

TE AROTAKE WHAKAAHUAHANGA 2022
Your Choice – 2022 Representation review

YOUR CHOICE

REPRESENTATION REVIEW

2022

MĀU E WHIRIWHIRI

2022 TE AROTAKE WHAKAAHUAHANGA

TE TAUIRA HOU KIA WHAKATAKOTO
The proposed new model

ROTORUA
LAKES COUNCIL
Te Kaunihera o ngā Roto o Rotorua

What is a representation review? He aha te arotake whakaahuatanga?

Council is the voice of local people, representing and balancing a range of interests. It's important our community feels they're represented fairly and effectively.

Local authorities are required to review their representation arrangements at least once every six years. The Local Electoral Act 2001 provides the requirements for a representation review.

As part of the representation review a council can take a fresh look at the structure of its membership and how the members are elected. This could affect the total number of elected members, whether they come from a ward or 'at large' across the wider district, the boundaries of wards, or the names of wards.

Elections are held for local authorities every three years. This involves electing the Mayor, councillors and community board members. These are the triennial local elections. The next Rotorua Lakes Council elections will take place in October 2022. If this proposal is adopted it will become the basis for which the council will be elected upon in October 2022.

In simple terms, the following needs to be considered:

- How many councillors should the district have?
- Should councillors be elected from across the whole district or split into wards?
- If wards are introduced, what should the boundaries be?
- If we have wards, how many councillors should we have per General and per Māori Ward?
- Should Community Boards be introduced/retained or disestablished?

The Te Arawa Partnership (partnership) of 2015, along with the entity Te Tatau o te Arawa, is a legally binding partnership between Council and Te Arawa, mana whenua for the district. The membership, how members are elected and the support provided by Council for Te Tatau to discharge its responsibilities falls outside the requirements and rules of the Local Electoral Act and therefore does not form part of the representation review. Like any partnership or contract there is an appropriate opportunity to review. The review of the Te Arawa Partnership lies directly with Council and follows the anniversary of the signing of the partnership agreement. Both Council itself and Te Tatau review every three years (the December following each October council election).

Why are reviews important?

- They ensure our electoral arrangements are fair;
- They ensure equality of access;
- They enable citizens to discuss the nature of effective representation in their districts;
- They contribute to our experience of democracy not just locally but also nationally;
- People are more likely to perceive society as transparent, just and fair.

The Local Electoral Act 2001 sets the parameters for a representation review. However there is nothing stopping local government through discussions with its community from going beyond the constraints of the formal governance structure and to look at ensuring that the views and aspirations of the community they serve, are properly represented in their decision making. To be effective, representation reviews should consider the needs of the community in 10, 20 years or more, rather than just simply fine tuning a 'business as usual' approach.

What we've already decided + What we aren't asking you for feedback on at this time

Some decisions have already been made relating to representation in our district, so we aren't asking for your feedback on these aspects. We've already decided that our electoral system will remain FPP – First Past the Post. This is the system that we have used for the last three local government elections, and it works well for us here in Rotorua. We've also chosen to establish a Māori Ward in our district. Māori Wards will be in place for the 2022 and 2025 local government elections.

Key considerations | Ngā kaupapa matua

Based on community, Iwi and Council feedback, we looked at 8 different options and we've tested all of those options against the requirements of the Local Electoral Act 2001. In developing these options, we considered:

1. Number of councillors

How many councillors are required to lead the Rotorua district and represent the needs of the people of Rotorua? There could be between 5 and 29 members elected to the Rotorua Lakes Council. (This excludes the Mayor as this position is elected by everyone across the district)

Questions that are considered in regarding the number of councillors include:

- Can councillors easily attend public meetings throughout their area?
- How easy is it for members of the public to meet with their councillors?
- Can councillors effectively represent the views of the community at a district level?
- Is there a fair spread of the workload between all of the councillors?

