

Representation Review – An Overview

Meeting: Council Briefing
Date of meeting: 2 December 2020
Reporting officer: Dale Ofoske, Electoral Officer
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Purpose/Ngā whāinga

To provide an overview of the upcoming representation review process for the 2022 and 2025 local government elections, reflecting the latest population figures and the establishment of a Māori ward (subject to the outcome of any poll being held) with an indicative implementation timetable.

Context/Horopaki

The Local Electoral Act (LEA) requires all local authorities to undertake a representation arrangements review at least once every six years. Council's last review was undertaken in 2018/2019 (for the 2019 local government elections). The outcome of this review was an adjustment in some ward boundaries and the creation of a new Kaiwaka/Mangawhai ward. Eight councillors were confirmed, elected from the four wards.

The next review would normally occur in 2024/2025 (for the 2025 local government elections) but council indicated at the end of the previous process that it would complete another representation arrangements review in 2021/2022 (for the 2022 and 2025 local government elections). This was due to the significant growth being experienced around the District and the impact that would have on representation statistics. Doing this review will also enable the use of the latest population statistics (2018 Census with population estimates at 30 June 2020) when determining options.

Council also resolved on 28 October 2020 to establish a Māori ward (subject to the outcome of any poll being held), which requires a review to be completed.

During the review, Council must consider its communities of interest, effective representation (wards, total number of councillors, community boards etc) and fair representation (each councillor representing about the same number of people, within +/- 10%). The Local Government Commission has published guidance for Local Authorities to consider when undertaking a Representation Review. It is available at **Attachment A**.

Discussion/Ngā kōrerorero

The formal representation review process cannot commence until 1 March 2021 and an initial proposal must be made by 31 August 2021.

Informal consultation

It is recommended Council undertake preliminary public consultation on representation arrangements, as was done prior to the 2018 review. Feedback obtained from the public consultation can then be provided to elected members to assist in their deliberations in determining an initial proposal. Staff intend to complete this via a people's panel survey early next year.

Potential Māori ward poll

The public are currently able to demand a poll on Māori wards at any time, and if a demand is received by 22 February 2021, a poll must be held by 21 May 2021 – the outcome effective for the 2022 and 2025 triennial elections. The holding of a poll could then impact on the timing/finalisation of the representation review.

If a demand for a poll is received after 22 February 2021, a poll must be held after 21 May 2021 and can be held with the 2022 triennial election – the outcome effective for the 2025 and 2028 triennial elections.

It should be noted the Minister of Local Government's interest in the poll provisions for Māori wards, and a directive or legislative change may be forthcoming.

Considerations

To undertake a representation review, Council must consider the following:

- What are the district's communities of interest?
- Whether general councillors are elected by all electors of the district whose names are on the general electoral roll either:
 - as a whole (at large) or
 - from two or more wards or
 - from a mix of electors of the district (at large) and by electors of wards?
- The impact of the Māori ward (one councillor to be elected by all electors of the district whose names are on the Māori electoral roll)
- the proposed number of councillors to be elected in each category (at large/ward/mixture - if applicable)
- the proposed name and boundaries for each ward
- whether there should be communities and community boards, and if so, the nature of a community and structure of a community board?
- the number of members of a community board (including the number elected and appointed)
- whether members of a community board are to be elected by electors of a community as a whole or by electors of two or more subdivisions?
- the names, boundaries and number of members of each subdivision of a community (if adopted).

Current arrangements

Because of the significant population growth in the district, the current ward structure does not comply with the +/- 10% fair representation criteria (Dargaville and Kaiwaka-Mangawhai Wards are non-compliant).

Ward	Pop	Crs	Average	Fits Rule	% Variation
Dargaville	4,960	2	2,480	No	-21.18%
Kaiwaka-Mangawhai	8,680	2	4,340	No	37.94%
Otamatea	5,760	2	2,880	Yes	-8.46%
West Coast-Central	5,770	2	2,885	Yes	-8.30%
	25,170	8	3,146	Min 2,831	Max 3,460

Population estimates 30 June 2020

When an at large Māori ward is included, all current wards are non-compliant to the +/- 10% rule.

Timetable

There is a prescribed timetable and process Council must follow when undertaking a representation arrangements review. Key indicative dates, with last legal dates, are:

- December 2020 - March 2021: informal public consultation
- 22 February 2021: last date for demand for poll (for outcome applicable for 2022 election)
- April 2021/mid-June 2021: initial proposal consideration (noting a poll may be required by 21 May 2021)
- mid-June 2021: initial proposal resolution (last legal date 31 August 2021) and public notice (last legal date 8 September 2021)

- mid-June/mid-July 2021: public submission period (minimum 4-weeks, last legal date 8 October 2021)
- end August 2021: public hearings, final proposal resolution and public notice (maximum 6-weeks from public notice, last legal date 19 November 2021)
- end August 2021 – end September 2021: public appeal/objection period (minimum 4-weeks, last legal date 20 December 2021)
- early October 2021: public notice (basis of election) or forward material to LGC (last legal date 15 January 2022)
- by 10 April 2022: determination by LGC (if required)

The above dates are flexible, provided functions are undertaken within the last legal dates.

Next steps/E whaiake nei

Develop a communications strategy for preliminary public consultation on representation arrangements, noting that various options can be informally consulted on, but only one initial proposal can be resolved for formal public consultation.

Once feedback from the informal public consultation has been received and analysed, a further briefing be held to help formulate an initial proposal.

Attachments/Ngā tapiritanga

	Title
A	Local Government Commission Guidance on Representation Reviews