Greertonites and always will be. This is as artificial as you can get. It's phony! Moreover, it's an insult to the people of Greerton.

16. There's more pie in the sky stuff in the description of the Te Papa ward. There's a great deal of council focus on the Te Papa Peninsula, which, geographically, runs from the tip of Sulphur Point out to 15<sup>th</sup> Avenue. The Spatial Plan talks about "*a vision for a unique, livable, connected and healthy peninsula in 2050,*" That's all very well for the "*peninsula,*" but what about the rest of this so-called community of interest? Gate Pa, Greerton North (that's how the council wants to designate it), Merivale and Parkvale, the later Avenues and Fraser Cove aren't on the peninsula, but most of the residential population of the Te Papa ward lives in that area, and it's really stretching things to say that they share a community of interest with the industrial area of Sulphur Point and the CBD. In fact, They don't. This ward is not based upon a distinct community of interest. It's not as neat and tidy as the council would have it be; there are at least 2 communities of interest.

17. I am not familiar with all the suburbs and areas in Tauranga, so I cannot comment on every community of interest definition applied by the council, but I will say that the move by the Lakes residents to establish a community group suggests that they have a "sense of belonging" to their particular area, not just the parcel into which they have been packaged by the council.

**18. Submission: There is an easy way to solve the problem of finding a distinct commonality between wards and communities of interest: employ an Option 2 single ward type model.**

19. Reason 2. The council sees its proposed system as "*the most equitable*" because both general and Maori electors vote for one councillor and the mayor. This statement is typical of the kind of sophistry that politicians indulge in when they are trying to bamboozle electors.

20. First; the council's system is not the most equitable. Electors may vote for – and communicate with – only 1 out of 9 councillors. The council has almost eliminated voting opportunities. Electors can't vote for all the councillor – 9 out of 9, not for two-thirds of the councillors – 6 out of 9, or even a third – 3 out of 9. No, the council has reduced the voting right to the lowest common denominator: 1 out of 9. It could almost be called a dumbing down.

21. By comparison with the current system, the number of councillors that general roll (GR) electors can vote for has been slashed. Under the current system (which does not have a Maori ward) GR electors can vote for 6 out of the 10 councillor system – 2 for their ward councillor and 4 for the at large councillors. Under the council's proposal GR and Maori roll (MR) electors can vote for only 1 out of the 9 councillor system.

22. Second; by law, all electors vote for the mayor, whatever system is used. To infer, as the council has done, that the council has made its system the most equitable by including a right to vote for a mayor is wrong and misleading. GR and MR voters have the right to vote for the mayor whatever system is chosen. No system is any different from any other in this regard.

23. Third; limiting the number of councillors that residents can communicate with, smacks of an intention to weaken the power of the people by minimising their access to the representatives who are making the decisions that affect them. **Shutting us up and shutting us out!** Tell me how that is most equitable!

24. Fourth, Greerton, is in reality one community, but it gets 2 councillors and 2 votes. Other suburbs have a right to feel extremely aggrieved about this. It's not equitable!

**25. Submission: Option 4A is not the most equitable system. In fact it's not equitable at all.**

26. Reason 3. The council's promotion of Option 4A on the basis of it having a more even distribution of electors per councillor for the general wards than other options is a joke. That reason doesn't deserve a place on the list. It's not an evenness competition, for Heaven's sake.

**27. Submission: Greater evenness is not a valid reason for choosing one option over another.**

28. Reason 4. The next reason given by the council for its choice is that because it has a smaller number of councillors – 9 as against 10 in the former council – it contains potential for being a more efficient governance model. No explanation is given for this assertion, and I think you would struggle to find one in any of the text books or through research, especially given the small amount of the small difference in the numbers. In fact, a reduced number of councillors is more likely to cause governance problems. In 2019 when the council was elected with 10 councillors the ratio of population per councillor was about 14,500. In 2022, under the council's proposal for 9 councillors it will be about 17,000 per councillor and the ratio will get higher as the term of the council proceeds and the population grows. Councillors will find it harder and harder to stay in touch with the city's residents. I fail to see how reducing the number of councillors will make the governance model more efficient. It's more likely to lead to inefficiency. Perhaps the council could give us a proper explanation of this reason. As it is it looks like a piece of nonsense.

**29. Submission: Tauranga has and for many years will continue to have the fastest rate of growth of all the cities in New Zealand. The councillor numbers should be increased to keep up with growth, not reduced.**

30. Reason 5. The council's system is easier to understand than any other representation arrangements, so we are told. And it has a direct link between electors and the ward councillor.

31. First: "easier to understand". I don't agree with that statement. Option 1, with a slightly different distribution of councillors, has been with us since 2010 and we have coped with it okay. I find Option 4A – which wasn't put to the public in the feedback survey – more confusing so far as ward boundaries are concerned, especially as the communities of interest aren't distinct, and I apprehend that come voting time many electors won't be sure which ward they are in and which councillor they should be voting for. There is a potential for the confusion to become greater if a candidate who has previously stood for a particular ward is now found to be standing for a differently named or differently defined ward because of council's fiddling with the boundaries..

32. A direct link between electors and the ward councillor. Well, that's an easy argument to put forward when there's only 1 councillor that any elector can communicate with. But, it's a specious argument.

**33. Submission: All of the systems in the feedback survey are easy to understand; and so they should be. In arguing that one particular system is more easy to understand than all the others the council undermines the integrity of its own process**

34. Reason 6. Then the council really scraped the bottom of the barrel by putting forward the argument that there is “*potential*” for less costs for candidates standing in general wards. What is its meaning? What conclusions can we draw from it? It’s nothing but a random piece of speculation.

**35. Submission: This should never have been given as a reason. It is not explained and it goes nowhere.**

36. Reason 7. Adding to the vagueness of the other reasons it has given given to justify its choice, the council says that Option 4A “*could*” address the concerns and issues raised by the Observer Team. Another piece of random speculation.

37. The “*concerns and issues*” referred to by the council are, I assume, those contained in the paragraph 47 of the Report dated 16 November 2020. I am making that assumption because I have heard the council use the words of that paragraph more than once. The Report said, “*Whilst technically beyond its brief, the Team has also been left wondering if the current basis of representation and the mix of at large and by ward election of councillors is a contributing factor to the current situation.*” This single statement; which the Team recognises is “*beyond its brief*” and which has done no more than left it “*wondering*” carries no weight at all. It is inconsequential; no more than a chimera, an idle speculation. The matter of the election system is not given the slightest mention in the Team’s conclusions in paragraphs 69 and 70. Most of the emphasis in those conclusions is on poor behaviour and approaches and the need for councillors to make changes in their conduct and to pay greater attention to the job they have been elected to carry out..

38. I have just thought of another conclusion that the Team *might* have made. The Team stated (para 14) that one of the things it looked for was if a councillor was not just physically present at a meeting but also engaged in the issues and the debate. And, at para 39 said it had observed a number of meetings where engagement did *not* happen. Reference was made to the common practice sending text messages and emails during meetings. Maybe, if councillors had been made to switch off electronic devices during meetings or to leave them at the door when they went into meetings, the need to appoint a commission might never have arisen. (You can take this remark seriously or as a joke. It’s meant both ways.)

39. Changing the election system isn’t going to fix another problem that the Observer Team uncovered. In para 40, the Team said that it considered the councillors had a limited understanding of their role as elected representatives and governance practice in general. A multi-ward system of the IP kind isn’t going to prevent that problem from arising again. Training and experience is the only thing that will improve performance in that area. Community boards can help with that.

40. Apart from all that, the council should have explained (as required by Section 19K) in the IP exactly what the “*concerns and issues*” were, instead of leaving us to guess, which I have had to do.

**41. Submission: The council has failed to give residents any understanding of what the “*concerns and issues*” are and how Option 4A is going to fix the perceived problems Furthermore, if the**

**council is basing its case on a throw-away piece of “wondering” by the Observer Team it is building its case on weak foundations.**

42. Reason 8. Finally, the council comes out with the bold statement that its system presents the mayor with a clearly defined leadership role because he is elected at large. Well, of course he’s elected at large, that’s nothing new, that’s not a change. It’s the way the system works. The IP system doesn’t change the mayor’s role one iota.

**43. Submission: The council’s statement is not only wrong, it’s also misleading. It should never have gone to print.**

**A better system.**

44. I submit that either Option 2 or Option 1 – both with modifications - would provide a better representation system for Tauranga.

45. In the feedback survey Option 2 was presented by the council as consisting of 10 councillors, 9 selected from 1 GW and 1 from the MW. This arrangement should be modified by increasing the number of GW councillors to 11 and then splitting them into 6 ward and 5 at large (AL) councillors. The split is based on advice that because Tauranga has a MW it must have at least 6 ward councillors. I have also received advice that Tauranga needs only 5 ward councillors if it has a MW, and if that is correct I would choose a split of 5 ward and 6 AL, but for the purposes of this presentation I will leave the numbers as 6/5.

46. A modified Option 2 has several advantages that Option 4A does not have.

47. A modified Option 2 system gives GR electors the right to vote for - and communicate with - 11 councillors. It gives MR electors the right to vote and communicate with for 6 councillors: 1 MW and 5 AL. This is much, much fairer than Option 4A, which limits electors, both GR and MR, to voting for and communicating with only 1 councillor. Option 2 could only be made better if all the councillors in the GW could be AL, which would mean that everyone could vote for all the councillors, but the existence of the MW prevents that from happening.

48. Obviously, being able to have a larger say in who gets elected and having more elected representatives to communicate with will be a better outcome for residents. And, it will be a better result for the city in that the wider scope for contact between residents and councillors will increase engagement opportunities. I submit that this is the kind of thing the Minister had in mind (whether she realised it or not) when she directed the commissioners to “*determine a mechanism for engaging with the community, iwi, elected representatives and other stakeholders to rebuild trust and confidence in the Council.*”

49. I suggest that there may be another advantage in having councillors within the reach of a larger number of residents than would be the case with option 4A. Close communication with residents will help to keep councillors aware of the fact that they are accountable to a lot of people.

50. The system is easy to understand. I have covered this subject in paragraphs 31 and 33 above.

51. It's effective. I have already argued ((paragraphs 5 and 6) that AL councillors are more likely to take a whole-of-city approach to governance. Under the modified Option 2 all of the councillors are, in effect, AL councillors. Having councillors focused on a whole-of-city mandate will be more effective than having a smattering of ward councillors driven by local ward mandates holding up the works, as will be the case with Option 4A.

52. With only 1 ward in the system there's no need to go about fabricating counterfeit communities of interest to justify ward boundaries. True communities of interest with particular needs can be represented at a sub-council level by community boards.

53. Interestingly, the results from the feedback survey favoured Option 2. Maybe that's because it was easier than the others to understand. Anyway, that's not relevant because Option 4A wasn't put up for feedback, so the figures from the survey can't be used for comparison.

#### **Another Option?**

54. If for some reason the modified Option 2 system is not found to be suitable, a modified version of Option 1 could be used. The only change that would have to be made would be an increase in the number of AL councillors from 2 to 4. That would bring the total number of councillors up to 12. GW electors could vote for and communicate with 7 or 8 councillors depending on which ward they were in and MW electors would vote for 5.

55. Although it's not as fair and effective as a modified Option 2, a modified Option 1 is still an awful lot better – for much the same reasons – than Option 4A.

#### **LGC.**

56. I have gone into some detail with my submission in case the determination on Tauranga's representation system has to be made by the LGC. If that is what happens I will not be able to introduce new topics into my argument against Option 4A and for a modified Option 2 or Option 1. So, I have tried to cover all my bases.

57. I will be making a separate submission in favour of the establishment of community boards.

#### **Summary of my submissions.**

58. Option 4A is the wrong representative system for Tauranga, principally because it is not fair, it will not be effective and it has the potential to reduce the chances for councillors with a whole-of-city vision to be elected.

59. The council should choose a system that does not create potential for frequent decisions to be made by way of the mayor's casting vote.

60. The council's IP resolution is flawed because it fails to provide an adequate explanation of the reasons for the proposed changes.

61. The council has failed to identify valid communities of interest to justify the ward boundaries it has created. for example, the Mount/Arataki/Papamoa wards model is egregiously bad and does not represent the true communities of interest, and splitting Greerton into 2 wards breaks all the rules.

62. The council's system is not equitable. It takes away the current right of electors to vote for and communicate with several councillors and limits that right to only 1 councillor. It's an attempt to shut us up and shut us out!

63. Councillor numbers should be increased not reduced.

64. A modified version of Option 2 would provide a fairer and more effective system of representation. Should Option 2 not be found to be appropriate a modified version of Option 1 should be used.

**Barry Scott**



**26<sup>th</sup> September 2021.**



### The case for Community Boards

**Submitter: Barry Scott**

1. The council has decided that community boards should not be established in Tauranga. I disagree with that decision. Community boards should definitely be part of Tauranga's governance system. There should be at least 6 of them.

2. Section 10 of the Local Government Act states unequivocally that the purpose of local government is:-

(a) to enable democratic local decision-making and action by, and on behalf of, communities, and

(b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

3. I have underlined two of the words in this statement of purpose: local and well-being, and this will be where my case begins.

#### Local.

**4. Synonyms for the word local are suburb, district, area, neighbourhood and, of course, community. Council and councillors are not synonyms for local.**

5. There is no effective provision in Tauranga for local participation in or contribution towards decision making via a separate entity. Take the matter of this representation review. The council started off with a feedback survey and received a fair to middling response - 825.

6. It's what has followed and will follow that is relevant. On the 30<sup>th</sup> of August the council decided upon the form of its initial proposal (IP), and:-

(a) it did not include any of the Options that were presented to the public in the survey, and

(b) it created a new Option - 4A – for the IP, one that had not been included in the survey.

(c) Whilst it can be argued that the results of the survey are not relevant because Option 4A was not offered as a choice, the fact that Option 2 received most votes – 274 against Option 4 – 184 - is not something that can be ignored. (Option 4 could be called a cousin to the then unborn 4A, but it offered a total of 12 councillors instead of 10.)

**7. The local viewpoint could only be presented through council machinery. Therefore, it is not surprising that, despite its disingenuous comments about having listened to what people had to say, the council pulled out of its hat a bespoke Option to fit what *it* regarded as the ideal model! There was virtually no significant local participation in or contribution towards that decision because, of course, there was no mechanism in place to facilitate such a process.**

8. I submit that if community boards had existed in Tauranga when the representation review process commenced, the survey would have produced a greater number of and more meaningful responses. The boards would have encouraged participation and acted as a conduit between the council and the community. Higher numbers and more informed responses would have been achieved because there is better understanding and trust between a community board and the members of its community than

there is between a council and a city's residents. The decisions would not have been made by the boards but their feedback would have been more representative of local opinion. In the survey 130 people said that they were unsure about community boards. What they meant is that they didn't understand the question!

9. Following on from the survey – in which the questions, few as they were, were framed by the council, not asked by locals – there is this current open period for submissions – again based on sparse questions and information framed by the council – and soon oral submissions will be heard – limited to a speaking time of 5 minutes. Is that “*democratic local decision-making?*”

10. Then there will be another period of deliberation by the council and after that probably another decision that pays no more than lip service to local opinion – and needs and preferences. Fortunately, the Local Government commission (LGC) will have the final say, but by then only the hardy will be left to argue the case for boards.

**11. Community boards are needed in Tauranga. Residents need not only a better way of communicating with the council, they also need a body they trust to inform and educate them and advocate on their behalf. I submit that if such an entity had been established and maintained in Tauranga well before now some of the costly mistakes that have been made by council on certain projects could have been avoided. And, who knows, maybe the appointment of a commission might not have become necessary.**

#### **Well-being.**

12. In a 2017 study by three Australian Universities (*Phelan et al/Ecological Economics 131 (2017)*) of the impacts on quality of life of certain governmental decisions, it was concluded that factors that contributed to a loss of a sense of well-being in a community were a feeling of powerlessness in the face of government decisions, a perceived lack of local representation, a perception that the local government didn't regard the community's opinion as having any value, and the lack of a means for the community to come together to contribute to the making of decisions.

13. Here, in Tauranga that same sense of a loss well-being, and for the same reasons, is reflected in the bitter and often abusive messages about the council that are posted on the Facebook pages of social and ratepayers groups, expressed in letters to the newspapers, and even made part of some of the submissions that come before the council. “Loss of democracy” is the popular cry. People are hot under the collar about what they see as a refusal to listen to them and to provide them with a suitable means by which they can have their say. They are fed up with being made to feel powerless - shut up and shut out!

14. This feeling of powerlessness was exacerbated by the ousting of the city's elected representatives and the appointment of a commission to run the city. Right now, with talk about the election of local representatives possibly taking place in October 2022 it is appropriate to wonder – and worry - if anything is going to change when we have our own councillors sitting around the council table. Can they be trusted to promote the well-being of communities? Can we be confident that they will enable democratic local decision-making, will they be up to the job? Put that question out in a feedback survey and the overwhelming answer will be, No!

15. If effective changes that will restore trust and confidence in the council and promote the well-being of the community are to going to be made they will have to be made before the new councillors take their seats. They will have to be made in this representation review.

16. A decision to establish community boards in Tauranga is, I submit, a crucial necessity if the well-being of residents is going to be improved and trust and confidence in the council is going to be restored.

**17 It is my view that the continued exclusion of community boards will aggravate the unsatisfactory situation that has existed in Tauranga for many years. It is not good enough that residents are only able to debate council decisions and proposals that affect them in the council chambers and under council rules. Residents deserve to have the right to speak and be listened to in surroundings in which they are comfortable, and have their presentations given the respect they deserves. The right to participate in the governance system is one that every resident is entitled to have. Failing to provide community boards deprives us of that right.**

**Show respect for the residents of Tauranga, remove their sense of powerlessness, restore their sense of well-being, let them have a say in how the business of their city is run. Establish community boards!**

#### **Communities of interest.**

19. Turning the academic description of a community of interest into actual lines on paper is not an easy task. My own knowledge of the city is pretty well limited to the Tauranga/Papamoa side of the harbour, but I will make a few guesses about a possible 6 boards.

20. The Mount and Papamoa are definitely distinct communities of interest. They are geographically separate from the rest of Tauranga, and between them they have natural features that cannot be found anywhere else in the city. I submit that there should be two boards, each with 6 members and suggest that the dividing line should be Domain Road with Papamoa Domain and the Holiday Park being in the Papamoa board area. Should it be decided that the Mount and Papamoa should be 1 board I suggest 6 members with 3 from north of Domain Road and 3 from the south. Arataki is not a separate community of interest. It should be regarded as a part of the Mount.

21. Welcome Bay and Ohauiti have a community of interest, I believe, and could become a board with 6 members, 3 elected from each suburb. The contours of the two suburbs sets them aside from all other suburbs: uneven and hilly in places with many of the steeper areas not able to be built on. Mixed housing, largely because of the contour of the land, lifestyle blocks and conventional sections. It's fair to say that they have different problems from the rest of Tauranga: not enough shops, traffic congestion, poor road surfaces, for example. Welcome Bay and Ohauiti need a board.

22. Matua, Otumoetai, Bellevue and Brookfield form an almost natural community of interest. The area is established and there appears to be an adequate supply of schools and shops. If the board is to have 6 members perhaps 1 could be elected from each of the 4 suburbs and 2 at large. Call it the Otumoetai community board.

23. Greerton and Gate Pa. I have in mind the area that runs from 23<sup>rd</sup> Avenue, the Gate Pa shopping centre, out to Barkes Corner. I do not believe that the Te Papa peninsula from the tip of Sulphur Point

to 23<sup>rd</sup> Avenue needs a board because it is essentially a commercial and industrial area and the increase in residential density is not going to change that to any noticeable degree. 6 members, and I will not be so bold as to suggest what part of the community those members should be elected from.

24. The Lakes and Tauriko. Another natural community of interest binds these suburbs. Maybe only 4 members, with 2 from each suburb.

25. What about Judea and Bethlehem? I have a problem linking them naturally to any other suburb or community of interest and I cannot identify their own community of interest. The fact that a suburb exists does not mean that it is “entitled” to have a board. The staff have all the data relating to population distribution and know the city better than I, so I will leave it to the council to make its own conclusions.

26. **There is a test that can be applied to determine where communities of interest lie. Ask the people who live there. They will tell you what boundaries that make sense to them, and they, after all, are the people most affected by the council’s decision. If this test had been applied to the definition of ward boundaries we would not have ended up with divisions that don’t make sense; especially treating Arataki as a separate ward and splitting Greerton into 2 parts. And, don’t give me a load of tripe about the question of boundaries having already been asked in the feedback survey. People didn’t understand the significance of the questions they were being asked!**

**The council should have officially co-opted local ratepayers groups and the like into conducting meetings in their area to explain what was intended. Or, if that wasn’t appropriate (I don’t think that some groups would have been up to the task) conducted meeting itself with a pair of guest speakers to explain and debate the affect that the proposed changes would have on residents’ lifestyle and well-being. Community boards could have done this if we had had them in Tauranga.**

#### **Other options**

27. It has been suggested that ratepayers groups and the like do just as good a job for residents as community boards. I disagree.

28. The role of a community board, according to Section 52 (a) of the LGA, is to “*represent and act as an advocate for, the interests of its community.*” Ordinary community groups (OCGs) do not have such a mandate. They don’t have any mandate.

29. Whilst the council is well aware of the functions of community boards I will highlight what I see as some of the advantages that boards have over OCGs. There is no need for me to go into extensive detail because you will understand what I am talking about.

(a) Continuity. The policy directions of of OCGs are susceptible to change when a new committee is sworn in annually, especially if a person with a strong hobby-horse has won the chair. OCGs do not have immutable mandates under which they must operate.

(b) Boards have a much larger pool of talent and volunteers to draw on when election time comes around. Quite often the members of boards are retired business people with a broad range of skills and experience. All of us have seen the problem that ordinary clubs and volunteer groups of all kinds have when it comes to filling committee positions. Often the bottom of the barrel has to be scraped and people almost press-ganged in to fill all the vacancies.

(c) It is not hard to gain the impression that some OCGs regard their relationship with the council as basically being adversarial, and in a few rare cases, hostile. They play the confrontation card as if it is the only one they have. This is not the case with every OCG, but lately we have seen a lot of it from a few of them. Boards on the other hand are legally bound to collaborate with the council, which in the long run produces more positive results.

(d) Boards provide a training ground for prospective local government politicians. This cannot be said of OCGs. Boards give prospective councillors a chance to get a taste of all aspects of what the job entails - including the impact of public attention - and an opportunity to find out how what the work load involves..

(e) Accountability. Board members are accountable to the whole of their community and their proceedings are subject to strict scrutiny. The same level of accountability and scrutiny does not apply to OCGs.

(f) Boards have a statutory foundation. A board is not an ad hoc organisation or one born from the fleeting whim of a small group with a particular hobby-horse to ride. The statutory foundation of boards and their strict mandate provide stability.

(g) Boards have mechanisms for engaging with their council that are not enjoyed by any OCG. Boards can bring the community closer to the council's decision making process. OCGs are always in a space apart.

(h) Boards can access council information in a way that is not available to OCGs. A benefit of this is that board feedback of information to the community is informed and accurate. Boards don't have to rely on guesswork and speculation.

(i) Boards can reach all the residents in a community. Everyone in the community is entitled to take part in the election of its officers, attend and speak at its meetings and take to it their complaints, criticisms, suggestion and ideas. OCGs are groups with membership limited to those few who are prepared to officially join and pay an annual subscription. OCGs do not reach out to the whole of the community; only to those who have gone through the process of becoming a member.

(j) Boards do not rely on Facebook false narratives to get messages out to their community.

30. There has been a quiet murmuring from the commissioners about ward committees or the like being an alternative to community boards. Let me tell you what happened when the Western Bay of Plenty District Council proposed to get rid of its 5 community boards and replace them with 3 ward committees with members appointed by the council. The matter went to the LGC on appeal. In light of *"the overwhelming number of submissions received supporting the retention of community boards..."* the council backed down and agreed that 4 of the boards should be retained, but that the Omokoroa board should be disestablished. This didn't wash with the LGC which determined that all 5 boards should be retained. The LGC also made the suggestion that the council should give consideration to further community representation across the District.

On the matter of ward committees, - a proposal the council dropped in the end because of the strength of opposition - the LGC commented that with regard to those areas where the council had intended to establish them it was *"unconvinced"* that they would provide effective representation. So, no ward committees.

Ward committees are not democratic bodies and any attempt to establish them in Tauranga would be met with strong opposition.

### **Spillover benefits?**

31. I submit that there would be spillover benefits from the establishment of boards, and they would be in areas that would not have been foreseen a couple of years ago.

32. The election of a Maori Ward councillor will take place for the first time in Tauranga in 2022. The councillor will represent a population of approximately 15,000. Within that population of 15,000 are, by my count, 12 maraes, 3 iwi and 15 hapu, spread right around the city. It is reasonable for the maraes to expect that the MW councillor will represent them and their needs and preferences. Will one councillor be able to adequately serve them? I am not talking about ability, I am talking about the size and complexities of the job.

33. One of the obligations of community boards is to represent all groups in their community. And that includes maraes, iwi and hapu. I can recall two maraes taking proactive action in recent times on matters that had an affect beyond their location. I am talking about the Whareroa Marae's battle against air pollution from the Mount industrial area and the Maungatapu Marae's successful fight against Transpower over transmission lines. Both campaigns received the support of local groups. Maraes, iwi and hapu are part of a community, not something apart.

34. Is a MW councillor going to be able to drop everything and take up such a fight and give preference, for a while at least, to one marae's problems over that of all the others? It might be possible, but it wouldn't be easy. Could the MW councillor hand over the job to another councillor? Probably not. But, assistance could be provided by a community board. Maraes are part of the fabric of Tauranga's communities and in most cases a marae's problems are its community's problems as well.

35. The establishment of boards would provide a means whereby the considerable load of a MW councillor could be lightened. He or she would still play a part in finding a solution to the problems of various maraes but there would be tangible assistance available from the board. Maraes and their iwi and hapu would receive effective representation not solely through their councillor, but also through their local community boards. Without boards maraes, iwi and hapu will, I submit, be at a disadvantage when it comes to effective representation.

36. And, why not hold a board meeting on a marae? It would be an important first for many people in our community.

37. Then there's the pandemic. If we face a crisis like this again or this one carries on much longer, boards could assist central and local government by passing on, through the various mediums that they use, information about health matters, warnings, testing and vaccination locations. Every board would have a Facebook page and, like it or not, that's a great way to reach people. Being quasi-official a board's Facebook page would have credibility. Which is not something that can be said about a lot of Facebook pages.

38. Climate change and the threats it is bringing with it with it have been pushed somewhat to one side while we are battling the pandemic, but scenes on TV and online of flooding and fire around the World constantly remind us that it's there and it's getting worse. Preparing for the problems that climate

change is going to bring with it is a task that will devolve from central government to local government and from there to communities. Everyone will have a part to play.

39. Community boards would be a wonderful way for the council to connect with the community at a grassroots level. Councils are required, under statutory mandate, to consider and plan for the effects of a changing climate on their communities. But, it isn't easy for councils to catch and hold the attention of communities. Boards are trusted by their communities and information passed on through them would be likely to reach a larger audience than would a message conveyed through the usual council channels.

40. But, boards could have a much more important role than that of just a message carrier. Boards can stimulate some members of the community into coming up with innovative and pragmatic ideas for dealing with climate change challenges. Also, boards are in a better position than councils to organise events to implement recommendations from the council or suggestions from community members.

41. OCGs would not be capable of distributing information, stimulating ideas, and initiating community action to any worthwhile and continuous extent. And, for the council it would be a time consuming and possibly expensive exercise. Only community boards are suitable for this purpose.

42. Climate change is here, now, and boards are the way for the council to involve the community in meeting the challenges that it brings with it.

**43. Community boards must be looked at as being more than a convenient way for the community and the council to communicate with each other. The two points I am making are:-**

**(a) We must ensure that the creation of a Maori ward and the election of a Maori ward councillor become an effective step forward, not just an empty symbol. The councillor and the people he or she represents must be given every opportunity to participate in the city's governance system. That could be difficult without the additional mechanism that boards provide. Boards are necessary as a means of support for the intention behind the creation of a Maori ward.**

**(b) The pandemic has left everyone realising how suddenly and drastically life can change when world-wide disasters hit us. We have to work together to deal with such situations. As I have said, the task of dealing with climate change will devolve from central government to local government; and it mustn't end there. Everyone must be involved and the easiest and least costly way for our council to plan for that is to establish community boards in Tauranga.**

45. Another long submission, but as I said when I submitted regarding wards and councillors, I have to include everything because I cannot introduce new topics if the matter goes to the LGC for determination.

**Barry Scott**



**1<sup>st</sup> October 2021**

Browser: Chrome  
Version: 93.0.4577.63  
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Q2.

## Representation review

Thank you to everyone who provided feedback in July about the possible structures for future Council representation.

Your feedback has enabled us to create one proposed option: a **single member wards model** with nine councillors and a mayor. This option has no community boards.

Before this option is finalised, you have a further opportunity to provide feedback.

It is important to us that you share your views on how you are represented on Council. Thanks for having your say.

### Submissions close at 5pm on Monday, 4 October 2021

Please read about the proposed [single member wards model](#) before completing this survey.

\* indicates a mandatory field

Q24. The initial proposal is for Tauranga residents to elect nine councillors – eight from eight general wards and one from a Māori ward – plus a mayor.

The eight general wards are: Mauao/Mount Maunganui, Arataki, Pāpāmoa, Welcome Bay, Matua, Bethlehem, Tauriko and Te Papa

Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?