The Cost of representation

The pay for councillors and community board members is set by the Remuneration Authority. This is done via a single fund which sets the base salary, plus a pool to share among members for additional responsibilities. The Mayor's salary is also set by the Remuneration Authority, in addition to the cost for the councillors. This is paid for out of the general rate.

If we create new councillor positions the base salary will not change, but how the pool is distributed for additional responsibilities will need to be treated differently. If there were more councillors there will also be additional costs when you factor in, travel, expenses, child care allowance, staff support etc.

2. Framework – Wards, "at large" or a mixed model arrangement

The district could be divided into wards if it is considered this provides a more fair and effective way for residents to obtain access to elected members to have their views heard. Wards could be geographical i.e. suburbs or neighbourhoods, or established to give 'communities of interest' the ability to be represented around the table.

The question is whether there are distinct communities of interest that will lack an opportunity for representation without wards.

'Your Choice – 2022 Representation review'**3. Māori Ward/s and seats**

Under the Local Electoral Act 2001, local councils can decide to establish Māori Wards. On 2 March 2021, the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 (the Amendment Act) came into effect. The Amendment Act:

- Ended all mechanisms for binding polls on whether to establish Māori Wards or Māori constituencies, which the bill's explanatory note described as "an almost insurmountable barrier".
- Created a transition period ending 21 May 2021. The transition period enabled local authorities to make a decision on Māori Wards in time for the 2022 local elections.

In March 2021, Te Tatau o te Arawa began wide consultation seeking feedback from Te Arawa peoples, communities and entities. The process allowed an extensive range of opportunities to participate including hui (which were also live-streamed), social media, and online surveys. Te Tatau representatives also attended meetings of other groups and entities including Te Pukenga Kōeke o Te Arawa, the Ngāti Pīkiao Council of Elders, Te Pae Tapu o Ngāti Whakaue and Te Arawa Lakes Trust.

On 11 May 2021, Te Tatau o Te Arawa provided their report "*Consideration of Māori Wards and Māori Representation for Rotorua District*" to Council. The report records that Te Arawa support the establishment of Māori Wards for the 2022 election and retention of Council's partnership with Te Tatau o Te Arawa.

It also sets out matters that Te Arawa took into account in the consultation process including acknowledgement that the representation review was yet to happen (which would affect the overall makeup of Council) and a clear preference that local government better reflect te Tiriti o Waitangi.

Accordingly, Te Tatau o Te Arawa formally requested:

- That Rotorua Lakes Council establish Māori Wards for the 2022 election (and retain Te Tatau o Te Arawa); and
- That the representation review reflects the outcome of the establishment of Māori Wards.

The Te Arawa Partnership (partnership) of 2015, along with the entity Te Tatau o te Arawa, is a legally binding partnership between Council and Te Tatau o te Arawa Trust (an independent Trust mandated by Te Arawa, as mana whenua for the district).

The membership, how members are elected and the support provided by Council for Te Tatau to discharge its responsibilities falls outside the requirements and rules of the Local Electoral Act and therefore does not form part of the representation review. Instead, like any partnership or agreement, there is an appropriate opportunity to review.

Both Council itself and Te Tatau review every three years (the December following each October council election).

4. Communities of interest for fair and effective representation

The review includes looking at our 'communities of interest' for fair and effective representation. A community of interest is a group of people who have a common geographical, economic, social, historical or other bond – they're where people feel they belong; where they live, work, shop, go to school and play. Rotorua residents often move between communities while they 'live, work and play'. This means we need to look at how our framework and membership reflect peoples' sense of community or belonging.

'Effective representation' is about accessibility to elected members, and the size and configuration of an area. We need to look at how residents access councillors, and how councillors can get feedback from our communities

'Fair representation' means if wards are established, each elected General Ward councillor should represent a similar number of people, within 10 percent. If we have good reasons not to comply with this, the Local Government Commission may allow us to have different levels of representation.

