

I hereby give notice that a meeting of Horizons Regional Council will be held on:

Date: Wednesday, 19 May 2021
Time: 10.00am
Venue: Tararua Room Horizons Regional Council
11-15 Victoria Avenue
Palmerston North

REGIONAL COUNCIL

AGENDA

MEMBERSHIP

Chair	Cr RJ Keedwell
Deputy Chair	Cr JM Naylor
Councillors	Cr AL Benbow
	Cr EM Clarke
	Cr DB Cotton
	Cr SD Ferguson
	Cr EB Gordon
	Cr FJT Gordon
	Cr WM Kirton
	Cr NJ Patrick
	Cr WK Te Awe Awe
	Cr GJ Turkington

Michael McCartney
Chief Executive

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Full Agendas are available on Horizons Regional Council website
www.horizons.govt.nz

for further information regarding this agenda, please contact:
Julie Kennedy, 06 9522 800

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SERVICE CENTRES	Kairanga Cnr Rongotea & Kairanga-Bunnythorpe Rds, Palmerston North	Marton 19-21 Hammond Street	Taumarunui 34 Maata Street	Woodville Cnr Vogel (SH2) & Tay Sts
REGIONAL HOUSES	Palmerston North 11-15 Victoria Avenue	Whanganui 181 Guyton Street		
DEPOTS	Levin 120-122 Hokio Beach Rd	Taihape 243 Wairanu Rd		
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AGENDA

1 WELCOME / KARAKIA

2 APOLOGIES AND LEAVE OF ABSENCE

At the close of the Agenda no apologies had been received.

3 PUBLIC FORUMS: Are designed to enable members of the public to bring matters, not on that meeting's agenda, to the attention of the local authority.

DEPUTATIONS: Are designed to enable a person, group or organisation to speak to an item on the agenda of a particular meeting.

Requests for Public Forums / Deputations must be made to the meeting secretary by 12 noon on the working day before the meeting. The person applying for a Public Forum or a Deputation must provide a clear explanation for the request which is subsequently approved by the Chairperson.

PETITIONS: Can be presented to the local authority or any of its committees, so long as the subject matter falls within the terms of reference of the council or committee meeting being presented to.

Written notice to the Chief Executive is required at least 5 working days before the date of the meeting. Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories).

Further information is available by phoning 0508 800 800.

4 SUPPLEMENTARY ITEMS

To consider, and if thought fit, to pass a resolution to permit the Committee/Council to consider any further items relating to items following below which do not appear on the Order Paper of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987 (as amended), and the Chairperson must advise:

- (i) The reason why the item was not on the Order Paper, and
- (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.

5 MEMBER'S CONFLICT OF INTEREST

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.

Minutes of the sixteenth meeting of the eleventh triennium of Horizons Regional Council (Live Streamed) held at 10.00am on Wednesday 28 April 2021, in the Tararua Room Horizons Regional Council, 11-15 Victoria Avenue, Palmerston North.

PRESENT Crs RJ Keedwell (Chair), AL Benbow, EM Clarke (via zoom), DB Cotton, SD Ferguson, EB Gordon (via zoom), FJT Gordon, WM Kirton, JM Naylor (to 12.21pm), NJ Patrick (via zoom), WK Te Awe Awe, and GJ Turkington.

IN ATTENDANCE

Acting Chief Executive	Mr G Shirley
Acting Group Manager	
Corporate and Governance	Mr D Neal
Committee Secretary	Mrs JA Kennedy

ALSO PRESENT At various times during the meeting:

Mr R Strong (Group Manager River Management), Mr C Grant (Acting Group Manager River Management), Ms Tucker (Policy Analyst), Ms C Morrison (Media & Communications Manager), Mrs K McDowell (Senior Communications Advisor), Mayor B Wanden (Horowhenua District Council via zoom - deputation), Ms A Sweeney (Good Earth Matters), Mr D Roach & supporters (deputation), Ms F Kahukura Chase, kaumātua and whanau (public forum), and a member of the Press.

WELCOME

The Chair welcomed everyone to the meeting and invited Cr Te Awe Awe to say a Karakia.

APOLOGIES

There were no apologies.

PUBLIC FORUMS / DEPUTATIONS / PETITIONS

Deputation:

Fiona Kahukura Chase, supported by kaumātua and whanau, outlined their support for Māori representation on Council and advocated and encouraged Horizons Regional Council to make it happen.

Public Speaking

Mayor Wanden (Horowhenua District Council via zoom) communicated his support for the Foxton Flood Mitigation project and the recommendations contained in Item 8.1, Report No. 21-51 Pathways for Regulatory Approvals, Foxton Flood Mitigation Project.

Mr Roach outlined his views and his opposition to the Foxton Flood Mitigation project. He circulated some information to councillors outlining alternative proposals.

SUPPLEMENTARY ITEMS

There were no supplementary items to be considered.

MEMBERS' CONFLICTS OF INTEREST

There were no conflicts of interest declared.

CONFIRMATION OF MINUTES – 23 March 2021

21-194 **Moved** **Naylor/Te Awe Awe**

That the minutes of the Regional Council meeting held on 23 March 2021 as circulated, be confirmed as a correct record.

CARRIED

CONFIRMATION OF MINUTES – 13 April 2021

21-195 **Moved** **Benbow/Ferguson**

That the minutes of the Regional Council meeting held on 13 April 2021 as circulated, be confirmed as a correct record

CARRIED

CHIEF EXECUTIVE'S REPORT

Mr Shirley (Acting Chief Executive) presented the Chief Executive's (CE) report on behalf of the CE who was absent on annual leave.

21-196 **Moved** **Keedwell/Ferguson**

That the Chief Executive's report be received.

CARRIED

PATHWAYS FOR REGULATORY APPROVALS, FOXTON FLOOD MITIGATION PROJECT

Report No 21-51

This item sought Council approval to utilise the provisions of the COVID-19 Recovery (Fast-track Consenting) Act 2020 to obtain the required Resource Management Act (RMA) consents for the Foxton Flood Protection Climate Resilience Project. Mr Strong (Group Manager River Management) spoke to the item and displayed a number of slides in support of the project. Ms Sweeney (Good Earth Matters) was present to clarify Members' questions about the use of the fast-track process. Cr Cotton provided a brief overview of his involvement, history and consultation around the issue. Following discussion on the recommendations, Members expressed their views, commented on the level of previous community consultation undertaken, and their preferences for a way forward. A further recommendation was proposed as b.ii. On request, the recommendations were taken separately with a division called for.