You have no general wards. So the best possible councilors wont be elected. It will be like the Balkan States, individual narrowly focused councilors trying to push their little ward forward. Nobody elected for the big picture.

**Q5. Would you like to upload a supporting document?**

- ☐ Yes  
☐ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

*This question was not displayed to the respondent.*

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☒ Yes  
☐ No

**Q8.**

## Contact details

**Q9.**

**First name: \***

Roy

**Q10. Surname: \***

Edwards

**Q23. Organisation**

Vote the best for the job

Browser: Chrome  
Version: 90.0.4430.210  
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Flash Version: -1  
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Chrome/90.0.4430.210 Mobile Safari/537.36

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☐ No

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☒ No

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- ☒ Yes  
☐ No

**Q8.**

## Contact details

**Q9.**

**First name: \***

Sandi

**Q10. Surname: \***

Fernandez

**Q23. Organisation**

Browser: Chrome  
Version: 90.0.4430.210  
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Chrome/90.0.4430.210 Mobile Safari/537.36

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Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

We should be able to vote for some "at large" Concillors as well.

**Q5. Would you like to upload a supporting document?**

- ☐ Yes  
☒ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

*This question was not displayed to the respondent.*

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☒ Yes  
☐ No

**Q8.**  
**Contact details**

**Q9.**  
**First name: \***

Stephanie

**Q10. Surname: \***

SIMPSON

**Q23. Organisation**

Browser: Chrome  
Version: 94.0.4606.61  
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☒ Yes

☐ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

However while the proposed structure for the Representation Review has value in identifying clear local responsibilities, it inherently produces pressure for councillors to preference their electorate interests over the interests of the whole City. The Mayor's casting vote and influence may be insufficient to counter the resulting factionalism. To help counter this we suggest the option to consider the use of Citizens' Assemblies.

**Q5. Would you like to upload a supporting document?**

- ☒ Yes  
☐ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

[Final Citizens' Assemblies for Tauranga City 30Sept21.pdf](#)  
554.4KB  
application/pdf

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☒ Yes  
☐ No

**Q8.**

## Contact details

**Q9.**

**First name: \***

Jan

**Q10. Surname: \***

Beange

## Te Tiriti based Citizens' Assembly/Jury/Mini-publics for Tauranga City Council

This submission supplements the recommendations of the Representation Review by introducing an optional decision process: the Te Tiriti based **Citizens' Assembly** (aka Citizens' Jury/Mini-Publics). Citizens' Assemblies have been extensively demonstrated to be fair and effective in engaging citizens and decision makers to deliberate on complex, contentious situations in which conventional decision practices tend to fail.

Te Tiriti based Citizens' Assemblies are likely to be valuable for Tauranga because of the following:

1. Tauranga has problems of relationship trust and engagement between decision-makers and the community. The levels of confidence in local government and levels of interest and engagement within this community are stressed. Given the City's history of growth demands, uncertainty and competing interests, this Representation Review is unlikely to remove that stress. Yet at this time it is critical to achieve effective decision-making to take account of competing interests and the Climate Emergency, within the city's development trajectory.
2. While the proposed structure for the Representation Review has value in identifying clear local responsibilities, it inherently produces pressure for councillors to preference their electorate interests over the interests of the whole City. The Mayor's casting vote and influence may be insufficient to counter the resulting factionalism.
3. The pressures of the Climate Emergency and city growth mean that more than ever before decisions will need to be equitable and effective so as to provide a sustainable livable community for all. To achieve this locally reform is needed beyond this traditional Representation Review. By making Assemblies Te Tiriti based from the outset, the community can prioritize, respect and enhance partnership treaty principles in local decision making.

Citizens' Assemblies involve a group of people randomly selected to be representative of the community. The Assembly explores the issues, hears expert advice and stakeholder opinions. Then it undertakes facilitated deliberations to arrive at collective recommendations. Even in critical and contentious situations such members of the public have been able to engage complex issues and make valuable, community-based recommendations. With appropriate support Assembly deliberations can engage the broader community to widen the awareness of the process. The Assembly recommendations can then be passed to the Council who adopt them or explain their alternative response to the Assembly and the community.

This proposal adds a new layer of democracy beyond elections; a new tool to support expression of the will of the people. It goes beyond the "squeaky wheel" of select interest groups pressuring their elected representatives. It helps to clarify the feelings of the community on critical issues. In stressed electorates it helps overcome potential uncertainty, fear, or self-interest on the part of pressured elected decision makers.



The choice to use a Citizens' Assembly for a specific issue will need to be carefully considered to ensure they are effectively implemented. Assemblies do take time and they have a cost. However, evidence suggests the benefits are enormous. They can:

- address complex contentious issues to the satisfaction of the general community,
- enhance the engagement of the community, and
- establish trust in decision makers.

For decision makers they

- create better understanding of the views and needs of the community
- enable them to make implement programs with much higher confidence in community acceptance.

### **Summary**

In this submission the request is for the Commissioners to formally recommend to the Minister of Local Government that a form of deliberative democracy through Te Tiriti based Citizens' Assemblies form part of Tauranga's representation framework, as a specific optional method for enriching the quality of "representation" in Tauranga.

Submission Authors: Jan Beange LLB, MBA and Gray Southon, Special Officer for UN Renewal.

## Appendix: Evidence for the effectiveness of democracy beyond elections

Deliberative democracy, using the tool of Citizens' Assemblies (aka Citizens' Jury, People's Panel, Mini-public) is a relatively new technique which has demonstrated considerable success in a wide range of applications in Europe, as well as Canada and Australia, with a few applications in New Zealand.

The following links provide a further useful evidence base:

1. <https://dpmc.govt.nz/our-programmes/policy-project/policy-methods-toolbox/community-engagement/citizen-juries>
2. One of the clearest descriptions of an Assembly is the Irish experience which in just over 2yrs went from Assembly to legislative change, breaking the political deadlock on abortion reform. The Irish Assembly also made recommendations on constitutional reform, climate change and aged care questions. This 16 min video provides a graphic description.  
[https://www.youtube.com/watch?v=MjpuDk9\\_BWI](https://www.youtube.com/watch?v=MjpuDk9_BWI).
3. Following the legislation in Victoria, Australia requiring local government to use deliberative methods the these short videos describe the experiences of participants  
<<https://youtu.be/z-Yc4vuG5B4>> and decision makers < <https://youtu.be/jQCQysiJ8dA>>
4. The need for Citizens' Assemblies is well explained in this [TED Talk](#)
5. New Zealand use has been demonstrated in the
  - a. Development of the City of Auckland [City Plan in 2011](#)
  - b. Nationwide public [deliberation on pre-birth testing](#) in New Zealand by Toi te Taiao: the Bioethics Council.
6. Australia's [NewDemocracy and UN Democracy Fund](#) collaborated to produce resources entitled "[Enabling National Initiatives to take Democracy Beyond Elections](#)"
7. The 2020 OECD report on deliberative or Citizens' Assemblies, which explores the reasons and routes for embedding deliberative activities into public institutions to give people a more permanent and meaningful role in shaping the policies affecting their lives. Link to the full report and highlights (28 pages) document - <http://www.oecd.org/gov/innovative-citizen-participation-and-new-democratic-institutions-339306da-en.htm>
8. Matike Mai; a report from The Independent (Maori) Working Group on Constitutional Transformation for implementing Te Tiriti o Waitangi partnerships:  
<https://nwo.org.nz/resources/report-of-matike-mai-aotearoa-the-independent-working-group-on-constitutional-transformation/>

Browser: Chrome  
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[Council letter Commissioners September 2021.doc](#)  
52.5KB  
application/msword

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☒ Yes  
☐ No

**Q8.**  
**Contact details**

**Q9.**  
**First name: \***

Mike

**Q10. Surname: \***

Baker

Mr M J Baker  
[REDACTED]  
[REDACTED]  
[REDACTED]

Telephone [REDACTED]  
Email [REDACTED]  
[REDACTED]

26th September 2021

The Commissioners  
Tauranga City Council  
Private Bag 12022  
TAURANGA 3143

Dear Commissioners

**Re REPRESENTATION REVIEW**

Initial Comments

1. I wish to disclose that I am a former elected TCC councillor who served 2007/2010 and we undertook a Representation Review during that time.
2. I sometimes wonder as if there is ANY purpose in making this submission as you have obviously decided that this is your preference and as there are only 4 of you making a decision to change any of your minds, towards a fairer system at this time, is unlikely but miracles do happen.
3. I am however aware that unless I make a formal submission that I could well be precluded from any legal action that may take place, in the future, should the electorate oppose the Commissioners final decision.
4. AND I am also the strong believer in community involvement in decisions that will affect the long term future of this city and it is therefore my belief that this lack of engagement is potentially responsible for the position that we are now in facing being commissioners and a lack of community and other infrastructure.

In my initial submission (made by letter dated the 9th August and to my recollection never acknowledged) I supported OPTION 2 being just 1 general ward (comprising 9 elected members) the Maori ward and electing the Mayor being 11 in total.

Having experienced being on Council I have for many years supported another option, that was not provided to us and whilst this option is not under consideration, at this time, I would like to discuss it as I believe the reason that we are currently controlled by commissioners is because of bad decisions by past inexperienced councillors and that there, at least in my view, is only one way avoid this and that is to have a model similar to what Hospital Boards are elected being a percentage elected and a smaller number appointed.

By this I mean that say it is decided that Tauranga would have a total of 10 elected representatives, including the Mayor, then say 6/7 would be elected AT LARGE and the balance of 3/2 would be appointed.

## Page 2

The major problem that we experience with the existing representation option, is in my view, applicable in part to the following which I experienced firsthand, on the 2007/2010 Council was one that included a group that stood as "PICK 6" with the goal being of having 6 elected (what they called like minded people) with a bold goal of taking control of Council regardless as to who the Mayor was. It transpired that 5 were elected resulting in the balance of 6 (which included the Mayor who was not part of Pick 6) having a very difficult 3 years.

Fortunately there were people also elected that had some necessary skills being some with some financial skills and another that had extensive legal knowledge but others included 3 former real estate salesmen a couple of tradies but in some ways fortunately the Mayor had significant Local Body experience as had a couple of other re-elected councillors so at least some sanity prevailed.

It is therefore my belief that following an election that that the accumulated knowledge and experience of the say 6/7 voter elected representatives be reviewed, by an independent group, who would assess what skills were lacking and make appointments to cover the shortfalls in required knowledge. Similar to the way that Hospital Boards are elected because just imagine if an elected hospital board contained no-one with any medical experience on it yet we allow this to occur, in regard to Councils.

It does not seem to be recognised that the following occurs when someone is fortunate enough to be elected to represent the community:-

1. On the day after the election the successful candidates meet and many for the first time ever and then basically straight away are expected to work like a team being similar to the Board of Directors of a publically listed company.
2. TCC would be larger than many publically listed companies but is in theory "managed" by a group of councillors, who discuss and approve the budgets etc, who may not have any experience whatsoever in running a company and often this is where the boundaries are blurred between management and governance.
3. Public companies identify and arrange to have people nominated to fill board positions in areas that they require the expertise whereas a Council is basically elected on a popularity basis.

Now back to the **REPRESENTATION REVIEW** and I oppose the SINGLE MEMBER WARDS MODEL as proposed and supported by yourselves and make this decision based on the following:-

1. The total area of Tauranga only comprises approximately 120 square kilometres and therefore there is little difference between any of the proposed wards (other than in reality beach suburb and then city suburbs so why not just make it an election with one Maori Ward and 8 elected AT LARGE.
2. You are happy to recommend that there be one Maori Ward, elected from throughout the ENTIRE city, yet you believe that the balance of the city should be separated in 8 specific areas and this seems unrealistic and unnecessary.
3. You seem to believe that an 8 Ward system will result in better outcomes but it is my intention that the exact opposite could occur whereby people will feel that with only two votes, in total, their vote will make no difference so why bother to vote?
4. We should be encouraging rather than discouraging people to vote as we all know that voting turnouts for Local Body elections are significantly lower than what they should be.
5. Your proposed system virtually guarantees that people with common interests for the city will not get elected yet the Mayor being elected AT LARGE will therefore potentially not have the support of like minded people resulting in worse outcome than we have recently experienced.

## Page 3

6. Your decision to recommend a Ward based option results in someone like myself only being able to vote for a total of 2, of the proposed 10 representatives, being 1 from my ward and the Mayor. To me it defies logic that this is deemed a fairer and more equitable system.
7. Should a person decide to put their name forward, to stand for election, I could find no-where in the information provided that refers to, if in fact people have to be a resident of the Ward that they are standing in and if not this creates issues for other wards and in my view further complicates what should be a relatively simple system.
8. If in fact people can stand in wards that they do not reside in what does this achieve?
9. Many city people own properties around the city, it may be multiple residences or a residence and a business premise or a holiday home, in another ward and under your proposals which ward do they actually vote in? and this is not a problem or an issue if the city votes AT LARGE
10. In the representation Review document is a statement WHAT DOES FAIR REPRESENTATION MEAN and in the explanation it states *I quote Each elected general ward councillor should represent a similar number of people, within +/-10%. This is called the +/- 10% rule.* on my calculation this means that effectively, people living on the edges of wards could effectively, each election, be placed in another ward in order to keep the rule +/- 10% rule in place. **THIS IS NOT AN ISSUE OR A FINANCIAL COST, IN THE FUTURE, IF THE ENTIRE CITY IS TREATED AT LARGE.**
11. Successful candidates are sworn in on the basis of undertaking the role, that they have been elected to do, **for the city as a whole** and it is just not my experience that this necessarily happens under the ward system as when people are elected by their ward there can be a greater expectation that they work for the ward rather than necessarily for the city as a whole.
12. By selecting the 8 ward system I honestly believe that you are sending the community the wrong message as rather than potentially working together, as I believe an AT LARGE basis does, individual wards could create competition between wards rather than encouraging the city to work for the betterment of the city as a whole and sadly we have experienced this in the past. Areas like Welcome Bay, Otumoetai, Matua, Bethlehem or the Lakes have relatively few community infrastructure facilities whereas established areas such as the Mount have extensive community facilities such as libraries, halls, swimming pools and parks and reserves and in some instances this is because of the influence of the ward councillors elected in the past.
13. Should the proposed recommendation prevail when it comes to naming the proposed wards I would like the KISS theory to operate, just keep it simple and name them the actual areas so at least people have a clearer indication as to where they vote. If you do not follow this I believe that confusion will result in even less people actually voting.

It is my belief that we should be able to vote for the 8 councillors, to represent us, regardless as to where they live, as under your proposal, if say two stunning candidates stand and live in one ward **ONLY ONE OF THEM WILL BE ELECTED** worse still of course if these seemingly capable candidates are in a ward that I cannot vote in neither can receive my vote. I somehow feel that your recommendations are actually disenfranchising me and seriously makes me wonder if there is any benefit in me actually voting.

I therefore request that the Tauranga City Council Commissioners reconsider their collective views in view of the above and to also ensure that the fairest system available is made available to the residents of Tauranga.

Yours faithfully

M J (Mike) Baker

Browser: Chrome  
Version: 94.0.4606.61  
Operating System: Windows NT 10.0  
Screen Resolution: 1920x1080  
Flash Version: -1  
Java Support: 0  
User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/94.0.4606.61 Safari/537.36

Q2.

## Representation review

Thank you to everyone who provided feedback in July about the possible structures for future Council representation.

Your feedback has enabled us to create one proposed option: a **single member wards model** with nine councillors and a mayor. This option has no community boards.

Before this option is finalised, you have a further opportunity to provide feedback.

It is important to us that you share your views on how you are represented on Council. Thanks for having your say.

### Submissions close at 5pm on Monday, 4 October 2021

Please read about the proposed [single member wards model](#) before completing this survey.

\* indicates a mandatory field

Q24. The initial proposal is for Tauranga residents to elect nine councillors – eight from eight general wards and one from a Māori ward – plus a mayor.

The eight general wards are: Mauao/Mount Maunganui, Arataki, Pāpāmoa, Welcome Bay, Matua, Bethlehem, Tauriko and Te Papa

Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?



Proposal does not adequately reflect the true partnership principles of Te Tiriti o Waitangi signed in April 1840 at Otumoetai and Te Papa by the local iwi and hapu. I would strongly suggest a model where hapu representation at the Councillor level is equal to that of other interests. This could be by way of an equal number of seats, or by having the power of veto in certain circumstances.

**Q5. Would you like to upload a supporting document?**

- ☐ Yes  
☒ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

*This question was not displayed to the respondent.*

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☒ Yes  
☐ No

**Q8.**

**Contact details**

**Q9.**

**First name: \***

Koro

**Q10. Surname: \***

Nicholas

**Q23. Organisation**

TKKM o Te Kura Kōkiri

Browser: Safari iPhone  
Version: 14.1.2  
Operating System: iPhone  
Screen Resolution: 414x896  
Flash Version: -1  
Java Support: 0

User Agent: Mozilla/5.0 (iPhone; CPU iPhone OS 14\_7\_1 like Mac OS X) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/14.1.2 Mobile/15E148 Safari/604.1

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☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

I believe that the more populated wards will be underrepresented and more Effective power will be afforded to those wards with a lower population. This will emulate the disproportionate political power as shown with the US College vote system. I believe a fairer system would be to have more councillor in more populated wards. Although this might seem to give more power to them I feel it would better represent the population in this wards. I also believe that there should be more than one Maori ward. Ideally one per each of the other wards but more likely a maximum of five. One Maori ward underrepresents an equal Treaty partner and will do little to give the true representation for Maori with the city limits.

**Q5. Would you like to upload a supporting document?**

- ☐ Yes  
☒ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

*This question was not displayed to the respondent.*

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- ☒ Yes  
☐ No

**Q8.**

**Contact details**

**Q9.**

**First name: \***

Matthew

**Q10. Surname: \***

Roderick

**Q23. Organisation**

Browser: Chrome  
Version: 92.0.4515.159  
Operating System: Macintosh  
Screen Resolution: 2560x1440  
Flash Version: -1  
Java Support: 0  
User Agent: Mozilla/5.0 (Macintosh; Intel Mac OS X 10\_15\_7) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/92.0.4515.159 Safari/537.36

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☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

There are no choices presented here. There has been no engagement. This proposal has been designed by City Council Executive and Commissioners to meet legislative requirements, which has been clear in the Council Chambers meets discussing it which (broadcast on youtube). Thank you for your work, however it has not met participatory democracy minimums in the design process. The proposal is ultimately more of the same with small tweaks to meet regulatory constraints (e.g.; changing from a mix + at large to 8 wards + 1 maori ward) which leaves the city facing the same challenges of personality-driven / electioneering political local governance. Not fit for purpose for a city facing the challenges we are, and the diversity of people who live here. Local Governance by the people for the people (note, not Local Government) in 30 years time looks like "Public Digital Infrastructure" where participation is by all, wherever/whenever they want to contribute. Any 'elected body' (if there is one) is making sure the governance infrastructure is in proper working order. How might we – Council Executive + Commissioners + Community co-design a system of local governance which moves us in the direction of this future – still meeting the constraints? We don't know, because we haven't tried yet. Please review the attachments for guidance from experienced public servants, including Steven Selwood and this link: <https://pipka.org/2021/01/11/reflections-on-public-sector-transformation-and-covid/>.

**Q5. Would you like to upload a supporting document?**

- ☒ Yes  
☐ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

[QualityDebate + ElectionIntegrity.pdf](#)  
1.4MB  
application/pdf

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☒ Yes  
☐ No

**Q8.  
Contact details**

**Q9.  
First name: \***

Jo

**Q10. Surname: \***

Allum

**Q23. Organisation**

Venture Centre

**Q11. Email: \*****Q12. Phone:****Q13.****Privacy statement**

Tauranga City Council is collecting personal information from you as part of this survey. This includes your name, email address and survey answers. Your survey answers will be used to make recommendations to Council for decision making. Your name and email address will only be used by us to notify you of the outcome of the survey or a Council decision. We also collect demographic information (suburb, age, ethnicity, gender) because we want to ensure we have engaged with a wide cross section of people from across Tauranga. Providing your demographic information is optional. We will not share your personal information with any other organisation or individual. You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like a copy of your information, or to have it corrected, please contact us at [info@tauranga.govt.nz](mailto:info@tauranga.govt.nz), or [07 577 7000](tel:075777000). For further information about this and our obligations and your rights under the Privacy Act 2020, please refer to [Tauranga City Council's privacy statement](#).

**Q14.****Tell us a bit more about yourself**

Pia Andrews

# Truth, Authenticity & Trust for Election Integrity in New Zealand Aotearoa

A submission to the 2020 General Election and Referendums Inquiry

## Introduction

This submission was prepared by Pia Andrews on one of the themes of the 2020 Election Inquiry, namely:

*Theme 2. The integrity and security of our electoral system in light of emerging challenges, with a particular focus on technology and social media.*

The submission touches upon topics beyond this theme, and beyond the 4 themes outlined for the 2020 Election Inquiry. It addresses the impact of new technologies such as “deepfakes” and increasingly self referential social media echo chambers of misinformation, and goes further to address the key challenges of trust, truth and authenticity in the 21st century, and subsequent impact on electoral integrity.

The New Zealand General Election is a core tenet for representative democracy with free and fair elections that have the trust and respect of the community. This supports a civil society where the Government may exercise power with the explicit consent and social contract with the electorate. The public sector in New Zealand has a special role in providing a social, regulatory and financial platform upon which the community and individuals should be able to economically, socially, culturally and environmentally thrive. However, the increasing gap between the needs of New Zealanders in a digitally enabled, globalised and artificial intelligence world, and the inability of the public sector to proactively identify, respond to and holistically meet those evolving needs, creates a negative impact on public trust and confidence that can quickly extend to declining trust in public and democratic institutions.

The public sector delivery of an effective response to COVID, in partnership with the team of five million New Zealanders, initially drove public trust in some parts of the community to record levels. This trust enabled one of the world’s most effective responses, but is already declining. For trust to be sustained and channelled into adapting to an increasingly uncertain post COVID world, there needs to be a conscious effort to address and prioritise public trust and confidence in public institutions.

If one part of the public sector is considered untrustworthy by the communities served, then we all are at risk of the serious implications of reduced public confidence and trust across the board. Reduced public confidence in the public sector leads to people simply not trusting, engaging with or respecting as legitimate the services, policies, laws or democratic outcomes administered by the public sector.

For this reason, the recommendations identified in this paper, whilst relevant to electoral integrity, go well beyond the mandate of the Electoral Commission. In the author’s view, even a strong Electoral Commission will not be able to maintain public trust or confidence in the New Zealand electoral system if trust in the broader public sector continues to decline.

I am available to be heard by the Justice Committee to discuss, answer questions or extrapolate on any of the problem statements or recommendations from this submission. I am a long term and dedicated public servant who has worked in the tech sector for many years, so I thank you for providing the opportunity to contribute to such an important matter.

Pia Andrews

I highly suggest that the Committee gets a briefing on all these matters from officials. There is an interesting question on which mix of Commissions, departments and agencies would be responsible for systemic change.

*My thanks to Thomas Andrews, Sean Audain, Brenda Wallace, Hamish Fraser, James Ting-Edwards and others who helped edit and peer review this submission. I hope it provides useful context, ideas and discussion points to help with future elections, but also to contribute in some small way to reforming the New Zealand Central Government public sector for the benefit of the people and communities of New Zealand Aotearoa.*

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Pia Andrews

## The problem areas: an overview

The paper focuses on two key problem areas, both of which apply to the electoral integrity theme above and to the public sector more broadly:

1. **Problem 1: Authenticity and truth** - people tend to believe what they see and are grappling with the way computers can convey misleading information. Deep fake technology can automate the creation of believable videos of *anyone saying anything* - no matter how offensive or outrageous. We are about to enter a very dark age where individuals, governments and communities are increasingly and proactively “gamed” or “played” *en masse* for profit, crime, sabotage or even just for fun. Beyond the authenticity of information, facts, fiction and fakes coexist online, and citizens are increasingly struggling to navigate truth. On one hand, one person’s truth is another’s lie, but there are possibly some better ways to help support citizens and communities to navigate truth in the 21st century, and to help populate the public domain with robust and trustworthy data and facts, where and when they exist.
2. **Problem 2: Trust in public institutions** - Governments and public sectors the world over are facing an impending trust and confidence crisis, and must carefully and collaboratively engage on the question of what structures, processes, oversight and forms of transparency and public scrutiny would be considered trustworthy by the public today. Otherwise, public institutions will lose trust, as will the democratic outcomes, social and economic services, policies and laws that they uphold.

The recommendations in this submission aim to help create a sustainable pathway and meaningful progress on these two problem areas in the short to medium future, in advance of and in preparation for the next general election. The New Zealand public service is far from alone in emerging from the COVID-19 crisis into a world that has experienced profound changes. Internationally, these changes have led to a clear divergence in strategy between:

- 1) governments who desire a “return to a pre COVID normal”; versus
- 2) governments for whom “return to normal” is considered infeasible, undesirable or unwise, and seek instead to transform themselves in response to new economic, social and climate realities.

Governments in the latter category are prioritising major policy, structural and service delivery reform to ensure greater policy agility and improved quality of life outcomes. This crisis is a key motivator for writing this discussion paper to encourage the New Zealand Government and public sector to discuss immediate and systemic reforms and consciously decide whether New Zealand intends to “return to normal” or genuinely “build back better”.

Key recommendations in this submission fall under two high level proposals, both of which would include a range of initiatives:

- Proposal 1: That the New Zealand Government establishes a Taskforce to **understand what New Zealanders need to better navigate truth and authenticity** and explore the potential role(s) of the public sector, fourth estate and other sectors in supporting this, now and into the future.
- Proposal 2: That the New Zealand Government establishes a program to **improve and safeguard the trust of New Zealanders in public institutions**, including the critical establishment of participatory and trustworthy governance that improves quality of life for New Zealanders.

Please see the problem areas and respective proposals outlined below.

Pia Andrews

## Problem 1: the general public has decreasing means of effectively navigating truth and authenticity online

A key problem facing democracy and electoral integrity internationally is the growing reach and sophistication of misinformation and deepfake technologies in a context of declining trust in information institutions (such as news media, science, academia and public sectors). These concepts are not simply headline-grabbing or political soundbites imported from other jurisdictions. They are serious and growing challenges to truth, and are increasingly being used for gaming public opinion by foreign and domestic actors (human and machine), with very few mechanisms to effectively counter or mitigate the effects thereof. We can consider misinformation and the dissemination thereof, as two problems:

“At a US Senate intelligence committee hearing in May last year, the Republican senator Marco Rubio warned that deepfakes would be used in [“the next wave of attacks against America and western democracies”](#). Rubio imagined a scenario in which a provocative clip could go viral on the eve of an election, before analysts were able to determine it was a fake.

“Democracies appear to be gravely threatened by the speed at which disinformation can be created and spread via social media, where the incentive to share the most sensationalist content outweighs the incentive to perform the tiresome work of verification” (Parkin, 2019)<sup>1</sup>.

The New Zealand Law Society commissioned a report into deepfakes in 2019, which has a range of recommendations worth considering<sup>2</sup> but it also makes the point that the main threat is from international and machine/AI sources, so domestic laws will not provide much protection.

The issues of truth and trust are integral to the relationship between government and citizens, and as seen from developments in other democracies, and the threats from digital deep fakes, social media misinformation campaigns and similar technologies has become a realised and growing danger. In the past we have relied upon independent media institutions and broadcasting controls to identify and mitigate these risks but with the disruption and bypassing of these channels through self-reinforcing social media echo chambers online, combined with exponential growth in misinformation, it is clear that the implications for future elections, public messaging, public policy and social cohesion are potentially dire. The question for government is what role, if any, should the public sector or the judiciary play in trying to support citizens to navigate these treacherous waters?

It is critical to start this work as soon as possible, so that New Zealand is in a position to have a well supported general public (or at least means to support the general public) prior to the next election, which will likely be rife with deep fakes that will create chaos for public dialogue, civility and perceived electoral integrity. Such misinformation also creates profound security threats, and whilst our intelligence agencies have traditionally provided a degree of protection against such threats, the highly permeable, borderless and individual worlds created by social media suggest that partnership with more community based methods will be required to ensure the sector can continue to meet the challenge of higher order threats to New Zealand's security.

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<sup>1</sup> Parkin, S. The Rise of Deepfake the the Threat to Democracy, (2019), The Guardian <https://www.theguardian.com/technology/ng-interactive/2019/jun/22/the-rise-of-the-deepfake-and-the-threat-to-democracy>

<sup>2</sup> Distorting Reality: Deepfakes and the Rise of Deception, (2019), The Law Society <https://www.laneneave.co.nz/distorting-reality-deepfakes-and-the-rise-of-deception/>

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## Proposal 1: establish a Taskforce or programme to understand needs and develop strategies for supporting New Zealanders to navigate truth and authenticity online, ahead of the next election

Truth is harder than ever to decipher, and mistruth has been weaponised and operationalised at both a state and community scale. In this environment how can the public sector support the public better to support public values, improve public confidence and increase social cohesion?

The public sector could commission a cross sector collaboration, potentially working to the Ministry of Justice (to avoid any perception of political interference) to understand what New Zealanders need to navigate truth and authenticity and investigate options for the public sector to better support these needs in the digital era. Building this broader understanding would underpin and support public sector work to grow, sustain and support public trust in election processes. Models like the [Digital Council](#) are a useful starting point for this work, offering a way for government to hear a mix of perspectives from people on a range of trust related issues. Ideally, a 'citizen jury' would also be established to ensure representative participation in this area of policy making, as per the guidelines from the Department of Prime Minister and Cabinet<sup>3</sup>. The Electoral and Privacy Commissioners have important high trust roles and would be a useful partners for investigating this matter.