5. Community Boards

As part of the review the council must consider whether Community Boards are (or would be), appropriate to provide fair and effective representation for individuals and communities in its district. The representation review provides a process to propose the constitution of new boards or alterations or disestablishment of existing boards. When carrying out a review, the required decisions are:

- Whether there is a need for a Community Board or Boards within the district
- If the Council decides that one or more Community Boards should be established (or retained) the Council must consider:
 - The nature of the community and
 - The structure of the Community Board.

The current model | Te taura ināiane

The current model for the district is 10 councillors, elected from across the district ('at large') and one Mayor, a Lakes Community Board that comprises of 4 elected members from the lakes district areas only and 1 appointed member (councillor) and a Rural Community Board that comprises of 4 elected members from the rural district areas and 1 appointed member (councillor).

The district has had this model for the last two local elections, 2016 and 2019.

Developing a proposal

There are a number of steps involved in the development of a final proposal.

Phase one	Awareness, engagement and development of initial proposal
May 2021 to Aug 2021	Develop a draft initial proposal that will be presented to council to consider releasing for consultation. The initial draft proposal will be developed from the input received from the elected members and the community.
31 August 2021	Council adopts the draft proposal for public consultation

Phase two	Consultation – have your say on the proposal
8 Sep to 8 Oct 2021	This is when you can make a formal submission on the proposal
19 Oct 2021	You can attend a hearing if you want to tell the council in person what you think.
16 Nov 2021	After considering what people said in their submissions, the council will make a final decision on its representation arrangements for the 2022 elections and adopt a final proposal.

Phase three	Objection/appeals/final decision
19 Nov to 20 Dec 2021	The public has the right to make an objection or appeal during this period before the proposal is sent to the Local Government Commission (LGC)
By 10 Apr 2022	If objections or appeals are made, the LGC must make a final determination on the representation arrangements

The proposed new model | Te taura hou kia whakatakoto

Based on community, Iwi and Council feedback, we looked at 8 different options and we've tested all of those options against the requirements of the Local Electoral Act 2001. After considering the different options, Council is recommending the following:

Number of Councillors

We are proposing: 10 councillors in total: 4 General Ward councillors elected by ward, 4 "at large" councillors elected across the district and 2 Māori Ward councillors elected by one district-wide ward, plus the Mayor elected at large.

Why: This keeps the same number of councillors as what we currently have, which is in line with early community feedback and ensures effective representation of communities in our district.



4 elected
from 1
General Ward



2 elected
from
Māori Ward



4 elected
at large



1 Mayor

10 councillors + 1 Mayor

Māori Wards and seats

Māori Wards

We are proposing: Council has already decided to establish a Māori Ward. This was done in May 2021. It is not possible to revisit this decision in this part of the representation review. A district wide Māori Ward is proposed. It is proposed to call our Māori Ward *Te Ipu Wai Taketake*.

Te Ipu Wai Taketake or Wai Taketake refers to a collection of water that is originally sourced from this area. This water has been here within the district since the beginning to provide sustenance to the environment and the people.

Why: During the representation review process, the structure and form of Māori representation was considered by Council and Te Tatau o te Arawa on behalf of iwi. The establishment of one district-wide Māori Ward was determined as the best option for representation of Māori across our District at this time. Future conversations may be needed to investigate options for the creation of multiple Māori Wards. However at this time there is insufficient evidence to divide the Māori electoral roll into separate communities of interest within defined geographic boundaries that can constitute a ward and that meets the "fairness" rule of each elected ward councillor representing a similar number of people, within 10 percent.

