

Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD ON 5 FEBRUARY 2020 AT 45 PIPITEA STREET, WELLINGTON

1. Attendance

Present:

Brendan Duffy

Chair

Janie Annear

Sue Piper

Commissioner

Commissioner

In attendance:

Donald Riezebos

Chief Executive Officer

Gavin Beattie

Lead Advisor

Don Mackay

Senior Advisor

Also present:

Penny Langley

Chief Executive Officer designate

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted.

3. Minutes of previous meeting

Minutes of the meeting held on 12 December 2019:

Resolved:

The Commission approves the minutes as an accurate record of that meeting.

Piper/Annear

4. Matters arising from minutes of previous meeting

There were no matters arising.

Report dated 30 January 2019:

Resolved:

The Commission notes the contents of the report.

Annear /Piper

In addition:

- The Chair advised that he had met with the SOLGM Executive of 30 January
- Commissioners Annear and Piper discussed the draft process document for the Tokomaru-Opiki boundary alteration process, and meetings to be held with applicants, the Horowhenua District Council and the Palmerston North City Council.

6. Future meetings and Commissioner availability

The contents of the meeting schedule and availability calendar were noted

7. Golden Bay local board application

Report dated 29 January 2019:

Resolved:

The Commission:

- (a) notes the Golden Bay local board investigation process document has been amended by adding one month to the investigation timeline and it has now been published as required
- (b) notes the Commission, as part of its investigation of the Golden Bay local board application, has decided to prepare a document setting out what a Golden Bay local board might look like and its possible responsibilities, for the purpose of consulting the Tasman District community
- (c) agrees for the Golden Bay local board consultation document:
 - (i) the area of the board be the same as the current Golden Bay Ward of Tasman District and current Golden Bay Community Board
 - (ii) the name of the board be Golden Bay/Mohua Local Board
 - (iii) the board comprise six elected members and the two Golden Bay Ward councillors as appointed members

- (iv) the options of the chairperson of the board either being elected by the electors of the local board area, or being elected by the members of the board be identified
- (v) the first election of the board be held in October 2021
- (d) agrees the consultation document provides for the allocation of decision-making responsibility in respect of the following activities and services in the local board area:
 - (i) design and location of street furniture and street planting
 - (ii) granting of consent for the removal of trees from streets
 - (iii) parks and reserves including the administering body role under the Reserves Act
 - (iv) cemeteries
 - (v) playgrounds
 - (vi) public toilets
 - (vii) Takaka library
 - (viii) community halls including appointments and oversight of hall committees
 - (ix) Rec Park Centre including adjoining fields
 - (x) approving the final location and design of any new or upgraded community facilities in Golden Bay
 - (xi) seeking funding from external organisations to be applied to community projects within the community
 - (xii) approving and managing the use of market places in the community with power to disperse any surplus after costs for purposes within the ward
- (e) agrees the consultation document provides for the delegation of decisionmaking responsibility in respect of the following activities and services in the local board area:
 - (i) amendments to dog access rules
 - (ii) making objections to liquor licence applications
 - (iii) making, amending and revoking alcohol bans
 - (iv) approving traffic control signs
 - (v) approving the location and design of bus stops and shelters
 - (vi) approving street names
 - (vii) regulatory matters in respect of parks and reserves
 - (viii) regulatory matters in respect of cemeteries
 - (ix) regulatory matters in respect of playgrounds
 - (x) regulatory matters in respect of market places
- (f) agrees the consultation document identifies the following activities and services where greater collaboration in the local board area between the local board and Tasman District Council, including engagement with the community and as appropriate local iwi, is seen as possible and desirable:
 - (i) projects and programmes to improve local environments

- (ii) helping build community networks and relationships that strengthen community cohesion, preparedness and participation
- (iii) gathering information on coastal structures
- (iv) promoting recycling and providing public information and education on recycling and waste minimisation
- (v) recommendations on the use and allocation of special purpose committee funding/financial contributions from subdivisions and developments
- (g) agrees the consultation document identifies the following activities within the local board area in relation to which the role of the local board would be one of advocacy and dispersal of funding determined at the district level:
 - (i) Collingwood library
 - (ii) museum funding
 - (iii) allocating funding and operational grants to community organisations
- (h) notes the officers, as part of the required financial analysis, will undertake further investigation of the scope for local decision-making in respect of the two Golden Bay holiday camps, Takaka aerodrome and Port Tarakohe
- (i) notes the need for discussions with Tasman District Council, prior to the release of a reorganisation plan, on the scope of allocations and delegations of decisionmaking responsibilities in the event the Commission does decide it will prepare a reorganisation plan for one or more Tasman District local boards
- (j) notes any reorganisation implementation scheme for a Golden Bay local board would include the final detailed wording of all allocations and delegations of decision-making and in respect of other shared collaborative activities.

Annear/Piper

8. Commission's future roles

Report dated 30 January 2019:

Resolved:

The Commission notes the report.

Annear/Piper

The Commission met with staff from the Department of Internal Affair's Policy Group to receive an update on work the Department is doing on the future of the Commission.

Departmental staff advised that they were about to seek approval from the Minister of Local Government to engage with other agencies and with LGNZ and SOLGM. Part of that engagement would be to test whether the sector sees a role for an arms-length body with responsibility for promoting better governance.

It was envisaged that the Departmental officers attend the March Commission meeting to give an update on their work, and then the April meeting when discussion could take place on a draft discussion document (before it was submitted to the Minister).

Further discussion centred around issues that would need to be factored in to the development of a model for the discussion document. These included:

- The Commission being seen as being neutral and constructive, not punitive
- Clarity about the role of the Commission versus that of the Office of the Auditor General
- The fact that there is interest in the Commission dealing with councils short of the Minister using the intervention powers in Part 10 of the Local Government, but also the need to insure that the Commission is not seen as being part of the Part 10 "continuum"
- The mechanism for the Commission determining that its assistance is required
- How to deal with councils that decline assistance from the Commission
- The new arrangements should result in all councils being supported, not just underperforming or dysfunctional councils

9. Justice Select Committee Inquiry into 2019 local elections

Report dated 30 January 2019:

Resolved:

The Commission:

- (a) agrees to make a submission to the Justice Select Committee's inquiry into the 2019 local elections
- (b) agrees that the submission include:
 - (i) An overview of the Commission and its broader roles
 - (ii) The Commission's role in relation to representation reviews and an overview of the 2019 representation reviews
 - (iii) The Commission's role in relation to licensing trust boundaries

Annear/Piper

10. General business

There was no general business.

The meeting ended at 11.20am.





Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD ON 12 MARCH 2020 AT 45 PIPITEA STREET, WELLINGTON

1. Attendance

Present:

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

In attendance:

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Gavin Beattie

Lead Advisor

Don Mackay

Senior Advisor

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclosure.

3. Minutes of previous meeting

Minutes of the meeting held on 5 February 2020:

Resolved:

The Commission approves the minutes as an accurate record of that meeting.

Piper/Annear

4. Matters arising from minutes of previous meeting

There were no matters arising.

Report dated 5 March 2020:

Resolved:

The Commission notes the contents of the report.

Annear /Piper

In addition:

- The Chair stated that as part of re-engagement with Northland councils it would be useful to discuss with them and document the learnings gained from their experience with establishing shared services.
- There was discussion of the need to be conscious of the possible future impacts of Coronovirus on Commission meetings and community engagement.
- It was noted that the next community engagement would be in relation to the Tauriko West issue.
- Officers advised that they would be participating in a workshop on 16 March with the Department of Internal Affairs' Policy Group on the future roles of the Commission.

The Chair absented himself from the meeting when discussion on took place on matters raised in the Chief Executive Officer's report relating to the Horowhenua District/Palmerston North City boundary process.

6. Future meetings and Commissioner availability

The contents of the meeting schedule and availability calendar were noted.

7. Golden Bay local board consultation document

Report dated 4 March 2020:

Resolved:

The Commission:

- (a) approves the contents in the document submitted to the meeting for inclusion in the consultation document subject to amendments agreed to in the meeting
- (b) notes the final version, including content arising from the report on financial implications, will be submitted to the April 2020 meeting.

Annear/Piper

The Commission discussed the process for the release of the document, including the financial information, and noted that this would be discussed further at the April meeting. Philip Jones, who was contracted to provide the financial meeting, was to be invited to the meeting.

8. Commission's future roles

The Commission met with staff from the Department of Internal Affair's Policy Group to receive an update on work the Department is doing on the future of the Commission.

Departmental officers advised that:

- Engagement had taken place with:
 - LGNZ's Governance & Strategy Advisory Committee
 - LGNZ (Mike Reid)
 - SOLGM (Karen Thomas and Raymond Horan)
 - o Te Arawhiti
 - o OAG
 - Ministry of Transport
 - Department of Conservation
 - State Services Commission
 - Ministry for the Environment
 - o The Ombudsman
- Engagement was still to take place with the Productivity Commission, MBIE and possibly the Serious Fraud Office (with 1 or 2 more agencies yet to respond).
- While no common themes had been identified as to what the scope of the Commission's roles could be:
 - there was interest by most of the organisations engaged with in an expanded role for the Commission
 - o there was a view that the Commission should be truly independent
 - o new arrangements should enable local democracy and not detract from local accountabilities.
- There could be benefit to the Commission having an overview of the local government system.
- LGNZ was keen to stay involved and had proposed to establish a reference group to provide practical input into the process.
- Approval would be sought from the Minister of Local Government at the end of March for the drafting of a discussion document.
- Engagement with Commissioners on the discussion document was planned for the Commission's April meeting.

It was suggested by the Commission that direct engagement take place with Malcolm Alexander, LGNZ Chief Executive, and also with NZTA.

9. General business

Protected Disclosures

Officers advised that:

- The Department of Internal Affairs had sought officers' views as to whether the Commission should be listed as an "appropriate authority" in the Protected Disclosures (Protection of Whistleblowers) Bill, and that officers had advised the Department that this would be appropriate.
- An effect of the Commission being made subject to the Ombudsman's Act by the Local Government Act 2002 Amendment Bill 2019 was that the Commission is now a "public sector organisation" for the purposes of the Protected Disclosures Act and is therefore required to establish internal procedures for receiving and dealing with information about serious wrongdoing.
- Internal procedures utilising the Department of Internal Affairs procedures would be developed for approval by the Commission.

West Coast combined district plan

The Commission noted an article in the Greymouth Star concerning funding for the West Coast combined district plan. It was agreed that, in the first instance, officers would talk to the Chair of the joint committee to ascertain the validity of the comments made in the article.

The meeting ended at 11.34am.



MINUTES OF A MEETING HELD ON 21 MAY 2020 HELD BY ZOOM

1. Attendance

Present:

Brendan Duffy Chair

Janie Annear Commissioner Sue Piper Commissioner

In attendance:

Penny Langley Chief Executive Officer

Donald Riezebos Principal Advisor
Gavin Beattie Lead Advisor
Don Mackay Senior Advisor

In attendance for part item 7:

Phillip Jones PJ & Associates

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclosure.

3. Minutes of previous meetings

Minutes of the meeting held on 12 March 2020 and notes of teleconference held on 27 March 2020:

Resolved:

The Commission approves the minutes and notes as accurate records of those meetings.

Piper/Annear

4. Matters arising from minutes of previous meetings

Commissioner Piper asked about progress on procedures for receiving and dealing with information about serious wrongdoing under the Protected Disclosures Act. Officers advised that this would be reported on at the June meeting.

Report dated 15 May 2020:

Resolved:

The Commission notes the contents of the report.