Below are some specific recommendations the Taskforce could consider for the next election and beyond::

- It would clearly be impossible to provide a service to verify the authenticity of all information on the internet for citizens. The scale of new content being generated, by humans and increasingly by bots and software, is impossible to manage through traditional escalation and review methods. But there are some types of information that could be made available in a more verifiable way, for example official or political content. The Electoral Commission could provide a **realtime electoral, political and public sector messages/information validation service**. Citizens could use such a service to check the authenticity/source of political and official messages about the next election and to distinguish deep fakes from authentic official materials. This can be complemented with public awareness campaigns.
- **Provide education services**, directly and in partnership with trusted community entities and organisations, with a campaign to raise public awareness about misinformation, deep fakes and the increasing likelihood of being actively gamed by domestic and international actors, especially around election time.
- The Electoral Commission could **engage with, and support, trusted and community initiatives that identify and mitigate misinformation**, such as the recent efforts by Tohatoha and other organisations in New Zealand. Ideally this would be done in collaboration with the Fourth Estate to help rapidly debunk emergent misinformation campaigns quickly for and to the general public.
- The New Zealand Government could consider all information for which the public sector is authoritative, to be **mandated as being publicly available for reuse**, for validation and to help contribute facts and data to the public domain.
- It is worth noting the New Zealand Police and intelligence agencies already monitor for and engage with the community around misinformation, as it is directly linked to security threats and radicalisation efforts. Some of the intelligence from these operations could potentially feed into broader public engagement efforts early, as they are likely in a position to identify early patterns of

<sup>3</sup> Citizen juries, DPMC website <https://dPMC.govt.nz/our-programmes/policy-project/policy-methods-toolbox/community-engagement/citizen-juries>

Pia Andrews

misinformation. The Taskforce could work with the NZ Police and intelligence agencies to consider the flow of information and early patterns and indicators of misinformation and **better leverage these systems and operations for broader public engagement and support services.**

- The people of New Zealand have a broad range of independent organisations they trust and engage with every day. If the New Zealand Government **collaborated with and shared information, patterns, and insights to entities and organisations that the public trust, including Iwis, public libraries, and Citizen Advice Bureaus**, it would help them support their communities navigate truth and authenticity. Such information services would need to be constrained to factual information because if such a pipeline of information was set up and used in any way for political or ideologically motivated information sharing, then those organisations would disengage entirely.

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## Problem 2: Proactively building public trust in public institutions is important to social, economic and democratic stability in New Zealand

Public sectors globally are struggling to shift from simply seeking permission (or social licence), to actually operating in a more trustworthy way. This means reimagining public institutions and governance in the digital age to take into account the impact, opportunities and challenges of the internet, of increasingly empowered individuals and communities, of economic and cultural globalisation, and of greater public expectations for effective and human centred public services. In an era also characterised by increasing change and rolling emergencies (pandemics, environmental, terrorism, regional instability, cyber threats, etc), it is critical and urgent to improve and stabilise trust in public institutions, and establish participatory, trustworthy and beneficial (to society) governance that people can rely upon with confidence. This includes necessarily reimagining and transforming the public sector to be holistic, proactive, collaborative and citizen-centric. To enable this stability and advancement, the public must be able to trust in a public sector that conducts itself on a reliable, referenceable and transparent foundation of truth and trustworthy accountability.

Operating in a trustworthy way means first acknowledging that the public needs to be confident in public servants' decisions and actions to be able to trust the outcomes of our efforts. To operate in a trustworthy way, the public should be engaged up front in co-designing what "good" would look like, which would necessarily involve public visibility to the accountability, transparency and oversight mechanisms of governance. This includes ease of appealability and auditability of government policies, services, regulations and programs, and parity across the system. One department operating in a way that erodes public trust has a net trust deficit impact on all public institutions, so certain norms must prevail across the sector. For instance, taxation rules are quite easy to find and apply, and yet entitlement and eligibility of social services are hard to determine and are kept more obscure. Another example is how some statistics are readily available to the public, but the respective success metrics and reporting of individual programs and policies is far harder to find.

Public institutions exist to support public good and quality of life, so there should never be a stronger imperative than ensuring and promoting that New Zealanders get the support and services they are eligible

Pia Andrews

for and entitled to. Yet, we often see short term pressures (like reduced or reprioritised budgets, failing IT systems or the latest Ministerial priority) drive a lot of reactive behaviours and short term planning in the public sector. It is critical that the public sector always take the long view and plan resources accordingly. It is important that the public sector equally serve the Government of the day, the Parliament and the People, in a balanced, independent and sustainable way that maintains the trust of them all.

The concept of public infrastructure as it relates to public health, public education and public transport is fairly well understood, but where is the public digital infrastructure that our communities and various sectors should be able to rely upon and trust? For instance, where is the publicly available reference implementation of machine readable legislation and regulation for ease of service delivery, compliance and public scrutiny? Or the list of all public services with the respective eligibility and calculation information? Or the proactive and public modelling tools to understand the impact of change or emergencies? Where is the publicly accessible record of key decisions and actions taken, with traceability to their legal or policy authority? There is so much confidence the public sector could inspire by simply working more in the light, and less in darkness. To be fair, much of the opaqueness of governance is simply a matter of habit and inherited practices, but the lack of genuine systemic transformation has led us to a point where the New Zealand public sector is, as a whole, several steps behind the society and economy it purports to serve.

Public sector services must also be considered trustworthy, as citizens want to feel supported, empowered, respected and confident in the public sector to help them when they need it. Reform of public sector services is a critical part of ensuring and growing public trust in public institutions. Modern government is complex in any dimension, be it scale, number of services or processes followed. As the public sector seeks to embrace tools like AI to deliver outcomes and greater value to taxpayers, it is important to understand how these technologies interact with NZ laws and institutions. In this respect, New Zealand would be better served by an informed democracy than it would be by just a data driven governance. In aiming for an informed and participatory democracy, the explainability and transparency of a decision is a key building block.

Explainability and transparency of AI and data analytics components is vital to understanding issues of bias, exception and application within these decision making processes and are critical to upholding the principles of Administrative Law in an increasingly technologically powered public sector. In short the advice and actions of the public service derived from digital tools must be able to be seen and explained. Capturing and assuring the explainability of a decision or action taken by the public service is critical for the ability to audit, appeal, and maintain both the reality and perception of integrity of our public institutions. It is also critical for ensuring the actions and decisions are lawful, permitted, correctly executed and properly recorded for posterity. It is also important to ensure and regularly test the end-to-end explainability and capture of decisions and information for the work done in the public sector, especially where it relates to anything that directly impacts people — like social services, taxation, justice, regulation, or penalties. Moves like the [Algorithm Charter](#) from StatsNZ are only a first step to addressing these issues.

To be a trusted advisor for an informed democracy, the public sector has ALWAYS required to explain administrative decision-making. It also means a high requirement on public servants to differentiate fact from fiction. Administrative Law principles require that decision-makers only make decisions within their delegated power, take into account relevant evidence, and provide their decision together with reasons and authority for the decision and avenue for appeal. The public sector is uniquely experienced and obligated in this respect. The public service challenge is to mobilise this experience and ensure the principle and practice of Administrative Law is upheld in an increasingly complex technologically and data-driven public sector.

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As we plan for the potential impacts enter the age of Artificial Intelligence, public sectors should also be actively planning what an augmented society and public sector looks like, one that embeds values, trust and accountability at the heart of what we do, whilst using machines to support better responsiveness, modelling, service delivery and to maintain diligent and proactive protection of the people, whānau and communities we serve. There is a serious opportunity to combine modern tools with participatory governance to reimagine and humanise government policies and services. As it stands, the incremental and iterative implementations of new technologies, including most AI projects, are likely to deliver more inhuman and mechanised public services. New Zealand risks missing the opportunity to design a modern public service that gets the best of humans and machines working together for the best public and community outcomes. The worst possible outcome is to be continually playing catch-up against the rapidly evolving misinformation technologies that already exist and which have already been deployed against the general population.

There has been recent precedent on the legitimacy of automated decision making and auditability in the Australian courts. In late 2018 the landmark court case of ([Joe Pinterich v Deputy Commissioner of Taxation](#)) ruled that an automated piece of correspondence was not considered a 'decision' because there was no mental process accompanying it. This creates a question of legitimacy for all machine-generated decisions in Australia as was stated in substantial detail by the dissenting judge. But it should also be a major driver for agencies to invest in and mandate explainability for all significant decision-making, recorded for posterity, so that decisions can be trusted.

The important work to transform the public sector to operate in a more trustworthy way would result in open, engaged, auditable and fair government for the digital age, with high quality and trusted services that provide a dignified experience for New Zealanders and a genuine increase in public trust and confidence in public institutions. This would position government sectors, services, policies and capabilities as trusted and adaptive foundations of New Zealand's future.

## Proposal 2: A programme of public sector reforms to improve and safeguard the trust of New Zealanders in public institutions

In order to grow and sustain public trust, the public sector needs to be more accessible, transparent, responsive to and engaged with the people and whānau served. Generating trust is difficult and complex due to collective experiences, and the personal nature of relationships that trust is built from. Trust in the public sector could be dramatically improved in two key ways, both of which apply to the Electoral Commission, but must also apply across all portfolios:

- 2.1 - Establish and implement **dramatically more trustworthy and participatory practices and governance of public institutions, public policies and public services**, that takes into account and plans for modern and emerging technologies, increasing change of community needs and the environment in which we live, and the need to partner with people and communities in shaping policies and services.
- 2.2 Dramatically **improve the quality, availability and delivery of public services to the people and communities of New Zealand**, to better serve people and ensure they get the help they need and are entitled to.



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## Proposal 2.1 Establishing trustworthy & participatory governance

A way to focus and shape public sector initiatives to be trust building, is to engage widely on four simple and people-centred questions. These can help to build all policies and services to be designed to be trustworthy, and therefore capable of increasing public trust.

- How would you audit the process and decisions?
- How would a person, whānau or community appeal a decision?
- How would you know whether this action/process has a positive or negative impact?
- What does the public and the participant need for you to be considered trustworthy?

Almost anything the public sector does, needs to have a solid and legitimate answer for **all** of these questions. Mapping the journey for the first three questions reveals the need for both real time and perpetual decision capture, traceability of authority (i.e legislation, delegation or policy) in making a decision; and, discoverability and communication of decisions to end users. Suppose the service designer/owner understands and designs an optimum user experience for auditing and appealing the decisions or outcomes of the work. In that case, it is likely the process or action will build and sustain trust.

These questions represent good practice for creating services and oversight mechanisms. Still, it is the fourth question that is unique to and critical for the public sector to be effective – it is vital to ask people what would make an agency trustworthy, rather than just asking for (or demanding) trust. Becoming conscious of trust as a vital dimension of relationships and processes is vital to the work of government. Using a user centered design tool like this simple set of questions can help explore trust as a mutual and bi-directional concept.

A citizen-centred approach would also help in the design for how to be seen as trustworthy by the people and communities that need and rely on the government every day, noting that the basis of these relationships will vary for different agencies and public sector functions.

Some high level sub-recommendations for growing/maintaining trust in elections & public institutions are:

- **engaging the public to determine and co-design** what they would need to see from the Electoral Commission and from the public sector more broadly to consider electoral outcomes, policies, programs and services as legitimate and trustworthy;
- **all registered political parties should pledge to not use deepfake technologies** either for real or in jest, so as to draw a line in the sand;
- **strengthen political neutrality and independence of the broader public sector**, including reform on how communications offices in departments work to enable a more independent public sector voice and presence in the public domain;
- exploring **how to ensure, assure and oversee that Administrative Law is upheld in an increasingly digitally enabled, data-driven and automated public sector**, including means to ensure all actions and decisions are fully and easily appealable and auditable, as well as being in accordance with law, reasonable and fair;
- designing and building the kind of **digital public infrastructure** that helps ensure and provide trustworthy, accountable, appealable and traceable governance moving forward;
- strengthening public institutions operations, budgetary processes, reporting and incentive systems to **primarily be driven by a public good imperative**, measured through quality of life metrics and the wellness framework, rather than purely economic or 'efficiency' measures. For example, helping support New Zealanders to get the services and support they are entitled to rather than trying to minimise entitlement to save budget. Ideally all public policies, programs and services should be

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linked to the wellness framework, including intended and real impact on individuals, whānau & communities;

- establishing **participatory governance more broadly for the development and administration of policies**, programs and service delivery in New Zealand; and finally
- **establish or support a misinformation watch site for New Zealand** and encourage the public to find and report misinformation and deepfakes.

Further recommendations are below around the key ideas of traceability/accountability, ensuring measurably good public outcomes, considering machines as “end users” of policies and services, and ensuring a safe and ethically motivated workforce to ensure properly motivated and sustainable governance of public policies and services moving forward.

#### Traceability and accountability

- Establish realtime feedback loops and mechanisms to detect and disrupt dark patterns, whilst strengthening the democratic system against abuse and gamification, with rapid escalation mechanisms and multi-disciplinary, cross sector collaboration.
- Where the public sector is clearly an authority or source of truth, the relevant public institutions must operate and make data and information available in an accessible, verifiable and trustworthy way (eg, weather data, emergency warnings, national statistics).
- Ensure, agree and document the principles and practices of Administrative Law across government to guide and drive the ethical and transparent use of digital, data and AI practices as they have evolved in recent decades.
- Establish a Better Rules approach for all new legislation and regulation, with publicly available reference implementations of all legislation and regulation as code, for transparency and greater ease of public validation of decisions, policies and service delivery.
- Create a means of capturing decisions, based on what rules were invoked and with what authority to drive greater ease of auditing, visibility and appealability by individual citizens.
- Assure compliance with administrative law internally & externally, with automated monitoring and escalation of decisions and transactive processes.
- Develop active and continuous feedback loops from delivery back into policy/legislative improvement to provide for continuous improvement.

#### Measurably good human outcomes

- Engage with diverse communities to create measurement frameworks and to co-design policy, services and to ensure alignment of programs and delivery to public values and public good.
- Implement the Wellness Framework across the government, including in service delivery measures, budgets, business cases analysis, prioritisation frameworks, policy assurance.
- Create and implement Government Service Standards that embed and normalise human outcomes.
- Proactively impact monitor quality of life outcomes at a process and line of business/service scale.
- Link all activities to purpose, human outcomes and policy intent in a publicly accessible framework.

#### Considering software and AI as users and moving to proactive operating models

- Map and monitor for the use of government data and services by machine agents, and ensure constructive/positive uses are enabled whilst negative or destructive/harmful uses are mitigated and escalated in real time.
- Build on the Government Algorithm Charter with an Algorithmic Impact Assessment approach to actively plan for “good” machine usage and mitigate “bad” machines. The Algorithmic Impact



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Assessment approach in Canada is worth considering as a pathway that can be implemented with suitable adaptation for Te Tiriti o Waitangi.

- Assume a level of scale that dramatically outpaces human interventions, which means inclusion of real time monitoring for patterns in all government services and policy interventions.
- Use agile, test driven, user-centric & scalable techniques to create a policy-service spectrum that meets the evolving needs of New Zealanders.

#### **Safe & ethically motivated teams and organisational structures**

- Create a mandate and time to think and evaluate the best approach, not just the expedient one. Simple tactics like building a ten percent innovation time built into “business as usual” operations and resourcing.
- Create a situational awareness of emerging trends and respond strategically and timely in the interests of New Zealanders.
- Evolve participatory governance to implement Te Tiriti o Waitangi and empower service owners.
- Develop Systemic incentives that drive “good” outcomes, like openness as a principle.
- Empower and commission teams to build cultures that value peer review, transparency & purpose.
- Include human measures in executive KPIs and reporting for agencies and drive accountability, especially for executives, to help nudge good decisions.

### **Proposal 2.2 Dramatically improve the quality, availability and delivery of public services to the people and communities of New Zealand**

Public trust in the Electoral Commission and in General Elections has a direct relationship to trust in the public sector more broadly. Trust in public institutions is directly affected by the experience people have with “government”, in all forms, and most people deal with government most regularly through services. When individuals or communities have a poor, stressful or indeed harmful experience with public institutions or services provided by the public sector, then distrust grows and can bleed into distrust across the board, including individuals and communities simply not respecting as legitimate the services, policies, laws or democratic outcomes administered by the public sector.

As such, this third and final proposal recommends to dramatically improve service delivery of the New Zealand Central Government across the board. This is well outside the mandate of the Electoral Commission, but still worth considering by the Justice Committee and the Government, due to the often overlooked but undisputable relationship between service delivery and democracy. Service delivery in the New Zealand Central Government is fragmented across departments, inconsistent, disempowering and deeply frustrating, with people redirected back and forth between myriad applications, processes, departmental channels, apps and departmental staff. Operating this way creates service gaps, barriers to policy realisation, issues serving vulnerable people and communities, and lacks any end to end accountability to citizens, oversight or ability to innovate.

Service delivery relies on well supported channels that the public use to seek and receive services from agencies. A “channel” necessarily involves incorporation of all aspects of service delivery from support and assistance in accessing a service, through different delivery methods (eg online or in person), along with the management, continuous improvement and holistic reporting on service performance and effectiveness. Channels are important as they are the face and experience for citizens of public services.

There is at present no single or cross department “channel” for New Zealand Central Government services. Each department runs their own channels for their own services, forcing New Zealanders to have to understand and navigate the complexity and inconsistencies across government structures and ever

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changing departmental mandates for even a simple cross departmental need. It creates a constant force of resource cannibalism between departments, as they compete for funding to deliver services to the same audience, the people of New Zealand Aotearoa. It also creates significant confusion, uncertainty, duplication and waste.

A “Service Aotearoa” approach could leverage structural and operating models from Service NSW, Service Canada and to a lesser degree, or other globally recognised public sectors (e.g Estonia) where service delivery has been made more integrated and citizen-centric, providing both a means of sustaining trust, and a means of more proactive and consistent support of citizens during a crisis. For instance, the role of Service NSW during fires, floods and COVID-19 has been extremely important and effective in recent years to support citizens holistically in an emergency.

The appendix considers Westminster-system jurisdictions because they translate readily into New Zealand’s public service context, but it is also worth noting that many jurisdictions have shifted to consolidated service delivery models, including in Estonia, South Korea and other leading Digital Nations. Canada and Australia are looking to provide all of government service consolidation on the back of the success of Service NSW. This model provides a means of having a single accountable entity responsible for the experience of citizens with all government services, whilst also maintaining the vertical portfolio accountabilities of a Westminster style system.

### What if the New Zealand Government established ‘Service Aotearoa’?

The Service X model presents an opportunity to establish a cohesive and integrated approach that consolidates digital and non-digital service delivery channels across portfolios, and establish an effective whole of government service for citizens, ranging from those who can help themselves to those requiring a fully supported service, and even those who prefer to get services through trusted intermediaries. This would deliver a path to consistent, citizen centred, scalable and highly trusted public services for New Zealanders. This cohesive omni-channel approach has worked extremely successfully in several jurisdictions and is worth considering for New Zealand Aotearoa.

Three high level principles could be used to establish Service Aotearoa:

- **Ratonga hiranga (service excellence)** - putting citizen and community needs and values at the heart of a culture of service, where government services don’t just aim for efficiency and effectiveness, but also ethical, high trust, helpful, dignified and delightful service delivery.
- **Ratonga taituarā (supported services)** - the idea that Service Aotearoa provides support and services to citizens, agencies and partners to a) ensure citizens are fully supported on their service journey, b) to consistently and easily onboard government services to a consolidated model, and c) to provide support services to non Central Government (Local Government, non-profit and for profit) service providers. Bringing these service providers around the same table helps to ensure the best holistic outcomes for New Zealanders, an approach pioneered globally by the SmartStart team for collaborative service governance, co-development and co-delivery.
- **Ratonga whakamahi (reusable services)** - a means of using Service Aotearoa infrastructure as part of a reusable framework of Digital Public Infrastructure, upon which the rest of the economy, society and non government sectors can rely upon and innovate. This could include legislation and regulation as code, registers of human services, reusable data and APIs, etc.

“Service Aotearoa” could be established initially as a three (3) year program funded from underspend or an agency levy, with some proportion of resources provided through agency funded secondments, but some financial support is required to secure and embed expertise and experience from outside the current New Zealand public sector. It could leverage structural and operating models from Service NSW, Service

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Canada and to a lesser degree, or other globally recognised public sectors (e.g Estonia) where service delivery has been made more integrated and citizen-centric. The resourcing plan could have a set number of FTE allocated to a program of citizen participation, as well as international and cross sector secondments to provide advice, expertise and experience to establish the planning, design and delivery of a modern, omni-channel, citizen centric and highly trusted service delivery model for government services in New Zealand Aotearoa.

In three (3) years it would be realistic and achievable to establish the following:

- Establish a new entity named **Service Aotearoa**, explicitly mandated to establish a single omni-channel service delivery model for the Central Government through either:
  - forming a new departmental entity; or
  - leveraging the new Public Sector Act to form a new cross government organisation.
- **Clearly define the Service Aotearoa omni-channel approach** including a modern and supported digital channel to help people self-serve, but also provide integrated and high quality non-digital channels where needed or preferred.
- **Establish a Chief Services Officer** as the CE for Service Aotearoa, who is accountable for the entire public experience with government services, across the board. This role would be responsible for designing, delivering and ensuring an all of system reform towards consolidation and integration of services for the purpose of a better end-to-end experience for citizens and businesses, starting with high value and high volume services, as well as centralised responsibility for better line of sight of policy impact and benefits realisation from government services.
- Design options for the **Target Operating Model and Funding Model for Service Aotearoa** including options for beyond the 3 years, taking into consideration where the moving of capabilities or consolidation efforts could resource and/or fund Service Aotearoa on a permanent basis. This would be done in collaboration with GCDO, Treasury and all service delivery departments.
- **Engage with the public to co-design their experience with Service Aotearoa** as a means of ensuring the operating mode, services design and principles of delivery are aligned with public values and best placed to meet the diversity of needs across Aotearoa whilst establishing public trust at the same time.
- A **Service Aotearoa Framework and Roadmap** to establish the policy, authorities and any necessary legislation needed for Service Aotearoa and to prioritise portfolios for service consolidation, whilst also identifying and clarifying exemptions such as justice and policing.
- A **Service Aotearoa tiered support model** could be established for Service Aotearoa to provide tier 1 (and potentially also tier 2) support to citizens and businesses for services across government, with escalation to line agencies as required. This should provide the opportunity to consolidate tier 1 services across government and provide a friendly, integrated experience for citizens, whether they are dealing with online services, a call centre or a walk in centre, whilst also providing a single point of referral for complicated cases.
- Deliver some early services and value to citizens through early **omni-channel services**:
  - a **Service Aotearoa digital channel** for integrating service delivery across the public sector. Something like services.govt.nz or serviceaotearoa.govt.nz. Self-help tools, life event based services, social services and integrated COVID services might provide a good initial scope for Service Aotearoa. Meanwhile, govt.nz can continue to be where the Government communicates with the people of New Zealand.
  - a **Service Aotearoa call centre** that provides tier 1 support, services and referrals, staffed by a proportion of existing call centres, to provide some initial improvements in quality of service delivery.
  - **Service Aotearoa walk-in services** will need to be carefully planned in coordination with the existing walk in services network, including DIA, MSD, IRD and others.

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- A **Service Aotearoa partnership model** could be established for Service Aotearoa to a) provide support and coordination to proxy service providers such as the Citizen Advice Bureau, Iwis and public libraries, and b) provide relevant service components for reuse across the sectors of New Zealand, such as service registers, legislation/regulation as code, data APIs, and other components, delivered in a strict trust framework to ensure high trust systems are only available to high trust partners, with proactive monitoring and escalation models.

An independent and all of government digital/technology leadership function is also needed to drive the broader vision, assurance, investment, strategy, standards and oversight for digital transformation for Service Aotearoa and the whole system, so ideally the **Government Chief Digital Office** (in DIA, PSC or established as its own entity) would need to be strengthened to achieve the following in parallel:

- An **effective and assurable Government Services Standard with assurance services** which includes the Digital Service Standard, but also includes SLAs and other levers for consistent service delivery. This standard should be something that all public facing government services should need to prove compliance with for new services to go live and for some proportion of funding to be released. The Minister should be accountable for all public facing services, and service assessments should be publicly available.
- **Establish whole of government monitoring of CX (Customer Experience) and service delivery measures** to get visibility on the experience of citizens with all public facing government services, call centres etc, and to start nudging agencies towards some consistencies in service delivery excellence. In NSW, a Customer Service Commissioner was established that did public reporting on the CX of all departments, which drove significant culture change across all of government.
- Work with the **Policy Project** in DPMC to consider ways to bridge the currently fragmented policy-delivery continuum, to establish a policy transformation agenda, to increase participatory policy practices, and to establish common ways of measuring the policy effectiveness of services across the board.
- Establish **modern approaches to funding and managing service delivery** that addresses the limitations of waterfall and project based funding and management approaches, whilst strengthening the overarching programme management levers to ensure services drive programme and policy outcomes. New approaches can be trialled in Service Aotearoa.
- Establish **common approaches to public engagement and public participation** in governance to be trialled and modelled in Service Aotearoa, and rolled out to the broader public service.

It would be worth considering some specific public sector capabilities that might be helpful to bring in to Service Aotearoa or to shift accountability to a services Minister in this period. For example the life events capability and cross agency services from DIA could be part of Service Aotearoa. All call centres and public facing services could be required to provide some common reporting to the Minister in order to a) prioritise areas of service reform and b) start to nudge all agencies towards the same vision and target state.

It is important to note that starting Service Aotearoa from within any existing department would greatly constrain the ability to achieve significant reform, as the vision requires working outside the current departmental norms. Otherwise Service Aotearoa will become a carbon copy of the system as it stands today, shaped by the policies, practices, culture, constraints, perceptions and agenda of whatever is the host department. It would have a far better chance at achieving change as a new entity that engages in cross government governance and partnership frameworks, without the constraints therein. This is explicitly what the Public Sector Act (2020) makes provision for, and was proven as a strategy with Service NSW.

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## Last word: What changed? Why is this urgent now?

Public sectors around the world are facing increasing challenges as the speed, scale and complexity of modern life grows exponentially. The 21<sup>st</sup> century is known as the anthropocene – as large, complex and globalised systems enmesh our societies on a scale unseen in previous history. The 20<sup>th</sup> century saw a global population rise from 1.6 billion to 6 billion, two world wars that spurred the creation of global power and economic structures as well as enduring global divisions, and the number of nations rose from 77 to almost 200. The twentieth century also saw the emergence of a global middle class, an enormous increase in living standards and the emergence of the internet and digital technologies. These global megatrends have changed the experience, connectivity, access to knowledge, and empowerment of individual people everywhere. As humanity has bound itself together in integrated global systems this has also integrated the shocks and stresses experienced by those systems into global experiences such as climate change, COVID19 and fundamental restructurings of the global economy. The public sector must continue to serve in this evolving, integrated context leading to new challenges for democracies worldwide.

The public sector has an important role in a society like New Zealand Aotearoa not only to a) serve democracy, but also to b) support a high quality of life for New Zealand, and c) maintain economic and social balance through various types of direct and indirect regulation, services, and public infrastructure. It is therefore critical that we take a moment to consider the role(s) of the public sector in the 21st century, and whether there are any new areas of need that the public service could play a unique role in supporting or regulating.

“Traditional” approaches to policy, service delivery and regulation were designed in an analog and industrial age and are increasingly slow and ineffective, with increasingly hard to predict outcomes and unintended consequences given the dramatic increase of complexity and interdependency today. The functional separation between policy and implementation over recent decades further compounded these issues, and created unnecessarily siloed operations with limitations on end to end visibility of policy delivery. Most public sectors are now simply unable to meet the changing needs of the people and communities we serve at the speed of change with any level of certainty or agility. Decades of austerity, hollowing out expertise, fragmentation of interdependent functions that are forced to compete, outsourcing and the inevitable growing existential crisis have all left public sectors less prepared than ever, at a time when people most need us. Public sectors have become too reactive, constantly pivoting all efforts to the latest emergency, media release or Ministerial whim, whilst not investing in baseline systems/capabilities, transformation, programs or new services that are needed to be proactive and resilient.

Policy and delivery folk should be hand in hand throughout the entire process and the baton passing between functionally segmented teams must end.

COVID has been a dramatic reminder of the broad ineffectiveness of government systems to respond to rapidly changing needs, in three (3) distinct ways. We saw:

1. the **heavy use of emergency powers** relied upon to get anything of substance done, demonstrating key systemic barriers, but rather than changing the problematic business as usual processes, many are reverting to usual practice as soon as practical.
2. **superhuman efforts that barely scratched the surface of the problems**. The usual resourcing response to pressure it to just increase resources rather than to change how we respond to the problem, but there are not exponential resources available, so ironically,
3. **inequities have been compounded** by governments pressing on the same old levers with the same old processes without being able to measure, monitor and iterative or pivot in real time in response to the impacts of change.

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With COVID driving an unprecedented amount of change in public sectors globally, it makes sense to consider machinery of government assumptions and what “good” looks like in the 21st century.