Māori Wards and seats (continued)

Māori seats

We are proposing:	The proposal is to establish two Māori Ward councillors representing a district wide Māori Ward.
Why:	<p>Throughout Te Tatau's consultation process it was acknowledged that the representation review was yet to occur, and might lead to other changes. Accordingly, the recommendation from Te Arawa did not comment on how many elected members should come from the Māori Ward, and did not make comment on how the rest of Council would be constituted. During the representation review process, the structure and form of Māori representation was considered by Council and by Te Tatau o te Arawa on behalf of iwi.</p> <p>The factors in favour of the proposal are to acknowledge the significantly disproportionate number of the total votes shared between general and Māori electors, as discussed in the discussion on "framework" below. Though there is still mixed opinion and reservation for 2 dedicated Māori seats versus 3, it is important that the proposal seek to ensure equity and therefore 2 Māori seats is proposed.</p> <p>What is the difference between Te Tatau and Māori Wards?</p> <p>Te Tatau have a different function to Māori Wards. Te Tatau is an independent Trust that is mandated to represent mana whenua in terms of the Te Arawa Partnership agreement. Te Tatau is able to nominate two members to participate on Council committees but it does not have representation on Council itself.</p> <p>On the other hand, Māori Wards are a mechanism for Council to organise its own electoral arrangements. Electors on the Māori electoral roll do not have to be mana whenua, so the Māori Wards are not a substitute for the Te Arawa Partnership. In addition, councillors elected in the Māori Wards take the same oath as other elected members to represent the whole district.</p>

Framework – Wards, "at large" or a mixed model arrangement

We are proposing:	<p>We are proposing a mixed model arrangement for Rotorua. The mixed model will establish one Māori Ward, one General Ward and an "at large" component (candidates voted on from everyone across the district). We are proposing to call our General Ward <i>Te Ipu Wai Auraki</i>.</p> <p><i>Te Ipu Wai Auraki or Wai Auraki refers to a collection of water that been travelled from different areas. This water has assembled within the district from various sources to provide sustenance to the environment and the people.</i></p>
Why:	<p>The introduction of a mixed model aims to restore equity as best it can. Equity in this situation means an opportunity, for every individual in Rotorua, regardless of what electoral roll you are on, to have the same amount of votes. The current "at large" model provided this equity. Every Rotorua voter could vote for 10 councillors regardless of the electoral roll they were registered on. The establishment of the Māori Ward, has by design created a circumstance that could be seen to push the Māori representation into a minority position.</p> <p>Establishing a Māori Ward automatically creates a ward based model. With 10 councillors as is preferred, this would mean a Māori Ward and a General Ward. This model creates a significantly disproportionate number of the total votes shared between General and Māori electors. Under this model, those on the Māori electoral roll cannot have any say in the election of the majority of elected members. Accordingly, they will at best only be eligible to vote for a maximum of 28% of the total councillors sitting around the Council table. There may also be a perception that the Ward member may only represent their Ward. Consideration must also account for the proportion of the Māori population who are not on the Māori electoral roll. Rotorua's Māori population is approximately 40% however the electoral rules only provide for 28%.</p>

What we're proposing

Why:
(continued)

Introducing an "at large" component into the model works to bring the proportion of votes between Māori and general votes closer to equilibrium. A mixed model proposes a General Ward with 4 members (voters from the general electoral roll), an "at large" with 4 members (voters from the general and Māori electoral roll) and a single Māori Ward with 2 members (voters from the Māori electoral roll).

Voting would therefore look like this out of a possible total of 10 votes:

Voter Electoral Role	Māori Ward	General Ward	At Large	TOTAL VOTES
Māori electoral roll	2		4	6
General electoral roll		4	4	8

The alternative without an "at large" component would look like this out of a possible total of 10 votes:

Voter Electoral Role	Māori Ward	General Ward		TOTAL VOTES
Māori electoral roll	3			3
General electoral roll		7		7

Community Boards

We are proposing:

We are proposing to retain both the Lakes Community Board and Rural Community Board

Why:

Community Boards in Rotorua create representation in sectors where based upon current electoral rules would not otherwise be able to be represented by way of a ward. This is due to small population sizes in these areas compared to the population of the urban area. Community Boards ensure the distinct interests and needs of these areas are voiced within council and have proven very successful for Rotorua.