21-197 **Moved** **Naylor/Cotton**

It is recommended that Council:

- a. *receives the information contained in Report No. 21-51;*

CARRIED

b.i. *agrees to the use of the provisions of the COVID-19 Recovery (Fast-track Consenting) Act 2020 to obtain the required resource consents for the Foxton Climate Resilience Project;*

b.ii. *agrees that the application to use the fast track consenting process includes a request that affected parties are notified and given the opportunity to submit to the process.*

Against: Cr Ferguson

For: Crs Keedwell, Naylor, Benbow, Clarke, Cotton, B Gordon, F Gordon, Kirton, Patrick, Te Awe Awe, Turkington

CARRIED

c. *agrees to transfer the unallocated \$2M portion of the Climate Resilience funding to the Foxton project and to reduce the required Horowhenua District Council contribution accordingly.*

For: Crs Keedwell, Ferguson, Naylor, B Gordon, Clarke

Against: Crs Benbow, Cotton, F Gordon, Kirton, Patrick, Te Awe Awe, Turkington

LOST

As recommendation c. was lost, a new recommendation was proposed.

21-198 **Moved** **Benbow/Turkington**

It is recommended that Council:

considers options for allocating the \$2M portion of the Climate Resilience funding allotted to Horizons but not currently committed, as a workshop item.

CARRIED

COUNCILLORS' WORKSHOP ATTENDANCE - 16 MARCH TO 20 APRIL 2021

Report No 21-52

This item noted the Councillors' Workshop Attendance from 16 March to 20 April 2021

21-199 **Moved** **Ferguson/Turkington**

It is recommended that Council:

- a. *receives the information contained in Report No. 21-52 and Annex.*

CARRIED

RECEIPT AND ADOPTION OF COMMITTEE RESOLUTIONS AND RECOMMENDATIONS

REPORT OF AUDIT, RISK & INVESTMENT COMMITTEE MEETING, RECEIVE AND ADOPT RESOLUTIONS AND RECOMMENDATIONS - 23 MARCH 2021

21-200 *Moved* *Benbow/Ferguson*
That the Council receives and adopts the resolutions and recommendations of the Audit, Risk & Investment Committee meeting held on 23 March 2021.
CARRIED

REPORT OF REGIONAL TRANSPORT COMMITTEE MEETING, RECEIVE AND ADOPT RESOLUTIONS AND RECOMMENDATIONS - 30 MARCH 2021

21-201 *Moved* *Keedwell/Ferguson*
That the Council receives and adopts the resolutions and recommendations of the Regional Transport Committee meeting held on 30 March 2021.
CARRIED

REPORT OF CLIMATE ACTION JOINT COMMITTEE - RECEIVE AND ADOPT RESOLUTIONS AND RECOMMENDATIONS - 30 MARCH 2021

21-202 *Moved* *Keedwell/Naylor*
That the Council receives and adopts the resolutions and recommendations of the Climate Action Joint Committee meeting held on 30 March 2021.
CARRIED

REPORT OF STRATEGY & POLICY COMMITTEE MEETING - RECEIVE AND ADOPT RESOLUTIONS AND RECOMMENDATIONS - 13 APRIL 2021

21-203 *Moved* *Te Awe Awe/Benbow*
That the Council receives and adopts the resolutions and recommendations of the Strategy & Policy Committee meeting held on 13 April 2021.
CARRIED

REPORT OF CATCHMENT OPERATIONS COMMITTEE - RECEIVE AND ADOPT RESOLUTIONS AND RECOMMENDATIONS - 14 APRIL 2021

21-204 *Moved* *Cotton/Turkington*
That the Council receives and adopts the resolutions and recommendations of the Catchment Operations Committee meeting held on 14 April 2021.
CARRIED

Cr Naylor left the meeting at 12.21pm.

PROCEDURAL MOTION TO EXCLUDE THE PUBLIC

21-205 **Moved** **Keedwell/Ferguson**

THAT the public be excluded from the following part(s) of the proceedings of this meeting. The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 and section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

CARRIED

General subject of each matter to be considered	Reason for passing this resolution	Ground(s) under section 48(1) for the passing of this resolution
PX1 Confirmation of Public Excluded Meeting held on 23 March 2021	s7(2)(h) - the withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
PX2 Report of Audit, Risk & Investment Committee Meeting - Receive and Adopt Resolutions and Recommendations – 23 March 2021	s7(2)(h) - the withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
PX3 Council / Committee to consider whether any item in the Public Excluded minutes can be moved into the public domain and define the extent of the release		

The meeting adjourned to the Public Excluded part of the meeting at 12.22pm and resumed at 12.24pm.

CONFIRMATION OF PUBLIC EXCLUDED MEETING HELD ON 23 MARCH 2021

PX 21-56 **Moved** **Ferguson/Cotton**

That the minutes of the confidential part of the Council meeting held on 23 March 2021, as circulated, be confirmed as a correct record

CARRIED

**REPORT OF AUDIT, RISK & INVESTMENT COMMITTEE - RECEIVE AND ADOPT
RESOLUTIONS AND RECOMMENDATIONS - 23 MARCH 2021**

PX 21-57

Moved

Benbow/Ferguson

That the minutes of the confidential part of the Audit, Risk & Investment Committee meeting held on 23 March 2021, as circulated, be confirmed as a correct record

CARRIED

PX 21-58

Moved

Keedwell/Turkington

That the council moves out of Public Excluded.

CARRIED

The Public Excluded section of the meeting concluded at 12.24pm.

The meeting closed at 12.25pm.

Confirmed

CHIEF EXECUTIVE

CHAIR



CHIEF EXECUTIVE'S REPORT TO COUNCIL

Wednesday, 28 April 2021

Michael McCartney – Chief Executive

Introduction

1. This report updates members on key organisational activities. Members are asked to view the upcoming activities in the Council Update (Annex A) and advise us of any meetings/events that may be of interest.