In late 2020, there was a major [UNDP summit called NextGenGov](#), where all attendees reflected the same sentiment that public sectors need significant reform to be effective and responsive to rolling emergencies moving forward. Dr Sania Nishtar (Special Assistant to the Prime Minister of Pakistan on Poverty Alleviation and Social Protection) put it best:

*‘it is neither feasible nor desirable to return to pre-COVID status quo’.*

Something to reflect on, for all of us. It is a final and timely reminder that if we are to transform our public sectors to be trustworthy and fit for purpose in the 21st century, then we need to take just a little time to collaboratively design what “good” would look like for New Zealand Aotearoa, and by extension what is required from the public sector to support that vision. Otherwise we run the risk of continuously just playing whack-a-mole with emerging problems and reinventing the past with shiny new things.

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## Appendix: Comparing government service delivery in Westminster systems

Service NSW provides a consolidated, seamless and user-centric experience for the people of New South Wales to interact with services provided by the Government of NSW. Service NSW was originally modelled on Service Canada, which was established in 2005. The early business case and documentation around both initiatives recognized the need to have a consistent and common experience of government for citizens. Both examples provide lessons learned and ideas for improving service delivery in New Zealand.

This appendix analyses and considers several operating models for service delivery in Westminster-style public sectors, with examples from New South Wales (Australia), Canada and New Zealand, with recommendations for improving government service delivery in New Zealand Aotearoa. In this context “service delivery” refers to the range of transactions and services provided by the public sector to the public, for example booking a bed in a DoC hut, applying for a student loan or getting support when unemployed. Consolidated information is common for public sectors (eg [www.govt.nz](http://www.govt.nz)) however, it has not proven sufficient to deliver a cohesive, effective or consolidated experience to citizens.

There are three basic models of service delivery, are:

- **Fully consolidated service delivery** - a single point of contact and service resolution for citizens, with full accountability for end to end citizen experience with gov.
- **Partially consolidated service delivery** - a single point of contact & service resolution that extends beyond one portfolio/department, but not for whole of government.
- **Distributed service delivery** - no single point of contact or service resolution, no single point of accountability for end to end user experience beyond single departments.

Below is a table contrasting the three approaches, illustrated with three jurisdictions:

	<b>Fully integrated services</b> New South Wales, Australia	<b>Partially integrated services, otherwise decentralised</b> Canada	<b>Decentralised services</b> New Zealand Aotearoa (note: Smartstart provides a counter example)
Service delivery model	Single point of contact and resolution for citizens, full accountability for end to end experience with gov	A single point of contact & resolution that extends beyond one portfolio, but not whole of government (yet)	No single point of contact or resolution, <b>no</b> single point of accountability for end to end user experience
Population	~8 million (NSW)	~37 million (Canada)	~5 million (New Zealand)
Services brand	<a href="#">Service NSW</a>	<a href="#">Service Canada</a>	None. govt.nz for referrals and information only.
High level description	An omni-channel virtual service delivery layer that sits in front of Westminster government structure for a cohesive and integrated citizen experience.	Current state: integrated phone and walk in centre services for ESDC + extras. By end 2022: omni-channel integrated services for ESDC. Future state: AoG omni-channel.	Departmentally based service delivery with a single information website. MyMSD provides integrated services for MSD.



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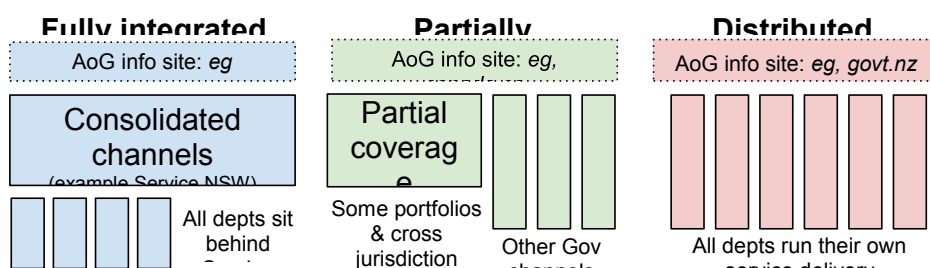
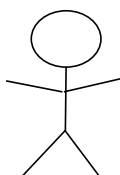
Scope of service	<b>All of Government.</b> Mandated single point of omni-channel service delivery for all NSW Government departments, except Justice systems and some exemptions. <b>Service.nsw.gov.au</b> is distinct from <b>nsw.gov.au</b> .	<b>All of Portfolio plus extras, expanding to AoG.</b> Single point of service delivery for Employment and Social Development Canada (ESDC) plus AoG identity proofing and some Provincial gov services. Service Canada presence online distinct from Canada.ca.	<b>No AoG service delivery.</b> An AoG website govt.nz but no AoG or cross portfolio service delivery.
Established through	New government owned entity with clear mandate	Program within social services department	N/A
AoG CX maturity	High - a consistent, high quality, integrated CX for people with the gov of NSW.	Medium to low - inconsistent CX, some cross departmental gov services, primarily in non-digital channels. Fairly recent investment in CX maturation.	Low - no cross departmental delivery except SmartStart, no omni-channel services, no CX accountability, AoG approach or strategy.
Number of services currently served	Currently <a href="#">over 1200 transactional services</a> for over 14 departments.	Currently <a href="#">over 60 benefits, programs or services</a> delivered for several Departments (ESDC, IRCC, Provinces), over 1600 cross-sector referrals.	Not applicable. Individual departmental services are served through department initiatives like <a href="#">MyMSD</a> , MyIR and through myriad departmental websites.
Single place for service delivery	A single omni-channel presence for all of government ( <a href="#">digital channel</a> + call centre + walk in). Complementary to the <a href="#">AoG website</a> for Gov of NSW to communicate with citizens.	An AoG call centre (1800-0-Canada) and nearly 400 walk in locations for Service Canada, with a single information website for AoG ( <a href="#">Canada.ca</a> ). A single digital channel is being currently established for Service Canada, to complement Canada.ca.	No consolidated or partially consolidated service delivery in New Zealand. There is a single website for AoG communications ( <a href="#">govt.nz</a> ) but no transactional services or AoG channels for service delivery.
AoG info website	Yes - nsw.gov.au	Yes - canada.ca	Yes - govt.nz
AoG non digital channel(s) for services	Yes: <ul style="list-style-type: none"> <li>SNSW phone (137788)</li> <li>SNSW <a href="#">walk in centres</a></li> </ul>	Partially: <ul style="list-style-type: none"> <li>AoG phone (1800-0-Canada)</li> <li>Service Canada <a href="#">callback</a> and <a href="#">walk in centres</a></li> </ul>	None.
AoG digital channel for services	Yes: <ul style="list-style-type: none"> <li>service.nsw.gov.au</li> <li>SNSW presence on social media</li> </ul>	My Service Canada Account provides some integrated services, full digital channel currently in development.	None.
Integrated services	Yes	Partial	No
Single owner of CX	Yes	Partial (yes for non digital, doing digital now)	No



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Single look and feel	Yes - mandated	Yes - mandated	No
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For clarity: AoG websites provide information **about government** (annual reports, org structures, legislation, etc) and a single place for the governments to communicate with citizens, but jurisdictions with service delivery hubs (like NSW and Canada) have a distinct place for **integrated, effective and efficient delivery of services**, to complement but not compete with all of government communications.



*Peter McKinlay  
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## **Local Government, Governance and Raising the Quality of Public Debate**

*This paper is a joint presentation by Peter McKinlay, Executive Director of McKinlay Douglas Ltd, and Stephen Selwood, the chief executive of the New Zealand Council for Infrastructure Development. It has been prepared as part of a wider initiative being supported by the Institute of Governance and Policy Studies at Victoria University with the objective of raising the quality of public debate on local government and local governance. The authors are indebted both to Prof Michael Macaulay, the director of the Institute, and to Girol Karacaoglu and colleagues within the Treasury for their encouragement.*

### **INTRODUCTION**

The basic proposition this paper puts forward is the need to lift the scope and quality of public debate on the role and purpose of local government and local governance. The rationale is that New Zealand both through its instruments of government and through its many communities needs to undergo a radical rethinking of the nature of local governance in order that individual communities (local, district, regional depending on the issue) can realise the full potential they have to contribute to economic and social development.

The proposition is not an argument for yet another round of central government intervention in the structure, legislative framework and compliance requirements which currently shape local government. Instead, it is an argument that our current understandings and practices are seriously out of line with what is needed to deal with the challenges New Zealand's economy and society face now and for the foreseeable future.

A major theme which will emerge through the paper is that there are two matters we need to get right, in terms both of understanding the drivers and putting in place the appropriate structural arrangements, incentives etc so that they are properly addressed. The first of these matters is what needs to be managed at a regional/supra-regional level, operating on the principle that only those matters which must be handled at that level should be. The second is what must inherently be managed at a neighbourhood or community level, by whom and what does that imply?

The argument in the paper will treat much of standard local government service delivery as something that should be decided locally and need not attract any particular concern on the part of central government policymakers other than ensuring the existence of some very generic, and ideally light handed, compliance requirements. It will also argue that a condition precedent for this is revisiting the legislative framework for local government and, in particular, the respective roles of elected members and executive management.

The paper is divided into four sections:

1. Context: first, what are the major influences driving the need for change in the way we think about and enable local government and local governance; and secondly, what is happening with central government/local government relationships?

2. How to determine what needs to be decided and implemented at a regional/supra-regional level and the options for doing so.
3. The 'what' and 'why' of decision-making at the neighbourhood or community level.
4. Conclusions.

## **1 CONTEXT – INFLUENCES AND RELATIONSHIPS**

### **a) THE MAJOR INFLUENCES AFFECTING LOCAL GOVERNMENT AND LOCAL GOVERNANCE**

This part of the paper covers briefly a number of major influences some at least of which should already be well known to this audience.

#### **Globalisation and the rise of metropolitan centres**

Globalisation has had a major impact on the competitiveness of large sectors of the economies of most developed countries. Supply chains have become much more internationalised. The ability of national governments to implement protectionist policies in a seemingly costless way has largely gone (although creativity in areas such as bio security regulation should not be underestimated).

The world is increasingly urban with an inexorable movement of population from rural areas to towns, regional centres and increasingly metropolitan centres. The evidence suggests that the locational advantages of larger metropolitan centres, especially those with significant international hub airports, are increasingly driving locational decisions both by individuals and by firms. The value of 'face-to-face' interaction is a major influence especially for activities which rely significantly on a combination of innovation and high skill levels.

Endeavours by governments to encourage location outside major centres whether through subsidy, immigration policy, or even relocating elements of the public sector have proved ineffective in seeking to counter the drift to metropolitan centres. If anything is likely to counter the drift, it's almost certainly going to be innovation led within local and regional areas themselves and supported by demonstrating compelling economic advantage. Necessarily this will be situation and sector specific.

#### **Demographic change**

Professor Natalie Jackson's excellent work is demonstrating the very profound impacts which demographic change is having on the size and composition of the populations of New Zealand's communities. It provides strong empirical evidence of the extent of the drift to metropolitan centres, but also highlights the way in which the age structure of the population is changing in large part as a result of changes in fertility rates (see her presentation to this lecture series at <http://www.treasury.govt.nz/publications/media-speeches/questlectures/iejackson-may14>).

Among the implications for policy makers are issues such as:

- Should a number of communities now be consciously planning for decline rather than continuing growth?

- What are the implications of the very different age and ethnic make-up of different parts of the country especially the contrast between Auckland and the rest of New Zealand?
- How do we cope with the needs of an ageing population especially when we recognise this is not just a matter of the cost of superannuation or health care but crucially a question of whether, for example, there will be sufficient people in the labour force able and prepared to provide the services older people will need?

### **Fiscal constraints**

Over the past decade New Zealand, along with many other developed countries, has moved from a fiscal setting in which the typical response to the identification of a new problem was a new government spending programme, to what seems a permanent situation in which demands for central or local government intervention will increasingly outweigh ability to pay. This is likely to remain the case even as advisors and politicians become more innovative in identifying new sources of revenue.

The implication for local government is twofold. First, it's unlikely that central government of whatever hue will be prepared either to provide significant additional funding from its own revenue sources, or to legislate for significant new revenue streams for local government. (There will probably be some exceptions to this – for example, it seems likely that central government will ultimately agree to one or more new taxes or charges to help fund Auckland's transport investment.) Secondly, local governments themselves are going to need to be much more innovative, and much more collaborative in working with their communities, in making choices about what services should be provided collectively, and how those should be owned, managed and resourced.

### **Changing priorities for resident involvement**

There still seems to be a very widespread view that the primary way in which residents should engage with their local government (and for that matter central government) is as electors: casting their vote to determine who should act as their representatives to take decisions on their behalf. The low and declining level of turnout in local government elections is the subject of much angst, leading to various suggestions for steps central or local government might take to increase voter turnout. Is the three-week voting period too long? Should we shift to electronic voting to make it easier for people who do most of their interaction through social media and the Internet? Do we need to increase civics education in schools so that young people understand the 'importance' of voting?

There is growing research evidence and practical experience<sup>1</sup> suggesting that for many people voting is now only one of the ways in which they want to engage with local government, and not necessarily the most important. Instead, priorities include the opportunity to influence decisions affecting their 'place' – which typically, even in a large city, will be a neighbourhood or community of a size around 5000-10,000 people at most.

### **Central government engagement with communities**

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<sup>1</sup> See *Evolution in Community Governance: Building on What Works*  
[http://www.aceig.org.au/system/files/publication-documents/1335499377\\_Vol1\\_Community\\_Governance\\_20\\_April\\_2012.pdf](http://www.aceig.org.au/system/files/publication-documents/1335499377_Vol1_Community_Governance_20_April_2012.pdf).

We are seeing the first signs of what is likely to be a significant trend of central government agencies wanting to engage directly with communities in order to get better outcomes from the policies for which they are responsible. There is a sense that doing so needs the knowledge, networks and support that can only come from working directly with communities. This has seen the emergence of terms such as co-production and co-design. It's also seeing an increased emphasis on collaboration amongst government agencies at a local level.

Examples close to home include the Social Sector Trials being led by the Ministry of Social Development (see <https://www.msd.govt.nz/about-msd-and-our-work/work-programmes/initiatives/social-sector-trials/>), and the Australian Federal Department of Human Services 'Better Futures Local Solutions' initiative with its emphasis on the development of community-led strategic plans (for an example see <http://www.humanservices.gov.au/spw/corporate/government-initiatives/resources/shepparton-lag-strategic-plan.pdf>)

This trend raises some profound questions about the proper role of local government in the governance of its communities, questions which have yet to be addressed either by central government or by local government in any substantive way.

### **Assessment**

Considered cumulatively, the implications of the different trends now affecting local government and local governance seem increasingly clear. Like it or not, individual communities are going more and more to be responsible for finding their own solutions to the changes they now face. This looks to be so regardless of whether central governments share this view, or believe that they have a role to intervene to promote more equal outcomes across the country.

From a policy perspective we suggest this puts a special responsibility on central government to ensure that the legislative/regulatory and accountability environment for local government facilitates strong local leadership and the ability to be proactive in seeking solutions, rather than being increasingly hamstrung by a series of more and more detailed regulatory requirements. Achieving this will require both revisiting some of the basic components of the Local Government Act (for example the way the Act specifies the respective roles of elected members and executive management) and reassessing the purpose and nature of local government's accountability regime.

### **b) THE CENTRAL GOVERNMENT/LOCAL GOVERNMENT RELATIONSHIP**

Local government around the world takes a surprisingly diverse range of forms, may have quite different constitutional underpinnings and is responsible for widely varying ranges of service activity. It may be elected or appointed. It may be substantially responsible for raising its own revenue, or largely dependent on transfers from higher tiers of government.

The extent to which local governments are autonomous, that is, able to take their own decisions free of intervention by higher tiers of government, varies widely but can be usefully categorised into two broad albeit contrasting models well described in the following extract from a paper prepared for the United Kingdom government as part of a major cross country review of local government funding:

There "are two contrasting models of central-local relationships: (i) a principal/agent model and (ii) a 'choice' model. The 'principal agent' approach envisages local government primarily as an agent of delivery of

priorities and objectives that are determined by 'higher' tiers of government – the region, Land, province or national government – and relies on bureaucratic/legal controls. A 'choice' model emphasises the needs and preferences of local people – service users, citizens, local business etc – and depends on mechanisms by which local stakeholders express their priorities – for example through voting or public engagement and stakeholder engagement/consultation. In many countries the principal-agent model came to underpin central-local relations in the post-war welfare state era when local authorities were used to implement welfare policies (such as the provision of public sector housing, state education and health services). In recent years there has been growing recognition of the limitations of this model and some interest in new forms of central-local relations." (Loughlin and Martin 2004).

The New Zealand case falls squarely within the 'principal/agent' model even although New Zealand local government raises most of its own revenue and has a lesser involvement in major social services than is the case with local government in many other jurisdictions. Successive central governments have seen it as their prerogative to undertake very major restructurings, and intervene frequently to direct local government in areas such as governance, accountability and 'core activities' (sometimes not always entirely successfully from government's perspective).

Not surprisingly the result is very much a situation recently described by the NSW Independent Local Government Review Panel, in respect of its own jurisdiction, as:

"Much of NSW local government exhibits a strong culture of compliance: have the required processes been completed and the right boxes ticked, rather than, has something valuable been achieved? .... This culture reflects a number of factors, notably progressively increasing demands imposed over the years by the many State agencies that assist or regulate local government..."

There are other and significant consequences of a regulatory/interventionist approach on the part of central government to local government rather than a collaborative or partnership approach. They include:

- A quite high level of distrust between the two sectors.
- A serious lack of understanding of local government on the part of many in central government, which prompted the following comment in the recent Productivity Commission report 'Towards Better Local Regulation': "It is important to note that, while local authorities were created by statute, they are not, as sometimes characterised, 'agents' of central government that are required to implement national priorities, and be accountable to central government for operational performance. This agency characterisation seems to reflect a misunderstanding of the respective roles of, and relationship between, local and central government."
- A high level of misunderstanding in the general public regarding the role and function of local government, accompanied by a measure of distrust occasioned in part by government-imposed regulatory requirements such as the special consultative procedure intended to promote better

accountability of which the Local Government Rates Inquiry<sup>2</sup> had this to say: "Most importantly, the special consultative procedure contained within the LGA 2002, which relies heavily on giving public notice of consultation, is not working. The burden of consultation for individual citizens, community groups, elected members, and officers must be reduced by implementing more effective techniques such as focus groups. Better-designed, rather than more, consultation is required."

Years of a regulatory/interventionist approach on the part of successive central governments, intended among other things to 'improve' the transparency and accountability of local government, has seriously distorted understandings of the essence of local governance, focusing the debate instead on the peculiar characteristics of the set of subsidiary institutions councils have become. In practical terms this means discussions about local government have become discussions about the peculiarities of a particular set of regulatory requirements and the institutions to which they apply, rather than being what they should be, a discussion of what is required for effective local governance. Indeed, as a personal judgement, I'm now inclined to argue that it is almost necessary to put local government itself to one side and instead discuss what's required for the effective governance of New Zealand's communities, a judgement which I find reinforced by observing what is happening within the various reorganisation proposals now under consideration by the Local Government Commission.

### **Assessment**

The relationship between central government and local government in New Zealand appears based primarily on the premise that local government is primarily a set of subsidiary institutions with the set of functions ideally confined to the delivery of local physical and regulatory services together with the provision of arts cultural and recreational facilities. This premise underpins a regulatory/accountability framework which increasingly appears designed primarily to constrain local government to its 'core functions' and micromanage the way in which it manages both its operating and its capital expenditure.

There appears as yet little understanding of the extent to which this approach severely restricts the development of a governance approach at a local level - an approach which would require local institutions able to exercise leadership in the sense of taking a 'whole of community' approach to determining priorities, setting strategic direction and putting in place initiatives designed to address the challenges facing New Zealand's communities. Separately, rewriting legislation to deal with the present imbalance between governance and management is also the most promising approach to ensuring that local services are designed and delivered cost effectively. As one example, there is good reason to believe that defects in the governance arrangements in legislation are at least partly responsible for the relatively poor performance of New Zealand local government in developing shared services and other innovative approaches to the production of the services which councils have decided they should provide for their communities.

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<sup>2</sup> *Funding Local Government* available at [http://www.dia.govt.nz/Pubforms.nsf/URL/RatesInquiryFullReport.pdf/\\$file/RatesInquiryFullReport.pdf](http://www.dia.govt.nz/Pubforms.nsf/URL/RatesInquiryFullReport.pdf/$file/RatesInquiryFullReport.pdf)



## **2 HOW TO DETERMINE WHAT NEEDS TO BE DECIDED AND IMPLEMENTED AT A REGIONAL/SUPRA-REGIONAL LEVEL?**

### **Keeping pace with globalisation**

It's been a quarter of a century since the 1989 local government reforms in New Zealand. Twenty five years may not seem a long time in the context of domestic affairs. But in the wider global political economy, the last two decades have seen remarkable change. The Soviet Union has collapsed and its largest member Russia has witnessed both near economic collapse and energy-fuelled resurgence. Japan in the same timeframe has moved from the global 'poster child' for economic efficiency to deflation, stagnation and then recovery, while its then impoverished neighbour, China, has become the second largest economy in the world and a burgeoning superpower.

Global connectivity through the Internet has transformed knowledge transfer across borders, cultures and political jurisdictions.

The actions today of a banker on Wall St, a technocrat in Brussels or a party official in Beijing are just as likely as any emanating from the offices of local mayors and members of Parliament to impact materially upon the daily lives of New Zealand residents. And yet many of the rules, institutions and activities characteristic of the New Zealand we know in 2013 are indistinguishable from those in 1993.

When residents of a town or suburb lose their jobs or demand something different, they no longer look to the next town or city, but to Australia or elsewhere. Instead of striving to improve their communities, those with transferable education, skills and expertise increasingly abandon that community and search the globe for one that meets their need.

When businesses look to expand and entrepreneurs to invest, return on investment must take precedence over historical ties, or competitiveness will be lost and the venture will fail. The ubiquity of English and free movement of capital has made the greater part of the planet one single economy, and all actions by Governments and businesses that fail to attract skills and money increasingly damaging.

The challenge before us then is to ensure that our systems of planning, governance, funding, regulation and delivery of infrastructure and services that support New Zealand's social and economic development are as effective and efficient as they can be.

### **Are local government structures in New Zealand fit for purpose?**

For a nation of just 4.5 million people, seeking to punch above its weight on a global stage, New Zealand's local government structures are complex. When viewed within the context of the communities and geographic areas represented, local government structures are highly inconsistent and lacking coherent rationale.

For example, community infrastructure (including potable water, storm and waste water, roads, public transport, footpaths and street lighting) and most of the planning approvals for national and regionally significant infrastructure come under the responsibility of one or more of 78 local authorities. These comprise: 11 regional councils; 61 territorial authorities, including cities within cities; 6 unitary councils (territorial authorities with regional council responsibilities); 116 community boards; and 21 local boards.

While averaging 65,000 residents, populations per council range between 1.4 million residents in Auckland to just 650 in the Chatham Islands.

The numbers of councils within a range of population bands is set out in Table 1. Of the 61 territorial authorities, 13 councils have a population of less than 10,000 people, a third have fewer than 20,000 and just 10%, seven councils including Auckland, have over 100,000 population.

**Table 1: Council Population Bands**

Population	Number of Councils	Cumulative Number of Councils	Cumulative Percentage of Councils
Less than 10,000	13	13	19%
10,000 to 20,000	12	25	37%
20,000 to 30,000	7	32	48%
30,000 to 40,000	7	39	58%
40,000 to 50,000	11	50	75%
50,000 to 60,000	4	54	81%
60,000 to 70,000	2	56	84%
70,000 to 80,000	2	58	88%
80,000 to 90,000	2	60	90%
90,000 to 100,000	0	60	90%
100,000 plus	7	67	100%

Auckland covers less than 2 per cent of New Zealand's total land area, but, with 1.5 million inhabitants, Auckland's unitary authority governs a third of the population. Marlborough, also governed by a unitary authority, is well over twice the geographic size of Auckland but contains less than one-thirtieth of the population.

Wellington, meanwhile, is governed by one regional and eight territorial authorities, despite the vast majority of its 500,000 residents living within one continuous metropolitan conurbation. The four territorial authorities which share

responsibility for Wellington's urban area govern fewer residents than Christchurch City Council and two of those, Upper Hutt and Porirua cities, are comparable in size to Gisborne and much smaller than the New Plymouth and Rotorua districts.

Excluding Auckland, regional populations in New Zealand range in size from West Coast's 33,000 to its neighbour Canterbury's 560,000. Canterbury also contains the country's most and one of its least populous territorial authorities, with around 370,000 residents in Christchurch City and just 4000 in Mackenzie District. Mackenzie's 4000 residents oversee an area substantially larger than the Auckland region, but are outnumbered by a factor of two by Auckland Council employees alone. In fact, Auckland's Howick Local Board area contains a population 30 times that of Mackenzie District and is larger than Tauranga, but carries no independent representation other than its Local Board which receives all its funding through the Auckland Council.

Small councils can enhance community participation and local democracy by enabling connection between politicians and the communities that they serve. But, in terms of planning, funding and delivery of infrastructure – a core service of local government – small councils face significant disadvantages over larger councils. These include:

- a small rate payer base which constrains their ability to fund investment in infrastructure
- high fixed costs per rate payer
- reduced purchasing power
- insufficient scale to warrant specialist staff
- difficulty in attracting and remunerating the levels of expertise required
- lack of in-house expertise and dependence on contracted services
- reduced capacity to cope with complex change and keep pace with emerging trends

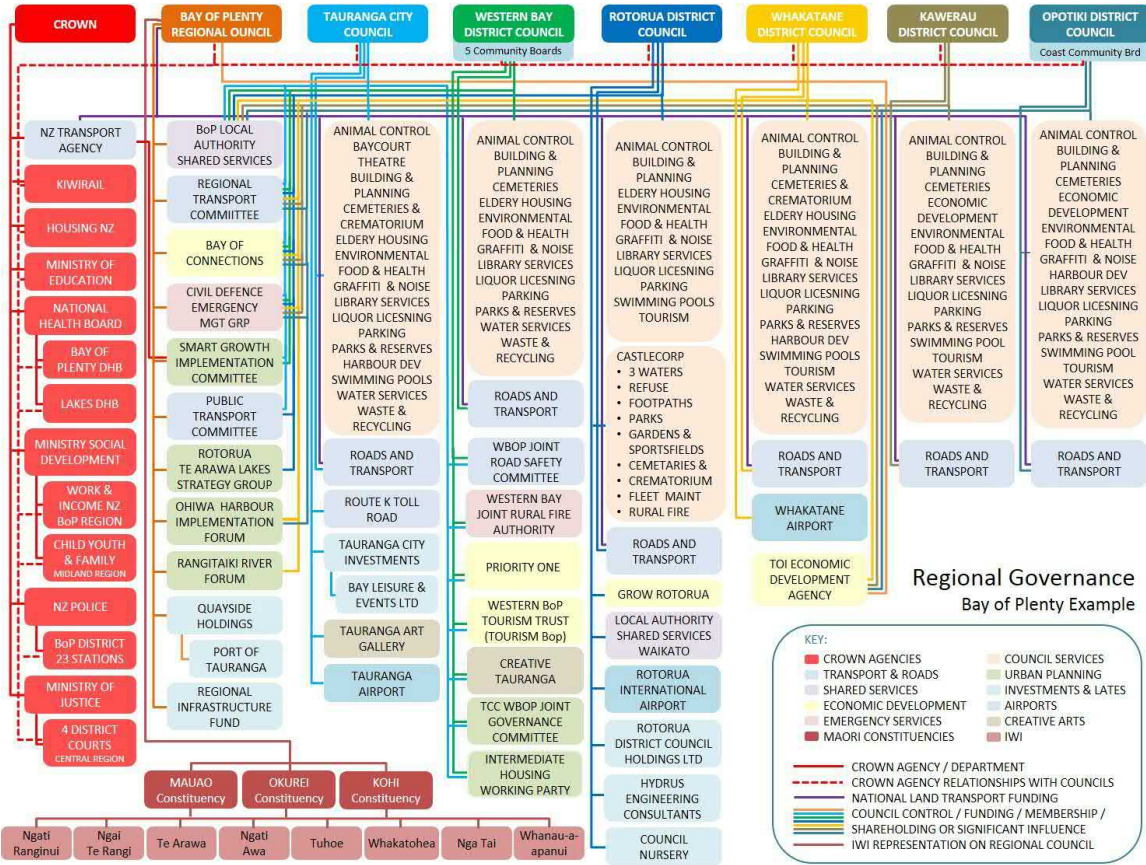
#### Complexity

Under current governance structures, local councils interact by means of complex relationships with regional councils, council controlled organisations, central government ministries, governmental agencies and other public and private sector agencies.

For example, Figure 1 illustrates the complexity of organisational relationships and structures within the Bay of Plenty (BoP) Region – a region that is often commended for its preparedness to collaborate and its initiatives in shared service arrangements.

The level of complexity depicted in the illustration is typical of most regions across New Zealand.

Figure 1: Central and Local Government Structures in the Bay of Plenty Region



As clearly demonstrated by the BoP example, there is significant duplication of function across Regional, City and District Council jurisdictions. These include:

- democracy and associated support costs
- governance activities (in addition to the democratic role)
- strategic planning, policy, research, and economic development
- District and Long Term Plan processes
- policy, planning and delivery of services
- contract management of devolved activities and projects,
- corporate overheads and accommodation
- corporate support functions such as HR, IT, finance, insurance, risk and audit.

While existing structures allow a form of local representation, from an infrastructure planning, funding and delivery perspective sub-regional governance creates many issues.