Annear /Piper

In addition:

- The Chief Executive Officer noted that since the comments in the report about engagement had been prepared, the Prime Minister had spoken about what would be involved with a move to Alert Level 1, and changes that might be made under Alert Level 2. The Prime Minister's comments suggested that Alert Level 2 might continue for longer than the report had anticipated, with implications for the engagement processes the Commission will need to do. This will be discussed at the officers' workshop on this matter to be held on 21 May (which would be able to take into account any announcement made by the Prime Minister on 25 May).
- Don Mackay reported that he had just heard from the Kawerau District Council which advised that a reorganisation initiative was expected to be lodged with the Commission in July.

Note: The Horowhenua District/Palmerston North City boundary process was not discussed, and it was not necessary for the Chair to withdraw from the meeting because of that matter.

6. Future meetings and Commissioner availability

The contents of the meeting schedule and availability calendar were noted. It was agreed that desirably the June meeting should be held 'face-to-face' in Wellington.

7. Golden Bay local board investigation

Report dated 14 May 2020 together with report by consultant Philip Jones dated 14 May 2020 on financial implications of a Golden Bay local board.

Philip Jones attended the meeting by video link.

Resolved:

The Commission:

- (a) receives Philip Jones report
- (b) notes Tasman District Council sought a six-month delay in the Golden Bay local board investigation process in light of the Covid-19 emergency

- (c) notes Tasman District Council subsequently agreed to provide information necessary for completion of the work on financial implications of a Golden Bay local board and that consultation on such a board has been delayed from the April-May 2020 period identified in the Golden Bay local board application process document
- (d) agrees for the purposes of the Golden Bay local board consultation document:
 - (i) no change to the council's decision-making responsibilities in its enterprises portfolio relating to the two holiday parks in Golden Bay, Takaka aerodrome and Port Tarakohe, but that the document notes it is envisaged that the most appropriate mechanisms for representing local Golden Bay interests in relation to these facilities would be discussed with Tasman District Council in the event the commission decided to issue a reorganisation plan
 - (ii) no provision be made for a Golden Bay deputy chairperson role
 - (iii) there be provision for five elected members on the Golden Bay local board
 - (iv) the commission express its view that:
 - A. continuation of a targeted rate for Golden Bay would be appropriate to cover the direct costs of any local board, namely elected member remuneration and provision for one full-time equivalent support officer
 - B. indirect and overhead costs of a Golden Bay local board continue to be funded by rates struck across the district as a whole
- (e) notes the commission's Golden Bay local board investigation process document needs to be amended to identify a new consultation period and timeline for the subsequent steps.

Annear/Piper

Commissioners discussed the issue of representation of the Golden Bay Ward on the Tasman District Council if a Golden Bay local board was to be established in light of legal advice received on this issue. They expressed a preference for a review of the ward's representation to be addressed as part of the council's next representation review.

Commissioners also noted the amended timeline set out in the report, including a final decision on the application being made by November 2020, and agreed that this needed to be achieved.

8. Tauriko West boundary alteration

Report dated 14 May 2020:

Resolved:

The Commission:

- (a) notes that:
 - (i) the Commission called for submissions with a closing date of 17 April 2020

- (ii) measures taken under the Covid-19 emergency have impacted over the period of the consultation
- (b) notes the responses to the call for submissions that are set out in attachment 1, and the analysis of these in Part B
- agrees that it considers the results of the consultation process are sufficient for it to take further decisions on the proposal
- (d) agrees that the submissions do not provide grounds to abandon or modify the proposal
- (e) agrees that the issues raised by submitter Marriott be referred to Tauranga City Council for its consideration
- (f) notes the consideration of the:
 - (i) objectives to be considered by a reorganisation investigation set out in clause 10; and
 - (ii) the matters to be considered in deciding whether or not to adopt a reorganisation plan specified in clause 12 of Schedule 3; set out in Part C of the report
- (g) agrees to develop and adopt a reorganisation plan altering the boundary in the Tauriko West area in accordance with the application from the Western Bay of Plenty District Council
- (h) notes the steps necessary to complete development and implementation of the proposed reorganisation plan
- (i) notes that it is expected that the reorganisation plan will be available for consideration at the Commission's June meeting
- (j) notes that advice about next steps in advancing the proposals for boundary changes at Keenan, Belk and Tara Roads will come to the Commission's June meeting.

Annear/Piper

9. Representation reviews

Report dated 15 May 2020:

Resolved:

The Commission:

- (a) notes the advice in this briefing; and
- (b) approves the draft representation review guidelines for issue to local authorities.

Piper/Annear

10. Northern Action Group's High Court appeal

Report dated 14 May 2020:

Resolved:

The Commission

- (a) notes that the High Court decided in favour of the Commission on the Northern Action Group's appeal against the Commission's decision on NAG's application for a North Rodney unitary authority
- (b) notes that NAG has advised that it wishes to discontinue its claims of bias
- (c) notes the commentary on Justice Grice's decision contained in the report.

Duffy/Annear

11. General business

There was no general business.

The meeting ended at 3.55pm.



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD ON 18 JUNE 2020

1. Attendance

Present:

Brendan Duffy

Chair Commissioner

Janie Annear Sue Piper

Commissioner

In attendance:

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Gavin Beattie

Lead Advisor

Don Mackay

Senior Advisor

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclose.

The Chair advised that he had resigned as a member of the Environmental Legal Assistance Fund Independent Advisory Panel and that his term as a member of Electra Trust would end in July. Commissioner Annear advised that she is no longer a member of the Ara Institute of Canterbury Council.

3. Minutes of previous meeting

Minutes of the meeting held 16 May 2020:

Resolved:

The Commission approves the minutes and notes as an accurate record of that meeting.

Piper/Annear

4. Matters arising from minutes of previous meeting

There were no matters arising.

Report dated 11 June 2020:

Resolved:

The Commission notes the contents of the report.

Annear /Piper

In addition, Commissioners discussed the desirability of more extensive engagement with the local government sector over the next few months, including with the new Chief Executive of LGNZ and with mayoral forums.

Note: The Horowhenua District/Palmerston North City boundary process was not discussed, and it was not necessary for the Chair to withdraw from the meeting because of that matter.

6. Future meetings and Commissioner availability

The contents of the meeting schedule and availability calendar were noted and updates of availability were provided.

7. Golden Bay local board consultation

Report dated 11 June 2020:

Resolved:

The Commission:

- (a) approves, with amendments, the Golden Bay local board consultation document as circulated with the report subject to the step in the timeline, relating to a meeting with Tasman District Council, being moved from November to October 2020 and reading: "Consideration of the need for discussions with interested parties to clarify the scope of any particular allocation or delegation of decisionmaking responsibility, or the particular mechanisms for representing local interests in governing body decision-making"
- (b) agrees to a consultation period from 6 July to 14 August 2020 and the general approach and range of consultation activities set out in the report
- (c) agrees the Golden Bay local board investigation process document be amended to include the revised timeline.

Annear/Piper

8. Tauriko West reorganisation plan

Report dated 12 June 2020:

Resolved:

The Commission:

- (a) notes that on 21 May 2020 it agreed to develop and adopt a reorganisation plan transferring the Tauriko West area from Western Bay of Plenty District to Tauranga City; and
- (b) adopts, with amendments, the reorganisation plan attached to the report.

Annear/Piper

9. Western Bay of Plenty District and Tauranga City boundary alterations: Keenan Road, Belk Road and Tara Road public consultation

Report dated 12 June 2020:

Resolved:

The Commission:

- (a) notes that:
 - (i) the reorganisation investigation process document adopted in January 2020 signalled that consideration of the proposed changes at Keenan Road, Belk Road and Tara Road would be advanced following consideration of the proposed boundary change a Tauriko West; and
 - (ii) the Commission agreed at its meeting on 21 May 2020 to develop and adopt a reorganisation plan relating to Tauriko West;
- (b) agrees that consideration of the objectives set out in clause 10 and the matters specified in clause 12 of Schedule 3 (in Parts C and D of the report) establish a prima facie case for adopting a reorganisation plan to alter the boundaries in the areas of Keenan Road, Belk Road and Tara Road;
- (c) notes that public consultation will provide essential information on community views about the proposed changes;
- (d) agrees to release the consultation document set out in the Appendix 3 to the report and invite public submissions;
- (e) agrees to the process and timetable for consultations set out In Part E of the report.

Annear/ Piper

In addition it was agreed that hearings on any submissions could be held in the second week of August.

10. General business

There was no general business.

The meeting ended at 2.45pm.



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD ON 23 JULY 2020

1. Attendance

Present:

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

In attendance:

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Gavin Beattie

Lead Advisor

Don Mackay

Senior Advisor

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclose.

3. Minutes of previous meeting

Minutes of the meeting held 18 June 2020:

Resolved:

The Commission approves the minutes and notes as an accurate record of that meeting.

Annear/Piper

4. Matters arising from minutes of previous meeting

There were no matters arising.

5. Chief Executive Officer's report

Report dated 17 July 2020:

Resolved:

The Commission notes the contents of the report.

Annear /Piper

6. Future meetings and Commissioner availability

The contents of the meeting schedule and availability calendar were noted and updates of availability were provided.

7. Protected Disclosures Act: Internal procedures

Report dated 16 July 2020:

Resolved:

The Commission approves the internal procedures for receiving and dealing with information about serious wrongdoing under the Protected Disclosures Act.

Annear/Piper

8. General business

Action points

Commissioners requested that an action points system be reinstituted to capture actions resulting from Commission meetings.

Golden Bay

Gavin Beattie updated commissioners on an email received from the Minister of Local Government's office relating to statements about local board costs arising out of the recent public meetings in Golden Bay. He said the office had been advised that the commissioners had considered the contents of the email and had decided not to respond. The Minister's office had undertaken to advise Damien O'Connor's electorate office of this decision given this was where email had originally been sent and then referred on to the Minister of Local Government.

Gavin also advised that to date 56 submissions had been received on the option of a Golden Bay local board, with these evenly split between those favouring a Golden Bay local board, either alone or with boards in other areas, and those favouring existing arrangements.

The Chief Executive Officer confirmed that a meeting would take place by zoom on 29 July with the Nelson-Tasman Climate Change Forum. The Commission would be represented by the Chair, Chief Executive Officer and Gavin Beattie.

Local authority codes of conduct

Commissioners discussed a project to examine the nature of local authority codes of conduct and the extent to which individual codes reflected Local Government New Zealand's model code. It was anticipated that this exercise would result in a report to the Minister of Local Government. The Chief Executive Officer will identify an appropriate timeline for the project.

The Chair left the meeting prior to discussion on item 9.

The remaining members appointed Commissioner Piper to be the chairperson for the remainder of the meeting.

9. Tokomaru-Opiki boundary alteration: Investigation process document

Report dated 16 July 2020:

Resolved:

The Commission:

- (a) adopts the reorganisation investigation process document attached as the appendix to this paper, subject to an amendment to paragraph 26 relating to engagement with iwi and hapū;
- (b) notes the notification requirements and proposed next steps following the adoption of the document;

Piper/ Annear

It was also noted that the Waitangi Tribunals' hearings on Ngāti Raukawa's Treaty claim had recently commenced and the hearings would be a priority for Ngāti Raukawa through to 2022.

The meeting ended at 11.15am.





MINUTES OF A MEETING HELD ON 20 AUGUST 2020

1. Attendance

Present:

Sue Piper

Brendan Duffy

Chair

Janie Annear

Commissioner

Commissioner

In attendance:

Penny Langley

Chief Executive Officer

Gavin Beattie

Lead Advisor

Don Mackay

Senior Advisor

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclose.

3. Minutes of previous meeting

Minutes of the meeting held 23 July 2020:

Resolved:

The Commission approves the minutes and notes as an accurate record of that meeting.

Piper/Annear

4. Matters arising from minutes of previous meeting

Commissioners requested that a regular list of action points be included in the agenda to ensure regular updates and tracking of actions to completion. Items to be included on the list were letters to councils due to undertake representation reviews in the upcoming round, timeline for the Code of Conduct work being undertaken and an item relating to improving regular media updates.