Following the 2016 elections Council appointed representatives from the community boards to the council committees with decision making rights to ensure the interests and needs of the lakes and rural communities were actively part of the Council decision making. The Community Boards are also actively involved alongside Te Tatau o te Arawa and council in the development of all strategic direction setting for the district.

The Community Boards also have a dedicated budget assigned to them within the Long-term Plan. They administer this on behalf of the community to enhance capital projects within their areas that assist in the overall community wellbeing of the lakes and rural areas.

The Lakes Community Board will consist of a chair, three elected members and 1 nominated councillor.

A Rural Community Board will consist of a chair, three elected members and 1 nominated councillor.

The boundaries for the Lakes Community Board and the Rural Community Board will remain the same, as has been the case for the 2016 and 2019 elections.

Have your say | Tukua mai ō korero

Make a submission and tell us what you think of the proposed representation model.

- Go to council's consultation platform – Kōrero mai/Let's Talk
- Complete the online submission form
- Tear out the form at the end of this document, fill out, scan, and email to letstalk@rotorualc.nz, or drop it in to Rotorua Lakes Council reception
- Like and follow us on Facebook, Instagram

It is important that you have your say because it's your chance to influence the way that Rotorua citizens are represented - both now and in the future. The more people who have their say, the more chance there is that we get a representation model that delivers real benefits to the people who live in this very special part of New Zealand.

We want to hear from you on the initial proposal.

**Please make sure your submission reaches
Rotorua Lakes Council by 5pm 8 October 2021**



What is a Māori Ward?

Only electors on the Māori electoral roll can vote for candidates standing for the Māori Ward. Similarly, electors on the general electoral roll can only vote for candidates standing for General Ward.

Who can stand for election in a Māori Ward?

Anyone on either electoral roll can stand in a Māori Ward. Candidates standing for election in a Māori Ward do not need to be of Māori descent, but they must be nominated by two electors from the Māori electoral roll in Rotorua.

Would Māori Ward councillors just represent Māori?

No. All councillors, whether elected from Māori or general seats, are required to represent and make decisions for the good of all of Rotorua. All of the councillors take the same vow.

How many Māori Ward councillors can there be?

There's a legislative formula to work this out, based on the total number of councillors and the latest available electoral population statistics.

Who can vote for Māori Ward candidates?

You must be on the Māori electoral roll to vote for Māori candidates. If you're of Māori descent you can enrol in either the Māori or general roll; otherwise, you can only enrol on the general roll.

Can I vote for candidates in both the Māori Ward and General Ward?

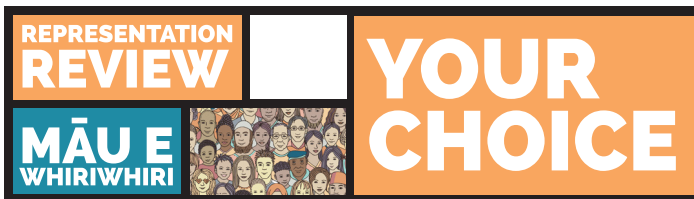
No. You can't vote for candidates in both the Māori Ward and General Ward. However, regardless of what roll you are on, you can vote for candidates standing for seats set aside within the "at large" component of the representation model (representing the "whole" district).

How else is council building partnerships with Māori?

It's widely understood that there's no single 'right' way to create mutually accepted and supported partnerships between Māori and councils – in reality there are many ways to work together effectively and a suite of approaches is needed. Over many years we have been building relationships and sharing knowledge. The Te Arawa Partnership and the entity Te Tatau o te Arawa and our 7 mana whenua protocols represent some of the more formal ways Māori and Rotorua Lakes Council are working collaboratively. There are also other arrangements being developed and strengthened. This includes the "Build Back Better" COVID-19 Task Force and more recently the formation of a co-governance arrangement setting up a committee to traverse the impacts the Government's 3 Waters Reform may have on the Rotorua District. Our council is committed to creating and sustaining meaningful partnerships with Māori, and see it as critical to improving the wellbeing of Rotorua and its people. The creation of Māori seats contributes to strengthening existing partnerships between Māori and council, and enables council to better reflect Māori values, issues, priorities and aspirations at decision-making tables.