These generally include:

Inadequate Funding:

Councils are funded by a combination of rates and central government funding (primarily in the form of local roading and public transport subsidies). However, local authorities are facing difficulties funding increasing infrastructure needs on a limited rate payer funding base. Many local authorities are very small scale entities. Local funding mechanisms lack economies of scale. Within the transport sector central government funding is skewed by subsidy rates that favour state highway solutions (funded at 100%) over local roads (which require 50% local funding). Failure to meet local share requirements reduces funding for local roads in favour of state highways. The net result is insufficient money to do the job. New, more effective funding mechanisms are required.

National and Regional needs subordinated to local interests:

Regional Councils' responsibilities include regional planning, environmental management, flood protection, provision of regional parks, planning and funding of public transport. However, Regional Councils have limited funding mechanisms available to them. City and District Councils possess the bulk of local funding and control land use planning and the key infrastructure assets, albeit within policies set by Regional Councils. Within that context, decisions are made by locally elected lay people whose political accountability is local rather than regional or national. This creates an environment where leaders compete politically at the local level rather than contribute to regional or national outcomes.

Regional and rural urban divide:

The number of council boundaries creates division rather than unity. While cities can be seen as the educational, social, cultural, manufacturing and logistical centres of regional economies, existing boundaries often exacerbate the divide between rural and urban New Zealand.

Dilution of Expertise:

High quality political and staff resources can be wasted in duplicated functions across the 78 regional and local authorities. Similarly, a considerable amount of skilled management time is taken in transactions and consultation among and between parallel organisations.

Complex decision making processes and weakened accountability

Planning, decision making, funding and implementation processes are complex with consequential lack of responsibility and accountability. Vague national level policy frameworks means local body politicians may not be held to account for decisions that affect regional or national outcomes. Lack of comparative data across local councils further weakens accountability to rate payers.

Complexity for business and communities:

Businesses and communities operate in a regulatory environment which includes 78 sets of strategies, rating systems, plans and by laws, building authorities, water network operators, roading and public transport agencies and finance, information technology and human resource systems.

Land use and infrastructure decisions are typically taken by district or city councils – the lowest level of local government. In many cases agencies charged with planning responsibilities are too fragmented or too reliant upon central funding to deliver plans. Dependency on outside resources and cooperation limits the efficacy of planning agencies and causes delays to implementation. Regionally, planning can be undermined by fragmented local authority structures as well as political and professional frictions, giving rise to compromise or indecision.

This is particularly problematic for network infrastructure providers such as telecommunications, power and transport who have to navigate a complex maze of district and regional planning processes.

Many local authorities have recognised the need to strategically manage their land use and infrastructure planning. While several informal LGA strategic or spatial planning documents exist, such as the Auckland Plan or the Tauranga Smart Growth Strategy or the former Canterbury Regional Growth Strategy, these strategies are not statutory documents under the RMA and have limited authority. Because of their limited legal status, and consequential lack of funding support through LGA and LTMA processes, non-statutory strategic plans face significant challenges in their implementation.

**The absence of central government**

As discussed in previous sections central government remains indisputably New Zealand's preeminent governing institution, with local government playing a much more minor role in domestic affairs. In addition to legislative and executive power, health, education, housing, welfare, and justice, as well as universally centralised activities including defence and economic management, are all overseen by central agencies.

However, despite these critical responsibilities central government plays almost no role in land use planning resource allocation.

When compared with other countries, New Zealand's transport infrastructure spending decisions are highly centralised, whereas land use decision-making is highly decentralised. Central government has generally not been explicit about what it wants to achieve in terms of land use management or how it wants to 'shape' places. This has led to a separation of planning from implementation and ad hoc and inconsistent decision making.

Although they are now beginning to evolve, the absence of critical national policies under the RMA and LTMA has given rise to inconsistency and differing approaches between regional and local plans.

While reforms are proposed and are being hotly contested, tinkering with the RMA alone will not solve this problem. Instead the wider systems, structures, funding arrangements and responsibilities of all parties need to be addressed.

However, central government capacity to undertake major policy reform is limited. When reform is proposed, it tends to be led by government departments in silos focused on individual statutes rather than addressing the underlying or integrating problems between the statutes. Auckland reforms have evolved in response to unique growth challenges in New Zealand's largest city; local government reforms have been driven by rapid rates increases; RMA reforms have resulted from specific concerns regarding consenting; and the Land and Water Forum is a response to freshwater management issues.

Yet, each of these initiatives is related. The underlying cause of issues across all these apparently disparate sectors is a fundamentally flawed domestic governance system and disjointed planning framework.

Without addressing the structures, responsibilities, tools and incentives supporting domestic governance and resource management, piecemeal changes over the past five years will help to improve processes within a disjointed governance and planning framework but are unlikely to materialise as a substantive improvement in economic, social and environmental well-being of New Zealanders.

The larger question about how best to provide a planning framework for overall resource allocation, land use, transport and infrastructure planning isn't being addressed.

### **The benefits of scale in infrastructure delivery**

Internationally there has been a strong trend to consolidation especially in capital intensive infrastructure provision.

Empirical research signals broad consensus regarding the existence of scale economies, up to a point, for capital intensive infrastructure provision<sup>3</sup>. Scale

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<sup>3</sup> S. Berg\*, R. Marques "Quantitative Studies of Water and Sanitation Utilities: A Literature Survey March 3, 2010; Australian Centre of Excellence for Local Government, Local Government Association of South Australia and Local Government New Zealand "Consolidation in Local Government: A Fresh Look" Volume 1 Report May 2011; Ministerial Road Maintenance Task Force Research Support for Collaboration and Clustering Prepared by Rationale for: NZTA And Technical Working Group Research Team – Collaboration and Clustering, p26.

efficiencies arise when entities are able to lower the unit cost of delivering goods and services by increasing in size. Larger councils that are able to lower administrative costs per resident, increase purchasing power, improve facilities utilisation and leverage financial capability. In addition, larger councils are also likely to exhibit superior technical, managerial and strategic capacity, may be better able to plan and contribute to economic development, can be more effective community advocates and typically also interact more successfully with government and business.<sup>4</sup>

However, it is important to note that a poorly conceived consolidation risks increasing, rather than decreasing, the net costs of local government services. Greater scale requires a larger and more complex bureaucracy and the centralization of services can lead to a loss of local knowledge, expertise and reduced community engagement.<sup>5</sup>

In addition, not all services provided by local government may benefit from economies of scale, or may benefit only up to a point before diseconomies of scale emerge (i.e. the per resident cost of a service stops declining and begins to increase).

Evidence from international studies tend to show that, unless specifically mandated, efficiency gains from consolidation are more likely to be reflected in enhanced strategic capacity or improved service delivery than in reduced rates.

The evidence suggests the need for structures that deliver strategic oversight of planning and economies of scale for capital intensive infrastructure service provision, whilst building local representation at the community level.

The Australian Centre of Excellence for Local Government (ACELG), Local Government Association of South Australia (LGASA), and Local Government New Zealand (LGNZ) came to similar conclusions in their collaborative research venture which sought to review consolidation in local government, free from any current political or other pressures to recommend any particular approach towards structural reform.<sup>6</sup>

They used the term 'consolidation' to embrace a wide range of options that may deliver economies of scale or scope, or other benefits in terms of more effective local government. Options investigated included shared services delivery, various models of regional collaboration, boundary adjustment, and voluntary, forced and failed amalgamations of councils.

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PWC GHD: Implementing the National Infrastructure Plan in the Water Industry – A Pilot Study July 2012; Urban Water Services, IPENZ, Ingenium and Water New Zealand (2013)

<sup>4</sup> See in particular summaries of different reports in Brian Dollery, Joel Byrnes and Lin Crase, *An Analysis of the New Perspective on Amalgamation in Australian Local Government*, February 2007; United States Environmental Protection Agency, *Restructuring and Consolidation of Small Drinking Water Systems*, October 2007, p.iii; PWC and GHD, *Implementing the National Infrastructure Plan in the Water Industry*, July 2012.

<sup>5</sup> See for example, the literature review featured in McKinlay Douglas Ltd, *Local Government Structure and Efficiency*, October 2006; Brian Dollery, Joel Byrnes and Lin Crase, *An Analysis of the New Perspective on Amalgamation in Australian Local Government*, February 2007.

<sup>6</sup> *Australian Centre of Excellence for Local Government, Local Government Association of South Australia and Local Government New Zealand "Consolidation in Local Government: A Fresh Look" Volume 1 Report May 2011*



The headline conclusions sourced directly from this review are reproduced in the table below.<sup>7</sup>

**Figure 2: Summary attributes of different forms of consolidation**

	Amalgamation	Boundary Change	Shared Services	Regional Collaboration
<b>Efficiency and Economies of Scale</b>	Strong link	Potentially strong link subject to size/disposition of re-shaped councils	Strong link	Weak link
<b>Strategic Capacity</b>	Strong link	As above – benefits will flow to larger 'new' council/s	Potential medium-strong link subject to organisation structure and governance	Weak link
<b>Service Improvement and Innovation</b>	Strong link	As above	Strong link (but limited to those services that are effectively shared)	Potential link subject to nature and scope of collaboration
<b>Potential Diminution of Local Democracy</b>	Distinct risk, but can be managed	Some risk depending on nature of 'new' councils – can be managed	Risk where shared services are extensive and decision-making is ceded to joint authority – may be difficult to manage	Little or no risk

The concept of collaboration or clustering was also examined by the NZTA Ministerial Road Maintenance Task Force. Its Collaboration and Clustering research group developed a model to describe the potential benefits of collaboration and clustering to deliver improved outcomes in road maintenance in the New Zealand context.<sup>8</sup>

The group considered "in principle" the benefits or dis-benefits that network size might have on a range of key success factors. These included: fiscal efficiency, administration, governance, policy and strategy; asset management; network management; physical works; transparency; political acceptability; public acceptability; economic efficiency and private sustainability. A regionalised network structure was considered by the group to be closest to an optimal network size in the New Zealand context when considered against each of the criteria.

Similarly, a recent pilot study of nine council water providers in New Zealand (PWC and GHD) identified a number of related factors that supported or inhibited good performance.<sup>9</sup> Several different governance models were included in the study, ranging from council department, business unit, shared service, CCO asset manager/operator and fully dedicated water utility. The study found a clear correlation between an operator's scale and its results. Put simply, larger

<sup>7</sup> Ibid, p7

<sup>8</sup> Ministerial Road Maintenance Task Force Research Support for Collaboration and Clustering Prepared by Rationale for: NZTA And Technical Working Group Research Team – Collaboration and Clustering p26

<sup>9</sup> PWC GHD: Implementing the National Infrastructure Plan in the Water Industry – A Pilot Study July 2012

operators scored better than smaller operators. Increased size enables improved strategic focus, specialisation of technical staff, purchasing power and economies of scale. Single-purpose entities have a greater degree of strategic focus thereby enabling better overall performance.

Governance models that enabled inter-council sharing or integration provided leverage for both scale and strategic focus. These models also provided greater opportunities for funding network infrastructure in smaller townships, which are subject to affordability challenges. However, while shared service arrangements were found to achieve many benefits, the study concluded that they cannot fully replicate the benefits of amalgamated water operators.

A range of factors were found to inhibit good performance including regulation and RMA consenting issues, affordability issues, failure to consider alternative methods of funding, community resistance to change - especially in relation to alternative governance arrangements and application of volumetric pricing, and understanding of risks, vulnerabilities and condition of their networks.

Specific issues that relate to the smaller operators included:

- affordability of schemes for small towns
- operation of multiple schemes, making compliance difficult, impractical and involving higher compliance costs
- capacity of smaller councils to allocate resources to all compliance requirements.

Further work in respect of water services, a recent report prepared by IPENZ, Ingenium and Water New Zealand<sup>10</sup> concluded:

"It is apparent that economies of scale and to some extent of scope, sufficiency of funding and use of commercial disciplines in decision making are the key factors that determine the efficiency of a water entity. Nevertheless, it is important to recognize the trade-off between accountability and economies of scale. Overall, our assessment suggests there are opportunities for greater water industry efficiency and effectiveness by creating greater economies of scale and to a lesser extent utilising scope. Detailed analysis of the options suggests rationalising smaller entities into larger, single-focus groupings combined with a commercial approach, should be encouraged in many circumstances."

In summary, reviews of international empirical evidence on local government amalgamation show there is no universally recognised optimal population size for local authorities that will maximise economies of both scope and scale over the full range of services. It is very much a "horses for courses" situation. Some services, particularly those which are people-related, are more efficiently provided locally; others such as high capital intensive infrastructure services show significant economies of scale.

It is not unreasonable to conclude therefore that an optimum institutional arrangement is one that achieves economies of scale in the provision of capital intensive infrastructure services and regional spatial and economic planning, whilst enabling more local decision making on service provision where the need for strategic integration and economies of scale, scope and density do not apply.

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<sup>10</sup> Urban Water Services, IPENZ, Ingenium and Water New Zealand (2013), page 14.

### Form Should Follow Function

As the previous discussion argues, current governance structures enable at least a limited form of democratic local decision making but have substantial weaknesses in other areas. A better balance needs to be found between keeping the “local in local government” whilst ensuring better value for money in infrastructure delivery and that national and regional opportunities are integrated so that New Zealand can keep pace on a global stage.

A better understanding of regional systems is needed, including of resources (energy, water, and materials), people (migration, travel to work patterns), investment, and governance.

Equally however local democracy must be protected and enhanced and engagement within and across communities strengthened. This is key to providing a sense of well-being, participation and inclusion and to providing essential oversight and controls on more centralized decision making and service delivery.

While some decisions are better made at a national or regional level other decisions must be made locally where community engagement is strongest. Connections between decision-making made at different levels need to be acknowledged and provided.

It follows that change in local government structures should satisfy a set of fundamental guiding principles potentially including:

- (a) alignment between national regional and local strategies
- (b) ensuring the financial sustainability of local government
- (c) having the scale, resources and ‘strategic capacity’ to govern effectively and to provide a strong voice to central government
- (d) being cost efficient and effective and providing for clear accountability to the public for outcomes, use of public funds and stewardship of public assets
- (e) having effective mechanisms for central government-local consultation, joint planning, policy development and operational partnerships
- (f) ensuring that decisions are taken at the level of governance best informed and best placed to deal with consequences, and coordinated between the different spheres of government.
- (g) enabling community involvement and influence at a level where people feel they can influence decisions that impact on their lives,
- (h) enabling democratic local decision-making and action by, and on behalf of, communities
- (i) delivering equitable impacts across communities
- (j) encouraging more active citizenship with more people taking responsibility to their communities being resilient into the future, and be able to deal with increasing uncertainty, complexity, diversity and change.

Fundamentally, the problem with reforms to date is that they have avoided the difficult, publicly contentious structural issues at the heart of domestic governance and resource management. With the partial exception of the reform of Auckland governance, none of these, nor any other responses, address underlying structural anomalies in the overall domestic governance and planning system.

More fundamental change is required to overcome existing issues and modernise governance activities to progress future outcomes.

Despite several attempts at local government reform in New Zealand, there has never been a coordinated, first-principles review of the purpose of local government within the overall administration of New Zealand, its role in this

process and the legal framework supporting these activities. Ad hoc revisions of 19th century British legislation led to piecemeal reforms and an incoherent framework for domestic decision making and policy implementation.

Until the structures supporting this framework receive a fresh appraisal in light of the wider New Zealand context in the 21st century, band-aid policy responses will only achieve short term deferral of superficial problems.

The priority over the coming term should be to shift from piecemeal incremental improvement to a system-wide approach that provides:

1. A fully integrated and aligned resource management and planning framework
2. Rational allocation of planning functions between national, regional and local institutions
3. Enhancing regional capability to plan deliver and fund sustainable regional social and economic development whilst fostering community and engagement and participation
4. Agreement of common goals, policies, plans and linkages nationally, regionally and locally to guide infrastructure and land use planning outcomes
5. Coordination of processes for planning, consulting and decision-making
6. Funding and assessment processes that support land use and infrastructure integration.

New Zealand's small scale is both a challenge and an opportunity. On the one hand our small size makes it difficult to compete at scale with larger nations to attract and retain talent, resources and investment. But on the other hand smallness should enable us to be nimble, adaptive to change and responsive to niche global market opportunities. But the more we create complexity within and across our laws, administration and governance structures, the more we weaken New Zealand's competitive advantage.

The challenge before us then is to ensure that our systems of planning, governance, funding, regulation and delivery of infrastructure and services that will support New Zealand's social and economic development are as effective and efficient as they can be.

### **3 THE 'WHAT' AND 'WHY' OF DECISION MAKING AT THE NEIGHBOURHOOD OR COMMUNITY LEVEL**

The present structure of New Zealand local government draws heavily on what was thought, in the late 1980s, to represent the nature of decision-making in the corporate sector. The purpose in adopting this approach was to improve the efficiency of decision-making and the delivery of local government services.

The presumption was that separating the policy making responsibility from the responsibility for implementation would improve outcomes, clarify roles, and lead to an improved quality of governance.

#### **A problematic governance/management split?**

The parallel with what was thought to be good practice in the corporate sector is flawed in some very serious respects. First, separation of the roles of governance and management in the corporate sector is not absolute, and is not statutory. The Companies Act is quite explicit, with section 128 providing in respect of the

management of the company that "(1) The business and affairs of a company must be managed by, or under the direction or supervision of, the board of the company. (2) The board of a company has all the powers necessary for managing, and for directing and supervising the management of, the business and affairs of the company." The Act contains no reference to executive management.

This is in marked contrast with section 42 of the Local Government Act (see the Appendix below for the wording) which explicitly makes the chief executive responsible for implementation, a provision which has been commonly interpreted as giving the chief executive discretion in terms of how he or she goes about ensuring the effective delivery of the Council's services. There is growing evidence that this way of defining the powers of the chief executive is, in a number of councils, giving rise to increasing tensions. Essentially the issue is that the legislation as drafted both misconceives the nature of governance in a corporate environment, and significantly undermines the potential for effective elected member leadership of the business of the Council, as well as the ability of elected members to form an independent view of the policy advice put forward by the chief executive (arguably a factor in the problems encountered by both Kaipara District Council in respect of the Mangawhai sewerage scheme and Hamilton City Council in respect of the V8 races).

#### **The differing nature of 'owner' expectations for corporates and councils**

The second problem arises from the difference in the outcomes which the 'owners' look for from the governing body. In the case of a corporate entity it is a single metric, shareholder value, with a presumption that all shareholders have a common interest in maximising this metric. In the case of a council, the 'owners' – residents, ratepayers – may be looking for some overall common outcomes in terms of affordability, for example, but very typically put greater weight on outcomes that are specific to their own place and circumstances, and will often assess outcomes service by service rather across the council as a whole. Councils in practice are going to be judged by a potentially bewildering range of different outcomes assessed against different often subjective criteria.

Linking the expectations/preferences of individual residents/ratepayers or groups of residents and ratepayers is, under current arrangements, presumed to take place through a combination of the representative role of elected members, and the consultation processes mandated under the Local Government Act, most particularly the special consultative procedure.

Neither of these is 'fit for purpose' to deliver what is required of them. The representative model works best either when the matter involved is inherently generic across the district of the local authority, or the representation ratio (the ratio of residents to elected members) is low enough that it is feasible for all residents to interact informally with one or more elected representatives. Although some matters which local authorities address are generic (broad issues such as rates increases) most are very specific to particular groups, whether geographic, interest based or otherwise – such as, what's the council going to do about street widening in a particular place, about management of the local park, about development decisions and so on. It is simply impractical for the affected residents to have the kind of dialogue they need. (New Zealand's representation ratios, at least in urban areas, are typically above 10,000:1. In contrast, in much of continental Europe, representation ratios are typically below 1000:1, and in the case of France approximately 120:1.)

Requirements for councils to consult and, in particular, the special consultative procedure, were put in place in the genuine belief, at the time, that they would allow for effective engagement. The belief proved to be misplaced. As the 2005 Rates Inquiry observed, the special consultative procedure is not working. The Ottawa-based Public Policy Forum<sup>11</sup> which has undertaken extensive research on this type of consultative process has concluded that in practice it divides communities rather than building agreement, largely because it has no provision for dialogue, or iterative process. Instead, people simply present their views, there is very little interaction, especially between different submitters, and the Council then decides.

### **The changing context for engagement - not just customers but citizens**

There is mounting evidence that the context for engagement is changing very significantly. In New Zealand, the primary focus in recent years has been on residents and ratepayers as customers. This is only one role. Often of greater importance is the increasing interest in being engaged as citizens, as people who have an entitlement to be involved in decisions affecting where they live and work (see the research and experience quoted in *Evolution in Community Governance: Building on What Works* cited at page 3 above).

Next is the growing awareness that individuals, communities and neighbourhoods hold very significant knowledge about 'their place' and have significant capability which can be tapped to contribute to delivering the outcomes both communities and public sector service deliverers seek. The NSW Independent Local Government Review Panel cites examples where councils have been able to save very significant sums by tapping into community knowledge about what matters for them, and conducting a genuine dialogue about matters such as service level standards, rather than simply following criteria spelt out in asset management plans and practice.

Further afield is the experience of a number of American cities (Portland and Seattle are exemplars) which have put significant investment into building networks of non-statutory neighbourhood associations which play a significant part in decision-making on local matters.

The localism agenda in England is based on the premise that government institutions have intruded too far into the lives of individuals and communities and there is a need to hand back responsibility through devolution and other means. Although there is considerable uncertainty about the government's motivation (is it small government ideology? is it an attempt to load-share as part of an austerity program? is it a genuine commitment to empowering communities?), there is clearly a strong appetite at a community level for greater involvement.

This has been evidenced, for example, in the shift to England's new four-tier land use planning system. The two lower tiers are what we would think of as district level planning and neighbourhood planning respectively. At the district level, councils have the power to determine, for example, the number of new dwellings that will be built within the area over a given period of time. At the neighbourhood level communities do not have the power to change the number, but they do have the power to determine where that new housing might be located.

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<sup>11</sup> See <http://www.ppforum.ca/>

Formal local government at the neighbourhood level in England is provided by what are variously known as parish, neighbourhood or town councils. These cover only parts of the country. Under planning legislation the neighbourhood planning responsibility is to be taken by neighbourhood forums. Where parish, neighbourhood or town councils exist, they have a statutory right to act as the neighbourhood forum for planning purposes. Locality, the NGO which was contracted by the government to provide capability development and support for neighbourhood planning, reports that even where those local councils exist, typically the initiative has been taken by communities themselves although the formal legal arrangement might be as a committee of the neighbourhood and parish or town council.

These are but a few of the examples of communities and neighbourhoods asserting their interest in sharing or leading decision-making about what happens in 'their place'.

### **The central government interest in engagement**

Of perhaps greater interest from a central government policy-making perspective is the extent to which government agencies are increasingly seeking to work with communities in order to improve the effectiveness and efficiency of their own service delivery. At page 4 above we referred to New Zealand's Social Sector Trials and the Australian Federal Department of Human Services *Better Futures Local Solutions* initiative. Both of these can be seen not just as initiatives on the part of central government agencies to engage directly with communities, but as initiatives which are almost explicitly seeking to bypass local government rather than work through and with local government as representatives of its local communities. It's an approach which, among other things, risks different forms of duplication at a local level, and may fail to build on the potential within local government. (The common response when this issue is raised is that local governments themselves do not have the requisite capability. As a 'point in time' judgement that may well be correct, but it almost certainly fails to take account of the reality that, in both New Zealand and Australia, councils have had only limited involvement in the design, targeting and delivery of core social services so it is hardly surprising that currently they lack the capability required. Rather than bypassing local government, the better approach is almost certainly to explore how to enable the requisite capability.)

Further afield, successive English governments, since at least the turn of the century, have sought to find ways of working more collaboratively at a local level, with the overt objective of breaking down departmental silos and tapping into local knowledge and resource. The experience has been variable, largely because of bureaucratic inertia and the persistence of a silo mentality (coupled with quite significant difficulties associated with different departmental boundaries, complexities with public sector spending controls and so on).

More recently there has been a significant improvement initially with work through the then Labour Government's total place initiative and more recently with the coalition government's emphasis on community budgeting, where a number of pilots are starting to show very significant potential. (See the discussion of recent research in a think piece prepared for the Treasury late in 2013, *'Reflections on the Role of Local and Central Government in the Delivery of Social Services'* and available at <http://www.mdl.co.nz/site/mckinley/files/pdfs/Local-central-govt-socialservicedelivery-Dec13.pdf>.)

### The growing importance of community capability

The argument for a much more collaborative approach to engagement between instruments of government (both central and local) on the one hand and communities on the other is not just about responding to a growing demand from people to be involved in decisions which affect 'their place', or to give councils better information about how best to target expenditure and services locally, or to assist higher tiers of government in the better design targeting and delivery of services. It is also, and crucially, about building capability to deal with matters that need a collective response but that will increasingly be beyond the fiscal and other capabilities of governments whether central or local to manage by themselves.

Examples that come to mind include dealing with the consequences of demographic change, especially in communities which are losing population or will be in the near future and responding to climate change and other environmental challenges. In 2005 the CSIRO released a fascinating piece of research looking at the conditions under which governments (local, State) could implement the use of recycled water to supplement potable water supplies<sup>12</sup>. The research clearly has application not just for the specific topic it was exploring, but for quite a wide range of different issues where a critical component is the willingness of communities to change their behaviour. The main finding was that for this class of activities, it was not sufficient for governments to demonstrate that there was a logical case, and the evidence supported the solution proposed. Community support, and the 'licence to operate' to implement the solution, would depend on people believing that they had shared in taking the decision – a classic illustration of the importance of effective community engagement.

More recently (April 2014), a London-based think tank, the Institute for Public Policy Research, published *The Generation Strain: Collective Solutions To Care In An Ageing Society*<sup>13</sup>. The report examined the future of social care for older people. In England, notwithstanding significant state involvement, the majority of social care is actually provided by families (it's likely that the same situation prevails in New Zealand). The report's analysis concluded that by 2017 the number of older people in need of care would outstrip the availability of family-based care leaving an increasing number of older people without any access to care. The authors' primary recommendation was the need to build "New neighbourhood networks to help older people to stay active and healthy, help busy families balance work and care and reduce pressures on the NHS and social care."

What we can see through exploring different approaches within different jurisdictions to working collaboratively with communities and encouraging the growth of community based networks (neighbourhood associations, community forms, whatever) is a very wide variety. Some will be driven by bottom up initiatives from within the community itself, others represent what are effectively interventions on the part of institutions of government (whether central or local) seeking to find ways of improving the delivery of services for which they are responsible (or reducing the cost). Currently what we have is a plethora of ad hoc

<sup>12</sup> Po, M., et al (2005). Predicting Community Behaviour in Relation to Wastewater Reuse : What drives decisions to accept or reject ? Water for a Healthy Country National Research Flagship. CSIRO Land and Water Perth. Accessed 24 April at: [http://www.clw.csiro.au/publications/consultancy/2005/WfHC\\_Predicting\\_Reuse\\_Behaviour.pdf](http://www.clw.csiro.au/publications/consultancy/2005/WfHC_Predicting_Reuse_Behaviour.pdf)

<sup>13</sup> See <http://www.ippr.org/publications/the-generation-strain-collective-solutions-to-care-in-an-ageing-society> .



initiatives and interventions. In some respects this can be seen as a strength. There is no 'one right way' to create better means for community engagement. However there is a very serious risk ad hoc approaches will replicate at a community level the silo issues that have plagued endeavours to achieve collaboration across central government agencies.

This is further complicated by the emergence of non-governmental institutions which themselves are playing an increasingly important role in community governance (interpreting community governance as the process or processes through which choices are made about preferred futures for a community and then implemented). Examples within Australasia include:

- The community banking network of the Bendigo & Adelaide Bank Limited within which individual community banks have become significant funders of activity in their communities, with an increasing focus on improving community outcomes.
- The grantmaking activities of New Zealand's community trusts and some energy trusts which, at least on the part of the larger trusts, play a significant part in shaping the futures of the communities they serve.

With each of these, the issue is not immediately one of how should the state regulate, constrain or mandate these activities – it's critically important that we enable initiatives at a community level to deal with community issues. Instead we should be asking questions such as how to disseminate good practice, how to build understanding across central government, local government and the wider community about their respective roles, how to shift from a 'government knows best' approach to one of how do we build effective partnerships?

#### **4 CONCLUSIONS**

Our purpose in this paper has been to demonstrate that current understandings and practices in respect of local government are seriously out of line with what is needed to deal with the challenges New Zealand's economy and society face now and for the foreseeable future.

The present legislative and regulatory framework for local government is basically unchanged since the major local government reforms of the late 1980s and early 1990s (apart from an on-going preoccupation with increasing compliance requirements in the belief this would result in greater transparency and accountability).

This contrasts with the fundamental changes which have taken place in local government's operating environment as the result of influences ranging from globalisation to demographic change and ever increasing technological innovation with significant impacts on the nature and viability of local economies. In essence there has been a shift from what in the late 1980s could still be seen as a relatively homogenous society, to a society where different communities face very different outcomes and opportunities.

Our contention is that the present arrangements for and understanding of local government are no longer 'fit for purpose' for reasons including:

- An increasingly dysfunctional set of governance and accountability arrangements.

- A persistent failure to address the quite different requirements and capabilities associated with major infrastructure development, strategic land use planning and other regional or supra-regional responsibilities, and those required for effective community and neighbourhood governance especially in a world in which increasingly localities are going to need to take much of the responsibility for determining their own futures.
- Increasing duplication, complexity, and often incompatibility of a wide range of local regulatory instruments as a consequence of fragmented responsibility, in part because of a failure to recognise the importance of ensuring a reasonable complementarity between the boundaries of economic activity (typically thought of in terms of the journey to work area surrounding a population centre), and the jurisdictional boundaries of the entities responsible for developing and applying those regulatory instruments.
- Inadequate funding arrangements with an often relatively weak rating base required to carry the responsibility for increasingly significant investment especially in infrastructure.
- The evolution of new and different approaches to governance at a community level including the growing interest on the part of central government agencies in working directly with communities, and the emergence of new institutions of local governance such as New Zealand's community trusts and energy trusts.