Report dated 13 August 2020:

Penny Langley provided an additional update on the response rate of the councils in relation to the request for information about their Codes of Conduct and the process so far.

Resolved:

The Commission notes the contents of the report.

Annear/Piper

provided an overview of what the Ministerial Advice, Monitoring and Operations team does, in particular the Operational Policy Team who are most connected with local government in terms of monitoring performance.

7. Local Government Policy Team, DIA

Principal Policy Analyst, Fergus Broom, Policy Manager Policy Services, Policy Analyst, and Policy Analyst, and Policy Analyst introduced themselves and provided an update on the work they are doing in exploring options for the future role of the Local Government Commission.

8. Golden Bay local board – Summary of submissions

Report dated 19 August 2020:

Resolved:

The Commission notes the contents of the report.

Annear/Piper

9. DIA

DIA

provided an overview of the work his team is involved in including an update on progress with the 3 waters project.

10. Western Bay of Plenty District/Tauranga City boundaries - Summary of submissions

Report dated 13 August 2020:

Resolved:

The Commission notes the contents of the report in preparation for hearing of submitters.

Duffy/Annear

11. Annual Report

Report dated 13 August 2020:

Resolved:

The Commission agrees to the draft Annual Report for 2019/20.

Piper/Duffy

12. General business

Prompted by the postponement of public meetings in for the Horowhenua District/Palmerston North City proposed boundary alteration as a result of a return to Covid-19 Alert Level 2, the Commission had a broader discussion about how public meetings should be planned for to ensure they can be held safely in Alert Levels 1 and 2. It was agreed that guidelines be developed to support planning to a level that would ensure meetings can proceed and government guidelines adhered to.

The Commission considered what it had heard from the local government areas of DIA and agreed it would be good to hear from them again on a regular basis and that it is useful to hear from them as part of the same meeting.

The Commission acknowledged that this would be Don Mackay's last meeting due to his retirement in early September. The Commission thanked Don for all his hard work and advice provided over his years with the Commission.

The meeting ended at 11.57am.





Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD ON 15 OCTOBER 2020

1. Attendance

Present:

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

In attendance:

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Gavin Beattie

Lead Advisor

Kepe Usoali'i-Jansen

Business Support Administrator

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclose.

3. Minutes of previous meeting

Minutes of the meeting held 20 August 2020:

Resolved:

The Commission approves the minutes and notes as an accurate record of that meeting.

Annear/Piper

4. Matters arising from minutes of previous meeting

There were no matters arising.

Report dated 9 October 2020:

Resolved:

The Commission notes the contents of the report.

Annear/Piper

A further report on codes of conduct, outlining the results of a survey of each council's code, was tabled. In discussion it was decided that:

- The Chief Executive Office should meet with LGNZ to discuss any work it might be doing on codes of conduct
- A further update should be provided to the Commission's November meeting
- A report would be finalised for submission to the Minister of Local Government in December
- The Commission would look to hold a meeting with the Minister and LGNZ after the election to discuss code of conduct work

In further discussion it was decided that:

- A protocol should be developed for the commencement of investigations similar to that being undertaken on codes of conduct
- Stakeholder engagement should be added to the action point update.

6. Western Bay of Plenty District boundaries: Tauriko West reorganisation implementation scheme

Report dated 8 October 2020:

Resolved:

The Commission adopts the Tauriko West implementation scheme.

Annear/Piper

7. Western Bay of Plenty District boundaries: Belk, Keenan and Tara roads boundary alterations – consideration of submissions

Report dated 8 October 2020:

Resolved:

The Commission:

- (a) notes that at its meeting on 18 June 2020 it:
 - (i) agreed that consideration of the objectives set out in clause 10 and the matters specified in clause 12 of Schedule 3 establish a prima facie case for adopting a

- reorganisation plan to alter the boundaries in the areas of Keenan Road, Belk Road and Tara Road
- (ii) agreed to release a consultation document on these proposed boundary alterations and invite submissions
- (b) notes the responses to the call for submissions and the analysis of these in Part B;
- (c) agrees that the results of the consultation process are sufficient for it to take further decisions on the proposal;
- (d) agrees that the submissions do not provide grounds to abandon or modify the proposal, except for:
 - (i) a modification to the boundary of the Belk Road area at 149 and 150 Griffin Road; and
 - (ii) the transfer from Tauranga City to Western Bay of Plenty District of the "Hurst" property and an adjacent area of Crown land
- (e) notes the consideration of the:
 - (i) objectives to be considered by a reorganisation investigation set out in clause 10: and
 - (ii) the matters to be considered in deciding whether or not to adopt a reorganisation plan specified in clause 12 of the Schedule 3, set out in Part C of the report
- (f) agrees to develop and adopt a reorganisation plan providing for;
 - (i) the inclusion of the Belk, Keenan and Tara road areas in Tauranga City; and
 - (ii) the inclusion of the Hurst property and adjacent Crown land in Western Bay of Plenty District
- (g) notes the steps necessary to complete development and implementation of the proposed reorganisation plan.

Annear/Piper

8. Golden Bay local board investigation: Completion of consultation

Report dated 8 October 2020:

Resolved:

The Commission:

- (a) notes completion of the consultation period on the option of a Golden Bay local board including the receipt of 585 submissions and the holding of two hearings on 8 and 9 September 2020
- (b) notes a record of the submissions will be put on the LGC website following this meeting
- (c) agrees the Commission has sufficient information as a result of the consultation and subsequent enquiries, to proceed to a decision at its November meeting on whether

- or not to develop and adopt a reorganisation plan pursuant to clause 12 of Schedule 3 of the Local Government Act 2002
- (d) notes the options the Commission has when making its decision on a reorganisation plan, in relation to issuing a report and making recommendations to Tasman District Council, and in deciding whether to complete its investigation in response to the Golden Bay local board application.

Duffy/Annear

It was further agreed that the Commission's decision on this issue be released prior to the meeting to be held in Golden Bay on 30 November 2020.

Commissioners commented positively on the efforts of the team in getting to this point in the reorganisation process.

9. General business

There was no general business.

The meeting ended at 12.03pm



MINUTES OF A MEETING HELD ON 11 NOVEMBER 2020

1. Attendance

Present:

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

In attendance:

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Gavin Beattie

Lead Advisor

Craig Press

Senior Advisors

Kepe Usoali'i-Jansen

Business Support Administrator

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclose.

3. Minutes of previous meeting

Minutes of the meeting held 15 October 2020:

Resolved:

The Commission approves the minutes and notes as an accurate record of that meeting.

Annear/Piper

4. Matters arising from minutes of previous meeting

There were no matters arising.

Report dated 9 October 2020:

Resolved:

The Commission notes the contents of the report.

Annear/Piper

- The Chief Executive Officer produced an update of the analysis of the Codes of Conduct and clarified LGNZs work plan regarding Codes of conduct
- Commissioners expressed support of working cooperatively with LGNZ on this matter but recognising the distinct roles of each organisation.

6. Briefing for Minster of Local Government

Resolved:

The draft briefing be approved subject to; editorial changes, providing an executive summary, reiterating the Commissions independence and indicating progress of repositioning the Commission's role.

Annear/Piper

7. Golden Bay Local Board application – Decision on reorganisation plan

Report dated 3 November 2020:

Resolved:

The Commission:

- (a) agrees, pursuant to clause 12 of Schedule of the Local Government Act 2002, not to develop and adopt a reorganisation plan for one or more local boards in Tasman District
- (b) agrees to meet again with Tasman District Council, Golden Bay Community Board, Working Group for a Golden Bay Local Board and Manawhenua ki Mohua to discuss the possibility of greater empowerment of Golden Bay Community Board, including more decision-making responsibility, and options for improving relationships between Golden Bay and Richmond

It was noted a Commission decision document, based on the officers' report, would now be prepared for public release prior to the meeting with the interested parties on 30 November. Commissioners requested several minor amendments for this document.

The Chair left the meeting at this point

8. Horowhenua District/Palmerston North boundary application: Decision on whether to proceed

Report dated 6 November 2020

Resolved:

- (a) Notes the questions raised and opinions shared at the public meetings held on 13 October 2020
- (b) Notes the information gathered to date on communities of interest for the affected area
- (c) Notes the information gathered to date on affected local authorities
- (d) Agrees, on the basis of the above, to continue the process by developing a consultation document
- (e) Agrees to:
 - (i) Adopt an amendment to the reorganisation investigation process document to reflect the new timeline for its decision on whether or not to adopt a reorganisation plan.
 - (ii) Continued engagement with iwi/hapū prior to releasing a consultation document
 - (iii) Seek further information on communities of interest, potential impact ton rates of properties which may move from Horowhenua District to Palmerston North City and potential impact on the affected local authorities.

The Chair re-entered the meeting at this point

9. General business

There was no general business.

The meeting ended at 11:57 am





Local Government Commission Mana Kāwanatanga ä Rohe

MINUTES OF A MEETING HELD ON 11 DECEMBER 2020

1. Attendance

Present:

Brendan Duffy Chair

Janie Annear Commissioner
Sue Piper Commissioner

In attendance:

Penny Langley Chief Executive Officer

Donald Riezebos Principal Advisor

Gavin Beattie Lead Advisor
Craig Press Senior Advisor

Kepe Usoali ¹i-Jansen Business Support Administrator

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted.

Jane Annear declared ownership of new property in Timaru. Details recorded in the Interests Register.

3. Minutes of previous meeting

Minutes of the meeting held 11 November 2020:

Resolved:

The Commission approves the minutes and notes as an accurate record of that meeting.

Annear/Piper

4. Matters arising from minutes of previous meeting

There were no matters arising.

5. Chief Executive Officer's report

Report dated 7 December 2020:

Resolved:

The Commission notes the contents of the report.

Annear/Piper

6. Department of Internal Affairs updates

Department of Internal Affairs officials joined the meeting and gave updates on:

- The Local Government Work Policy program, including work related to the future of the Commission and changes to the Māori wards.
- Interviews officials had had with a number of academics regarding future roles for the Commission.
- The 3-Waters process and timeline
- The review of the Resource Management Act, noting that it has a larger effect on councils than 3-Waters.
- Work proposed to be done on the Local Government 4 well-beings

7. Codes of Conduct: Interim Report to Minister of Local Government

Report dated 7 December 2020:

Resolved:

The Commission.

- (a) notes the analysis of codes of conduct carried out, the issues identified for which recommendations could be developed, and the need for further work before finalising recommendations
- (b) agrees to the attached report being submitted to the Minister of Local Government

Annear/Piper

8. Golden Bay local board application investigation: Next Steps

Report dated 4 December 2020:

Resolved:

The Commission:

- (a) agrees to complete its investigation in response to the Golden Bay local board application and to give public notice of this as required by clause 11 of Schedule 3 of the Local Government Act 2002
- (b) agrees its ongoing involvement in Golden Bay is on the basis of the Commission wishing to promote good practice in relation to the role and responsibilities of community boards

Duffy/Piper

The Chair left the meeting at this point

9. Horowhenua District/Palmerston North boundary application: Draft consultation document

Report dated 6 November 2020

Resolved:

The Commission notes:

- (a) Agrees to discuss the proposed content, scope and distribution of the consultation document on the proposed boundary alteration between Horowhenua District and Palmerston North City including considering the attached draft document
- (b) Notes that modelling of indicative rates under Palmerston North City's policies, is pending from Dave Foster Associates, and will provide content for the final consultation document
- (c) Notes that the Commission will be asked to approve the content of the final consultation document, and
- (d) Notes that the officers' recommended option is to distribute the final consultation document to residents and other property owners in Opiki and Tokomaru, to Horowhenua District Council and Palmerston North City Council, and to iwi.