Planning and Policy

2. At the time of writing this report, the 2021-31 Long-term Plan submission period was nearly at its close. As at 19 April 2021, Council had received around 170 submissions, with an expectation that the number will increase significantly, closer to the end date. The next step is for officers to collate the submissions, plan the hearing timetable (based on requests to be heard) and set about compiling the submission report.
3. Hearings are scheduled for 11, 12 and 13 May 2021 – assuming all days are required.
4. Plan Change 2 (PC2), having been adopted by Council, is now open for appeals. Appeals must be lodged with the Environment Court, and it is likely that the appeal period will run until early to mid-June 2021. Having adopted PC2 means that legally it has status and must be considered as part of Council's consenting assessment. The degree of status changes over time depending on the nature and extent of any appeals. If certain aspects of the decision are not challenged by an appeal it carries more weight than those that have been. At the time of writing this report, no appeals to PC2 had been notified to Horizons.
5. The other key policy activity undertaken during the period has been the hearing of submissions to the Regional Land Transport Plan. The hearings took place on 9 April 2021 with deliberations concluding on 12 April 2021. The recommendations of the Hearing Committee will first be presented to the Regional Land Transport Committee and then to a Regional Council meeting.

Regulatory

6. The regulatory/consenting activity remains busy with major consenting projects in play. The Ahu a Turanga: Manawatū Tararua Highway project is well underway and a number of our compliance team are working full time on monitoring and enforcement of consent conditions. The application process and regulatory model for this project is being applied (in part) to O2NL, and could become a blue print for other major civil projects.

7. Staff continue to be busy providing advice around the new Environmental Standards for Freshwater. Understandably, there is strong interest from the primary sector around what these new requirements will mean from a practical 'on-ground' perspective. Equally, the team is fielding numerous enquiries regarding the implications of the PC2 decision.

Manawatū-Whanganui LASS Limited

8. The Directors of Manawatū-Whanganui LASS Limited met on 13 April 2021. A copy of the cover agenda is provided at Annex B. The directors remain focussed on pursuing initiatives where increased efficiency for ratepayers can be achieved. One of the challenges in this work is ensuring we have sufficient resource to initiate and complete projects as pressure increases on all councils in terms of day-to-day delivery.

National Issues

9. During the reporting period the Regional and Unitary Chief Executive Officers' Group met in Wellington. A copy of the cover agenda is provided at Annex C. Topics of discussion included pressures from the government policy reform programme and the capability and capacity of the sector to respond both individually and as a collective.
10. From a sector operational perspective activity, the most recent Special Interest Group (SIG) newsletter is provided at Annex D for information. This update is provided to the sector highlighting key issues both current and future. In June 2021 we will be holding the annual SIG Convenors' Training Workshop. This initiative is designed to help new and potential new convenors to gain training on what is needed to fulfil these roles. In July/August 2021 we intend hosting a SIG Convenors' Virtual Plenary as a back up to the face-to-face event held annually in February.
11. The next scheduled Regional Sector Chairs and Mayors meeting is scheduled for 7 May 2021. At the time of writing this report no agenda was available. An update will be provided at the June 2021 Regional Council meeting.
12. On 15 and 16 April 2021 Councillor Benbow and I attended the Zone Three meeting, hosted in Hastings by Hastings District Council. A copy of the cover agenda is provided at Annex E. During the meeting we received addresses from Hon. Nanaia Mahuta (RMA, Housing and Three Waters) and Hon. Stuart Nash (Tourism, Small Business and Forestry).

Attachments

- Annex A Council Update
- Annex B Manawatū-Whanganui LASS Limited April 2021 Meeting Cover Agenda
- Annex C Regional and Unitary Chief Executive Officers' Group April 2021 Meeting Cover Agenda
- Annex D Regional Sector Special Interest Group April 2021 Newsletter
- Annex E Zone Three April 2021 Meeting Cover Agenda

COUNCIL UPDATE

From 1 April to 30 April 2021

ACTIVITIES

Ruapehu

Natural Resources & Partnerships

1. Land and Freshwater teams attended the Beef and Lamb water reticulation workshop at Waiouru on 16 April 2021.

River Management

2. Scheme meetings for the Ruapehu district (Pakihi, Ohakune and Upper Whanganui) took place on 15 April 2021.

Whanganui

Natural Resources & Partnerships

3. The Ngā Wai Ora o te Whangaehu Freshwater Improvement Fund Governance Group meet on 29 April 2021.

River Management

4. Work commenced on the refurbishment of the Whanganui River moles during the period, with the start of construction of a rock stockpile area near the North Mole.

Manawatū

Natural Resources & Partnerships

5. Nguturoa Catchment Group field day (near Linton) was held on 8 April 2021. Attended by 54 farmers, academics, industry people and Horizons staff. This group received funding through the Manawatū Freshwater Improvement Fund community grants.
6. The Manawatū Freshwater Improvement Fund Governance Group meet on 30 April 2021.

River Management

7. 6 April 2021 – Pohangina-Oroua Scheme meeting.
8. 7 April 2021 – Te Kawai Drainage Scheme meeting.
9. 7 April 2021 – Manawatū Drainage Scheme meeting.
10. 7 April 2021 – Lower Manawatū Scheme (LMS) meeting.
11. 21 April 2021 – LMS and other staff, including Manawatū District Council (MDC) emergency management staff have been invited to a training session on the Hoihere Bridge Road Barrier and floodwall, part of the Oroua River flood defences.

Regional Services & Information

12. 21 April 2021 – Waka Kotahi led meeting: Manawatū/Horowhenua/Rangitikei Cycleway Strategy.

Tararua

River Management

13. 29 March 2021 – Mangatainoka Scheme meeting.
14. 8 April 2021 – meeting with the former chair of the Akitio Scheme re final dissolution of that scheme.

Regional Services & Information

15. 1 April 2021 – Road safety impairment stop with Police – Woodville.
16. 15 -16 April 2021 – Road safety professional development workshop – Wellington.
17. 28 & 30 April 2021 – Know the Code Senior Driver Workshops – Pahiatua & Dannevirke.