HAVE YOUR SAY

Tukua mai ō korero



Your feedback on the initial proposal:

Rotorua Lakes Council is currently reviewing its representation arrangements for the October 2022 elections. The Council has adopted an initial proposal of a mixed representation model (wards and at large) with a membership of 10 councillors and 1 Mayor (Mayor elected at large).

This proposal is now open for consultation with the community.

Submissions close 5PM

Friday
8 OCT
2021

Ingoa - Name:

Īmēra - Email:

Nama waea - Phone number:

Ethnicity: Tangata Whenua - Māori

Tangata Tiriti - Non Māori

To assist the Council in determining its final representation arrangements, you can make a submission on:

1. The number of councillors (10 councillors and 1 Mayor)
2. Introducing 1 General Ward with 4 elected members
3. Introducing 1 Māori Ward with 2 elected members
4. Introducing an "at large" component with 4 elected members
5. Retaining the existing Lakes Community Board with 4 elected members (plus 1 appointed councillor)
6. Retaining the existing Rural Community Board with 4 elected members (plus 1 appointed councillor)

NGĀ MANU MĀTĀRAE - THE NUMBER OF COUNCILLORS

Council is proposing that we retain the same number of councillors in the 2022 local election. This is 10 councillors, plus the Mayor.

We can have between 5 and 29 councillors. When deciding on the right number of councillors for Rotorua, the following needs to be considered.

The number of councillors needs to:

- be between a minimum of 5 to a maximum of 29
- reflect our district's diversity
- ensure voters can easily engage with councillors
- balance the workload of councillors
- bring a range of skills and knowledge to the table
- represent communities' needs and interests across the district

He aha ōu whakaaro - What are your thoughts regarding **THE NUMBER** of councillors?

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

cut along line



continued on reverse

TE WAI IPU TAKETAKE - MĀORI WARD

This proposal has 1 Māori Ward with 2 elected members. There are a number of factors that influence the structure of the Māori Ward:

1. The total number of councillors (in this proposal, there are 10 councillors)
2. The structure of the Council (this proposal is for a Mixed Model structure with a General Ward, a Māori Ward and an "At Large" component)
3. The "At Large" councillors are then removed from the equation (so 10 councillors, minus 4 "At Large" councillors, equals 6 councillors)
4. The number of councillors (6) must then be multiplied by the ratio of Māori Electoral Population which is 0.28. So 6, multiplied by 0.28, equals 1.68 councillors, or 2 councillors, for the Māori Ward.

The data is provided by Statistics New Zealand which was sourced from the 2018 Census. The Māori ward cannot be disestablished as a part of this representation review process.

He aha ōu whakaaro - What are your thoughts regarding the MĀORI WARD?

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

TE ROHE WHĀNUI - AT LARGE

This proposal will have 4 councillors elected "At Large". This means that everyone can vote for the 4 "At Large" councillors regardless of what electoral roll they're enrolled on. The following was considered when deciding on this part of the proposal::

- adhering to the principle of suffrage, where everyone in our district has the right to vote
- providing an opportunity for everyone in our district to maximise their voting opportunity regardless of electoral roll

He aha ōu whakaaro - What are your thoughts regarding the AT LARGE component?

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

cut along line



FEEDBACK FORM

Whakahoki Kōrero

**ROTORUA
LAKES COUNCIL**
Te Kaunihera o ngā Roto o Rotorua

Please return this completed form to:

Rotorua Lakes Council Customer Centre
Haupapa Street

or pop in an envelope and send to:

Rotorua Lakes Council
Private Bag 3029
Rotorua Mail Centre
Rotorua 3046

or email:

letstalk@rotorualc.nz

Submissions close 5PM

Friday

8 OCT

2021