Piper/Annear

The Chair re-entered the meeting at this point

10. General business

There was no general business.

The meeting ended at 12:16pm



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD ON 18 FEBRUARY 2021

1. Attendance

Present:

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

In attendance:

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Craig Press

Senior Advisor

Erica Mangin

Senior Advisor

Kepe Usoali'i-Jansen

Business Support Administrator

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclose.

3. Minutes of previous meeting

Minutes of the meeting held 11 December 2020:

Resolved:

The Commission approves the minutes and notes as an accurate record of that meeting.

Annear/Piper

4. Matters arising from minutes of previous meeting

There were no matters arising.

5. Chief Executive Officer's report

Report dated 12 February 2020:

Resolved:

The Commission notes the contents of the report.

Annear/Piper

In addition, Commissioners agreed that:

- Consideration could be given to recommending LGNZ officials to meet with Golden Bay Community Board members regarding their development.
- Attendance of some manner will be made for the NZ Community Board Conference in Gore.

Chair left the room

Commissioners Annear and Piper discuss the update on the Horowhena District/Palmerston North City boundary investigation.

 Provisional agreement was given to a hearing on 21 April, but subject to the availability of hearing venues in Tokomaru and Opiki.

Chair re-entered the room

6. Māori wards and constituencies: Amendments to Representation Review Guidelines

Report dated 12 February 2020

Resolved:

The Commission:

- (a) Notes the advice of the report
- (b) Approves the updated Chapter 4 of the representation review guidelines

It was also noted that:

- It is a legislative requirement for the Commission to provide guidelines, and in addition FAQs will be developed to inform the public.
- Not all Councils can determine a Māori ward given their population and the current formula.
- Councils establishing a Māori ward will have to do full representation review.

7. Representation Reviews

Report dated 12 February 2021

Resolved:

The Commission notes the contents of the report.

Annear/Piper

8. General business

The Commission confirmed the letter sent to the Minister of Local Government on 23 February 2021 concerning resourcing requirements should the Minister refer the matter of the future of local government to the Commission.

Meeting ended 10:31am



MINUTES OF A MEETING HELD ON 25 MARCH 2021

1. Attendance

Present:

Brendan Duffy

Chair

Janie Annear Sue Piper Commissioner

Commissioner

In attendance:

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclose.

3. Minutes of previous meeting

Minutes of the meeting held 18 February 2021:

Resolved:

The Commission approves the minutes and notes as an accurate record of that meeting.

Annear/Piper

4. Matters arising from minutes of previous meeting

There were no matters arising.

5. Chief Executive Officer's report

Report dated 19 March 2020:

Resolved:

The Commission notes the contents of the report.

Annear/Piper

In addition, Commissioners discussed the following:

- (a) Officers would follow up with the Western Bay of Plenty District Council as to where discussions about 165 Belk Road had got to
- (b) In relation to Golden Bay:
 - the letter received from the Tasman District Council about discussions between the Council and the Golden Bay Community Board, and the Commission Chair's response, were discussed
 - the Commission would seek to meet with the Tasman District Council and Golden Bay Community Board in early June
 - a debrief on the Golden Bay process would be held in July
 - the Commission would report to the Minister of Local Government on the process and its outcomes after the debriefing
- (c) In relation to Codes of Conduct:
 - it was agreed the approach to the second round of discussions would be to outline the findings of the first round of consultations and the Commission's preliminary views on what recommendations it might make, and also seek views on, if there were to be a penalty system, what type of penalties would be useful
 - a separate set of discussions would be organised with the Auckland Council
- (d) The workshop on Māori wards and constituencies would be held in conjunction with the May Commission meeting
- (e) The Chair and Chief Executive Officer reported on their meeting with the Minister of Local Government on 18 March 2021
- (f) In relation to the future work programme Commissioners discussed the following for consideration in further development of the work programme:
 - there would be a need to feed into the review of the Future for Local Government
 - the Commission's work should not cut across what the review will be doing
 - the Commission could have a role in assisting councils in difficulty before use of the intervention powers in the Local Government Act became necessary
 - in the work relating to promotion of good governance connections should be made with the Office of the Auditor General and the Ombudsman
 - advice was sought on whether the Commission might have a role in relation to changes to areas of District Health Boards

The Chair left the room at this point.

Commissioners Annear and Piper discussed the update on the Horowhenua District/Palmerston North City boundary investigation.

In addition, Commissioners requested advice on the engagement that had taken place to date with iwi/hapu.

The Chair re-entered the room after discussion on the Horowhenua District/Palmerston North City boundary investigation had been completed.

6. General business

There was no general business.

Meeting ended at 4.49pm.



MINUTES OF A MEETING HELD ON 22 APRIL 2021

1. Attendance

Present:

Brendan Duffy Chair

Janie Annear Commissioner Sue Piper Commissioner

In attendance:

Penny Langley Chief Executive Officer

Donald Riezebos Principal Advisor Erica Mangin Senior Advisor

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclose.

3. Minutes of previous meeting

Minutes of the meeting held 25 March 2021:

Resolved:

The Commission approves the minutes and notes as an accurate record of that meeting.

Piper/Annear

4. Matters arising from minutes of previous meeting

There were no matters arising.

5. Chief Executive Officer's report

Report dated 16 April 2020:

Resolved:

The Commission notes the contents of the report.

Annear/Piper

In addition, Commissioners discussed the following:

- In relation to Golden Bay:
 - Likely dates for a meeting in Golden Bay are 3 and 18 June, with 3 June being the preference
 - The meeting should be attended by all parties Tasman District Council, Golden Bay Community Board, Manawhenua ki Mohua and the Working Group for a Golden Bay local board
- In relation to Codes of Conduct:
 - LGNZ had advised the Chair that it is not currently carrying out any work in relation to Codes of Conduct
 - There are possibly gaps in the induction of new Mayors and the Commission could have a role improving the quality of inductions
 - The Minister should be advised of the likely date of completion of the Commission's report
- If the appointment of a temporary member of the Commission required it, the workshop on Māori wards could be held in June rather than May.

Commissioners noted that Erica Mangin's last day of work for the Commission would be 30 April. They expressed their appreciation of the work she done for the Commission and wished her well for the future.

The Chair left the room at this point, at 11.27am.

Commissioners Annear and Piper discussed the update on the Horowhenua District/Palmerston North City boundary investigation.

The Chair re-entered the room at 11.30am after discussion on the Horowhenua District/Palmerston North City boundary investigation had been completed.

6. General business

Temporary member of the Commission

Commissioners discussed the need for a temporary member of the Commission to be appointed to provide additional knowledge of tikanga Māori given the number of

representation reviews over the next year likely to involve the establish met of Māori wards or constituencies.

Resolved:

The Commission:

- (a) agreed to request the Minister of Local Government to appoint a temporary member of the Commission, with knowledge of tikanga Māori, to assist with consideration of the 2021 round of representation reviews
- (b) agreed to suggest to the Minister that Bonita Bigham be appointed as that temporary member.

Annear/Piper

Induction material for review panel

The Commission agreed to the induction material about the Local Government Commission prepared for the members of the panel to be appointed by the Minister of Local Government to conduct a review of the future for local government.

The meeting ended at 11.47 am.



Local Government Commission *Mana Kāwanatanga ā Rohe*

MINUTES OF A MEETING HELD ON 20 MAY 2021

1. Attendance

Present:

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

In attendance:

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Craig Press

Senior Advisor

2. Disclosure of Commissioners' interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclose.

3. Minutes of previous meeting

Minutes of the meeting held 21 April 2021:

Resolved:

The Commission approves the minutes and notes them as an accurate record of that meeting.

Piper/Annear

4. Matters arising from minutes of previous meeting

The Chief Executive Officer provided an update on the Commission's request for the appointment of a temporary member of the Commission. She had been advised that the request had been favourably received by the Minister of Local Government and that an appointment was likely to be made in late June.

5. Chief Executive Officer's report

Report dated 16 May 2020:

Resolved:

The Commission notes the contents of the report.

Annear/Piper

In addition, Commissioners discussed the following:

- In relation to the Golden Bay Community Board:
 - The purpose of Commissioners attending the meeting to be held on 2
 June would be to observe and seek confidence about the progress being
 made by the parties in improving the relationship between the Tasman
 District Council and the Golden Bay Community Board, and furthering the
 empowerment of the Community Board
 - An update on the Takaka Grandstand would be sought for the record

The Chair left the room at this point, at 11.00am.

6. Horowhenua District/Palmerston North boundary investigation

Report dated 14 May 2020:

Resolved:

The Commission:

- (a) agrees, pursuant to clause 12(2) of Schedule 3 of the Local Government Act 2002 (the Act), to not adopt a reorganisation plan for Opiki and Tokomaru to join Palmerston North City
- (b) agrees, pursuant to clause 9(1) of Schedule 3 of the Act, to recommend to the Horowhenua District Council that it provides clearer information to residents on its assets and services in Opiki and Tokomaru and how these are funded
- (c) agrees, pursuant to clause 9(1) of Schedule 3 of the Act, to recommend to the Horowhenua District Council and the Palmerston North City Council that they work together to explore ways to enhance local government services in Opiki and Tokomaru
- (d) agrees, pursuant to clause 9(1) of Schedule 3 of the Act, to require the Horowhenua District Council and the Palmerston North City Council to provide updates on their actions in respect to recommendations (b) and (c) by 30 November 2021 and 31 May 2022
- (e) agrees, pursuant to clause 11 of Schedule 3 of the Act, to complete the investigation into the request for Opiki and Tokomaru to join Palmerston North City.

The Chair re-entered the room at 11.10 am after discussion on the Horowhenua District/Palmerston North City boundary investigation had been completed.

7. General business

Commissioners discussed issues raised at the meeting with the Remuneration Authority held on 6 May 2021.

The meeting ended at 11.15am.





Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD ON 17 JUNE 2021

1. Attendance

Present:

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

In attendance:

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Linda Canton

Senior Advisor

E-J Ruthven Lee Carter Senior Advisor Business Support Administrator

2. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclose.

3. Minutes of Previous Meeting

Minutes of the meeting held 20 May 2021.

Resolved:

The Commission approved the minutes as being a true and accurate record.

Moved Commissioner Piper / Seconded Commissioner Annear

4. Matters Arising from Minutes of Previous Meeting

No matters arising.

5. Chief Executive Officer's Report

Report dated 11 June 2021.

Resolved:

The Commission noted the contents of the report.

Moved Commissioner Annear / Seconded Commissioner Piper

Page 1 of 2

In addition, the Commission agreed:

- That the Chair and the Chief Executive would further discuss and agree on a timeline for the Code of Conduct report to the Minister of Local Government, that reflects the importance of this piece of work; and
- That it would be beneficial to share the draft recommendations with the Ombudsman's office, LGNZ, Office of Auditor General and Taituarā for comment.

6. General Business

The Chair acknowledged the appointment of a temporary Commissioner, Bonita Bigham, due to start on Monday 21 May 2021.

The meeting closed at 11.02 am.

The next meeting to be held at 45 Pipitea Street, Wellington, 29 July 2021.



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD AT 45 PIPITEA STREET, WELLINGTON ON 29 JULY 2021

1. Attendance

Present

Brendan Duffy Chair

Janie Annear Commissioner
Sue Piper Commissioner
Bonita Bigham Commissioner

In Attendance

Penny Langley Chief Executive Officer

Donald Riezebos Principal Advisor
Linda Canton Senior Advisor
E-J Ruthven Senior Advisor

Lee Carter Business Support Administrator

2. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted. Commissioners advised that they did not have any new interests to disclose.

3. Minutes of the Previous Meeting

Minutes of the meeting held 17 June 2021

Resolved:

The Commission approved the minutes as being a true and accurate record.