Palmerston North City

River Management

18. Jetboating NZ (Central Districts) is celebrating 50 years of Jetboating and 40 years of Jetsprints at Ahimate Park on 25 April 2021. LMS staff are assisting/advising.

Regional Services & Information

19. 1 April 2021 – Palmerston North PT Governance Group. The group met to discuss the Palmerston North Network Review. In the meeting the group went through the proposed consultation approach, the strategic direction for the network, and discussed options to be developed further. A follow up meeting is proposed for May 2021 to review the options further.

Horowhenua

Regional Services & Information

20. 21 April 2021 – Waka Kotahi led meeting: Manawatū/Horowhenua/Rangitīkei Cycleway Strategy.

Rangitīkei

River Management

21. 7 April 2021 – Tutaenui Scheme meeting.

Regional Services & Information

22. 21 April 2021 – Waka Kotahi led meeting: Manawatū/Horowhenua/Rangitīkei Cycleway Strategy.

CORPORATE & GOVERNANCE UPDATE

23. Regional Land Transport Hearings/Deliberations held 9 and 12 April 2021.
24. Strategy & Policy meeting held 13 April 2021.
25. Council meeting held 13 April 2021.
26. Catchment Operations Committee meeting held 14 April 2021.
27. Councillors' Field Trip to Reids Line held 14 April 2021.
28. Zone 3 meeting held 15 and 16 April 2021.
29. Long-term Plan consultation period 26 March 2021 to 23 April 2021.
30. Council meeting held 28 April 2021.
31. Councillors' only session held 28 April 2021.
32. Audit, Risk & Investment Financial Briefing held 28 April 2021.

Number of FTEs

33. The total number of FTEs is: 277.

COMMUNICATIONS UPDATE

34. 7 April 2021 – Environmental Educator hosted a Forgotten Fauna Hui event with Palmerston North and Horowhenua EnviroSchools. Guests included Palmerston North City (PNCC) councillors.
35. 12 April 2021 – Media and Communications Manager attended communications and engagement freshwater hui hosted by Ministry for Environment.
36. 14 April 2021 – Media and Communications Manager attended Māori health organisations' Covid-19 hui in Palmerston North.
37. 14-15 April 2021 – Environmental Educator attended Treaty of Waitangi workshop.
38. 20-22 April 2021 – Environmental Educator attended Regional Coordinators' EnviroSchools hui in Wellington.

UPCOMING COMMUNITY ENGAGEMENT EVENTS AND ACTIVITIES

Natural Resources & Partnerships

39. The Governance Group for the Horowhenua Freshwater Management Unit Water Quality Interventions Jobs for Nature project will meet in May 2021.
40. A workshop for the Manawatū River Leaders' Accord will be held at Horizons on 5 May 2021.
41. The Tōtara Reserve Advisory Group will meet on 20 May 2021.
42. The next meeting of the Te Āpiti Manawatū Gorge Governance Group will be held at Horizons on 10 June 2021.

River Management

43. Staff have been working with Te Mata Puau to deliver an intensive programme of community engagement workshops and meetings associated with Te Pūwaha.

Strategy & Regulation

44. 6 May 2021 – RMA training with Te Rūnanga o Tūpoho.
45. 10 May 2021 – Ngā Kairapu Māori SIG.
46. 19 May 2021 (tbc) – Oranga Wai workshop.

GENERAL

Natural Resources & Partnerships

47. The SLUI Advisory Group met at Horizons following the Catchment Operations Committee on 14 April 2021.
48. A Manawatū River Leaders' Accord Hui-a-iwi was held on 23 April 2021.
49. Land, Rural Advice and others met with NZ Institute Primary Industry about the National Environmental Standards for Freshwater at Horizons on 23 April 2021.
50. The Jobs for Nature Governance Group for the Regional Stream Fencing and Planting and Fish Passage Remediation projects met in Palmerston North on 27 April 2021.

Regional Services & Information

51. Public hearings on the draft Regional Land Transport Plan 2021-31 were held on 9 April 2021 and deliberations on 12 April 2021.
52. Accessing Central New Zealand Governance Group meeting held on 30 April 2021.
53. Road Safety Co-ordinators attended Safe and Sustainable Transport Association professional development workshop and conference, 15 & 16 April 2021.

Strategy & Regulation

54. 1 April 2021 – meeting with Te Rūnanga o Tūpoho.
55. 8 April 2021 – Oranga Wai Our Freshwater Future Workshop 2 with iwi and hapū, in Ohakune.
56. 13 April 2021 – attended Ngā Manu Taiko meeting of marae representatives in the MDC area.
57. 19 April 2021 – NZIPIM Rural Professionals meeting
58. 20 April 2021 – Farmer discussion groups
59. 23 April 2021 – TAG for Te Awa Tupua meeting.
60. 27 April 2021 – sector groups meeting on Intensive Winter Grazing – implementation plan for 2021 winter.

Report No.	21-58
Decision Required	

MĀORI REPRESENTATION

1. PURPOSE

- 1.1. This report provides elected members with an overview of the engagement process undertaken to inform their decision on whether to establish Māori representation for the 2022 and 2025 local elections. A summary of the results of the engagement will be circulated as a supplementary Annex prior to the 19 May Regional Council meeting.

2. RECOMMENDATION

It is recommended that Council:

- a. receives the information contained in Report No. 21-58 and Annexes.
- b. determines that this is a significant decision in terms of Council's Significance and Engagement Policy; and **EITHER**
- c. resolves to:
 - i. establish a Māori constituency or constituencies for the 2022 and 2025 local elections, and
 - ii. directs the Chief Executive to initiate a full representation review; and
 - iii. approves an overspend of \$40,000 for community engagement in 2020/21 financial year and \$60,000 to conduct the representation review process in 2021/22 financial year; **OR**
- d. resolves to:
 - i. defer consideration of whether to establish a Māori constituency or constituencies for the 2025 local election pending further engagement; and
 - ii. directs the Chief Executive to continue to engage with the region's iwi and hapū, stakeholders and communities, to inform Council's consideration of this matter by no later than 21 November 2023.

