



MINUTES

**Ordinary Council meeting
Monday, 18 October 2021**

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**MINUTES OF TAURANGA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE TAURANGA CITY COUNCIL, COUNCIL CHAMBERS, 91 WILLOW STREET,
TAURANGA
ON MONDAY, 18 OCTOBER 2021 AT 11.15AM**

PRESENT: Commission Chair Anne Tolley, Commissioner Shadrach Rolleston,
Commissioner Stephen Selwood, Commissioner Bill Wasley

IN ATTENDANCE: Susan Jamieson (General Manager: People & Engagement), Carlo Ellis
(Manager: Māori Strategic Engagement), Ceilidh Dunphy (Manager:
Community Relations), Coral Hair (Manager: Democracy Services), Robyn
Garrett (Team Leader: Committee Support)

1 OPENING KARAKIA

Carlo Ellis, Manager: Māori Strategic Engagement, opened the hearing with a karakia.

2 APOLOGIES

Nil

3 PUBLIC FORUM

Nil

4 ACCEPTANCE OF LATE ITEMS

Nil

5 CONFIDENTIAL BUSINESS TO BE TRANSFERRED INTO THE OPEN

Nil

6 CHANGE TO THE ORDER OF BUSINESS

Nil

7 CONFIRMATION OF MINUTES

Nil

8 DECLARATION OF CONFLICTS OF INTEREST

None

9 DEPUTATIONS, PRESENTATIONS, PETITIONS

Nil

10 RECOMMENDATIONS FROM OTHER COMMITTEES

Nil

11 BUSINESS

11.1 Submissions to Representation Review Initial Proposal

Staff Coral Hair, Manager: Democracy Services

Key points

- The report was taken as read.

RESOLUTION CO19/21/1

Moved: Commissioner Bill Wasley

Seconded: Commissioner Stephen Selwood

That the Council:

- (a) Receives the report "Submissions to Representation Review Initial Proposal";
- (b) Receives the public submissions on the Representation Review Initial Proposal;
- (c) Accepts the late submissions on the Representation Review Initial Proposal from the Bay of Plenty Regional Council, Christine Hibbs, Hylton Rhodes and Tauranga Ratepayers Alliance; and notes the submission received from Bill Capamagian omitted from the hearing agenda.

CARRIED

The following members of the public spoke to their submission to the Representation Review Initial Proposal.

A copy of all presentations and documents tabled at the meeting can be viewed on Tauranga City Council's (TCC) website.

(1) Rob Paterson

- Would prefer all Tauranga City Council (TCC) councillors being elected at large; understood the current representation system could not remain due to the creation of a Māori ward.
- Noted that Option 4A had not been included for public feedback and that Option 2 was the preferred option from the pre-engagement feedback.
- Suggested an amended Option 2 with 13 members including the Mayor; an uneven number removed the issue of a casting vote being required.
- This would enable voters to vote for an increased number of councillors; the current proposal limited voting to one member.
- Supported the establishment of community boards and suggested six boards with six members each. Considered this would enable public participation at a local level for a reasonable cost.

Response to questions

- Ratepayer groups could partly fill the role of community boards but were not as formal or organised, and did not have the direct regular access to Council that community boards have.
- Regarding access to councillors, an amended Option 2 meant that a ratepayer would not be restricted to only one ward representative but could speak to any of the councillors. Considered that ward councillors were more interested in local area issues whereas at large councillors would take a broader view.

(2) Graham Cooney

- Considered there was a duty at every election to ensure the best governors were elected, and that the proposed system would not provide that outcome.
- Considered a representative model did not generally give good governors and that many good governance bodies were moving away from representative systems.
- Suggested an alternative system utilising an appointments committee with an independent chair. Each candidate would appear in front of the committee which would assess whether candidates had the appropriate knowledge and experience to be or become a good governor; that assessment would be made available to the voters.
- Considered that the mayor should not be elected by voters but chosen by the elected councillors.

Response to questions

- It was noted that similar themes of qualification and experience of candidates had come through the review feedback; however, representation arrangements must fit within the current legislation in terms of candidate eligibility.
- The submitter was not in favour of a representative model in any form but would prefer an at large system.

(3) Keith Johnston

- Was an elected community board member and chair at Thames-Coromandel District Council.
- All community board chairs participated in council meetings and workshops to contribute their knowledge and experience, and facilitated community engagement.
- Community boards needed to be properly mandated and empowered with appropriate delegations to be effective.
- Considered more research was needed into the opportunities offered by community boards for Tauranga City.
- Encouraged communities to come forward and be involved.

Response to questions

- Did not think that community board delegations were reviewed at the beginning of each triennium at Thames-Coromandel District Council but continued to operate through consecutive triennia.
- The Thames-Coromandel community boards had their own accounting software which enabled the boards to manage their own budgets and develop their own rating systems and levels.