Moved Commissioner Annear/Seconded Commissioner Piper

4. Matters Arising from the Minutes of the Previous Meeting

No matters arising.

The Commission noted the content of the report

5. Chief Executive Officer's Report

Report dated 29 July 2021

Resolved:

The Commission noted the contents of the report

Moved Commissioner Piper/Seconded Commissioner Annear

Actions from the Chief Executive Officer's Report

- The Commission to submit to the Te Tari Taiwhenua discussion document on Māori wards, due by 27 August 2021.
- Bonita to provide her relevant calendar dates for the future meetings and availability schedule.

6. Representation Reviews

The Commissioners noted the contents of the report.

Resolved:

That a report based on paragraphs 3-12 of the Representation Reviews Report be sent to LGNZ and Taituarā.

Moved Commissioner Bigham/Seconded Commissioner Piper

7. Western BOP District/Tauranga City: Amending reorganisation schemes

The Commissioners received the report.

Resolved:

- a) To agree to the two reorganisation implementation schemes for the alteration of boundaries between Western Bay of Plenty District and Tauranga City being amended to provide that Western Bay of Plenty District Council bylaws and policies cease to apply to those areas transferred to Tauranga city; and
- b) To **note** that, an amending reorganisation implementation scheme will be circulated for Commissioner's approval.

Moved Commissioner Annear/Seconded Commissioner Piper

8. Code of Conduct Review

The Commissioners received the draft Code of Conduct Report to the Minister of Local Government.

Resolved:

That the Commission approves the draft Codes of Conduct Report to the Minister of Local Government and associated recommendations with changes agreed by email, for discussion with stakeholders.

Moved Commissioner Bigham/Seconded Commissioner Annear

9. General Business

There was no general business.

The meeting closed at 12.17 pm



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD AT 45 PIPITEA STREET, WELLINGTON ON 19 August 2021

1. Attendance via Zoom

Present

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

Bonita Bigham

Commissioner

In Attendance

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Linda Canton

Senior Advisor

E-J Ruthven Lee Carter Senior Advisor
Business Support Administrator

2. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted. The Chair, disclosed a new appointment as Trustee of Eastern and Central Community Trust.

3. Minutes of the Previous Meeting

Minutes of the meeting held 29 July 2021 were received.

Resolved:

The Commission approved the minutes as being a true and accurate record. Moved Commissioner Piper/Seconded Commissioner Annear.

4. Matters Arising from the Minutes of the Previous Meeting

No matters arising.

5. Chief Executive Officer's Report

Report dated 13 August 2021. The Chair thanked the Commission for their efforts and good work, in particular, the work around the Codes of Conduct. The Commission are very pleased with the outcome of the Codes of Conduct report and look forward to the feedback from stakeholders.

Resolved:

The Commission noted the contents of the report

Moved Commissioner Annear /Seconded Commissioner Piper

6. Representation Reviews

The Commission received the reports. The planning page prompted a discussion on the numbers of Commissioners attending the proposed hearings with acknowledgement that consideration be taken with extra preparedness plans for any unforeseen circumstances.

Commissioner Piper declared an in interest relating to the Wellington City Council.

Resolved:

That the Commission

- (a) notes the report; and
- (b) Agrees that a report based on paragraphs 2-8 be sent to Local Government New Zealand and Taituarā.

Moved Commissioner Bigham/Seconded Commissioner Annear

6.4 Representation Review - Christchurch City Council

The Commission received the report.

Resolved:

The Commission agrees that:

- a. The following appeals/objections are invalid:
 - i. Sarah Lewis, in relation to the process followed by Christchurch City Council in undertaking its representation review;
 - ii. Paul Bagrie, in relation to the voting system confirmed by Christchurch City Council for the next local election;
- iii. Part of the objection of GJ Wilson in relation to the voting system confirmed by Christchurch City Council for the next local election; and
- iv. Part of the objection of Christine May Williams in relation to the voting system confirmed by Christchurch City Council for the next local election and engagement undertaken by Christchurch City Council in relation to Māori representation.
- b. the Commission hold a hearing in respect of Christchurch City Council's representation review.

Moved Commissioner Piper/Seconded Commissioner Bigham

7. Māori Wards Discussion Document

The Commission received and discussed the report. Discussions resulted in some suggested changes strengthening the Commission's submission position.

Resolved:

That subject to changes discussed in the meeting, the Commission-agrees to the submission to the Department of Internal Affairs' discussion document on "Changes to Maori ward and constituency processes".

Moved Commissioner Piper/Seconded Commissioner Bigham

8. General Business

The Chair explained that an email from an elected member of a local authority had been received seeking some assistance to a particular governance situation. The Commission

considered the request where is was noted that there were already a broad number of activities of support engaging with this situation. It therefore concluded that it is difficult to see what additional role it would be able to fill that would add value to the support and interventions already being provided.

Action

The Chief Executive Officer to draft correspondence in response to the request to be viewed by the Commission for final approval.

The meeting closed at 10.52 am



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD VIRTUALLY VIA ZOOM ON 16 SEPTEMBER 2021

1. Attendance via Zoom

Present

Brendan Duffy Chair

Janie AnnearCommissionerSue PiperCommissionerBonita BighamCommissioner

In Attendance

Penny Langley Chief Executive Officer

Donald Riezebos Principal Advisor
Linda Canton Senior Advisor
E-J Ruthven Senior Advisor

2. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

3. Minutes of the Previous Meeting

Minutes of the meeting held on 19 August 2021

Commissioner Piper identified that the minutes of the previous meeting did not capture the discussion as part of the representation review update where she recused herself from taking part in the Wellington City Council representation review process.

Resolved:

The Commission approved the minutes as being a true and accurate record, with the addition of Commissioner Piper recusing herself from the Wellington City Council representation review process.

Moved Commissioner Bigham / Seconded Commissioner Annear

4. Matters Arising from the Minutes of the Previous Meeting

There were no matters arising.

5. Chief Executive Officer's Report

Report dated 10 September 2021

Resolved:

The Commission noted the contents of the report

Moved Commissioner Piper / Seconded Commissioner Bigham

6. Annual Report 2020/2021

It was acknowledged that the report headings would be translated into te reo Māori before being provided to the Minister.

Resolved:

The Commission approved the draft Annual Report 2020/2021 Moved Commissioner Annear / Seconded Commissioner Piper

7. Representation Review

Report dated 10 September 2021

Resolved:

The Commission noted the contents of the report and agreed an update based on this report be sent to LGNZ and Taituarā.

Moved Commissioner Annear / Seconded Commissioner Bigham

8. Codes of Conduct Report

Report dated 10 September 2021

Resolved:

The Commission:

- a. Note / Kitenga the feedback received from stakeholders on the draft Codes of Conduct report to the Minister of Local Government
- b. Agree / Whakaae the proposed changes to the report, incorporating the amendments agreed at this meeting
- c. Note / Kitenga that a final copy of the report incorporating all agreed changes and an executive summary will be circulated to Commissioners for approval by email, following which it will be provided to the Minister of Local Government.

Moved Commissioner Piper /Seconded Commissioner Bigham

9. General Business

There was no general business.

The meeting closed at 10.33am.



Local Government Commission Mana Kāwanatanga ā Rohe

WINUTES OF A MEETING HELD VIRTUALLY VIA ZOOM ON 21 OCTOBER 2021

The meeting commenced at 9.00am

Present

Brendan Duffy Chair

Janie AnnearCommissionerSue PiperCommissionerBonita BighamCommissioner

In Attendance

Penny Langley Chief Executive Officer

Donald Riezebos Principal Advisor
Linda Canton Senior Advisor
E-J Ruthven Senior Advisor

1. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

2. Minutes of the Previous Meeting

Minutes of the meeting held on 16 September

Resolved:

The Commission approved the minutes as being a true and accurate record. Moved Commissioner Annear / Seconded Commissioner Piper

3. Matters Arising from the Minutes of the Previous Meeting

There were no matters arising.

4. Chief Executive Officer's Report

Report dated 11 October 2021

Resolved:

The Commission noted the contents of the report

Moved Commissioner Bigham / Seconded Commissioner Piper

5. Representation Reviews

Resolved:

The Commission noted the contents of the report.

Moved Commissioner Annear / Seconded Commissioner Bigham

6. General Business

Protocols for Covid

Commissioners asked about the impact of the Commission not making determinations on representation arrangements before the April legislative deadline. It was established that every effort would be made to ensure that this would not happen. This included the use of virtual hearings should lockdowns or travel issues cause disruption. In addition, it was considered that if the situation were so serious as to stop the Commission meeting its obligation, it may be that an emergency legislation change would be made to amend the deadline. Furthermore, there is the option available to validate lateness in doing things by Order in Council, should it come to that.

In preparation for the possibility of virtual hearings, it was agreed that a trial webinar would be held to ensure familiarity with the functionality.

2022 Work programme

It was agreed to hold a strategic workshop in November 2022 to inform the Commission's work programme from April 2022 onwards.

The meeting closed at 10.06am.



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD AT 45 PIPITEA STREET, WELLINGTON ON 29 NOVEMBER 2021

The meeting commenced 11.30 am

Attendance

Present

Brendan Duffy

Chair

Janie Annear Sue Piper Commissioner

Commissioner

In Attendance

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Linda Canton

Senior Advisor Senior Advisor

E-J Ruthven Lee Carter

Business Support Administrator

1. Apologies

Bonita Bigham

Commissioner

2. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

3. Representation Review – Kawerau District Council

Report 24 November 2021

Resolved:

The Commission **agreed** that the sole appeal received against Kawerau District Council's final proposal is invalid.

Moved Commissioner Piper/Seconded Commissioner Annear

4. Representation Review – Palmerston North City Council

Report 24 November 2021

Resolved:

The Commission **agreed** that the sole appeal received against Palmerston North City Council's final proposal is invalid.

Moved Commissioner Annear/Seconded Commissioner Piper

5. Representation Review - Taupō District Council

Report 23 November 2021.

A correction in the report was highlighted, noting that two of the Council's proposed general wards do not comply with the +/-10% rule, not three.

A discussion was had about the two non-complying wards which included additional information being provided verbally. It was agreed that this information and any further additional information, be incorporated into the report which would be held over for consideration at the meeting 6 December.

6. Christchurch City Council – Determination

Report 24 November 2021

Resolved:

The Commission **agreed** to the draft determination subject to editorial changes as discussed at the meeting.

Moved Commissioner Piper /Seconded Commissioner Annear.

The meeting closed at 11.54am.



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD VIA ZOOM ON MONDAY 6 DECEMBER 2021

The meeting commenced 11.30am.

Attendance

Present

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

Bonita Bigham

Commissioner

In Attendance

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Linda Canton

Senior Advisor

E-J Ruthven

Senior Advisor

Lee Carter

Business Support Administrator

1. Opening Karakia

2. Attendance and apologies

No apologies.

3. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

4. Minutes of the Previous Meeting

Minutes of the meeting held Monday 29 November 2021.

Resolved:

The Commission approved the minutes as being a true and accurate record.

Moved Commissioner Piper/Seconded Commissioner Annear

5. Taupō District Council

Report 1 December 2021.

Resolved:

The Commission **agreed** to not hold a hearing in respect of Taupō District Council's representation review.

Moved Commissioner Piper/Seconded Commissioner Annear

6. Whangārei District Council

Report 1 December 2021.

Commission received the report.

The purpose of this report is to provide supporting information ahead of the hearing for the Whangārei District Council (the Council) representation review on Friday 10 December 2021.

7. Closing Karakia

The meeting closed at 12.05pm.



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD VIA ZOOM ON MONDAY 13 DECEMBER 2021

The meeting commenced at 11.30am.