3. FINANCIAL IMPACT

- 3.1. There is no funding in the budgets for 2020/21 or 2021/22 allocated to engagement or processes associated with Māori representation or representation reviews. To date (30 April 2021), approximately \$39,400 (excluding GST) and over 130 hours of staff time has been diverted, primarily to develop and conduct the survey, and advise Council.
- 3.2. Should Council resolve to establish Māori representation for the 2022 local election, the **Local Electoral Act 2002 (LEA)** requires that a formal representation review process be completed this year. The estimated cost would be in the order of \$60,000, not including staff time. This would effectively bring forward the representation review scheduled between 2022/23 – 2024/25, for which approximately \$87,000 is budgeted.
- 3.3. Changes to representation arrangements (in particular the total number of elected members) could alter Councillors' remuneration levels – an increase in the number of Councillors would decrease the remuneration each receives. This is because the governance remuneration pool is linked to the size of Council's governance role rather than the number of elected members.

4. COMMUNITY ENGAGEMENT

- 4.1. A letter, accompanied by a short survey and background information in the form of 'frequently asked questions' was mailed to the approximately 18,500 voters registered on the Māori electoral roll in the region, as this was identified as the group that would be most affected by a decision to establish Māori representation. Surveys were sent from Friday 9 April 2021; we asked that responses be mailed by 30 April. A copy of this material is appended as **ANNEX A**.
- 4.2. The same survey, along with the supporting information, has been available for the public to complete online by 8am on 10 May on Horizons' website.
- 4.3. A letter was also emailed to chairs of iwi and hapū in the region on 9 April, informing them that Council had resolved to consider whether to establish Māori representation and inviting them to provide any view they wished to share at this time. Copies of the material posted to voters on the Māori roll were attached.
- 4.4. The results of the survey, other written feedback received, and a summary of communications undertaken to encourage and inform engagement will be included in the supplementary Annex that will be circulated prior to the Regional Council meeting.

5. SIGNIFICANT BUSINESS RISK IMPACT

- 5.1. There is a potential risk that the period available to carry out engagement, and consequential focus of available resources on voters enrolled on the Māori roll as the most affected by the decision, may be perceived by some parties as insufficient.

6. CLIMATE IMPACT STATEMENT

- 6.1. Including a Māori constituency or constituencies in the region's electoral arrangements would facilitate inclusion of Māori world views and mātauranga Māori in decisions relating to climate change mitigation and adaptation.

7. BACKGROUND

- 7.1. Following an amendment to the LEA in February, there has been a limited period during which local authorities could consider whether to establish Māori constituencies (regional councils) or wards (territorial authorities) for the 2022 local elections. This decision must be made by 21 May 2021. The amendment also removed all requirements or ability to hold binding polls on this question, removing a significant impediment to the establishment of Māori representation.
- 7.2. A report was presented to the Strategy and Policy Committee on 9 March 2021 (Report No. 21-15), which provides considerable detail on the changes, the reasons for them, and their implications for Horizons. This report does not duplicate that detailed information; the following points, however, are of note:
 - i. A decision made before 21 May 2021 to establish a Māori constituency or constituencies would apply for the following two elections (i.e., 2022 and 2025). If Council decides not to establish Māori representation now, it can reconsider that decision at any time; the deadline for the 2025 election is 23 November 2023.
 - ii. The number of Māori representatives is prescribed by a formula in the LEA. In the Horizons Region, if there are 11-14 elected members in total, 2 would be Māori representatives.

- iii. A decision to establish a Māori constituency or constituencies at any time must be followed by a full representation review, including the names, numbers and boundaries of general and Māori constituencies, and the total number of elected members and number in each constituency. This is to ensure that the arrangements will continue to provide fair and effective representation for the region's communities of interest.

8. THE SURVEY

- 8.1. A short survey has been conducted from 9 April to 10 May. The main question the survey asked was “Kei te tautoko koe i te whakarite wāhanga Māori mō te rohe o Manawatū-Whanganui? (ka pōtihia e ngā kaipōti o te rārangi ingoa Māori) – Do you support the establishment of Māori constituencies in the Manawatū-Whanganui Region? (To be elected by voters on the Māori roll); respondents could answer either ‘yes’ or ‘no’. The survey included screening questions about which electoral roll, if any, the respondent is enrolled on and whether they are a ratepayer or resident in the region.
- 8.2. The opportunity arising from this targeted engagement was also used to ask two further questions about the potential arrangement of a Māori constituency or constituencies. The intent of these questions was to see whether there would be a distinct preference amongst respondents for one or two constituencies, and to explore options for creating a boundary between two constituencies.
- 8.3. Respondents could only choose from available options to answer all but two questions. However, many respondents used the text box for those questions to comment on other aspects of Māori representation. All comments will be provided verbatim as an appendix to the supplementary summary of results that will be circulated prior to the Regional Council meeting.

9. COMMENT

- 9.1. The decision Council is considering at present is limited to whether or not to establish Māori representation in the region for the 2022 and 2025 local elections. If Council makes a resolution in favour, considering whether to have one or two Māori constituencies and the most appropriate boundaries for all constituencies would be addressed through the subsequent, separate representation review. The scope and process, including public consultation requirements, for the representation review are prescribed by the LEA.
- 9.2. Māori constituencies are established to represent Māori and ensure that a Māori perspective is brought to council decision-making. As such they are one of a range of mechanisms available to assist Council in progressing its duties in relation to providing opportunities for Māori to contribute to its decision-making (section 81 of the **Local Government Act 2002 (LGA)**). They are not generally considered to be a mechanism to ensure iwi and hapū representation. Establishing Māori constituencies would complement other measures to fulfil the broad and ongoing obligations Council has to build strong, effective and respectful relationships with mana whenua in the region.

10. CONSULTATION

- 10.1. There is no prescribed process for consultation about a decision to establish Māori representation, and the timeframe available to gather the views of those affected by the decision has been limited to the period between 23 March and 10 May 2021. Mailing a short, targeted survey with supporting information directly to voters enrolled on the Māori electoral roll was seen as the most practicable mechanism available to provide a means for the most affected group to indicate whether or not they support the establishment of Māori representation. The same survey and information was available on Horizons' website publicised through media reports and social media.