(4) John Robson

- Observed that the behavioural expectations from the Local Government Act 2002 and the Local Electoral Act 2001 were in conflict in a number of places.
- Noted the need to have at least four ward councillors as a consequence of the establishment of the Māori ward and therefore a fully at large option was not possible; and considered that this point was not well-communicated to the community.
- Considered the information provided to the community as part of the representation review process was not complete and did not cover all relevant considerations.
- Supported a more at large model.

Response to questions

- In terms of definition of communities of interest, the submitter emphasised that geographic communities of interest were not a requirement of the legislation; fully at large representation arrangements were possible, but representation arrangements needed to balance a range of objectives.

- Considered there were many possible communities of interest and that fixing particular communities of interest into the representational structure was not the best method of ensuring effective representation. Council needed to be able to engage with the community, listen and be responsive to different groups at different times.
- Considered council should move towards a more at large structure; Tauranga City was a small geographic area which did not make sense to divide into eight wards on a geographic basis.
- Noted a possible conflict between candidates standing for wards and then, if elected, swearing an oath to do their best for the city as a whole; and suggested that whole city governance would improve councillor accountability. Representation did not equal governance.
- Community boards had some advantages in providing governance experience and training.

(5) Glen Crowther, Sustainable Bay of Plenty Charitable Trust

- Considered there was a lack of clarity in the information presented to the public; thought there was misunderstanding in the community around what the options actually meant for individual voting.
- Concerned around communities of interest identified in the proposal in terms of splitting suburbs; smaller areas (wards) would only work if the people living there identified strongly with the particular area. Suggested larger wards would be more effective if local wards were desired.
- Critical that representation arrangements led to good governance outcomes and a sustainable city. Thought that diversity and fairness were narrowly interpreted; considered ward councillors would always be under pressure to favour their ward even though they had a duty to the whole city.

Response to questions

- It was suggested that the single ward option, as well as providing local representation, meant that each councillor would need to take a selection of other councillors with them to achieve support for decisions; and that a possible downside of an at large approach could be lack of engagement with local communities. The submitter did not agree that the at large ward structure was a cause of the previous council dysfunction and thought that concern was a red herring. Considered that better community engagement might not be a councillor problem but an organisational problem.

(6) Greg Brownless

- Considered that the proposed radical change to the Tauranga City electoral system was in response to the last council's dysfunction but did not agree that the electoral system was a causal factor in that dysfunction.
- Although ward councillors may represent local voters on local issues; bigger issues were city-wide, and voters should be able to have a say on those wider issues.
- Under the proposed arrangement, the decision on which ward to stand in became critical; nominations might be held back to see who else was standing, or a strong candidate declaring early could be a deterrent to other candidates.
- Supported an odd number of Mayor and councillors to avoid the use of a casting vote e.g. 11 in total.
- Considered that the mix of at large and geographic wards did not prove problematic in any other triennium than the current one.
- Emphasised that democracy was the choice of the people and was not good or bad. Supported a move back to local democracy for Tauranga in the 2022 elections.

Response to questions

- Commission mandate was only until October 2022.

- Did not consider that the role of mayor needed to be emphasised as a strong leadership role or that the mayor should have any more power than other councillors; a mayor still needed to get a majority.
- Considered that community boards were less needed with a split system of multi-member wards and at large.

(7) Barry Scott

- Suggested an amended Option 2 be adopted – two wards, five general ward councillors, six at large and one Māori ward councillor. Supported an uneven number of members.
- Considered that amending Option 2 to include at large councillors addressed the unfairness issue of Māori voters only having one councillor to vote for while general ward voters could vote for a number of councillors.
- Noted that it was up to Council to empower community boards to make them effective if established. Considered that community boards could make most of the decisions for local matters; while Council made broader city-wide strategic decisions.
- Did not consider one Māori ward councillor could effectively cover all of Tauranga; also thought that Māori ward interests could align and mix with local community interests.

Response to questions

- Noted possible confusion with local identification with the suggested ward names and boundaries.
- Regarding community boards, the possibility that community boards would add another layer of local government bureaucracy was acknowledged, but considered it became a matter of balance in terms of mandate and empowerment. Considered that Council should set rates as it represented the entire city, but that community boards possibly could set local charges.

(8) Roy Edwards

- Supported an at large structure.

(9) Sandi Fernandez

Did not attend.

(10) Stephanie Simpson

- Considered there was a need for at large councillors; suggested four would be appropriate.
- Supported community boards, but only if no extra cost was incurred. If there were no community boards, there should be mandated councillor meetings in the community.
- Councillors needed to engage with their communities.
- Emphasised the importance of voter education and information to counteract the tendency to vote for a recognised name.
- Council needed to concentrate on delivering value for money and should robustly question staff information.

Response to questions

- The community needed to be more selective about who was elected to council and local government roles; councillors with a broad range of thought and opinion and a willingness to discuss with the community were needed.

(11) Jan Beange and Gray Southon

- Supported the use of citizens' assemblies/juries in addition to whichever representation structure is determined.