Attendance

Present

Brendan Duffy Chair

Janie AnnearCommissionerSue PiperCommissionerBonita BighamCommissioner

In Attendance

Penny Langley Chief Executive Officer

Donald Riezebos Principal Advisor
Linda Canton Senior Advisor
E-J Ruthven Senior Advisor

Lee Carter Business Support Administrator

- 1. Opening Karakia/ Karakia Timatanga
- 2. Attendance and apologies/I reira me Ngā Whakapāha No apologies.
- 3. Disclosure of Commissioners' Interests/Ngā Whakapuakitangi
 The consolidated list of Commissioners' interests was noted.
- 4. Minutes of the Previous Meeting/Whakaaetanga mēneti Minutes of the meeting held Monday 6 December 2021.
 Resolved:

That the minutes are a true and accurate record.

Moved Commissioner Bigham/Seconded Commissioner Annear

Taranaki Regional Council

Report dated 8 December 2021.

The purpose of this report is to provide supporting information ahead of the hearing for the Taranaki Regional Council (the Council) representation review on Wednesday 15 December 2021.

Commissioner Bigham declared an interest. Commissioner Bigham left the meeting at 11. 50am and returned at 12.03pm.

The Commission

- Noted that Commissioner Annear would Chair the Taranaki Regional Council hearing.
- 2) **Noted** that Commissioner Bigham would be attending the Taranaki Regional Council hearing an observer
- 3) Agrees/Whakaae that Commissioner Bigham would start the Taranaki Regional Council hearing proceedings

5. Waikato District Council

Report dated 8 December 2021.

The purpose of this report is to decide on the need for a hearing for the Waikato District Council and agree that one of the appeals and objections received be considered invalid.

The Commission

Noted that Commissioners Piper, Annear and in addition, Commissioner Bigham will conduct the Waikato District Council hearing

Noted that point 2 of the recommendations in the report be corrected to Waikato District Council.

Resolved

The Commission

- 1) Agrees/Whakaae that the appeal included as Appendix A, in relation to support for the final proposal is invalid; and
- 2) Agrees/Whakaae that a panel of two Commissioners will complete the determination for Waikato District Council's representation review; and
- 3) Agrees/Whakaae to hold a hearing for the Waikato District Council's representation review on 27 January 2022.

Moved Commissioner Piper /Seconded Commissioner Annear

6. Closing Karakia/Karakia Whakamutunga

The meeting closed at 12.17pm.



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD VIA ZOOM ON MONDAY 20 DECEMBER 2021

The meeting commenced at 11.30am.

Attendance

Present

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

Bonita Bigham

Commissioner

In Attendance

Penny Langley

Chief Executive Officer

E-J Ruthven

Senior Advisor

Lee Carter

Business Support Administrator

- 1. Opening Karakia/ Karakia Timatanga
- 2. Attendance and apologies/I reira me Ngā Whakapāha
- 3. Disclosure of Commissioners' Interests/Ngā Whakapuakitangi

The consolidated list of Commissioners' interests was noted.

4. Minutes of the Previous Meeting/Whakaaetanga mēneti

Minutes of the meeting held Monday 13 December 2021.

Resolved:

That the minutes are a true and accurate record.

Moved Commissioner Bigham / Seconded Commissioner Piper

5. Horizons Regional Council

Report dated 15 December 2021.

The purpose of this report is to decide on the need for a hearing for the Manawatū-Whanganui Regional Council (the Council's) representation review. The Council is branded as Horizons Regional Council.

Resolved

The Commission

- a. **Agrees / Whakaae** that a panel of two Commissioners will complete the determination for Horizons Regional Council's representation review; and
- b. **Agrees / Whakaae** to hold a hearing for the Horizons Regional Council's representation review on 24 February 2022.

Moved Commissioner Annear / Seconded Commissioner Piper

6. Representation Reviews

Report dated 15 December 2021.

This report provides a further update about progress of, and planning for representation reviews.

7. Closing Karakia/Karakia Whakamutunga

The meeting closed at 11.48am.



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD AT 45 PIPITEA STREET, WELLINGTON ON MONDAY 10 JANUARY 2022

The meeting commenced 11.30am.

Attendance

Present

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

Bonita Bigham

Commissioner

In Attendance

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Linda Canton

Senior Advisor

E-J Ruthven

Senior Advisor

Lee Carter

Business Support Administrator

1. Opening Karakia/Karakia Timatanga

2. Attendance and apologies/I reira me Ngā Whakapāha

3. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

4. Minutes of the Previous Meeting

Minutes of the meeting held 20 December 2021.

Resolved:

The Commission approved the minutes as being a true and accurate record.

Moved Chair Duffy /Seconded Commissioner Piper

5. Nelson City Council

Report dated 22 December 2021.

The purpose of this report is to decide on the need for a hearing for the Nelson City Council representation review.

Resolved:

The Commission

- a. Agrees / Whakaae that the appeal included in Appendix A, opposing the establishment of a Māori ward is invalid
- b. **Agrees / Whakaae** that a panel of two Commissioners will complete the determination for the Nelson City Council's representation review
- Agrees / Whakaae to hold a hearing for the Nelson City Council's representation review on 3 March 2022

Moved Commissioner Annear/Seconded Commissioner Bigham

6. Kāpiti Coast District Council

Reported dated 22 December 2021.

The purpose of this report is to decide on the need for a hearing for the Kāpiti Coast District Council representation review.

A correction was noted in Appendix C, page 2 that proposed arrangements showing 12 for Paraparaumu should be 2. It was also noted, that on further conversations with the Kāpiti Coast District Council, the representation hearing has now moved from the original proposed date of 4 February 2022 to 3 February 2022.

Resolved:

Subject to the highlighted changes, the Commission:

- a. Agrees / Whakaae that the appeal included as Appendix A, in relation to support for the establishment of a Raumati Community Board is invalid; and
- b. **Agrees / Whakaae** to accept the late appeal included as Appendix B, from Royd Sampson, as the appellant is affected by a proposed boundary change in the review; and
- c. **Agrees / Whakaae** that a panel of two Commissioners will complete the determination for Kāpiti Coast District Council's representation review; and
- d. **Agrees / Whakaae** to hold a hearing for the Kāpiti Coast District Council's representation review on 3 February 2022.

Moved Commissioner Piper /Seconded Commissioner Annear

7. Ruapehu District Council

Reported dated 22 December 2021.

The purpose of this report is to decide on the need for a hearing for the Ruapehu District Council representation review.

Resolved:

- Agrees / Whakaae that the appeal included as Appendix A is partially invalid insofar as it requests that the Ruapehu District Council undertake a further representation review; and
- b. **Agrees / Whakaae** that the objection included as Appendix B, in relation to the establishment of a Māori Ward for Ruapehu District Council is invalid; and

- c. **Agrees / Whakaae** that a panel of three Commissioners will complete the determination for Ruapehu District Council's representation review; and
- d. **Agrees / Whakaae** to hold a hearing for the Ruapehu District Council's representation review on 8 February 2022.

Moved Commissioner Piper/Seconded Commissioner Bigham

8. Manawatū District Council

Report dated 22 December 2021.

The purpose of this report is to decide on the need for a hearing for the Manawatū District Council (the Council's) representation review.

Resolved:

The Commission

- a. Agrees / Whakaae that a panel of two Commissioners will complete the determination for Manawatū District Council's representation review; and
- b. **Agrees / Whakaae** to hold a hearing for the Manawatū District Council's representation review on 24 February 2022.

Moved Commissioner Annear /Seconded Commissioner Piper

9. Wellington City Council

Report dated 22 December 2021.

Commissioner Piper declared an interest. Commissioner Piper left the meeting at 11.55am and returned at 12.11pm.

Resolved:

The Commission

- a. **Agrees Whakaae not** to hold a hearing for the Wellington City Council's representation review.
- b. **Notes** that if the Commission agrees not to hold a hearing, a draft determination of the representation arrangements for the 2022 general election of Wellington City Council will be prepared for the Commission to consider.

Moved Commissioner Annear /Seconded Commissioner Bigham

The meeting closed at 12.18pm



Local Government Commission Mana Kāwanatanaa ā Rohe

MINUTES OF A MEETING HELD AT 45 PIPITEA STREET, WELLINGTON ON MONDAY 17 JANUARY 2022

The meeting commenced 11.32am.

Attendance

Present

Brendan Duffy Chair

Janie AnnearCommissionerSue PiperCommissionerBonita BighamCommissioner

In Attendance

Penny Langley Chief Executive Officer
Donald Riezebos Principal Advisor
Linda Canton Senior Advisor
E-J Ruthven Senior Advisor

Lee Carter Business Support Administrator

1. Opening Karakia/Karakia Timatanga

2. Attendance and apologies/I reira me Ngā Whakapāha

3. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

4. Minutes of the Previous Meeting

Minutes of the meeting held 10 January 2022.

Resolved:

The Commission approved the minutes as being a true and accurate record. Moved Commissioner Bigham /Seconded Commissioner Annear

5. Hastings District Council

Report dated 12 January 2022.

The purpose of this report is to decide on the need for a hearing for the Hastings District Council representation review.

Resolved:

The Commission

- 1. Agrees / Whakaae that a panel of two Commissioners will complete the determination for Hastings District Council's representation review; and
- 2. **Agrees / Whakaae** to hold a hearing for the Hastings District Council's representation review on Friday 18 February 2022; and
- 3. **Requests** that officials identify appropriate Flaxmere community representatives and invite them to speak at the hearing; and
- 4. **Agrees / Whakaae** that Commissioner Annear will Chair the Hastings District Council's representation Hearing.

Moved Chair Duffy /Seconded Commissioner Annear

6. Tauranga City Council

Reported dated 22 December 2021.

The purpose of this report is to decide on the need for a hearing for the Tauranga City Council representation review.

Chair Duffy noted an amendment of "eight" be the number of total Councillors in Appendix C.

Commissioner Piper declared that her niece works at Tauranga City Council but did not perceive this to be a conflict of interest.

Resolved:

The Commission:

- 1. Agrees / Whakaae that the appeal included as Appendix A is invalid as it requests an outcome outside of the scope of the Local Electoral Act 2001 (the Act); and
- 2. Agrees / Whakaae that the appeals/objections included as Appendix B are partially invalid, as parts relate to matters outside the scope of what the Commission can consider under the Act; and
- 3. **Agrees / Whakaae** that a panel of three Commissioners will complete the determination for Tauranga City Council's representation review; and
- 4. **Agrees / Whakaae** to hold a hearing for the Tauranga City Council representation review on Wednesday 9 March 2022.

Moved Commissioner Bigham /Seconded Commissioner Annear

7. General Business

A discussion was had relating to a question raised by Commissioner Piper about the place of mana whenua boundaries in determining ward boundaries, noting that community boards, district and regional councils' boundaries often bisect rohe. Could/does the fair representation criteria trump mana whenua boundaries?

It was agreed that the Principal Advisor would provide advice in writing on what guidance the legislation provides in relation to the question raised.

The meeting closed at 12.20pm.



MINUTES OF A MEETING HELD VIA ZOOM ON TUESDAY 25 JANUARY 2022

The meeting commenced 11.33am.

Attendance

Present

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

Bonita Bigham

Commissioner

In Attendance

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Linda Canton

Senior Advisor

E-J Ruthven

Senior Advisor

Lee Carter

Business Support Administrator

1. Opening Karakia/Karakia Timatanga

2. Attendance and apologies/I reira me Ngā Whakapāha

3. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

4. Minutes of the Previous Meeting

Minutes of the meeting held 17 January 2022.

Resolved:

The Commission approved the minutes as being a true and accurate record.

Moved Commissioner Bigham /Seconded Commissioner Piper

5. Representation Reviews

Report dated 18 January 2022.