- 10.2. The LGA (section 82) sets out the principles which must be adhered to when a local authority undertakes consultation (attached as **ANNEX B**). In general, these principles have been adhered to.
- 10.3. One principle is that those who wish to have their views on the decision considered should be provided with a reasonable opportunity to present those views to the local authority “in a manner and format that is appropriate to the preferences and needs of those persons”. It should be noted that opportunity to present feedback has been, primarily, the ability to respond to survey questions in either hard copy (with a freepost return envelope provided) or online. It is also noteworthy that the survey included two text boxes which have been used by respondents to make short statements on aspects of the topic other than the question asked. All text responses will be included in the supplementary Annex that will be circulated prior to this meeting.

11. TIMELINE / NEXT STEPS

- 11.1. If Council resolves to establish a Māori constituency or constituencies for the 2022 local election, a full representation review will need to be carried out and proposed arrangements adopted for public consultation no later than 31 August 2021. A timeline showing the key steps in this process is attached as **ANNEX C**.
- 11.2. If Council resolves to defer consideration, the deadline to decide whether to establish Māori representation for the 2025 and 2028 elections is 23 November 2023.

12. SIGNIFICANCE

- 12.1. This is considered to be a significant decision according to the Council’s Policy on Significance and Engagement, based on the following criteria in particular:
- It does not require the use of a special consultative procedure or a community engagement process specified in an act other than the LGA;
 - It directly affects a significant number of people (predominantly voters on the Māori electoral roll);
 - It has the potential to alter the representation arrangements for that group of people;
 - It is likely to generate considerable public interest;
 - A decision to establish a Māori constituency or constituencies for the 2022 and 2025 local elections cannot be reversed; and
 - The decision is of high interest to Māori.

Craig Grant
**ACTING GROUP MANAGER RIVER
MANAGEMENT**

Pen Tucker
SENIOR POLICY ANALYST

Katharine Tongs
GOVERNANCE COORDINATOR

ANNEXES

- A Community Engagement
- B LGA Principles of Consultation
- C Representation Review Timeline
- D Supplementary (to be distributed separately)



6 April 2021

Tēnā koe,

Kei ngā manu o uta, kei ngā manu o tai, tēnā tahuri mai rā ki te kaupapa nei kia rongō ai i ō kōrero, i ō whakaaro e pā ana ki te nohonga Māori.

To the birds from the coast and those from inland areas, we are seeking your views and thoughts on Māori representation.

Survey on whether to establish Māori representation for Horizons Regional Council

Horizons Regional Council is considering changing the way that Māori are represented in council decision making. There is an opportunity to determine whether to establish Māori constituencies in time for the 2022 local elections, arising from a recent law change. Council hasn't reached a position or made a decision yet, however they do need to do so by 21 May 2021.

We would like to hear from those registered on the Māori electoral roll, as well as iwi and hapū in the region about what they think, as these people are the most affected. Other voters can also provide their opinion and ideas.

Because the decision deadline is very close, we are running a short survey about whether you think establishing Māori constituencies is a good idea and how it might work.

This survey has been sent to those registered on the Māori electoral roll, for completion and returning in the post by Friday 30 April 2021. The survey can also be filled in online at haveyoursay.horizons.govt.nz by 5pm, Sunday 9 May.

If Māori constituencies were established, voters enrolled on the Māori electoral roll vote would vote in a Māori constituency and voters on the general roll would continue to vote in their general constituency. No one can be enrolled on both rolls at the same time, so no one gets to vote in more than one constituency.

The number of Māori constituencies is set out in legislation – councils don't have any power to change this. In our region, there are likely to be two Māori councillors. They could represent one Māori constituency each, OR both councillors could represent a single Māori constituency that covers the whole region.

A decision to establish Māori constituencies would apply for the 2022 and 2025 local elections at a minimum.

If Council decides to establish Māori constituencies for the 2022 local election, it would have to carry out a review of the representation arrangements before the end of 2021. This would cover the names, boundaries and number of constituencies, and the number of councillors in each constituency.

Horizons would engage with its communities before making any recommendations about the arrangements, and there would be a formal public consultation process before a representation proposal is adopted (including appeals and objections to the independent Local Government Commission).

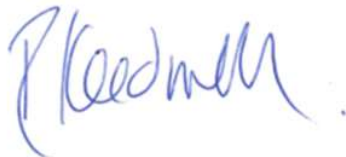
If, based on feedback received including this survey, Council decides not to establish Māori constituencies for the 2022 local elections, Councillors could still consider whether to make changes for the 2025 election. They would have until November 2023 to determine whether to establish Māori constituencies for that election.

For more information please see:

- the enclosed question and answer sheet
- Horizons' website at haveyoursay.horizons.govt.nz
- Horizons' Facebook page
- contact a regional councillor or email representation@horizons.govt.nz.

We await your views. Tēnā korihi mai, korokī mai rā!

Nāku, nā



Rachel Keedwell, PhD
CHAIR

Ngā Pātai Auau Frequently Asked Questions

He aha tā te Kaunihera ui? What is Council asking?

Horizons Regional Council has a short survey to ask residents and ratepayers in the region about whether there should be Māori representatives on the regional council. This would involve establishing one or two Māori constituencies.

He aha oti te wāhanga? What is a constituency?

Regional councils must divide their area into constituencies, in the same way the whole of New Zealand is divided into electorates, or city and district councils can have wards. Voters in regional council elections vote for the candidate(s) they want to represent their constituency.

At present, Horizons has 6 constituencies and 12 elected representatives:

CONSTITUENCY	ELECTED REPRESENTATIVES
Horowhenua	2
Manawatu-Rangitikei	2
Palmerston North	4
Ruapehu	1
Tararua	1
Whanganui	2



E rua ngā momo wāhanga – whānui me te Māori. He aha te rerenga kētanga? There are two kinds of constituency – general and Māori. What's the difference?

The difference is that voters enrolled on the general electoral roll vote for representatives in general constituencies and voters enrolled on the Māori roll vote for representatives in Māori constituencies. No one can be enrolled on the general roll and the Māori roll at the same time; you can only vote for the candidates in one constituency within a region.

Mō te aha ngā wāhanga Māori? What are Māori constituencies for?