The immediate purpose of this presentation has been to demonstrate the need to lift the scope and quality of public debate on the role and purpose of local government and local governance. More fundamentally our purpose is to encourage a coordinated, first principles review of the purpose of local government within the overall administration of New Zealand, its role in this process and the development of a 'fit for purpose' legal and regulatory framework. The ultimate objective is to ensure that our systems of planning, governance, funding, regulation and delivery of infrastructure and services that will support New Zealand's social and economic development are as effective and efficient as they can be to support New Zealand's diverse communities as they deal with the challenges of a rapidly changing world where, increasingly, local communities will be responsible for determining their own futures.

**APPENDIX: SECTION 42 LOCAL GOVERNMENT ACT (NEW ZEALAND)****42 Chief executive**

(1) A local authority must, in accordance with clauses 33 and 34 of Schedule 7, appoint a chief executive.

(2) A chief executive appointed under subsection (1) is responsible to his or her local authority for—

- (a) implementing the decisions of the local authority; and
- (b) providing advice to members of the local authority and to its community boards, if any; and
- (c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and
- (d) ensuring the effective and efficient management of the activities of the local authority; and
- (e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and
- (f) providing leadership for the staff of the local authority; and
- (g) employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and
- (h) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).

(3) A chief executive appointed under subsection (1) is responsible to his or her local authority for ensuring, so far as is practicable, that the management structure of the local authority—

- (a) reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and
- (b) is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.

Browser: Chrome  
Version: 94.0.4606.61  
Operating System: Android 9  
Screen Resolution: 360x740  
Flash Version: -1  
Java Support: 0  
User Agent: Mozilla/5.0 (Linux; Android 9; SM-A530F Build/PPR1.180610.011; wv) AppleWebKit/537.36 (KHTML, like Gecko) Version/4.0 Chrome/94.0.4606.61 Mobile Safari/537.36 [FB\_IAB/FB4A;FBAV/338.1.0.36.118;]

Q2.

## Representation review

Thank you to everyone who provided feedback in July about the possible structures for future Council representation.

Your feedback has enabled us to create one proposed option: a **single member wards model** with nine councillors and a mayor. This option has no community boards.

Before this option is finalised, you have a further opportunity to provide feedback.

It is important to us that you share your views on how you are represented on Council. Thanks for having your say.

### Submissions close at 5pm on Monday, 4 October 2021

Please read about the proposed [single member wards model](#) before completing this survey.

\* indicates a mandatory field

Q24. The initial proposal is for Tauranga residents to elect nine councillors – eight from eight general wards and one from a Māori ward – plus a mayor.

The eight general wards are: Mauao/Mount Maunganui, Arataki, Pāpāmoa, Welcome Bay, Matua, Bethlehem, Tauriko and Te Papa

Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☒ Yes

☐ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

The Mount and Arataki have special issues ie Tourism and as a huge work and sports hub its parking challenges mean the residential streets are carparks Port Traffic Industrial Air Pollution State Highways and Railway Noise and Litter The only Transfer Station means unsecured loads sully our suburb Party Town Lack of respect for residents

**Q5. Would you like to upload a supporting document?**

- ☐ Yes  
☒ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

*This question was not displayed to the respondent.*

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☒ Yes  
☐ No

**Q8.**

**Contact details**

**Q9.**

**First name: \***

Susan

**Q10. Surname: \***

Hodkinson

**Q23. Organisation**

Nil but a member of MRRR

1 October 2021

Commissioners  
Tauranga City Council  
Private Bag 12022  
Tauranga 3143

Tena koutou katoa

**Bay of Plenty Regional Council's submission on Tauranga City Council's initial representation proposal**

Thank you for the opportunity to submit on your initial representation proposal.

Toi Moana strongly commend Tauranga City Council on the implementation of a Māori ward as part of the representation structure of the Council. We view this as a positive step forward in representing the importance of the Māori voice and distinct Māori perspective in local government decision making.

We **do not support the initial proposal** of the single ward model comprising of eight general wards and one Māori ward – plus a mayor.

We understand that in all options considered, the number of representatives for the Maori ward remains at one councillor.

Our submission therefore, refers to the way in which the remaining representation is structured.

Under your initial proposal electors across the city, whether on the General Electoral Roll or the Māori Electoral Roll will only be entitled to vote for one out of nine councillors plus the Mayor. We believe that restricting electors to voting only for two out of ten elected members does not support the principles and interests of participative democracy and may in fact prove to disenfranchise and demotivate citizens from actively participating in local democracy.

Furthermore, we believe that dividing the city into small geographical wards will encourage greater entrenched parochial decision making which as we know does not serve the best interests of the city as a whole.

Our submission **supports a variation of Option 2.**

**We support the two wards model made up of one general ward and one Māori ward with an increase to 11 councillors, made up of one general ward with 10 councillors and one Māori ward councillor.**

We submit that increasing the number of general ward councillors will enhance fairer representation per population across the city, particularly in the context of the population growth experienced in Tauranga. Increasing the number of councillors also creates an opportunity for greater diversity in representation.

We support the creation of one general ward with 10 councillors. We believe this aligns more towards “at large” representation and recognising the city’s relatively small geographical area, upholds the shared common interests of communities across the city. This model provides an opportunity to focus councillors on representing the city’s interest as a whole, which is clearly the direction required to move the city forward.

We believe this model encourages participatory democracy by actually empowering and enabling communities the right to participate in electing a far greater number of councillors than the initial proposal offers.

Bay of Plenty Regional Council – Toi Moana **wish to speak** to our submission.

Heoi ano, na

A handwritten signature in black ink, appearing to read 'Doug Leeder'.

Doug Leeder  
**Chairman**

## Who gets to vote for who?

If you are on the **general election roll** you will vote for the mayor and vote for a ward councillor (in the area where you live).

If you are on the **Māori election roll** you will vote for the mayor and for the Māori ward representative.

Everyone gets two votes.

### 1. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?

Please select one of the options below

☐ Yes

☒ No

Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

DEAR COUNCIL, I WOULD MUCH PREFER TO SEE MORE COUNCILLORS RATHER THAN THE PROPOSED LESS (10 PLUS MAYOR GOING TO 9 + MAYOR, ONE BEING A MAORI WARD). BASICALLY THE MORE COUNCILLORS YOU HAVE THE GREATER IS THE DEMOCRATIC SYSTEM. HAVING LESS DEMOCRATICALLY ELECTED COUNCILLORS IS, I BELIEVE, A RETROGRADE STEP. IRONICALLY THE TCC STAFF MEMBERS ARE TO BE INCREASED AND OUR CITY POPULATION IS ALSO GROWING. WE NEED MORE COUNCILLORS TO REPRESENT THE GROWING POPULATION, NOT LESS, AND WE NEED MORE COUNCILLORS TO TRY TO CONTROL AND GUIDE THE TCC GROWING STAFF MEMBERS. IN 2001-2004 THE TCC HAD 13 COUNCILLORS AND A MAYOR, JAN BERGE. WHY IS THIS DECREASE IN NUMBERS HAPPENING? DEMOCRACY IS PERHAPS NOT BEING WELL-SERVED AS WE WOULD BE ELECTING A FEWER NUMBER. SMALL INCREASES CURRENTLY HAS A GREATER NUMBER THAN OUR PROPOSED 8 + 1 + MAYOR.



**2. Would you like to add a supporting document to this form?**☐ Yes☐ No

SEE COMMENTS IN NO ONE

**3. Would you like to speak to the Commissioners about your submission at a hearing on 18 October 2021?**☒ Yes☐ No

Please!

DEAR CAROL

SPOKE TO YOU, ON PHONE  
TODAY 11-50 AM THURSDAY OCT 7

KINDEST REGARDS.

Hylton Rhodes

HYLTON RHODES

HAD A LETTER FROM YOU DATED 16 SEPT 2021  
THANK YOU, SORRY FOR DELAY  
CAN I SPEAK 12-50 OR SO 14TH OCT?**Contact details**

First name: \* HYLTON

Surname: \* RHODES

Phone number: \*

Email or postal address: \*

**Privacy statement**

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**Representation Review – Submissions on Initial Proposal – not speaking to submission**

## Part A – Submitters who agree with the proposal

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
Yes	I agree with the Māori ward representation and that everyone else will have representation in Council.	Meremaihi	Aloua	
Yes		Andrew	Baker	
Yes		Luke	Balvert	
Yes	Yes I feel that this will help represent diverse communities fairly and consistently. This will go in some way towards creating an equitable and diverse representation of Tauranga. I assume that Māori can run for the different areas of Tauranga as well. With this in mind however, I feel that there should be two elected members of the Māori Ward as opposed to one elected member. I say this because the Māori community is a large community, and tangata whenua of the lands. Therefore Māori representation should be more evenly guaranteed in Council. With the Māori Ward representing all Iwi and Hapū interests, a single elected member is not enough representation for the diverse and strong mana of Māori, as tangata whenua.	Hone	Banks	
Yes		Alan	Bickers	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
Yes	I like the idea as that makes it easy to know who your Councillor is for a specific area and they have to take responsibility for that area. To me At Large councillors, whilst some may be very good, are actually not accountable to anyone.	Michele	Bishop	N/A
Yes	The starting boundaries are equitable but will need to be independently managed going forward. i.e., no possibilities for gerrymandering.	Garry	Bones	
Yes	I'm not really sure if I do fully support or fully disagree with this question. This spreads the voter numbers evenly across each ward. Having one councillor per ward could end up with situations of "that won't work for my area, so I won't support it". It creates little pockets of isolation rather than looking at the city as a whole.	Jill	Brightwell	
Yes	I agree because it's more democratic to vote this way	Hillary	Burrows	
Yes		Faye	Burston	
Yes	Its one person one vote for both Mayor and a ward councillor ( geographic or Maori ward) so cannot be fairer thn that	Les	Butts	personal
Yes	Proposed favoured model best and fairest and suits the TCC zone	Mark	Carlton	MCC Dzyne

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
Yes		Fiona	Chapman	
Yes		Iain	China	
Yes	But cannot understand in a growing populace why we will have one less councillor than previously	Karen	Clare	
Yes		Rhema	CN	
Yes		Phillip	Cowman	
Yes		Chris	Doms	
Yes		Richard	Farrell	
Yes	It seems to be fairly distributed.	Murray	Fookes	
Yes		Laura	Gaveika	
Yes	I agree that an elected person from a set area is beneficial as that person will have the area at heart. HOWEVER I am a strong believer that the elected person MUST have suitable qualifications to uphold the position - not elected because he/she looks nice and speaks well. There should be a qualification standard to be able to sit on Council	Owen	Griffiths	n/a

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
Yes	The proposal provides fair representation without the overgovernance and associated costs of other options ie community boards!	Doug	Guthrie	
Yes		Polly	Hall	
Yes		Shirley	Hampshire	
Yes	it makes sense & is clear on a map	Dave	Harkness	
Yes		Dean	Howie	
Yes	Each area with one representative	Jill	Johns	
Yes		Janine	Johnson	
Yes		Maurice	Keane	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
Yes	<p>I would have preferred councilors to all represent Tauranga / Mt Maunganui at large, however realistically they will be biased towards the area they live in, That said, the fewer councilors as per the recommended model should produce less cost and less chance for conflict (fingers crossed this time...)</p> <p>NOTE: I would like an election bylaw, where the 2nd highest polling mayoral candidate is automatically appointed deputy mayor. The elected mayor should not have sole discretion in choice of their deputy.</p> <p>Just consider our recent history in Tauranga. Mayors Crosby and Brownless worked successfully with their mayoral rivals as deputies. It can be done, and democracy is seen to be served.</p>	Gary	Liddington	
Yes		Susan	Lock	
Yes		Lee	Mackay	
Yes		Leanne	Mitchinson	
Yes	<p>Its important that each ward has a local to represent their area and feedback local concerns.</p> <p>This is a true democratic process as it is done in other districts.</p> <p>Those locally represented members can keep in regular contact with their community and make sure issues are dealt with in a timely manner.</p>	Leith	Morris	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
Yes	Yes. The proposed structure will provide fair and equal representation cross the wards.	Cristina	Neilson	
Yes		Matthew	Nelson	
Yes	Hopefully this system will find better qualified persons and less in-fighting.  BUT how do we get the persons who are well qualified for their Councillor roles?	Errol	Nevill	Retired scientist
Yes	Big enough group of people to have wide ranging skills available to enhance and improve our fantastic city without overloading any single aspect.	Roget	Nickerson	Just me as a happy settled resident
Yes	All except the Maori Ward.	Allan	Nobilo	
Yes	The proposed boundaries seem about right	Scott	Parker	
Yes		Chris	Pattison	Private

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
Yes	<p>We agree with the proposal but if legislation allows we would prefer that candidates for Tauranga City Council stand for either Councillor or Mayor - not both!</p> <p>We are a mature group of Tauranga residents who meet fortnightly to discuss current events and take a keen interest in Tauranga City Council affairs.</p> <p>Nancy Merriman QSM JP Elizabeth Simm Marita Phillips Freda Thomson Kaye Hurn Brenda Hughes Shirley Pemberton Ron Pemberton Muriel McFarlane</p>	Marita	PHILLIPS	
Yes		Dan	Priest	
Yes	Looks like the natural boundaries for the wards. I do feel that the single Moari ward could lead to the representative feeling it's me against them.	Bruce	Rainey	
Yes		Matthew	Riddell	
Yes		Kathy	Robb	
Yes		Carla	Robertson	



Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
Yes	I have never supported a Maori ward, for the reasons that they are ratepayers as are the rest of the people no matter their ethnicity. Obviously ratepayers from other wards are unable to vote for people in the Maori ward but is the reverse the case? I would prefer 10 councillors at large.	Dan	Russell	
Yes	The smaller geographical areas should work and it is fair that they have similar populations. Hope it will mean voters know their representative and will vote wisely. It will be vital that candidates have governance experience.	Angela	Scott	
Yes	One person to represent one specific area means they should know that area well and know it's needs.	Liz	Signal	
Yes		Sofja	Smirnova	
Yes		Ian	Smith	
Yes	Makes sense	Fiona	Smith	
Yes	It appears to give a good balance and to be fair and reasonable	Dorothy	Stewart	
Yes	Agree with More representation for areas	Kristin	Sullivan	
Yes	This is a better reflection of each area rather than the old wards	Paul	Thomas	
Yes		Bryce	Thompson	
Yes		Mirjam	Van de Klundert	
Yes		Pieter	van Deventer	Retired

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
Yes	Agree, as I think that it is beneficial to be able to vote on all candidates and a mayor.	Ciska	Vogelzang	
Yes	This is very close to the submission I made To the LTP. I believe the mayor should be elected by the elected council members from their number as they would be best to evaluate leadership qualities. A Māori ward I would suggest is discriminatory.	Malcolm	Wassung	
Yes		Sam	Wilburn	
Yes	It simplifies the voting structure, ensures Māori have a voice at the governance and decision making table and is equitable based on population numbers given for each ward.	Ra	Winiata	
Yes	All wards seem to have a fairly equal number of members, which is good. And the wards are neighbouring areas - not like before (Pyes Pa/Otumoetai). That was silly.	Laura	Wood	
Yes	It does spread representation, the only problem I can see ward rivalry and a case of bad decisions.	Noel	Wylie	
Yes		SUE	XXXXX	

**Representation Review – Submissions on Initial Proposal – not speaking to submission**

## Part B – Submitters who do not agree with the proposal

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
No	<p>Tauranga has been plagued with a council that is divided with a fragmented approach to leadership of the city. This 8 ward approach will foster the same approach. We do not need a view of what is best for each ward that they are elected from. We need people who are committed to the best outcome for Tauranga as a whole city. The needs of Bethlehem don't really differ that much from Tauriko, we should all be focussed on what is best for Tauranga. The best 4 people for the council to take Tauranga forward as one into the future might all happen to be in the Welcome Bay ward and only one can get elected.</p> <p>This proposal seems the worst out of the options to take us from a completely disfunctional council and pull us together as one city with vision for the future.</p>	Kevin	Allum	NZWINDOWS
No	<p>Arataki doesn't include Arataki, but rather cuts the area in half and takes in a whole lot of Papamoa.</p> <p>Seems to be no awareness of communities of interest, or even historical connections. South of Golf and out to Sandhurst, including Matapihi is more like Arataki.</p> <p>I have similar feelings about Te Papa, with Greerton cut in 2, and even parts of Welcome Bay.</p> <p>Papamoa could be from Sandhurst to Parton, then Te Tumu out from there (allowing for growth)</p> <p>Currently conflict arises out of needs of existing areas and growth nodes.</p> <p>Also if you have an even number of councillors you may very well end up with 5v5, knowing the type of folk that tend to</p>	Stephen	Bird	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
	end up on council - make it eleven members, add in another ward and then you can have boundaries that better reflect each ward area, rather than trying to match up numbers....			
No	One point that doesn't appear to have been addressed adequately is the population growth planned in Te Papa and how that will flow into representation moving forward. It needs to be more defined upfront.	Nathan	Bradshaw	
No	I don't believe that only been able to vote for 1 eighth of a council to govern the whole of Tauranga is very democratic especially if you feel the none of people standing in your ward will do the job adequately. Conversely if 2 really good candidates are standing in the ward one is going to miss out. Therefore everyone should get to vote for all of the candidates that they want to represent them on council.	Tony	Check	
No	I should be able to vote for the best candidate irrespective of where I or he/she lives. We all live in Tauranga!	Vicki	Coe	
No	There are 4 iwi and a number of smaller hapu across the Tauranga area. Why would we not have a representative from each iwi voted on by all people of Tauranga. So there would be 8 councillors and 4 Māori representatives, so each person would have 3 votes per ward. Or alternatively Māori vote for their representatives, but you need to have one per the 4 iwi. I really struggle to see how one single Māori representative meets TCCs treaty obligations or the intent for co-governance and full collaboration (rather than just consultation).	Selene	Conn	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
No	Papamoa, should include the Papamoa Plaza, the Library, Fashion Island and all their neighboring homes.	John	Cross	
No	<p>I prefer option 2, all councillors effectively elected at large with no wards (or 1 general ward). I agree with Stuart Crosby that the emphasis should be on the quality of those elected rather than their geographical location. Tauranga has suffered from poor or variable representation. I believe the ward system has enabled some less competent councillors to have multi term periods in office simply on the basis of the poor or limited candidate field in a given ward. I believe some of those councillors would not have stayed in office for so long had they been standing against better competition in a general ward or at large.</p> <p>I am aware that there are other considerations with all of the options, however I believe the quality of the candidates trumps all others. The variable quality of our councillors over many terms has contributed hugely to the present situation where commissioners have had to be brought in to replace a dysfunctional council. The multi ward system will potentially allow a repeat of of this situation, where place of residence is one of the chief qualifying criteria. This is not ideal.</p>	Peter	Cross	
No	<p>I do not support having only one vote for council (and one for mayor).</p> <p>I do not support there being no at large councillors.</p> <p>I do not support having eight general wards.</p> <p>I do not like being in Bethlehem ward.</p> <p>I would much prefer only at large councillors, or a mix of at large and wards, such as the current system or something similar.</p>	Jeanette	Crowther	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
	I support the submission by Sustainable Bay of Plenty Charitable Trust.			
No	<p>I do not support only having one vote for one councillor in one ward.</p> <p>I do support the current model of a mix of at large councillors and larger wards.</p> <p>I also support the submission of Sustainable BOP Trust submission.</p>	Kathy	Crowther	
No	wards should be a cross section of the whole community with the councillors representing everyone, not just the ward in which they are in	Paul	Dempsey	
No	Electing all (non-Maori) councillors from wards is more likely to lead to 8 similar candidates elected by the majority or largest voting bloc in each ward. These candidates are not necessarily representative of the whole population.	Richard	Dey	
No	The ward model will limit the pool of talent of possible councillors. Governance of the city must be city-wide therefore, councillors should be elected at-large. My biggest concern with this proposal is certain wards ending up with councillors elected unopposed and in other wards, several talented and popular candidates missing out because of the suburb they live in.	Louis	Donovan	
No	Because no one will still listen to the council and the council will continue to do what it wants	Simon	Driessens	Academy Motor Inn

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
No	This type of model is broken - the last bunch of elected clowns demonstrated that. Trying to put in place a similar system again will result in more muppets being elected who achieve nothing for our city. They're more interested in the sound of their own voices and arguing, than providing effective governance for a growing city. The same idiots will stand and we'll end up back where we were. I can only hope the Local Govt review also looks at the skills needed to govern and sets criteria (and a more rigorous process) for those who wish to stand for election. For now, we're better with the commissioner's continuing, or an equivalent small, well qualified group appointed.	Andre	Durie	
No	Wards severely restrict available talent. As every elected member has to sign a warrant to fairly represent the entire city then it logically follows that the election should be across the entire city. Wards as proposed leave the election wide open to a special interest group because the base support for that ward is reduced.i.e. candidates with a base support of say 1500 from one particular group can swing the outcome. This happened regularly since wards were introduced. The reason Council got into the situation it was in can be somewhat related to Wards. There were lots of other reasons and the Staff were not innocent . Like the Carpark building.	Bill	Faulkner	
No	I believe that less councillors will provide a lesser representation of the general population of tauranga and with one seat already taken by a non negotiable Maori ward then we need the fuller compliment of councillors.	Mark	Finch	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
No	Separate wards just create a divide and conquer mentality in a small city that needs a single purpose. Two wards, Māori and the rest...simple	Robert	Gatward	
No	they may succumb to parochial pressure, rather the the good of the city as a whole.  halve the number of wards to four with two elected members each	Allan	Gifford	n/a
No	Domain rd. is not a boundary for Papamoa as the current major shopping /social precinct and hub for residents is outside this line.  Also a single member per ward gives us little opportunity to present our views on wider Tauranga issues which will turn each ward into a parochial self serving community of interest.	Ian	Grace	
No	Keep the current system. Get rid of the commission. When the previous council disintegrated, a by-election should have been held	James	Hartley	



Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
No	<p>I disagree with the Ward system because where someone lives has no bearing on their ability to do the best job.</p> <p>This system limits Tauranga Ratepayers from electing 9 of the best people that the city has to offer to do the hard job of kicking some life back into Tauranga and not spending obscene amounts of money on stuff we don't need, and alterations to roading proscribed by the central Government.</p> <p>Wards should not be racially based, we need the best people for the job.</p> <p>I would like to see all Wards abolished and our Councillors elected At Large.</p> <p>I do however, get the impression that all this is decided anyway so submissions are in vain.</p>	Nedra	Harvey	
No	All councillors should represent Tauranga as a whole, and not act as a local board member.	Claudia	Hellberg	
No	I feel that the wards are small in size, limiting the availability of candidates within my own ward that I feel would adequately advocate on my behalf within council. The previous system where we were able to vote for some councillors at large, provided more opportunity for me to vote for a candidate that I felt matched my personal philosophy and belief system. I am however in favour of introducing the Māori ward, and also the reduction in councillors.	Melissa	Hopcroft	
No	While fully in support of the local representation model, I would have preferred a larger ward with two councillors to vote for, as currently exists for Papamoa/Mt Maunganui. This would enable a mixed gender representation for each ward.	Kevin	Horan	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
No	Arataki boundary needs to be along Girven Rd.	Mark	Latimer	
No	This just seems to be typical of council misdirecting what the survey is all about. You have made up your minds and therefore the survey directs all participants to agree with you as there is only one outcome, when only a small percentage of people filled out the initial survey. And let's face it, your engagement with residents and ratepayers is really bad. Get your act together councillors - you are doing a shocking job at the moment.	Sandra	Long	
No	Democracy should be equal votes for every person	Chris	McClellan	
No	I would like to be able to vote for any candidate, not just the candidates in one ward. This was the the majority selection in the initial submissions. My reasoning is that a multi-ward system is able to produce one or more unsuitable councillors who do not have the overall support of the majority of voters. This can lead to the same problems that led to the appointment of commissioners. Tauranga City also does not have the geographic extent to warrant individual wards, and the parochialism which can accompany them. I am presuming that the STV voting system will still be used.	Denis	McDonald	
No	More than one Maori ward is required to fairly and effectively represent our community.	Jessie	McKenzie	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
No	I will be on the Maori electoral role. Therefore I can only vote for the Maori ward. But I have no vote for the ward in which I am a resident. The Councillor elected to represent my "residential" ward will have no obligation to me and my thoughts/concerns on specific ward issues because I do not have the ability to vote for him/her. Yes I appreciate that an oath of office is taken etc. but when has that ever worked. Certainly the previous Council is not a good model. The proposed option seems unfair to me in this one respect.	Buddy	Mikaere	Ngai Tamarawaho Environmental and Development Unit
No	Option 2 is better. Community boards are a fairer reflexion on what going on at ground level in the overall communities of Tauranga.	David	Miller	
No	I think there is a good scope but should consider having someone with a disability. So that the disabled community can be represented especially considering 25% of New Zealanders live with a disability. I also think there should be more than one Maori ward.	Brylee	Mills	Nowhere & Somewhere nz
No	Does someone who lives in PapAmoa actually understand what someone in Otumoetai needs. Different communities, different needs, should be local councillors.	Therese	O'Brien	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
No	<p>I DO NOT support the concept of 9 single ward representatives. This was not an option presented in the consultation document. If commissioners are making arbitrary decisions their is in reality no genuine consultation - and no democratic process. I understand the majority community preference is, Option 2 (one large ward with 9 councillors elected from across the city) was first choice with 274 votes.</p> <p>The community was asked to choose - their majority wish should be accepted. I submit the initial proposal (single member wards model) is not the best option for Tauranga.</p> <p>It is my submission ....</p> <ol style="list-style-type: none"> <li>1. It is accepted the model should include 1 Maori Ward and a Mayor.</li> <li>2. The number of councillors seats created should be one that reduces the likelihood of a hung council and a mayors casting vote being required.</li> <li>3. Ratepayers should be able to vote for more than one councillor. Limiting their vote to a person standing as 'their ward' councillor fails to provide the opportunity for the voter to support a candidate from elsewhere in the community they know to be superior in various ways. It's more important to achieve 'good' councillors than limiting voters to an inferior candidate who happens to live in their locality.</li> <li>4. The general wards system is antiquated and unjustified.</li> <li>5. Councillors are required to vote for the best decisions for the whole community. There is no justification for ward representatives who may be biased to</li> </ol>	Maurice	O'Reilly	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
	<p>matters in their own ward.</p> <p>6. Ratepayers have access to all councillors. Suggesting they can or should only consult with their local ward representative is seriously restricting the consultation process.</p> <p>7. The number of councillors in a growing community should be increased – not reduced.</p> <p>8. The most appropriate option is the Two Wards model – 9 elected from one general ward + 1 Maori Ward + 1 Mayor</p> <p>Note : A welcome addition to this option would be the creation of Community Boards to provide better communication between council and the electorate. This effectively provides all the advantages of the multi ward systems while retaining councillors ability to act in the best interests of the whole community.</p>			
No	<p>I don't agree elected councillors effectively represent anyone but themselves. We simply end up with unqualified single focused drop kicks. There was simply more petty arguments in council than positive outcomes. Sacking that lot permanently is best outcome for Tauranga. Now we stand to get them back, Sheesh.</p> <p>I would suggest we stay with the commissioners</p>	Darrell	Packe	
No	<p>Would have liked an unsure option here.. I live in the city so likely ok for me but will someone representing the city be equally up to the task of ensuring Merivale, Greerton area get there fair share of attention</p>	Catherine	Pattison	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
No	I support the proposed ward system but not the boundaries suggested. I would like to see Gate Pa included in the Te Papa ward and not Tauriko. Gate Pa has always been part of Greerton/Avenues and its residents have the same needs as central Tauranga as opposed as to the new residents living in the Tauriko area.	Maureen	Phizacklea	Retired. Have lived in Gate Pa for 47 years.
No	The Mauao/Mount Maunganui ward is geographically huge and I believe the Arataki ward should pick up more of the Mauao ward to adequately provide better representation.  I also think that Community Boards would be a welcome addition to the Council and would provide greater community input into Council's decision making processes.	Tom	Rutherford	
No	I do not agree with being restricted to voting in a small ward. If I think the candidates standing for election in the ward I reside in are not suitable, then I would like to be able to vote city wide for the councillors I believe would be best for Tauranga City, no matter which ward they live in. I believe councillors that have been selected city wide have better represented Tauranga City as a whole than parochial ward councillors. For this reason I would like to see Option 2 (two ward system) adopted.	Ken	Short	
No	Assurances that the result is 100% democratic has not been provided.	Malcolm	Smith	
No	Councillors will become too focused on what is wanted in their area (and in turn getting voted back in) than what is best for our community as a whole.	Andrew	Sommerville	

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name:	Surname:	Organisation
No	To restrictive, I would rather vote for someone on their capability rather than restricting this to wards	Trish	Souter	
No	Stay with current mixed which provides more diversity.	Tineka	Wanakore	
No	Maori have resided here for generations so there should be an even amount of ward representation from them also.	Te	Webster	
No	<p>I disagree with the proposed option. I support a continuation of the mixed model that we previously had in place, with the addition of the Māori ward for Tauranga City. The advantages of this model have been stated, the following are additional reasons why I support this model:</p> <ul style="list-style-type: none"> <li>- It provides for greater democracy as electors have more say in who is elected, unlike the proposed model which only provides 1 vote for 1 ward</li> <li>- Māori will have more of a say with this option, although it still does not provide for the Treaty relationship promised, however it is a step in the right direction</li> <li>- There is potential for greater diversity, which is sorely needed within Tauranga council</li> <li>- It potentially allows for minorities to be better represented, and have more say on who is elected</li> <li>- The model has appeared to work well for the past 10 years, and should remain</li> </ul>	Kylie	Willison	tangata whenua/mana whenua
No	I have more choice with the mixed model	Kirsty	Willison	

**Part C – Submitters against the proposal with attachments to their submissions and who do not wish to speak to their submission**

- **Barbara Cook**
- **Ben Friskney**
- **Carole Gordon**
- **Peter McArthur**
- **Greg Page**



Browser: Chrome  
Version: 94.0.4606.61  
Operating System: Windows NT 10.0  
Screen Resolution: 1280x720  
Flash Version: -1  
Java Support: 0  
User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/94.0.4606.61 Safari/537.36

Q2.