The purpose of this report is to provides a further update about progress of, and planning for representation reviews.

The Commission noted this report.

6. Waikato District Council

Reported dated 19 January 2022.

The purpose of this report is to provide supporting information ahead of the hearing for the Waikato District Council representation review on 27 January 2022.

The Commission noted this report.

7. New Plymouth District Council

Reported dated 19 January 2022.

The purpose of this report is to determine the need for a hearing for the New Plymouth District Council representation review.

Resolved:

The Commission:

- 1. Agrees / Whakaae that a panel of three Commissioners will complete the determination for New Plymouth District Council's representation review; and
- 2. Agrees / Whakaae to hold a hearing for the New Plymouth District Council's representation review on Wednesday 9 February 2022.

Moved Commissioner Piper /Seconded Commissioner Annear

8. Marlborough District Council

Reported dated 18 January 2022.

The purpose of this report is to decide on the need for a hearing for the Marlborough District Council and to determine the validity of the appeal received.

Resolved:

The Commission:

- 1. Agrees / Whakaae to accept the appeal from David Drew
- Agrees / Whakaae that a panel of two Commissioners will complete the determination for the Nelson City Council's representation review
- Agrees / Whakaae to hold a hearing for the Marlborough District Council's representation review on 4 March 2022

Moved Commissioner Annear /Seconded Commissioner Piper

9. Hawke's Bay Regional Council

Reported dated 19 January 2022.

The purpose of this report is to determine the need for a hearing for the Hawke's Bay Regional Council.

Resolved:

The Commission:

- 1. Agrees / Whakaae not to hold a hearing for the Hawke's Bay Regional Council's representation review.
- Notes that if the Commission agrees not to hold a hearing, a draft determination of the representation arrangements for the 2022 general election of Hawke's Bay Regional Council will be prepared for the Commission to consider.

Moved Commissioner Piper /Seconded Commissioner Annear

10. Rangitīkei District Council

Reported dated 19 January 2022.

The purpose of this report is to determine the need for a hearing for the Rangitīkei District Council representation review.

Resolved:

The Commission:

- 1. Agrees / Whakaae not to hold a hearing for the Rangitīkei District Council's representation review.
- 2. **Notes** that if the Commission agrees not to hold a hearing, a draft determination of the representation arrangements for the 2022 local election of Rangitīkei District Council will be prepared for the Commission to consider.

Moved Chair Duffy /Seconded Commissioner Bigham

11. General Business

A discussion was had relating to best practise for holding future hearings with the change of Traffic Light system to Red and taking into consideration the DIA Covid 19 protection Framework guidelines when operating in Red.

The Commission **agreed** that all hearings held in January and February 2022 would be held virtually via zoom webinar. It was also **agreed** that this would be reviewed as part of a Commission meeting on Monday 14 February 2022, to determine the approach for hearings to be held in March.

The Commission agreed that Commissioner Piper would attend the New Plymouth hearing.

The meeting closed at 12.16pm.



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD VIA ZOOM ON TUESDAY 1 FEBRUARY 2022

The meeting commenced 11.30am.

Attendance

Present

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

In Attendance

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Linda Canton

Senior Advisor

Lee Carter

Business Support Administrator

1. Opening Karakia/Karakia Timatanga

2. Attendance and apologies/I reira me Ngā Whakapāha

Commissioner Bigham was unable to attend and sent her apologies.

3. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

4. Minutes of the Previous Meeting

Minutes of the meeting held 25 January 2022.

Resolved:

Subject to the amendment that Commissioner Piper be on the panel for the New Plymouth hearing, the Commission approved the minutes as being a true and accurate record.

Moved Commissioner Piper /Seconded Commissioner Annear

5. Kāpiti Coast District Council

Report dated 26 January 2022.

The purpose of this report is to provide supporting information ahead of the hearing for the Kāpiti District Council to be held Thursday 3 February 2022.

The Commission **noted** this report.

6. Horowhenua District Council

Reported dated 26 January 2022.

The purpose of this report it to determine the need for a hearing for the Horowhenua District Council representation review.

Commissioner Piper highlighted that paragraph 40, the last sentence be a decision when drafting the determination.

Resolved

The Commission:

- Agrees / Whakaae not to hold a hearing for the Horowhenua District Council's representation review.
- 2. **Notes** that a draft determination of the representation arrangements for the 2022 local election of Horowhenua District Council will be prepared for the Commission to consider. *Moved Commissioner Piper /Seconded Commissioner Annear*

7. Hamilton City Council

Reported dated 26 January 2022.

The purpose of this report is to determine the need for a hearing for the Hamilton City Council representation review.

Chair Duffy proposed that he chair the Hamilton hearing.

Subject to the amendment of the name Christopher Taylor in recommendation 1, the Commission:

Resolved:

The Commission:

- 1. Agrees / Whakaae that the appeals from Christopher Taylor and Mark Flyger are invalid
- 2. Agrees / Whakaae that the appeal from Don Morgan is valid
- 3. Agrees / Whakaae that a panel of three Commissioners will complete the determination for the Hamilton City Council's representation review
- 4. Agrees / Whakaae to hold a hearing for the Hamilton City Council's representation review on 8 March 2022,

Moved Commissioner Piper /Seconded Commissioner Annear

8. Waipa District Council

Reported dated 26 January 2022.

The purpose of this report is to decide on the need for a hearing for the Waipa District Council and to determine the validity of the appeal received.

Resolved:

The Commission:

- 1. Agrees / Whakaae that the Commission not hold a hearing on the Waipa District Council's representation review
- Notes / Tuhipoka that a draft determination of the representation arrangements for the 2022 local election of Waipa District Council will be prepared for the Commission to consider.

Moved Commissioner Piper /Seconded Commissioner Annear

9. Ōtorohanga District Council

Reported dated 26 January 2022.

This report covers the draft Determination for the Commission to consider in relation to the Ōtorohanga District Council representation arrangements.

Commissioner Piper raised the question of whether all draft Determinations come through all Commissioners or just the Commissioners that were at that hearing? Officials will provide advice.

Resolved:

The Commission:

 Agrees / Whakaae to the draft determination subject to changes as discussed at the meeting

Moved Commissioner Annear /Seconded Commissioner Piper

10. General Business

As part of the discussion had around the Hamilton City Council report, the commission agreed that Chair Duffy will attend and chair all scheduled representation review hearings held virtually. In addition, it was agreed that should any other commissioners wish to attend any additional virtual hearings they are welcome to do that.

The meeting closed at 12pm.





MINUTES OF A MEETING HELD VIA ZOOM ON TUESDAY 14 FEBRUARY 2022

The meeting commenced 11.32am.

Attendance

Present

Brendan Duffy

Chair

Janie Annear

Commissioner

Sue Piper

Commissioner

Bonita Bigham

Commissioner

In Attendance

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Linda Canton

Senior Advisor

Lee Carter

Business Support Administrator

1. Opening Karakia/Karakia Timatanga

2. Attendance and apologies/I reira me Ngā Whakapāha

3. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

4. Minutes of the Previous Meeting

Minutes of the meeting held 1 February 2022.

Resolved:

The Commission approved the minutes as being a true and accurate record.

Moved Commissioner Annear /Seconded Commissioner Piper

5. Hastings District Council

Report dated 9 February 2022.

The purpose of this report is to provide supporting information ahead of the hearing for the Hastings District Council to be held Friday 18 February 2022.

Commission Piper asked if there could be further information provided before the hearing about the distribution of Maori electoral population across the district.

Commissioner Piper highlighted the residential growth for Flaxmere over the next three years and that Council might want to look at that before the hearing.

The Commission noted this report.

6. Selwyn District Council

Reported dated 9 February 2022.

The purpose of this report it to determine the need for a hearing for the Selwyn District Council representation review.

Resolved

The Commission:

- Agrees / Whakaae that a panel of three Commissioners will complete the determination for Selwyn District Council's representation review; and
- Agrees / Whakaae to hold a hearing for the Selwyn District Council's representation review on 1 March 2022.

Moved Commissioner Piper /Seconded Commissioner Bigham

7. Masterton District Council

Reported dated 9 February 2022.

The purpose of this report is for the Commission to note that the appeals received against the Masterton District Council final representation arrangements are invalid.

Resolved:

The Commission:

1. **Notes** that the two appeals received against the Masterton District Council's final proposal are invalid.

Moved Commissioner Bigham /Seconded Commissioner Annear

8. Porirua District Council

Reported dated 9 February 2022.

The purpose of this paper is to determine the need for a hearing for the Porirua City Council representation review.

Resolved:

The Commission:

- 1. Agrees / Whakaae not to hold a hearing for the Porirua City Council's representation review.
- 2. **Notes** that a draft determination of the representation arrangements for the 2022 general election of Porirua City Council will be prepared for the Commission to consider.

Moved Commissioner Piper/Seconded Commissioner Annear

9. General Business

Acknowledgement of officials

The Commission acknowledged and thanked officials for the level of effort being put into papers being presented to Commissioners as the Commission goes through this representation review process.

75th Anniversary of the Local Government Commission

The Commission supported Chair Duffy writing to Local Government New Zealand (LGNZ) and Taituarā acknowledging the Commission's 75th anniversary in April, asking for their view on recognising the part the Commission has played in the life of local government at their national conferences in 2022. Chair Duffy will also write to the Minister of Local Government to alert her to this occasion.

Hearings via Zoom Webinar

The Commission is due to review its decision to hold representation review hearings virtually through to the end of January 2022. The Commission agreed that it would continue with the current protocol of holding hearings virtually through to the end of the current round of reviews.

Who signs out determinations

It was confirmed that where a hearing is held, the determination which follows should be signed out by the Commissioners who attended the hearing. Determinations where there wasn't a hearing, should be signed out by all Commissioners.

The meeting closed at 11.50am.



MINUTES OF A MEETING HELD VIA ZOOM ON TUESDAY 21 FEBRUARY 2022

The meeting commenced 11.30am.

Attendance

Present

Brendan Duffy Chair

Janie AnnearCommissionerSue PiperCommissionerBonita BighamCommissioner

In Attendance

Penny Langley Chief Executive Officer,
Donald Riezebos Principal Advisor
Linda Canton Senior Advisor
E-J Ruthven Senior Advisor

Lee Carter Business Support Administrator

1. Opening Karakia/Karakia Timatanga

2. Attendance and apologies/I reira me Ngā Whakapāha

3. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

4. Minutes of the Previous Meeting

Minutes of the meeting held 14 February 2022.

Resolved:

The Commission approved the minutes as being a true and accurate record. Moved Commissioner Bigham /Seconded Commissioner Annear

5. Horizons Regional Council

Report dated 16 February 2022.

The purpose of this report is to provide supporting information for the Manawatū-Whanganui Council representation review on 24 February 2022.

Commissioner Piper requested further information regarding geography of the wards and how they differentiate from each other and travel times across each ward.

The Commission noted this report.

6. Manawatu District Council

Report dated 16 February 2022.

The purpose of this report is to provide supporting information for the Manawatu District Council representation review on Thursday 24 February 2022.

The Commission **noted** this report.

7. Gisborne District Council

Report dated 16 February 2022.

The purpose of this report is to determine the need for a hearing for the Gisborne District Council.

Resolved:

The Commission:

- 1. Agrees / Whakaae that the appeals/objections in relation to the establishment of Māori wards are invalid; and
- 2. Agrees / Whakaae that the appeal in relation to the establishment of Māori wards is partially invalid; and
- 3. Agrees / Whakaae that all Commissioners will complete the determination for Gisborne District Council's representation review; and
- Agrees / Whakaae to hold a hearing for the Gisborne District Council's representation review on 17 March 2022 (with 18 March 2022 held in reserve should a high number of appellants which to speak).