The aim of Māori constituencies is to guarantee Māori representation on a regional council, the same as Māori electoral seats in Parliament. One of Council's duties under the Local Government Act 2002 (LGA) is to provide for Māori participation in council decision-making. Having Māori constituencies is a mechanism that could help Horizons Regional Council meet its legal responsibilities. Māori constituencies would add to the ways Horizons engages with Māori, not replace them. They provide another way for Māori on the Māori roll to bring their priorities to Council more directly. They may also encourage more Māori to participate in local elections, by standing for office and voting.



For more information visit www.horizons.govt.nz or freephone Horizons on 0508 800 800



Mēnā he kaikaunihera Māori ka kōrero anake te Kaunihera i ngā take Māori ki aua kaikaunihera Māori? Does having Māori constituency councillors mean that Council only needs to discuss matters that may impact Māori with those councillors?

No. Councillors elected to Māori constituencies would be another way for Horizons to meet its obligations to involve Māori in decision-making. They would not replace the existing day-to-day requirements to build strong, effective and respectful relationships with mana whenua in the region. They are also not a substitute for engaging with individuals, whanau, hapū, iwi and tangata whenua about issues that affect them.

Me pēhea ngā kaunihera e kōwhiri ai i te tokohia o ngā kaikaunihera whānui, Māori hoki? How do councils decide how many general and Māori councillors to have?

Councils can have between 6 and 14 councillors in total. The number of Māori councillors is based on the size of the Māori electoral population compared to the general electoral population, using a formula set out in the Local Electoral Act 2002. Councils can't decide to have a different number or ratio of Māori representatives. Electoral populations are calculated by Statistics NZ. They are based on the estimated population and numbers of voters enrolled on the Māori and general rolls, to take into account people who are not enrolled, such as children.

In the Horizons Region, if there were 11-14 councillors in total, 2 would be Māori representatives. If there were 6-10, 1 would be Māori. Horizons currently has 12 councillors.

Ko wai e taea ai te tū hei kanohi Māori? Who can stand as a candidate for Māori constituencies?

Candidates do not have to be of Māori descent or enrolled on the Māori roll. Anyone who is eligible can stand for election in the constituency they want to represent.

To be eligible, a candidate must be a New Zealand citizen, enrolled as a Parliamentary elector anywhere in New Zealand, and nominated by two electors whose names are on the roll in the constituency the candidate is standing for.

Candidates may not stand for more than one constituency in the region at the same time, so a candidate couldn't stand in both a general and a Māori constituency.

Ka āhei ngā kaipōti o te rārangi Māori ki te pōti i te wāhanga whānui i ngā kōwhiringa o ia wāhanga? Can voters enrolled on the Māori roll choose to vote in a general constituency in their local council elections?

No. If you are enrolled on the Māori roll and your regional council has Māori constituencies, your vote would be for candidates in the Māori constituency. Only voters enrolled on the general roll can vote in a general constituency.

You can only change the roll you're enrolled on during the next Māori electoral option (when all Māori voters are asked which roll they want to be enrolled on); this would mean you would vote on the general roll for the national Parliamentary elections too. The next Māori electoral option is scheduled for 2024. They are usually held every five years.

Mēnā ka whakaae ngā kaikaunihera ki te whakarite i ngā wāhanga Māori mō te pōtitanga o 2022, ka ahatia? If councillors decide to establish Māori constituencies in time for the 2022 election, what would happen next?

They would have to review their current representation arrangements in 2021. The representation review would look at the number of constituencies, their boundaries and names, and the overall number of elected members and number in each constituency. It would include a formal consultation process, an opportunity for anyone to make their views known about the arrangements. The Local Electoral Act sets out what a representation review has to cover and how (and when) it has to be done.

Mēnā kāhore ngā kaikaunihera e whakaae kia whakaritea he wāhanga Māori mō te pōtitanga o 2022 he aha te tikanga o tēnā? If councillors don't decide to establish Māori constituencies in time for the 2022 election, what will that mean?

Nothing would change for the 2022 election – the number of general constituencies and councillors would be the same. Councillors can continue to consider whether to make changes for the 2025 election and would have until November 2023 to decide whether to establish Māori constituencies.



For more information visit www.horizons.govt.nz or freephone Horizons on 0508 800 800





Tuku whakaaro on whether to
establish Māori representation
for Horizons Regional Council

Tēnā tuku mai i ō whakaaro mō te whakarite kaikaunihera Māori mō te kaunihera ā-rohe o Horizons

Kei tēhea rārangi ingoa pōti koe? - Which electoral roll are you on?

PLEASE TICK

MĀORI ROLL MĀORI VOTER ON GENERAL ROLL NON-MĀORI VOTER ON GENERAL ROLL MĀORI NOT REGISTERED NON-MĀORI NOT REGISTERED

He kainoho, kaiutu reiti rānei koe i te rohe o Horizons (Manawatū-Whanganui)?
Are you a resident or ratepayer in the Horizons (Manawatū-Whanganui) Region?

PLEASE TICK

YES NO

Kei te tautoko koe i te whakarite wāhanga Māori mō te rohe o Manawatū-Whanganui? (ka pōtīhia e ngā kaipōti o te rārangi ingoa Māori)
Do you support the establishment of Māori constituencies in the Manawatū-Whanganui Region? (To be elected by voters on the Māori electoral roll)

PLEASE TICK

YES NO

Ko te nama o ngā kaikaunihera Māori e āhej ana a Horizons, he mea tohutohu e te ture. Ko te āhua nei, ka āhej a Horizons ki te whakarite i ngā kaikaunihera Māori e rua. The number of Māori councillors Horizons can have is set by the guiding legislation. It is likely that Horizons would have two Māori councillors.

MĒNĀ ĀE - Ko tēhea māhau: IF YES – Would you prefer:

OPTION A
1 constituency covering the whole region, electing 2 Māori representatives? OR


OPTION B
2 constituencies each covering part of the region and each electing 1 Māori representative?