## Representation review

Thank you to everyone who provided feedback in July about the possible structures for future Council representation.

Your feedback has enabled us to create one proposed option: a **single member wards model** with nine councillors and a mayor. This option has no community boards.

Before this option is finalised, you have a further opportunity to provide feedback.

It is important to us that you share your views on how you are represented on Council. Thanks for having your say.

### Submissions close at 5pm on Monday, 4 October 2021

Please read about the proposed [single member wards model](#) before completing this survey.

\* indicates a mandatory field

Q24. The initial proposal is for Tauranga residents to elect nine councillors – eight from eight general wards and one from a Māori ward – plus a mayor.

The eight general wards are: Mauao/Mount Maunganui, Arataki, Pāpāmoa, Welcome Bay, Matua, Bethlehem, Tauriko and Te Papa

Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

I don't support our suburb of Brookfield being split between Matua and Bethlehem wards. I also don't like the ward names, as I believe the ward should be Otumoetai and not Matua. Overall, we support the submission made by Sustainable Bay of Plenty Trust.

**Q5. Would you like to upload a supporting document?**

- ☒ Yes  
☐ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

[Submission to TCC Representation Review - Sustainable BOP.pdf](#)  
296.1KB  
application/pdf

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☐ Yes  
☒ No

**Q8.**

## Contact details

**Q9.**

**First name: \***

Barbara

**Q10. Surname: \***

Cook



04 October 2021

## Submission to Tauranga City Council Representation Review 2021

### Summary

- We do not support the proposal
- We do not support the number of elected members
- We do not believe that only having small, equally populated wards is desirable
- We do not think the proposed wards all capture communities of interest (functional or perceptual)
- We do not support all the ward names
- We do not believe that allowing electors to vote for only one councillor will lead to an inclusive democracy (quite the reverse)
- We do support an STV election process combined with multi-member constituencies
- We do support larger wards
- We do support adding at-large councillors into the mix
- We do support retaining 10 or 11 councillors plus a mayor until a better case for change is made
- We do support a more comprehensive analysis of the pros and cons of community boards

**Sustainable Bay of Plenty**  
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*Sustainable Bay of Plenty Charitable Trust | Charity Number: CC58526 | GST: 133-045-546*

### Number of Councillors and Size of Wards - Tauranga An Outlier

In the same way that Tauranga City has had no sustainability strategy, or climate change plan or carbon targets, it seems Tauranga is yet again trying to be an exception amongst NZ cities. A comparison of other city councils shows that the proposed TCC structure would create the smallest number of councillors (9), with the others ranging from 12 to 20 plus a mayor.

In our view, the optimal number of councillors is not clear, with smaller numbers often leading to better cohesion. However it is important to factor in the need for diversity and good representation. On those grounds, we favour retaining a council of at least 11, unless stronger rationale can be shown for reducing that number. As you'd understand, the oft-quoted cost of paying additional councillors is not relevant.

What's more, Tauranga City Council's Representation Review proposal would lead to significantly smaller wards than those in any other NZ city. The wards would be much, much smaller geographically than other cities (about one-quarter the size of other comparable cities), and also by far the smallest in terms of population per ward.

We note that Auckland is an obvious outlier too, with 20 wards, each having an average population of nearly Tauranga's total population. However, there are well-understood reasons for that, including the role of Community Boards, so we'll put the super-city to one side.

Of the other six cities with greater than 100,000 population, three have (had) at-large councillors (none have had Maori wards until this time). In particular, Dunedin is the closest in size to Tauranga and had undertaken a thorough review that indicated at-large only councillors was preferable to their previous system. They have seen no reason to change this time around.

Hutt City has 6 at-large and 6 wards, and is noticeably the only other council smaller than Tauranga. They see benefits in a mix of at-large, wards, and community boards.

Hamilton is closest to Tauranga in term of geographical size and has a similar population, and it does have wards. However, it only has two. So every voter gets to vote for 6 councillors, meaning it is a similar situation to Tauranga now, whereby everyone votes for over half of the elected members (including the mayor).

Wellington and Christchurch currently only have ward councillors, no at-large. However, Wellington is proposing 3 or 5 or 6 general wards, plus a Maori ward, and 3 at-large councillors.

So that only leaves Christchurch, but Christchurch is much bigger, geographically and in terms of population, and it also has community boards.

We understand that we shouldn't just copy others, and every city is unique. However, TCC's Representation Review proposal does not contain the detailed analysis that was undertaken by most other NZ cities before making their decisions. That should give reason to pause, consider the evidence from other cities and towns, and revamp the proposal to incentivise much-needed better governance.

## Why So Many Small Wards?

Some of the reasons stated in favour of the proposal are actually reasons to choose another option.

The argument that those on the General roll should only vote for someone to represent a very small local ward makes no sense when TCC's proposal is for Maori to elect a representative across the whole city. In a way, the reverse would make more sense, as hapu-based representation would fit well with a Te Ao Maori model, while the 'Western' democratic model has historically created larger structures (e.g. electorates).

Of course, we know the reason is for the proposed structure to appear 'fair' to everyone, but that is an overly simplistic view that doesn't get to the heart of the issue of fairness and equity. It seems to favour one aspect of diversity (number of votes for Maori on the Maori electoral roll) and forgets all the others.

We see and hear no evidence that the people of Tauranga (outside TCC circles) want an increase in the number of wards. The proposed increase seems to come from an obsession to allow voters on the General roll to each have only one vote, so that it is a match for someone on the Maori roll.

That seems completely illogical. Just look at other councils to see how they handle this issue. Even here in the Bay of Plenty, BOP Regional Council has long had Maori wards and does not try to match the number of votes.

Presently, Rotorua Lakes Council has released a far more sophisticated public consultation document for their representation review, and have come up with far better options. They favour a mixed model, incorporating Maori or General wards plus At-large, to ensure "fair" and "effective" representation. Their council's more comprehensive analysis reinforces our view that single-member General Wards to match a single-member Maori Ward with no At-large councillors is a simplistic and flawed solution.

TCC's analysis seems to be a simplistic and obsessive response that misses the key points. It is not an optimal solution if it just 'dumps down' the representation on the General roll to match the Maori roll option. Remember that tangata whenua have a choice, and can choose to vote on either roll. Therefore, if the option to elect one Maori ward councillor seems unfair to anyone, s/he can choose to elect more General ward councillors by switching rolls.

Or we could add extra at-large councillors. As Rotorua Council points out, having at-large councillors is a great way to even up any imbalance, whilst also providing multiple other benefits.

Again, Tauranga City is an outlier on this issue. Every other NZ city with one councillor per ward offers additional representation through having at-large councillors and/or community boards.

### Why No At-Large councillors?

This seems to be a response to some of the concerns raised by the Review and Observer team appointed to oversee Tauranga City Council in 2020. In hindsight, it seems that the 'ROT' gave an overly simplistic analysis about the causes of the Council's many dysfunctions.

The ROT's view seems to be that having city-wide elected councillors who also stood for mayor was the cause of much of the dysfunction. The most obvious counter to their view is that previous councils had also had at-large councillors that had stood for mayor with vastly diverging views on many issues, but had not imploded or exploded in the same way.

Even a casual observer could see that the main difference was the personalities involved this triennium, especially that of the mayor. Notwithstanding the pros and cons of any policy positions, it is clear that Mayor Powell took a different approach in the management of his councillors compared to the mayor in regards to 2010, 2013 and 2016 elected members. If councillors are not following, you are not a leader – whatever your title.

Those of us with some degree of closeness to the elected members know that this difference was absolutely the crucial factor in 2020, and that is backed all four at-large candidates having different views and alignments on certain key issues – some in alignment with the mayor.

That also seems to be reinforced by the example of the somewhat dysfunctional Wellington City Council (with no at-large councillors) compared to Hutt City Council (with six at-large councillors).

This all makes a lie of the necessity to scrap at-large elected members to ensure a workable council. We contend that the combination of no at-large councillors, no community boards, and only one vote for one elected member based on one small geographical ward (not necessarily a community of interest) is a recipe for disaster. People will have had a say in electing 1/9 of their city representatives, compared to 7/11 as it currently stands. That points us in precisely the wrong direction, at a time when the city needs to pull together to create a more sustainable city.

The seeming obsession to scrap at-large councillors goes against some very important principles. These include:

- 1) The legal requirement for all councillors to govern in the best interests of the whole city. The council's governance will likely be better if they are not divided between supporting the specific needs of their ward (who elected them and will possibly elect them next time) and the city as a whole. This lends to either solely at-large councillors (e.g. Dunedin) or a mix (e.g. Hutt). Having only wards, especially small wards as TCC proposes, will almost inevitably result in a local ward bias in decision-making and politically motivated decisions that lead to poor outcomes.
- 2) That "communities of interest" are, especially these days, not just geographical. Just as our friendships are not limited to our local neighbourhood, so our issues of concern are not limited to our local ward.

- 3) Ward only councillors reinforce a false perception that a particular voter has their one representative and that councillor's role is to represent their constituents. We acknowledge that wards are technically just a method to elect councillors, but this has a psychological impact on the voter and the councillor. Who will I turn to if I have an 'issue'? If I don't know any of the councillors, then surely it's my local ward councillor/s, who canvassed for votes in my part of town.
- 4) Political 'legitimacy' means that every voter has had a chance to elect a good chunk of the council, so they feel they've had a say. If they've only had a chance to vote for one alternate ward candidate against a well-known incumbent, they'll probably feel the same way that many Tauranga Labour or Social Credit or Values voters felt over the years of first-past-the-post national elections.
- 5) The STV system aims to encourage diversity. It encourages a mix of people, some of whom may not get in otherwise. However, it only works well if there are multiple-member constituencies. As an example, look at the results last time in Tauranga, which saw Cr Salisbury and Cr Hughes bumped up higher than they'd have ranked under FFP. While that didn't change their own elected status on that occasion, STV could well allow other women/people to have a better chance at being elected.
- 6) Leadership does not mean a dictatorial mayor supported by lesser councillors. This is especially relevant in the modern context of leadership. Every elected member, including the mayor, is one elected member that makes collective decisions. Every councillor has a leadership role. Sure, the mayor is the figurehead, but if our elected representatives don't support something the mayor wants, then the majority rules. Having some well-supported councillors should strengthen the council's legitimacy and, on issues of alignment, deliver much better supported decisions.
- 7) If the city's residents are divided on some issues, then it is natural for councillors to also be divided at times. The key thing we need is not 'yes' men/women as councillors, but good governance.
- 8) Even the downsides of at-large councillors can be mitigated. A solely at-large structure, such as Dunedin uses, could allegedly not allow geographical neighbourhoods to have a specific voice on some issues. However, that downside can be allayed by a number of measures, including:
  - a mix of wards and at-large (as Tauranga has now, and as per Hutt City)
  - community boards
  - community co-governance on community-specific issues
  - more effective localised community engagement

### **Accessibility and Cost to Stand as a Councillor**

There seems to be an assumption that having only ward councillors will make standing for council more accessible and cost-effective. We believe the opposite could even happen, with wealthier people running for mayor and gaining a higher profile, thereby giving themselves a much better opportunity to get elected in a ward.

Many people may consider standing, perhaps on a platform such as keeping rates down or improving environmental outcomes or whatever, and might gain enough votes city-wide to become a councillor. However these people may not have the cut-through in their local ward. We contend that Cr Hughes may well have been such an example on the previous Tauranga Council.

Although campaigning in a ward can be cheaper in terms of signage, that is not such a big advantage in the modern context of social media and diverse networks. That could apply to many people who'd make ideal councillors. These could be younger or less-well-known candidates, or perhaps parents that have spent time bringing up a family and ended up with a lower profile than, for instance, an opponent running a local business.

Of course, we could argue about the extent of the importance of each of the pros and cons, but it is clear that this is not a simple back and white matter. At best, the small wards may improve accessibility for some candidates.

Our view is that in the modern context, this issue of cost and accessibility is far outweighed by the other factors discussed in our submission. What's more, a proactive approach from TCC could ensure that all candidates are given a campaign platform.

That could involve a low-cost option that provides all candidates with multiple in-person and virtual platforms to campaign, including real/virtual meetings. That could offer a much better deal for low-income or low-wealth candidates - especially that bring diversity to Council.

The omission of the barriers created by small single-member wards, with none of them being considered and lack of evidence, indicates either a pre-determined outcome or a lack of understanding of these issues.



## Ward Names and Communities of Interest

We won't get into the merits of each name, but will put a strong submission that Matua is not the appropriate name for the Otumoetai ward. In fact, just typing those words made it clear that the default is to describe this area as Otumoetai - NOT as Matua, or Bellevue, or Brookfield, or Cherrywood, or Bureta, or Pillans Point, or Judea, or Te Reti, which are all defined quite precisely. The one name that isn't precisely defined as a sub-area (a sub-suburb?) is Otumoetai, because that is the historic name for that whole larger area of Tauranga (as well as the more precise modern definitions of Otumoetai North and Otumoetai South statistical areas that most residents have no knowledge about).

From Otumoetai Pa (pre-1800s) to Otumoetai Primary (19<sup>th</sup> century) to Otumoetai College (20<sup>th</sup> century) to Otumoetai cycle plan (21<sup>st</sup> century), everyone always called the wider area Otumoetai. If you know this city, it seems so self-evident that we can only conclude that the staff member labelling the proposed ward was not from that part of Tauranga, and that the Commissioners from outside of Tauranga did not realise the error.

To rub salt in the wound, Matua is the one name more than any other that would 'wind people up' if they live in places such as Brookfield or Bellevue, due to the historic socio-economic disparity between Matua and many other parts of 'greater' Otumoetai. If, for some strange reason, you don't like the beautiful word Otumoetai (goodness knows why that would be the case), it should be not named after any of the smaller mini-suburbs – including Matua.

The related problem is that Brookfield is split between Matua (a name it has no particularly strong relationship with) and Bethlehem (a suburb with a lesser relationship than Otumoetai, although we accept it does have a shopping area that some Brookfield residents use). It seems better in cases like this to accept a less equal numerical allocation in favour of a better community of interest, and place all of Brookfield in an Otumoetai ward.

The idea that every ward has to have the same voters has been taken too far. To the average person, that wouldn't matter anywhere near as much as whether or not the ward relates to a community of interest. Even more important than that is whether the whole voting system gives people a genuine say in who they elect. We could even invoke the old saying that there should be no taxation without representation, because one vote in one ward won't make someone feel they have had much of a say.

Bigger wards that represent the whole, historic communities of interest are the best solution. In our example, that would include the western suburbs from Otumoetai foreshore around the Waikareao to the Kopurererua and westwards through to the Wairoa, and back past Bellevue and Matua.

## Alternative Options

If there is to be an increase in wards, we favour no more than five wards. We do not believe the best options were considered when assessing the proposed structure. Better options that we see are:

**1) 3 Wards** (names to be determined):

- Eastern
- Central
- Western

**2) 4 Wards** (names to be determined):

- Eastern
- Central
- Western
- Southern

**2) 5 Wards** (names to be determined):

- Mount Maunganui
- Papamoa-Wairakei
- Te Papa-Greerton
- Otumoetai-Bethlehem
- Tauriko-Pyes Pa-Ohauti-Welcome Bay

These ward options all have much better communities of interest than those proposed and give a much more appropriate scale. For instance, they would remove many of the boundary problems that occur under the proposed eight wards.

An example is that a community such as Brookfield (as defined by Statistics NZ) is seemingly split into three wards: Matua, Bethlehem and Te Papa. Under our alternative proposal of three, four, or five wards, all could be in their natural community of interest Otumoetai or a western ward.

1) The 3-ward option could be the same as previously, with the addition of one Maori ward councillor. That would result in a council of 7 ward councillors (2 from each General + 1 Maori) + 4 at-large councillors + 1 mayor = 12.

2) The 4-ward option lends itself to 9 ward councillors (2 from each General + 1 Maori) + 1 mayor = 10. We do not favour this option.

3) The 5-ward option offers two possible sub-options for electing councillors:

- a. 6 ward councillors (1 from each General + 1 Maori) + 4 (or more) at-large + 1 mayor = 11
- b. 11 ward councillors (2 from each General + 1 Maori) + 1 mayor = 12

Both those options would be preferable to the Council's default proposal. We would favour (a), as we believe at-large councillors offer greater diversity and a better check against locally-based decision-making.

The five ward options in detail are:

- a. Otumoetai-Bethlehem 1  
Te Papa-Greerton 1  
Tauriko-Ohauiti-Welcome Bay 1  
Mount-Aratakī 1  
Papamoa-Wairakei 1  
Maori 1  
At-large 4 (or more)  
Mayor 1  
**TOTAL 11** (or more)
- b. Otumoetai-Bethlehem 2  
Te Papa-Greerton 2  
Tauriko-Ohauiti-Welcome Bay 2  
Mount-Aratakī 2  
Papamoa-Wairakei 2  
Maori 1  
At-large 0 (or more)  
Mayor 1  
**TOTAL 12** (or more)

## Closing Comments

Compared to what we have seen from other councils, the lack of options and poor analysis presented by TCC meant that the pros and cons of various ward and at-large combinations were not clearly presented to the community. Neither was the role of the STV voting system and how it works best in multi-member constituencies.

As is often the case with TCC, instead of the community helping to determine the key principles to determine the representation structure, this was driven by the Council itself.

Finally, while the role of tangata whenua in our city is critically important, diversity means much more than a Maori ward. The current proposal will not lead to the representative, diverse, and quality governance that we believe all residents would like to see as the outcome. That is what will support the transition to Tauranga becoming a truly sustainable and equitable city.

Browser: Firefox  
Version: 92.0  
Operating System: Windows NT 6.1  
Screen Resolution: 1252x704  
Flash Version: -1  
Java Support: 0  
User Agent: Mozilla/5.0 (Windows NT 6.1; Win64; x64; rv:92.0) Gecko/20100101 Firefox/92.0

Q2.

## Representation review

Thank you to everyone who provided feedback in July about the possible structures for future Council representation.

Your feedback has enabled us to create one proposed option: a **single member wards model** with nine councillors and a mayor. This option has no community boards.

Before this option is finalised, you have a further opportunity to provide feedback.

It is important to us that you share your views on how you are represented on Council. Thanks for having your say.

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Please read about the proposed [single member wards model](#) before completing this survey.

\* indicates a mandatory field

Q24. The initial proposal is for Tauranga residents to elect nine councillors – eight from eight general wards and one from a Māori ward – plus a mayor.

The eight general wards are: Mauao/Mount Maunganui, Arataki, Pāpāmoa, Welcome Bay, Matua, Bethlehem, Tauriko and Te Papa

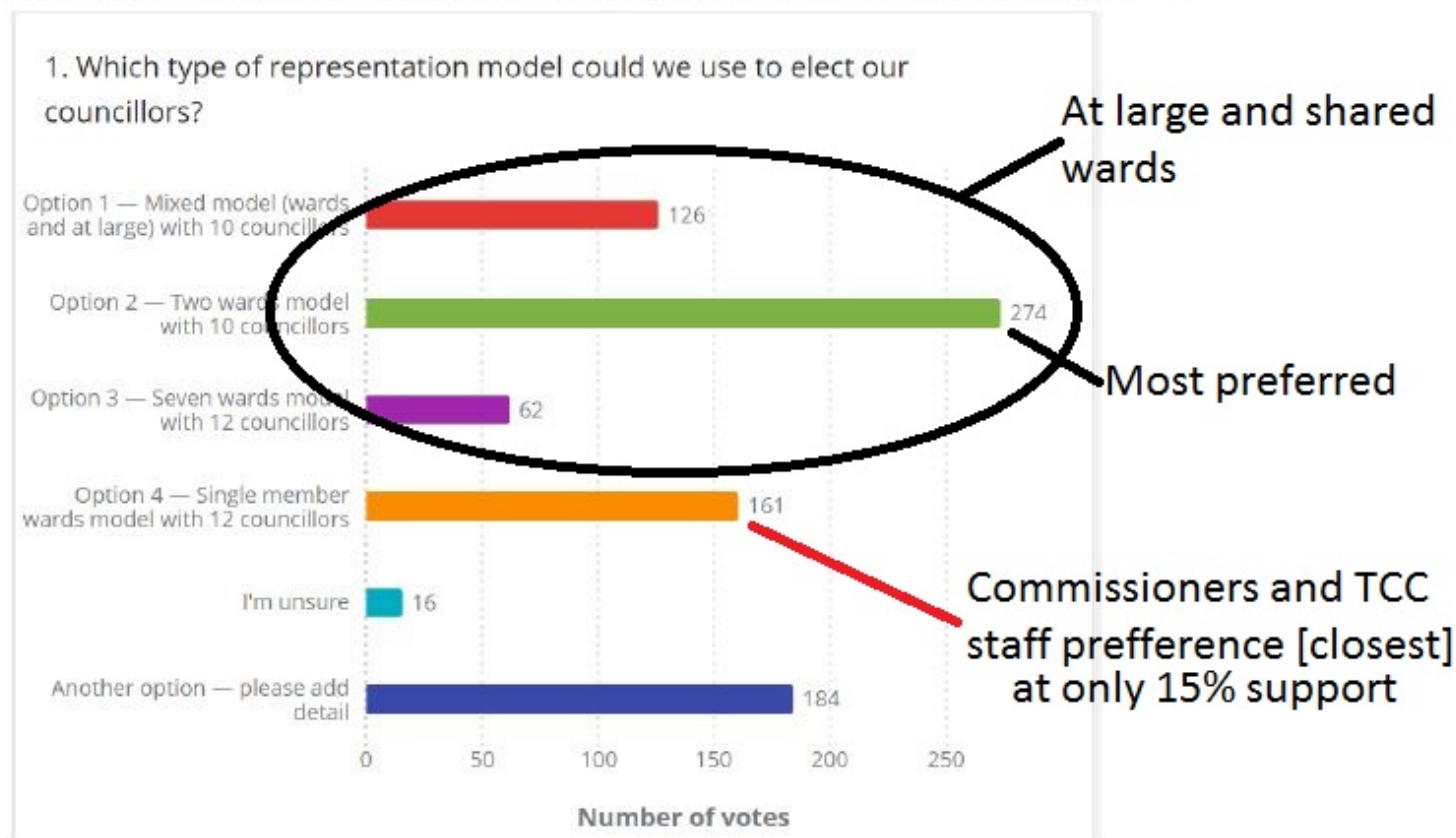
Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

19. 825 responses were received to the survey. The demographics of the respondents to the survey are set out in Attachment 1. The graph below shows the results of the survey question 1 “Which type of representation model could we use to elect our councillors?” and question 3 “What type of candidates would you like to choose from when you vote?”



The most popular options in your August survey showed majority support for all or some at large wards/councillors. You have put forward a variant of a preferred option that your own survey only had 15% survey support. The option put forward pits Each ward member is only accountable to their own ward voters. As there is no vote ward shared between Councillors, there is no common interests between Councillors. Having no direct electoral commonality makes for a confrontational council. The only benefiting party would be the council staff if they are seeking to divide the Councillors. This put forward proposal directly ignores the survey finding that the majority of residents want atlarge and shared wards. It is NOT LISTENING to what we said we want.

**Q5. Would you like to upload a supporting document?**

- ☒ Yes  
☐ No

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Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.



[council.JPG](#)  
127.3KB  
image/jpeg

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☐ Yes  
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**Q8.**

**Contact details**

**Q9.**

**First name: \***

Q10. Surname: \*

Q23. Organisation

Q11. Email: \*

Q12. Phone:

Q13.

**Privacy statement**

Tauranga City Council is collecting personal information from you as part of this survey. This includes your name, email address and survey answers. Your survey answers will be used to make recommendations to Council for decision making. Your name and email address will only be used by us to notify you of the outcome of the survey or a Council decision. We also collect demographic information (suburb, age, ethnicity, gender) because we want to ensure we have engaged with a wide cross section of people from across Tauranga. Providing your demographic information is optional. We will not share your personal information with any other organisation or individual. You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like a copy of your information, or to have it corrected, please contact us at [info@tauranga.govt.nz](mailto:info@tauranga.govt.nz), or [07 577 7000](tel:075777000). For further information about this and our obligations and your rights under the Privacy Act 2020, please refer to [Tauranga City Council's privacy statement](#).

Q14.

**Tell us a bit more about yourself**

Q15. Suburb:

Q16. Age:

SUBMISSION RE REPRESENTATION



Carole Gordon [REDACTED]  
To Coral Hair [REDACTED]

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PLEASE ACCEPT ATTACHED AS MY SUBMISSION

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**CG**Consulting  
 specialist services in social and political gerontology.  
 Carole Gordon.MNZM  
 027 521 6100  
 [REDACTED]





04 October 2021

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*Sustainable Bay of Plenty Charitable Trust | Charity Number: CC58526 | GST: 133-045-546*

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Again, Tauranga City is an outlier on this issue. Every other NZ city with one councillor per ward offers additional representation through having at-large councillors and/or community boards.

### **Why No At-Large councillors?**

This seems to be a response to some of the concerns raised by the Review and Observer team appointed to oversee Tauranga City Council in 2020. In hindsight, it seems that the 'ROT' gave an overly simplistic analysis about the causes of the Council's many dysfunctions.

The ROT's view seems to be that having city-wide elected councillors who also stood for mayor was the cause of much of the dysfunction. The most obvious counter to their view is that previous councils had also had at-large councillors that had stood for mayor with vastly diverging views on many issues, but had not imploded or exploded in the same way.

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Those of us with some degree of closeness to the elected members know that this difference was absolutely the crucial factor in 2020, and that is backed all four at-large candidates having different views and alignments on certain key issues – some in alignment with the mayor.

That also seems to be reinforced by the example of the somewhat dysfunctional Wellington City Council (with no at-large councillors) compared to Hutt City Council (with six at-large councillors).

This all makes a lie of the necessity to scrap at-large elected members to ensure a workable council. We contend that the combination of no at-large councillors, no community boards, and only one vote for one elected member based on one small geographical ward (not necessarily a community of interest) is a recipe for disaster. People will have had a say in electing 1/9 of their city representatives, compared to 7/11 as it currently stands. That points us in precisely the wrong direction, at a time when the city needs to pull together to create a more sustainable city.

The seeming obsession to scrap at-large councillors goes against some very important principles. These include:

- 1) The legal requirement for all councillors to govern in the best interests of the whole city. The council's governance will likely be better if they are not divided between supporting the specific needs of their ward (who elected them and will possibly elect them next time) and the city as a whole. This lends to either solely at-large councillors (e.g. Dunedin) or a mix (e.g. Hutt). Having only wards, especially small wards as TCC proposes, will almost inevitably result in a local ward bias in decision-making and politically motivated decisions that lead to poor outcomes.
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Of course, we could argue about the extent of the importance of each of the pros and cons, but it is clear that this is not a simple black and white matter. At best, the small wards may improve accessibility for some candidates.

Our view is that in the modern context, this issue of cost and accessibility is far outweighed by the other factors discussed in our submission. What's more, a proactive approach from TCC could ensure that all candidates are given a campaign platform.

That could involve a low-cost option that provides all candidates with multiple in-person and virtual platforms to campaign, including real/virtual meetings. That could offer a much better deal for low-income or low-wealth candidates - especially that bring diversity to Council.

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We won't get into the merits of each name, but will put a strong submission that Matua is not the appropriate name for the Otumoetai ward. In fact, just typing those words made it clear that the default is to describe this area as Otumoetai - NOT as Matua, or Bellevue, or Brookfield, or Cherrywood, or Bureta, or Pillans Point, or Judea, or Te Reti, which are all defined quite precisely. The one name that isn't precisely defined as a sub-area (a sub-suburb?) is Otumoetai, because that is the historic name for that whole larger area of Tauranga (as well as the more precise modern definitions of Otumoetai North and Otumoetai South statistical areas that most residents have no knowledge about).

From Otumoetai Pa (pre-1800s) to Otumoetai Primary (19<sup>th</sup> century) to Otumoetai College (20<sup>th</sup> century) to Otumoetai cycle plan (21<sup>st</sup> century), everyone always called the wider area Otumoetai. If you know this city, it seems so self-evident that we can only conclude that the staff member labelling the proposed ward was not from that part of Tauranga, and that the Commissioners from outside of Tauranga did not realise the error.

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The related problem is that Brookfield is split between Matua (a name it has no particularly strong relationship with) and Bethlehem (a suburb with a lesser relationship than Otumoetai, although we accept it does have a shopping area that some Brookfield residents use). It seems better in cases like this to accept a less equal numerical allocation in favour of a better community of interest, and place all of Brookfield in an Otumoetai ward.