Moved Commissioner Piper /Seconded Commissioner Annear

8. Kaipara District Council

Report dated 16 February 2022.

The purpose of this report is to inform the Commission that one appeal has been received against the Kaipara District Council final representation arrangements.

Resolved:

The Commission:

 Notes that the sole appeal received against Kaipara District Council's final proposal is invalid.

Moved Commissioner Piper /Seconded Commissioner Bigham

9. Mackenzie District Council

Report dated 16 February 2022.

This report covers the draft Determination for the Commission to consider in relation to the Mackenzie District Council.

The following amendments to the draft determination were noted: paragraph 15 remove the word 'of', paragraph 26, remove the word 'inaccurate'.

Resolved:

The Commission, subject to the highlighted amendments

1. Agrees / Whakaae to the draft determination.

Moved Commissioner Piper /Seconded Commissioner Bigham

10. South Taranaki District Council

Reported dated 21 January 2022.

Commissioner Bigham declared an interest.

This report covers the draft Determination for the Commission to consider in relation to the South Taranaki District Council

Resolved:

The Commission

1. Agrees / Whakaae to the draft determination.

Moved Commissioner Annear /Seconded Commissioner Piper

11. General Business

Hastings Representation Review Hearing 18 February 2022

A discussion was had to conclude the deliberations following the Hastings District Council hearing. The Commission noted points to assist with the draft determination write up relating to the Flaxmere Planning Committee, the appointment by council of a Flaxmere champion and clarity for future councils in relation to establishing a standing committee.

Update on 75th Anniversary of the Local Government Commission

The Chair advised he had contacted Local Government New Zealand and Taituara. Both organisations had agreed to recognise the Commission's 75th anniversary in their upcoming publications. The Minister of Local Government has also been contacted. The Principal Advisor offered to present an online seminar of the history of the Commission for the Commissioners. A small function to mark the occasion will be arranged later in the year.

The meeting closed at 12.04 pm.





Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD VIA ZOOM ON TUESDAY 28 FEBRUARY 2022

The meeting commenced 11.35am.

Attendance

Present

Brendan Duffy Chair

Janie Annear Commissioner

Sue Piper Commissioner (Joined the meeting at 11.38am)

Bonita Bigham Commissioner

In Attendance

Penny Langley Chief Executive Officer
Donald Riezebos Principal Advisor
Linda Canton Senior Advisor
E-J Ruthven Senior Advisor

Lee Carter Business Support Administrator

1. Opening Karakia/Karakia Timatanga

2. Attendance and apologies/I reira me Ngā Whakapāha

3. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

4. Minutes of the Previous Meeting

Minutes of the meeting held 21 February 2022.

Resolved:

The Commission approved the minutes as being a true and accurate record.

Moved Commissioner Bigham/Seconded Commissioner Annear

5. Selwyn District Council

Report dated 23 February 2022.

The purpose of this report is to provide supporting information for the Selwyn District Council representation review on 1 March 2022.

Commissioner Piper requested further information on previous years population figures relating to the last time the wards were established, for comparison purposes.

The Commission noted this report.

6. Marlborough District Council

Report dated 23 February 2022.

The purpose of this report is to provide supporting information for the Marlborough District Council representation review on 4 March 2022.

The Commission noted this report.

7. Northland Regional Council

Report dated 23 February 2022.

The purpose of this report is to determine the need for a hearing for the Northland Regional Council.

Resolved:

The Commission:

- 1. Agrees / Whakaae that the appeal included as Appendix A, in relation to the Northland Regional Council's decision to establish Māori constituencies is invalid; and
- 2. Agrees / Whakaae that a panel of three Commissioners will complete the determination for Northland Regional Council's representation review; and
- 3. Agrees / Whakaae to hold a hearing for the Northland Regional Council's representation review on Monday 21 March 2022.

Moved Commissioner Piper /Seconded Commissioner Bigham

8. Rotorua Lakes Council

Report dated 23 February 2022.

The purpose of this report is to determine the need for a hearing for the Rotorua District Council.

Resolved:

The Commission:

- Agrees / Whakaae that the appeals/objections included as Appendix A are partially invalid; and
- 2. Agrees / Whakaae that all four Commissioners will complete the determination for the Rotorua Lakes Council's representation review; and
- 3. Agrees / Whakaae to hold a hearing for the Rotorua Lakes Council's representation review on 23 March 2022.

Moved Commissioner Annear /Seconded Commissioner Piper

9. Matamata-Piako District Council

Report dated 23 February 2022.

This report covers the draft Determination for the Commission to consider in relation to the Matamata-Piako District Council.

Resolved:

The Commission:

1. Agrees / Whakaae to the draft determination.

Moved Commissioner Piper /Seconded Commissioner Bigham

The meeting closed at 11.50am.





Local Government Commission Mana Kāwanatanga ā Rohe

WINUTES OF A MEETING HELD VIA ZOOM ON TUESDAY 7 MARCH 2022

The meeting commenced 11.32am.

Attendance

Present

Brendan Duffy

Chair

Janie Annear

Sue Piper

Commissioner

Commissioner

In Attendance

Penny Langley

Chief Executive Officer

Donald Riezebos

Principal Advisor

Linda Canton E-J Ruthven Senior Advisor Senior Advisor

Lee Carter

Business Support Administrator

1. Opening Karakia/Karakia Timatanga

2. Attendance and apologies/I reira me Ngā Whakapāha

Commissioner Bigham was unable to attend and sent her apologies.

3. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

4. Minutes of the Previous Meeting

Minutes of the meeting held 28 February 2022.

Resolved:

The Commission approved the minutes as being a true and accurate record.

Moved Commissioner Piper/Seconded Commissioner Annear

5. Hamilton City Council

Report dated 2 March 2022.

The purpose of this report is to provide supporting information for the Hamilton City Council representation review on 8 March 2022.

The Commission noted this report.

6. Tauranga City Council

Report dated 2 March 2022.

The purpose of this report is to provide supporting information for the Tauranga City Council representation review on 9 March 2022.

The Commission noted this report.

7. Whangarei District Council

Report dated 3 March 2022.

This report covers the draft Determination for the Commission to consider in relation to the Whangarei District Council.

It was agreed to edit para 28 to clarify the Commission's position in relation to making decisions based on Council's process; that paragraph 76 be edited to reflect "undertake work" and that the comparison in paragraph 80 be removed.

Resolved:

Subject to amendments, the Commission:

1. Agrees / Whakaae to the draft determination.

Moved Commissioner Piper /Seconded Commissioner Annear

The meeting closed at 12.02 pm.



Local Government Commission Mana Kāwanatanga ā Rohe

WINUTES OF A MEETING HELD VIA ZOOM ON TUESDAY 22 March 2022

The meeting commenced 11.32am.

Attendance

Present

Brendan Duffy Chair

Janie Annear Commissioner
Sue Piper Commissioner

Bonita Bigham Commissioner (temporary)

In Attendance

Penny Langley Chief Executive Officer
Donald Riezebos Principal Advisor
E-J Ruthven Senior Advisor

Lee Carter Business Support Administrator

1. Opening Karakia/Karakia Timatanga

2. Attendance and apologies/I reira me Ngā Whakapāha

3. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

4. Minutes of the Previous Meeting

Minutes of the meeting held 7 March 2022.

Resolved:

The Commission approved the minutes as being a true and accurate record.

Moved Commissioner Annear/Seconded Commissioner Piper

5. Northland Regional Council

Report dated 16 March 2022.

The purpose of this report was to provide supporting information for the Northland Regional Council representation review hearing which was held on 21 March 2022.

The Commission noted this report.

6. Rotorua Lakes Council

Report dated 16 March 2022.

The purpose of this report is to provide supporting information for the Rotorua Lakes Council representation review hearing on 23 March 2022.

Commissioner Piper noted that the Council's introduction may run over time. It was suggested that appellants be informed of possible time delays.

The Commission noted this report.

7. General Business

Taranaki regional council

It was noted that the deliberations for the New Plymouth District Council's representation arrangements were now completed and those on the panel for the Taranaki Regional Council were now free to meet to conclude the deliberations for that Council's representation arrangement.

Tauranga City Council

The Commissioners revisited and concluded deliberations for the Tauranga City Council representation arrangements. Final direction was given to officials in order for a draft determination to be prepared for consideration at a future meeting.

The meeting closed at 12.05pm.



Local Government Commission Mana Kāwanatanga ā Rohe

MINUTES OF A MEETING HELD VIA ZOOM ON TUESDAY 28 March 2022

The meeting commenced 11.32am.

Attendance

Present

Brendan Duffy Chair

Janie Annear Commissioner
Sue Piper Commissioner
Bonita Bigham Commissioner

In Attendance

Penny Langley Chief Executive Officer
Donald Riezebos Principal Advisor
Linda Canton Senior Advisor
E-J Ruthven Senior Advisor

Lee Carter Business Support Administrator

1. Opening Karakia/Karakia Timatanga

2. Attendance and apologies/I reira me Ngā Whakapāha

3. Disclosure of Commissioners' Interests

The consolidated list of Commissioners' interests was noted.

4. Minutes of the Previous Meeting

Minutes of the meeting held 22 March 2022.

Resolved:

The Commission approved the minutes as being a true and accurate record.

Moved Commissioner Bigham/Seconded Commissioner Annear.

5. Far North District Council

Report dated 24 March 2022.

The purpose of this report is to cover the draft Determination for the Commission to consider in relation to the Far North District Council representation arrangements.

Commissioner Piper requested an amendment to paragraph 17.

Resolved:

The Commission:

Agrees / Whakaae to the draft determination subject to changes as discussed at the meeting. *Moved Commissioner Piper/Seconded Commissioner Annear*.

6. New Plymouth District Council

Report dated 24 March 2022.

Commissioner Bigham declared an interest in this item.

The purpose of this report is to cover the draft Determination for the Commission to consider in relation to the New Plymouth District Council (the Council) representation arrangements.

Commissioner Piper highlighted some grammatical amendments relating to consistency across common and proper nouns.

Resolved:

The Commission:

Agrees / Whakaae to the draft determination subject to changes as discussed at the meeting. *Moved Commissioner Piper/Seconded Commissioner Annear.*

7. Manawatū-Whanganui Regional Council

Report dated 24 March 2022.

The purpose of this report is to cover the draft Determination for the Commission to consider in relation to the Manawatū-Whanganui (Horizons) Regional Council representation arrangements.

Commissioner Piper requested that Ruahine Ranges be added to the description in paragraph 17.

Resolved:

The Commission:

Agrees / Whakaae to the draft determination subject to changes as discussed at the meeting. *Moved Chair Duffy/Seconded Commissioner Bigham*.

8. Waipa District Council

Report dated 24 March 2022.

The purpose of this report is to cover the draft Determination for the Commission to consider in relation to the Waipa District Council representation arrangements.

There was a discussion about the use of macrons in Māori place names. It was clarified that the Commission is constrained to using what is set by the Geographic Board.

Resolved:

The Commission

Agrees / Whakaae to the draft determination.

Moved Commissioner Piper/Seconded Commissioner Annear.

9. Waikato District Council

Report dated 23 March 2022.

The purpose of this report is to cover the draft Determination for the Commission to consider in relation to the Waikato District Council representation arrangements.

Resolved:

The Commission

Agrees / Whakaae to the draft determination.

Moved Commissioner Bigham/Seconded Commissioner Annear.

10. General Business

April monthly Commission meeting

It was agreed that Chair Duffy and the Chief Executive would discuss options around meeting timing and come back with a proposal.

Rotorua Lakes Council

Commissioners revisited and concluded deliberations for the Rotorua Lakes Council representation arrangements. Final direction was given to officials in order for a draft determination to be prepared for consideration at a future meeting.

The meeting closed at 12.17pm