- Considered there were some downfalls with an all ward structure. The potential for a ward system to work or not would depend on who was elected.
- Citizens' assemblies worked as a complementary structure to elected representation; and could be used as an input to council plan processes.
- Requested that the commissioners trial a citizens' assembly during their term; if found suitable the use of citizens' assemblies could form part of the Commission's recommendation of what was needed for Tauranga going forward.

Response to questions

- A modified version of a citizens' assembly had been used by Auckland City for its Long-term Plan; and the concept was also being looked at in Porirua as a Treaty-based assembly with local iwi.
- Use of citizens' assemblies did not create an ongoing dialogue – an assembly would be created for an issue, make its recommendation report after consideration, then Council would make the decision.

(12) Mike Baker

- Considered that the proposal offered very limited representation with an elector only having two votes out of nine, one ward councillor and the Mayor.
- If voters did not think the ward candidate was a good prospect, there would be a temptation to simply not vote.
- Emphasised that it was hard enough getting people to vote now and considered it would become even harder with only the opportunity to cast two votes. The representation arrangement adopted should not reduce opportunities for voting participation.
- Considered that if candidates were not required to live in the ward they were standing for, then at large councillors made more sense. A ward-based system would not facilitate groups of like-minded people standing.
- Did not support community boards – too much parochialism and created another level of bureaucracy.

(13) Koro Nicholas, TKKM o Te Kura Kōkiri

Did not attend.

(14) Matthew Roderick

Did not attend.

(15) Jo Allum, Venture Centre

Did not attend.

(16) Susan Hodgkinson

- Did not think Mount Maunganui was well-served and would like Mount Maunganui and Arataki to be in the same ward. Considered that the Mount community had quite different issues to the Te Papa or Pyes Pa communities for example.
- Supported a mix of at large and wards, including a combined Mount-Arataki ward.
- Supported community boards to operate at a local level and be a voice for smaller areas and neighbourhoods. Community boards could break through the levels of the council organisation to get local issues addressed, allow interaction with the local community and help ensure quality of life for local residents.
- Would like to see more Māori seats. Noted that having at large councillors could facilitate more Māori representation but it had not worked that way in Tauranga to date.

(17) Cr Andrew von Dadelszen and Cr David Love – Tauranga Ward Councillors, Bay of Plenty Regional Council

- Supported the Māori ward as a single member ward.
- Did not support the Initial Proposal for a single ward model with eight geographic wards as did not consider that supported participative democracy. Councillors needed to take care of the whole city and could not be parochial.
- Noted that Tauranga City was geographically small and predominantly urban.
- Supported a structure of one general ward (nine or ten councillors), a Māori ward (one councillor) and the Mayor. Thought this was the fairest model in terms of population per member.
- Not concerned with an even number of members; noted that it was critical that councillors worked collaboratively amongst themselves.
- Having more councillors created more opportunity for greater diversity in representation.
- Considered voter participation would decrease if electors could only vote for one councillor and the Mayor.
- Considered that an at large structure provided a better chance of the best people for the job being elected.

Response to questions

- Regarding the previous Council dysfunction and lack of focus on community and city quality of life, the submitter observed that voting patterns in the city were dominated by a particular demographic and there had been a lack of successful participatory democracy. Council needed to look for opportunities to get different groups involved and engage the community to get the right people elected. Suggested the use of focus groups to counter the domination of traditional participation methods by any one demographic
- Noted the Māori constituencies within the Regional Council, and their effectiveness; and that all regional councillors, whether elected at large or from a constituency, maintained a region-wide strategic view.
- Considered that representation and governance would be enhanced by removal of the parochialism fostered by geographic wards.
- Considered there would be an increase in the number of people voting if there was the opportunity to vote for more than one councillor.
- Supported Option 2 as it would give the best result for the city of Tauranga. Regarding the fairness of this option in terms of iwi vote, the submitter suggested that the key was for the Māori ward to have the right candidate and a strong voter turn-out.

(18) Hylton Rhodes

- Noted the mix of at large and wards in previous councils.
- Did not support a decrease in councillor numbers and considered that the size of the city would be better served with more councillors. This would provide more accessibility for ratepayers and give ratepayers a stronger voice in the fair and reasonable running of the city.
- Noted there were examples of bad governance regardless of councillor numbers.
- Expressed concern about the impact of developers on the city, and the increasing number of council staff.
- Highlighted the need for a robust set of councillors elected from both at large and wards.

Response to questions

- Clarified that more councillors would provide better accessibility for ratepayers, but more councillors did not necessarily mean better decisions made.

12 DISCUSSION OF LATE ITEMS

Nil

13 PUBLIC EXCLUDED SESSION

Nil

14 CLOSING KARAKIA

Commissioner Shad Rolleston provided a closing karakia.

The meeting closed at 1.42pm.

The minutes of this meeting were confirmed as a true and correct record at the Ordinary Council meeting held on 8 November 2021.

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CHAIRPERSON