The idea that every ward has to have the same voters has been taken too far. To the average person, that wouldn't matter anywhere near as much as whether or not the ward relates to a community of interest. Even more important than that is whether the whole voting system gives people a genuine say in who they elect. We could even invoke the old saying that there should be no taxation without representation, because one vote in one ward won't make someone feel they have had much of a say.

Bigger wards that represent the whole, historic communities of interest are the best solution. In our example, that would include the western suburbs from Otumoetai foreshore around the Waikareao to the Kopurererua and westwards through to the Wairoa, and back past Bellevue and Matua.

## Alternative Options

If there is to be an increase in wards, we favour no more than five wards. We do not believe the best options were considered when assessing the proposed structure. Better options that we see are:

**1) 3 Wards** (names to be determined):

- Eastern
- Central
- Western

**2) 4 Wards** (names to be determined):

- Eastern
- Central
- Western
- Southern

**2) 5 Wards** (names to be determined):

- Mount Maunganui
- Papamoa-Wairakei
- Te Papa-Greerton
- Otumoetai-Bethlehem
- Tauriko-Pyes Pa-Ohauti-Welcome Bay

These ward options all have much better communities of interest than those proposed and give a much more appropriate scale. For instance, they would remove many of the boundary problems that occur under the proposed eight wards.

An example is that a community such as Brookfield (as defined by Statistics NZ) is seemingly split into three wards: Matua, Bethlehem and Te Papa. Under our alternative proposal of three, four, or five wards, all could be in their natural community of interest Otumoetai or a western ward.

1) The 3-ward option could be the same as previously, with the addition of one Maori ward councillor. That would result in a council of 7 ward councillors (2 from each General + 1 Maori) + 4 at-large councillors + 1 mayor = 12.

2) The 4-ward option lends itself to 9 ward councillors (2 from each General + 1 Maori) + 1 mayor = 10. We do not favour this option.

3) The 5-ward option offers two possible sub-options for electing councillors:

- a. 6 ward councillors (1 from each General + 1 Maori) + 4 (or more) at-large + 1 mayor = 11
- b. 11 ward councillors (2 from each General + 1 Maori) + 1 mayor = 12



Both those options would be preferable to the Council's default proposal. We would favour (a), as we believe at-large councillors offer greater diversity and a better check against locally-based decision-making.

The five ward options in detail are:

- a. Otumoetai-Bethlehem 1  
Te Papa-Greerton 1  
Tauriko-Ohauiti-Welcome Bay 1  
Mount-Aratakī 1  
Papamoa-Wairakei 1  
Maori 1  
At-large 4 (or more)  
Mayor 1  
**TOTAL 11** (or more)
- b. Otumoetai-Bethlehem 2  
Te Papa-Greerton 2  
Tauriko-Ohauiti-Welcome Bay 2  
Mount-Aratakī 2  
Papamoa-Wairakei 2  
Maori 1  
At-large 0 (or more)  
Mayor 1  
**TOTAL 12** (or more)

## Closing Comments

Compared to what we have seen from other councils, the lack of options and poor analysis presented by TCC meant that the pros and cons of various ward and at-large combinations were not clearly presented to the community. Neither was the role of the STV voting system and how it works best in multi-member constituencies.

As is often the case with TCC, instead of the community helping to determine the key principles to determine the representation structure, this was driven by the Council itself.

Finally, while the role of tangata whenua in our city is critically important, diversity means much more than a Maori ward. The current proposal will not lead to the representative, diverse, and quality governance that we believe all residents would like to see as the outcome. That is what will support the transition to Tauranga becoming a truly sustainable and equitable city.

Browser: Safari iPhone  
Version: 14.1.2  
Operating System: iPhone  
Screen Resolution: 375x667  
Flash Version: -1  
Java Support: 0

User Agent: Mozilla/5.0 (iPhone; CPU iPhone OS 14\_7\_1 like Mac OS X) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/14.1.2 Mobile/15E148 Safari/604.1

Q2.

## Representation review

Thank you to everyone who provided feedback in July about the possible structures for future Council representation.

Your feedback has enabled us to create one proposed option: a **single member wards model** with nine councillors and a mayor. This option has no community boards.

Before this option is finalised, you have a further opportunity to provide feedback.

It is important to us that you share your views on how you are represented on Council. Thanks for having your say.

### Submissions close at 5pm on Monday, 4 October 2021

Please read about the proposed [single member wards model](#) before completing this survey.

\* indicates a mandatory field

Q24. The initial proposal is for Tauranga residents to elect nine councillors – eight from eight general wards and one from a Māori ward – plus a mayor.

The eight general wards are: Mauao/Mount Maunganui, Arataki, Pāpāmoa, Welcome Bay, Matua, Bethlehem, Tauriko and Te Papa

Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

Your proposal will result in people being elected who are not preferred by the city wide majority and they will have no cohesion and will be susceptible to being dictated to by tcc staff who have proven themselves utterly incompetent. I utterly support the submission attached (Sustainable Bay of Plenty Charitable Trust) in respect of considerations about council representation

**Q5. Would you like to upload a supporting document?**

- ☐ Yes
- ☒ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

*This question was not displayed to the respondent.*

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☐ Yes
- ☒ No

**Q8.**

**Contact details**

**Q9.**

**First name: \***

Peter

**Q10. Surname: \***

McArthur

**Q23. Organisation**



04 October 2021

## Submission to Tauranga City Council Representation Review 2021

### Summary

- We do not support the proposal
- We do not support the number of elected members
- We do not believe that only having small, equally populated wards is desirable
- We do not think the proposed wards all capture communities of interest (functional or perceptual)
- We do not support all the ward names
- We do not believe that allowing electors to vote for only one councillor will lead to an inclusive democracy (quite the reverse)
  
- We do support an STV election process combined with multi-member constituencies
- We do support larger wards
- We do support adding at-large councillors into the mix
- We do support retaining 10 or 11 councillors plus a mayor until a better case for change is made
- We do support a more comprehensive analysis of the pros and cons of community boards

**Sustainable Bay of Plenty**  
Basestation, 148 Durham Street  
Tauranga, BOP, 3110, New Zealand

[www.sustainablebop.nz](http://www.sustainablebop.nz)  
Call: 027 576 8000  
Email: [info@sustainablebop.nz](mailto:info@sustainablebop.nz)

*Sustainable Bay of Plenty Charitable Trust | Charity Number: CC58526 | GST: 133-045-546*

### Number of Councillors and Size of Wards - Tauranga An Outlier

In the same way that Tauranga City has had no sustainability strategy, or climate change plan or carbon targets, it seems Tauranga is yet again trying to be an exception amongst NZ cities. A comparison of other city councils shows that the proposed TCC structure would create the smallest number of councillors (9), with the others ranging from 12 to 20 plus a mayor.

In our view, the optimal number of councillors is not clear, with smaller numbers often leading to better cohesion. However it is important to factor in the need for diversity and good representation. On those grounds, we favour retaining a council of at least 11, unless stronger rationale can be shown for reducing that number. As you'd understand, the oft-quoted cost of paying additional councillors is not relevant.

What's more, Tauranga City Council's Representation Review proposal would lead to significantly smaller wards than those in any other NZ city. The wards would be much, much smaller geographically than other cities (about one-quarter the size of other comparable cities), and also by far the smallest in terms of population per ward.

We note that Auckland is an obvious outlier too, with 20 wards, each having an average population of nearly Tauranga's total population. However, there are well-understood reasons for that, including the role of Community Boards, so we'll put the super-city to one side.

Of the other six cities with greater than 100,000 population, three have (had) at-large councillors (none have had Maori wards until this time). In particular, Dunedin is the closest in size to Tauranga and had undertaken a thorough review that indicated at-large only councillors was preferable to their previous system. They have seen no reason to change this time around.

Hutt City has 6 at-large and 6 wards, and is noticeably the only other council smaller than Tauranga. They see benefits in a mix of at-large, wards, and community boards.

Hamilton is closest to Tauranga in term of geographical size and has a similar population, and it does have wards. However, it only has two. So every voter gets to vote for 6 councillors, meaning it is a similar situation to Tauranga now, whereby everyone votes for over half of the elected members (including the mayor).

Wellington and Christchurch currently only have ward councillors, no at-large. However, Wellington is proposing 3 or 5 or 6 general wards, plus a Maori ward, and 3 at-large councillors.

So that only leaves Christchurch, but Christchurch is much bigger, geographically and in terms of population, and it also has community boards.

We understand that we shouldn't just copy others, and every city is unique. However, TCC's Representation Review proposal does not contain the detailed analysis that was undertaken by most other NZ cities before making their decisions. That should give reason to pause, consider the evidence from other cities and towns, and revamp the proposal to incentivise much-needed better governance.

## Why So Many Small Wards?

Some of the reasons stated in favour of the proposal are actually reasons to choose another option.

The argument that those on the General roll should only vote for someone to represent a very small local ward makes no sense when TCC's proposal is for Maori to elect a representative across the whole city. In a way, the reverse would make more sense, as hapu-based representation would fit well with a Te Ao Maori model, while the 'Western' democratic model has historically created larger structures (e.g. electorates).

Of course, we know the reason is for the proposed structure to appear 'fair' to everyone, but that is an overly simplistic view that doesn't get to the heart of the issue of fairness and equity. It seems to favour one aspect of diversity (number of votes for Maori on the Maori electoral roll) and forgets all the others.

We see and hear no evidence that the people of Tauranga (outside TCC circles) want an increase in the number of wards. The proposed increase seems to come from an obsession to allow voters on the General roll to each have only one vote, so that it is a match for someone on the Maori roll.

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To rub salt in the wound, Matua is the one name more than any other that would 'wind people up' if they live in places such as Brookfield or Bellevue, due to the historic socio-economic disparity between Matua and many other parts of 'greater' Otumoetai. If, for some strange reason, you don't like the beautiful word Otumoetai (goodness knows why that would be the case), it should be not named after any of the smaller mini-suburbs – including Matua.

The related problem is that Brookfield is split between Matua (a name it has no particularly strong relationship with) and Bethlehem (a suburb with a lesser relationship than Otumoetai, although we accept it does have a shopping area that some Brookfield residents use). It seems better in cases like this to accept a less equal numerical allocation in favour of a better community of interest, and place all of Brookfield in an Otumoetai ward.

The idea that every ward has to have the same voters has been taken too far. To the average person, that wouldn't matter anywhere near as much as whether or not the ward relates to a community of interest. Even more important than that is whether the whole voting system gives people a genuine say in who they elect. We could even invoke the old saying that there should be no taxation without representation, because one vote in one ward won't make someone feel they have had much of a say.

Bigger wards that represent the whole, historic communities of interest are the best solution. In our example, that would include the western suburbs from Otumoetai foreshore around the Waikareao to the Kopurererua and westwards through to the Wairoa, and back past Bellevue and Matua.

## Alternative Options

If there is to be an increase in wards, we favour no more than five wards. We do not believe the best options were considered when assessing the proposed structure. Better options that we see are:

**1) 3 Wards** (names to be determined):

- Eastern
- Central
- Western

**2) 4 Wards** (names to be determined):

- Eastern
- Central
- Western
- Southern

**2) 5 Wards** (names to be determined):

- Mount Maunganui
- Papamoa-Wairakei
- Te Papa-Greerton
- Otumoetai-Bethlehem
- Tauriko-Pyes Pa-Ohauti-Welcome Bay

These ward options all have much better communities of interest than those proposed and give a much more appropriate scale. For instance, they would remove many of the boundary problems that occur under the proposed eight wards.

An example is that a community such as Brookfield (as defined by Statistics NZ) is seemingly split into three wards: Matua, Bethlehem and Te Papa. Under our alternative proposal of three, four, or five wards, all could be in their natural community of interest Otumoetai or a western ward.

1) The 3-ward option could be the same as previously, with the addition of one Maori ward councillor. That would result in a council of 7 ward councillors (2 from each General + 1 Maori) + 4 at-large councillors + 1 mayor = 12.

2) The 4-ward option lends itself to 9 ward councillors (2 from each General + 1 Maori) + 1 mayor = 10. We do not favour this option.

3) The 5-ward option offers two possible sub-options for electing councillors:

- a. 6 ward councillors (1 from each General + 1 Maori) + 4 (or more) at-large + 1 mayor = 11
- b. 11 ward councillors (2 from each General + 1 Maori) + 1 mayor = 12

Both those options would be preferable to the Council's default proposal. We would favour (a), as we believe at-large councillors offer greater diversity and a better check against locally-based decision-making.

The five ward options in detail are:

- a. Otumoetai-Bethlehem 1  
Te Papa-Greerton 1  
Tauriko-Ohauti-Welcome Bay 1  
Mount-Aratakī 1  
Papamoa-Wairakei 1  
Maori 1  
At-large 4 (or more)  
Mayor 1  
**TOTAL 11** (or more)
- b. Otumoetai-Bethlehem 2  
Te Papa-Greerton 2  
Tauriko-Ohauti-Welcome Bay 2  
Mount-Aratakī 2  
Papamoa-Wairakei 2  
Maori 1  
At-large 0 (or more)  
Mayor 1  
**TOTAL 12** (or more)

### Closing Comments

Compared to what we have seen from other councils, the lack of options and poor analysis presented by TCC meant that the pros and cons of various ward and at-large combinations were not clearly presented to the community. Neither was the role of the STV voting system and how it works best in multi-member constituencies.

As is often the case with TCC, instead of the community helping to determine the key principles to determine the representation structure, this was driven by the Council itself.

Finally, while the role of tangata whenua in our city is critically important, diversity means much more than a Maori ward. The current proposal will not lead to the representative, diverse, and quality governance that we believe all residents would like to see as the outcome. That is what will support the transition to Tauranga becoming a truly sustainable and equitable city.

Browser: Chrome  
Version: 94.0.4606.61  
Operating System: Windows NT 10.0  
Screen Resolution: 1920x1200  
Flash Version: -1  
Java Support: 0  
User Agent: Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/94.0.4606.61 Safari/537.36

Q2.

## Representation review

Thank you to everyone who provided feedback in July about the possible structures for future Council representation.

Your feedback has enabled us to create one proposed option: a **single member wards model** with nine councillors and a mayor. This option has no community boards.

Before this option is finalised, you have a further opportunity to provide feedback.

It is important to us that you share your views on how you are represented on Council. Thanks for having your say.

### Submissions close at 5pm on Monday, 4 October 2021

Please read about the proposed [single member wards model](#) before completing this survey.

\* indicates a mandatory field

Q24. The initial proposal is for Tauranga residents to elect nine councillors – eight from eight general wards and one from a Māori ward – plus a mayor.

The eight general wards are: Mauao/Mount Maunganui, Arataki, Pāpāmoa, Welcome Bay, Matua, Bethlehem, Tauriko and Te Papa

Q3. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?\*

☐ Yes

☒ No

Q4. Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

A Councillor for Commercial Ratepayers. Commercial ratepayers make up 6% of the rating units and contribute 22.3% of the rates take yet have no direct representation on council. These ratepayers have a distinct interest in the city yet do not get to vote unless they are a resident in the same area as their business. That is clearly not equitable. Mount Ward is under represented. With the commercial ratepayers included the Mount ward is 15.7% of the rateable units and pays 22.3% of the total rates take yet only gets represented by one councillor. All of the other wards cover approx 12% of the rateable units each and the next highest % of the rates take is Te Papa on 15.2% Taking out the commercial ratepayers helps even up the representation between each ward. It is either that or have two councillors to represent the Mount Ward.

**Q5. Would you like to upload a supporting document?**

- ☒ Yes  
☐ No

**Q6. Would you like to upload a supporting document?**

*Valid file formats are pdf, doc, docx, jpg, jpeg, png. Files must be less than 10MB.*

[Rateable Values.pdf](#)  
409KB  
application/pdf

**Q7. Would you like to speak to the commissioners about your submission at a hearing on Monday, 18 October 2021?**

- ☐ Yes  
☒ No

Q8.

**Contact details**

Q9.

**First name: \***

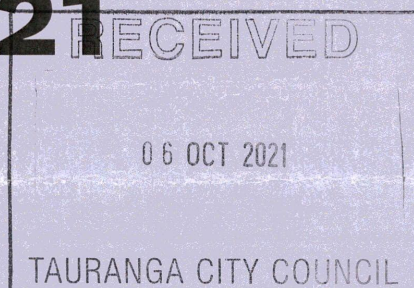
Greg

**Q10. Surname: \***

Page

Proposed Ward	Rating Units	%	Category	Land value	Capital Value	%	Capital Value by Area	%	Population	Capital Value/Pop	2022 approx Rates			% of Rates
Arataki Ward	6,795	11.3%	Residential	\$2,997,524,000	\$5,684,624,000	10.7%					\$19,717,483	10.0%		
Arataki Ward	101	0.2%	Commercial	\$170,178,000	\$333,500,000	0.6%	\$6,018,124,000	11.3%	16,500	\$364,735	\$1,509,316	0.8%	\$21,226,799	10.8%
Bethlehem Ward	6,548	10.9%	Residential	\$2,633,335,000	\$5,231,564,000	9.9%					\$17,983,154	9.1%		
Bethlehem Ward	245	0.4%	Commercial	\$154,035,000	\$418,805,000	0.8%	\$5,650,369,000	10.6%	17,550	\$321,958	\$2,396,083	1.2%	\$20,379,237	10.3%
Matua Ward	7,197	12.0%	Residential	\$3,267,407,000	\$5,471,978,000	10.3%					\$19,117,918	9.7%		
Matua Ward	53	0.1%	Commercial	\$66,640,000	\$155,605,000	0.3%	\$5,627,583,000	10.6%	18,050	\$311,777	\$815,917	0.4%	\$19,933,835	10.1%
Mauao/Mount Maunganui Ward	8,181	13.7%	Residential	\$5,541,409,000	\$8,887,218,000	16.7%					\$27,648,159	14.0%		
Mauao/Mount Maunganui Ward	1,217	2.0%	Commercial	\$1,858,622,500	\$3,321,204,500	6.3%	\$12,208,422,500	23.0%	16,500	\$739,904	\$16,310,321	8.3%	\$43,958,480	22.3%
Papamoa Ward	7,408	12.4%	Residential	\$3,001,695,000	\$5,502,711,000	10.4%					\$19,231,939	9.8%		
Papamoa Ward	253	0.4%	Commercial	\$110,047,000	\$238,195,000	0.4%	\$5,740,906,000	10.8%	16,850	\$340,707	\$1,287,233	0.7%	\$20,519,172	10.4%
Tauriko Ward	6,401	10.7%	Residential	\$2,403,078,000	\$4,800,876,000	9.0%					\$16,747,730	8.5%		
Tauriko Ward	701	1.2%	Commercial	\$623,462,000	\$1,455,260,000	2.7%	\$6,256,136,000	11.8%	15,950	\$392,234	\$7,260,107	3.7%	\$24,007,837	12.2%
Te Papa Ward	6,730	11.2%	Residential	\$2,422,239,000	\$4,072,365,000	7.7%					\$15,661,817	7.9%		
Te Papa Ward	975	1.6%	Commercial	\$1,499,469,000	\$2,703,314,000	5.1%	\$6,775,679,000	12.8%	16,400	\$413,151	\$14,254,727	7.2%	\$29,916,544	15.2%
Welcome Bay Ward	7,056	11.8%	Residential	\$2,327,669,000	\$4,761,910,000	9.0%					\$17,083,293	8.7%		
Welcome Bay Ward	43	0.1%	Commercial	\$13,749,000	\$34,765,000	0.1%	\$4,796,675,000	9.0%	18,000	\$266,482	\$201,262	0.1%	\$17,284,555	8.8%
Maori Ward									15,300					
	59,904			\$29,090,558,500	\$53,073,894,500				151,100		\$197,226,459			
	56,316	94.0%	Residential	\$24,594,356,000	\$44,413,246,000	83.7%					\$153,191,493	77.7%		
	3,588	6.0%	Commercial	\$4,496,202,500	\$8,660,648,500	16.3%					\$44,034,966	22.3%		

# Representation review 2021



Thank you to everyone who provided feedback in July about the possible structures for future Council representation.

Your feedback has enabled us to create one proposed option: a single member wards model with nine councillors and a mayor. This option has no community boards.

Before this option is finalised, you have a further opportunity to provide feedback.

It is important to us that you share your views on how you are represented on Council. Thanks for having your say.

**Submissions close at 5pm on  
Monday, 4 October 2021**

Please read about the proposed [single member wards model](#) before completing this survey.





## What we are proposing?

The initial proposal will be for Tauranga residents to elect nine councillors – eight from eight general wards and one from a Māori ward – plus a mayor. We will continue to have no community boards under this proposal.

Initial  
proposal

### Single member wards model with 9 councillors



8 elected  
from 8 wards



1 elected  
from Māori ward



1 mayor



- Arataki ward
- Papamoa ward
- Bethlehem ward
- Tauriko ward
- Matua ward
- Te Papa ward
- Mauao/Mount Maunganui ward
- Welcome Bay ward



● Māori ward boundary



## Who gets to vote for who?

If you are on the **general election roll** you will vote for the mayor and vote for a ward councillor (in the area where you live).

If you are on the **Māori election roll** you will vote for the mayor and for the Māori ward representative.

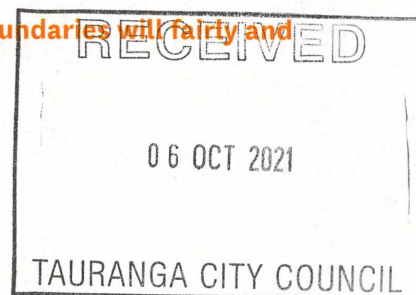
Everyone gets two votes.

### 1. Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?

Please select one of the options below

☐ Yes

☐ No



Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?

As Mauao - Arataki seems to be mainly holiday homes + Apartments I thought maybe that should be one ward with Papamoa being another. The toxic councillors in the past have always been from those wards and add Robson (Fix the B. road) councillors and they out voted everything and caused such a waste of time & money, largely spent on Mount structures.

Millions is being spent on bike tracks which must be only 1% of the Tauranga - Mount population and ~~are~~ seem to be used for rubbish collections as bikers use the foot-paths. Maybe footpaths should be made wider, for them. It is groups as well as single riders and they don't go slow. Any \$ recreational past time I have belonged to I had to pay a fee but not the bikers.

The moaning about Links Ave. is a joke. They do realise cars are avoiding the road works or haven't they noticed? They should look at traffic on Millers Rd. Bellevue after school.

**2. Would you like to add a supporting document to this form?**☐ Yes☒ No**3. Would you like to speak to the Commissioners about your submission at a hearing on 18 October 2021?**☐ Yes☒ No

It's a shame Commissioners aren't permanent.  
Well done.

**Contact details**First name: \* Christine HibbsSurname: \* HibbsPhone number: \* [REDACTED]Email or postal address: \* [REDACTED]**Privacy statement**

Tauranga City Council is collecting personal information from you as part of this survey. This includes your name, email address and survey answers. Your survey answers will be used to make recommendations to Council for decision making. Your name and email address will only be used by us to notify you of the outcome of the survey or a Council decision. We also collect demographic information (suburb, age, ethnicity, gender) because we want to ensure we have engaged with a wide cross section of people from across Tauranga. Providing your demographic information is optional. We will not share your personal information with any other organisation or individual. You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like a copy of your information, or to have it corrected, please contact us at [info@tauranga.govt.nz](mailto:info@tauranga.govt.nz), or 07 577 7000. For further information about this and our obligations and your rights under the Privacy Act 2020, please refer to Tauranga City Council's privacy statement at [www.tauranga.govt.nz/privacy-statement](http://www.tauranga.govt.nz/privacy-statement)



Removing the grass curbing between the footpath and road could be removed for parking as density of housing allows no where for cars whether visiting or parking because bike tracks are taking over the city. The population has retired villages and complexes making up a large portion of residences living here, and they don't use bike tracks.

During lock-down families were out biking as parents were home so had the time. As weekends are usually taken up for sports or parents working there is very few using the tracks. With our population when there was a BIG open day at the Omokona = Waivoo 60 turned up.

Please revisit Civeerton - Bankes Corner bottle neck roading as past council wouldn't listen and it is a mess, as two lanes would help traffic move quicker. (As it was before they interfered and wasted rate payers money better spent on other structures.

Money wasted on so many wannabe projects.

Tauvanga residents deserve a lot of what's been going on in the past as they seem to lazy to put ~~in~~ it on paper or vote, but on the street it's not a happy city, but they let the past nasty group get away with so much. A lot might be the abusive phone calls or intimidation from a fraction of racial and nasty group at Mount. - Perapamoa stirred on by ~~they~~ their councillors representing them.

With housing shortage in Tauvanga City has anyone counted the number of business's leasing or buying houses e.g. Fraser Street from "Fraser Cove" to 11<sup>th</sup> Ave. Banker's corner along the length of Cameron Road and side Avenues.

In Millers Road we have 4 day care business's and 1 real Estate. Millers Road ~~isn't~~ only goes to Number 60+.

As they are vacanted out of working hours there are alot of empty houses. I know there is no stopping it but that ~~is~~ 100's of houses that would have been rented by families used by business's and has caused some of the house shortage.

Representation Review – Submissions received on the establishment of a Māori ward

Do you agree that the proposed wards and boundaries will fairly and effectively represent you and your community?*	Please give your reasons for agreeing or disagreeing with the proposal. If you disagree, what changes do you suggest?	First name: *	Surname: *	Organisation
No	Why does the Maori ward cover the entire electoral area? The ward I live in will be represented by someone voted in that particular ward, so why does the Maori ward cover everywhere? If the Maori ward vote lives in papamoa, for example, they aren't a fair representation of welcome bay, for example.	Nicola	Mulgrew	
No	I do not agree with a Maori Ward. It is totally undemocratic. Over 5000 signatures were collected to require a referendum on this issue. It was totally overruled. The people pushing for an undemocratic New Zealand should be totally ashamed of themselves. Anne Tolley and co.	Janine	Peters	
No	Because no person should be automatic just because of race this is a country where we are all suppose to be equal it is bad enough that signs have Maori names but no English subtitles when people cannot spell the language let alone pronounce it. Now we are electing people due to the colour of ones skin. This country is what it is due to each person here since it was first settled. We are no longer in the dark ages. Not many people here are full blooded anything Maori have mixed bloods whites have Irish, Scottish, German, Maori Islander, Chinese Indian etc etc None of us call call ourselves anything but New Zealanders regardless of the colour of our skin. That in its very essence is racist to do so by very fact of colour being the deciding factor. I feel disgusted and I have lost respect for council and government if that is the case. History is the past and I thought council was suppose to look for the future not the past	Neville	Traverse	Home use

No	I disagree with a Maori seat - this is a democracy and those elected to the Council should represent all people in our community. You guys are just playing the game and I don't agree.	Alan	Bainbridge	
No	I feel that we should not have wards based on race, we are all on the same boat, if it sinks it affects all of us. Nothing should be based on race. We are all New Zealanders.	Phillip	Roper	
No	The people of Tauranga had no say about having a Maori ward. This is not only undemocratic, it is racist. Governance, whether at a local or or national level should never be a function of ethnicity. Did no one learn anything from South Africa? Irrespective of our many ethnicities, we are all New Zealanders and we all live in Tauranga. These are things that unite us. I'm vehemently opposed to the creation and promotion of ethnic division in our society. I like the geographic wards, but some appear quite large, especially in faster growing areas. Locally based councillors typically have stronger connections to their electorates than at large representatives. Such connection and accountability is to be encouraged. Tauranga's local democracy would be better served by substituting the Maori ward for another geographic ward. This would promote harmony rather than separatism amongst the many ethnicities who live in our city and also ensure the connections between communities and their councillors are as strong as possible.	Wendy	Wallace	
No	There should not be special privileges fir one race. No maori ward	Sarah	Private	
No	We don't need a Maori ward. It's so wrong. They can be elected the same way as any other race into council.	Andy	Etchells	



No	I do not like separate wards based upon race. We are 1 country with many mixed races. We have elected Maori in the past to represent all people. Think Winston Peters, Simon Bridges to name just two.	Cliff	Kingston	Self,, rate payer
No	No, we cannot be fairly represented when we have to participate in an undemocratic election. We cannot operate in society when we have two different electoral systems and legal requirements. We are being unfairly represented at present under the commissioner system and they have been operating undemocratically by allowing the Maori Council representative to be appointed without a democratic election process to allow ratepayers to have a fair choice of representation.	Devon	Campbell	
No	Race based representation is vile. Race should NEVER be a factor. Martin Luther king ""I have a dream that my four little children will one day live in a nation where they WILL NOT BE JUDGED BY THE COLOUR OF THIER SKIN but by the content of their character." What is proposed is the OPPOSITE of that. I am opposed to any development of race based privilege, apartheid that is being promoted.	Tracy	Ridley	
No	There is no need for a Maori ward. We should all be represented equally	Steven	Mauger	Resident
No	No race based politics.  Wards should represent geographic communities within our council, not racial groups.	Christo	Ferreira	
No	Proposing a separate Maori ward i further driving a wedge into the New Zealand population. We should be fostering a unified New Zealand population and not separating people by ethnicity. Are we going to further subdivide and have designated Indian, Asian and Pacifica wards?	John	Bolton	

No	I do not believe that maori wards are necessary. We are all New Zealanders after nearly 300 years and the whole notion is racist and separatist.	Bob	Batchelor	
No	All people should be treated equally, no favours for area represented or race, remove the maori ward.	R	Meredith	

**12 DISCUSSION OF LATE ITEMS**

**13 PUBLIC EXCLUDED SESSION**

Nil

**14 CLOSING KARAKIA**