Mēnā e 2 ngā wāhanga Māori ki ōu whakaaro ka takoto ngā rohe ki hea?
Hei taura, ka hāngai ki ngā rohe o te tāone me te rohe whānui, hāngai rānei ki tētahi tūtohu whenua pērā i tētahi awa, i tētahi huarahi.
If there were 2 Māori constituencies, where do you think the boundary should be?
For example, it could be aligned with the boundaries of city and district councils, or with a geographic feature such as a river or highway.

Mēnā e hiahia ana koe kia mōhio ki te whakatau a ngā kaikaunihera homai koa tō īmēra, (tō wāhi noho rānei):
If you would like us to let you know what councillors decide about this issue, please tell us your email address (or physical address):

We will only use your address to send you feedback on this process. Your personal details will not be made public, or linked to anything you've said in this survey.

 For more information visit www.horizons.govt.nz or freephone Horizons on 0508 800 800



B2 Principles of consultation

Legislation: Local Government Act 2002 (New Zealand)  | [View all PDF versions](#)

LEGISLATION**CURRENT VERSION (APPLIES FROM 8 AUGUST 2014)****82 Principles of consultation**

- (1) Consultation that a local authority undertakes in relation to any decision or other matter must be undertaken, subject to subsections (3) to (5), in accordance with the following principles:
 - (a) that persons who will or may be affected by, or have an interest in, the decision or matter should be provided by the local authority with reasonable access to relevant information in a manner and format that is appropriate to the preferences and needs of those persons:
 - (b) that persons who will or may be affected by, or have an interest in, the decision or matter should be encouraged by the local authority to present their views to the local authority:
 - (c) that persons who are invited or encouraged to present their views to the local authority should be given clear information by the local authority concerning the purpose of the consultation and the scope of the decisions to be taken following the consideration of views presented:
 - (d) that persons who wish to have their views on the decision or matter considered by the local authority should be provided by the local authority with a reasonable opportunity to present those views to the local authority in a manner and format that is appropriate to the preferences and needs of those persons:
 - (e) that the views presented to the local authority should be received by the local authority with an open mind and should be given by the local authority, in making a decision, due consideration:
 - [(f) that persons who present views to the local authority should have access to a clear record or description of relevant decisions made by the local authority and explanatory material relating to the decisions, which may include, for example, reports relating to the matter that were considered before the decisions were made.]
- (2) A local authority must ensure that it has in place processes for consulting with Maori in accordance with subsection (1).
- (3) The principles set out in subsection (1) are, subject to subsections (4) and (5), to be observed by a local authority in such manner as the local authority considers, in its discretion, to be appropriate in any particular instance.
- (4) A local authority must, in exercising its discretion under subsection (3), have regard to—
 - (a) the requirements of section 78; and
 - (b) the extent to which the current views and preferences of persons who will or may be affected by, or have an interest in, the decision or matter are known to the local authority; and
 - (c) the nature and significance of the decision or matter, including its likely impact from the perspective of the persons who will or may be affected by, or have an interest in, the decision or matter; and
 - (d) the provisions of Part 1 of the Local Government Official Information and Meetings Act 1987 (which Part, among other things, sets out the circumstances in which there is good reason for withholding local authority information); and
 - (e) the costs and benefits of any consultation process or procedure.
- (5) Where a local authority is authorised or required by this Act or any other enactment to undertake consultation in relation to any decision or matter and the procedure in respect of that consultation is prescribed by this Act or any other enactment, such of the provisions of the principles set out in subsection (1) as are inconsistent with specific requirements of the procedure so prescribed are not to be observed by the local authority in respect of that consultation.

REPRESENTATION REVIEW TIMELINE (for 2022 local elections)

PROCESS STEP	TIMEFRAME / DEADLINE
Council resolves to establish Māori constituencies for the 2022 and 2025 elections	No later than 21 May 2021 (Schedule 1 clause 2(2))
Council determines its proposed representation arrangements <ul style="list-style-type: none"> • Number of elected members in total; • Number of members to be elected by voters in Māori and general constituencies respectively; • Names and boundaries of constituencies; and • Number of representatives in each constituency. 	No later than 31 August 2021 (Schedule 1A clause 3)
Public notice of initial proposal – submission period commences	Within 14 days of the decision and no later than 8 September 2021 (Section 19M(1))
Public consultation (submissions) period <i>If no submissions received the initial proposal become final</i>	At least 1 month following public notification of the initial proposal <i>[8 October 2021]</i> (Section 19M(2)(d))
Council considers any submissions, may make amendments, and notifies final proposal	Notification no later than 6 weeks following the close of submissions <i>[19 November 2021]</i> (Section 19N(1))
Appeals and objections period <i>If no appeals or objections received the proposal becomes final</i>	At least 1 month following public notification of the final proposal <i>[19 December 2021]</i> (Sections 19O and 19P)
Any appeals or objections forwarded to the LGC	As soon as practicable and no later than 15 January 2022 (Section 19Q)
LGC makes determination (subject to appeals to the High Court on points for law; 1 month appeal period)	Before 11 April 2022

Placeholder for Attachment D

Supplementary
(to be distributed separately)

Report No.	21-59
Information Only - No Decision Required	

AFFIXING OF THE COMMON SEAL

1. PURPOSE

- 1.1. This paper reports on documents to which Horizons Regional Council's Common Seal has been affixed.

2. RECOMMENDATION

That the Council:

- a. **acknowledges** the affixing of the Common Seal to the below mentioned documents.

3. FINANCIAL IMPACT

- 3.1. There is no additional financial impact.

4. COMMUNITY ENGAGEMENT

- 4.1. The community is able to see this information either in the agenda or on the Council's website.

5. COMMENT

- 5.1. The Common Seal has been affixed to the following documents:

a. **Under Chief Executive's Delegated Authority:**

- Assignment of lease from Rewa Dairies Partnership
Lessee: Rewa Farmstay Limited
Area: 21.65 ha
Location: Rangitikei Valley road, Rewa
Period: 19/3/2021 – 30/9/2027

b. **Under Urgency:**

Nil

c. **To be Approved:**

Nil

6. SIGNIFICANCE

- 6.1. This is not a significant decision according to the Council's Policy on Significance and Engagement.

Dave Neal

ACTING GROUP MANAGER CORPORATE & GOVERNANCE

ANNEXES

There are no attachments to this report.