

Federation of Wellington Progressive and Residents' Associations



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5 October 2012

Ross Bly
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REVIEW OF WELLINGTON CITY COUNCIL REPRESENTATION FOR THE 2013 LOCAL ELECTIONS

The Federation of Wellington Progressive and Residents Association met on Tuesday 25 September 2012 and discussed matters relating to the above Review.

The Federation wishes to comment on two areas

1. Election of Council as “at large”

The Federation is of the view that a Council elected At Large is beneficial for the City of Wellington for the following reasons:

- All elected Councilors take an oath on taking up office to act in the best interest of the whole district
- STV electoral system is most effective when electing 5 or more members
- A person can vote for those candidates in the whole District that will represent them best
- The opportunity for a number of representatives to be elected from an area for their skills and interest. The arbitrary limitation of the current ward system does not apply.

2. Process Followed for Election of Council as “at large”

Council has again developed a proposal, and committed itself to a specific direction. At the meeting of Council held on 29 August 2012, Council “Agreed that members of the

Wellington City Council (other than the Mayor) be elected under the Ward system for the 2013 local authority elections”.

The Federation is of the view that the process followed by the Council in this review does not meet the requirements of Local Government legislation and the guidelines provided to “assist Local Authorities in undertaking representation Reviews”.

We believe that Council has strayed in this process by not consulting communities at the initial development of the review.

Hearing

The Federation wishes to make an oral presentation on 10 October 2012.

Tom Law
President

**PUBLIC PARTICIPATION
FULL COUNCIL MEETING
WEDNESDAY, 30TH APRIL 2003**

SUBJECT: REVIEW OF REPRESENTATION ARRANGEMENTS

Madam Mayor and Councillors

I note Recommendation 1 in Report 13 from the Planning and Performance Committee meeting of 16 April 2003:

“That Council agree that the representations review that the Council is required to undertake at least every six years be carried out in 2006 in time for the 2007 local authority elections.”

This recommendation reverses a resolution passed unanimously at the Democracy Subcommittee meeting of 24 March 2003. Consequently, an associated recommendation did not proceed. Nor did the three recommendations from the Democracy Subcommittee meetings of Tuesday, 8 April 2003 and Monday, 14 April, which were also passed unanimously.

These four recommendations have foundered because three members of that committee have subsequently voted against their own recommendations. My reaction to such neglect of collective responsibility has already been conveyed to you by e-mail.

My additional comment is that I sincerely doubt that anyone would question the experience, integrity or impartiality of Ross Bly, as the author of the Reports presented to both committees. With the benefit of those reports, why would any councillor vote against a resolution, and thereby deny the people they represent their democratic right of choice? The Electoral Act explains that the division of a district into wards is for electoral purposes only. I also understand that all members elected under the ward system take an oath, on taking up office, to act in the best interests of the whole district. This surely requires the widest input from the ‘community’ you all represent and serve.

The Democracy Subcommittee was established by the Wellington City Council at its meeting on 8 November 2001. Unanimous recommendations from this Subcommittee, consistent with their terms of reference, demand the support of subsequent Standing committees. As there is no suggestion of this committee’s lack of competence, the only question to be answered objectively must be – In what way were the Democracy Subcommittee’s recommendations deficient, in relation to the Review of Representation Arrangements? Lacking any evidence of neglect, their recommendations must be supported by the Council subsequently.

Hence, I commend to Council that Recommendation 1 be voted against, and that the original unanimous recommendations from the Democracy Subcommittee meetings of 24 March, 8 April and 14 April be agreed.

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16 July 2003

Mr. Ross Bly
Special Projects Officer
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WELLINGTON

Representation Review 2003

These brief comments are additional to the response contained on the standard form of submission.

I obtained the full council literature(?) from the local library on Friday 11th July and asked how long it had been available. The librarian indicated she had asked for additional copies and believed they had been available for a couple of weeks. As a regular at the library to read the council reports I had not noticed their availability.

As you are aware I have had a particular interest in the introduction of STV and the way this was being extended in to the community for their understanding. Indeed, at one meeting of the Democratic Subcommittee which David Major attended, he indicated his concern at the poor understanding of the public regarding council affairs, and believed that the councilor representation on that committee should be reviewed. It all became very confused after the triennium review papers got to the Planning and Performance Committee subsequently. You were away at the time for five weeks I understand.

As an acute observer at all these council meetings, it became abundantly clear that there are important items that receive scant attention from certain councilors who may not be directly involved. I made direct comment during public participation at the full council meeting where attempts had been made to delay the review until 2006.

I must therefore admit to some skepticism about the sincerity of this particular triennium review. The timetable states that public consultation is during June/July 2003. I believe that the initial delay has reduced the opportunity for proper consultation, which reality should be conveyed to the local government commission. Additionally, the only public comment about this review that I have seen, was in the Cook Straits News of Monday,

July 14, 2003. It stretches credibility to suggest that there is any sincerity in attempting to alert the public when there appears to be a complete lack of information to **explain** the real implications of STV during this review.

There has been a newspaper editorial drawing the public's attention to the high cost of its elected local government representatives, and this matter deserves to be addressed during the review. The section of the review documentation referring to Community of Interest states that the present Council's Suburban Boundary Review and community planning pilot projects will be contributing to the review process. Excuse me, these are two distinctly different projects, to which the contributors were not told they were to form part of the triennium review (I have contributed to both of these reviews).

I noted in the partial election by ward and partial election at-large that **'The division of a district into wards is for electoral purposes only, and all members elected under the ward system take an oath on taking up office to act in the interests of the whole district. Therefore, in the terms of the duties of elected members, there is no functional difference in the decision-making role of members at-large and members elected by the ward system.'** This statement is deserving of the widest public disclosure as it clarifies the role of the councilor whom they elect. I seriously believe that voters actually believe they are voting for their individual ward representative and not one who acts in the interests of the whole district.

My concern must be summarized as believing that the public remain uninformed as to the real purpose of the triennium review.

Yours sincerely

Bernie Harris



LOCAL GOVERNMENT COMMISSION

**GUIDELINES TO ASSIST
LOCAL AUTHORITIES
IN UNDERTAKING
REPRESENTATION REVIEWS**

Local Government Commission
WELLINGTON

March 2003

ISBN 0-478-04957-9

COPY OF APPEAL OF COUNCIL DECISION IN 2003

84 Mills Road
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15 December 2003

Chief Executive
Wellington City Council
P O Box 2091
WELLINGTON

**REPRESENTATION ARRANGEMENTS FOR THE 2004 LOCAL AUTHORITY
ELECTIONS**

As advised in the letter from Ross Bly dated 19 November 2003, reference 1225/07/05/IM, I wish to appeal the Council decision to retain the existing ward system, confirming its initial proposal as its final proposal, without amendment.

I refer to my submissions dated 16 July 2003 in which I noted in bold that "The division of a district into wards is for electoral purposes only, and all members elected under the ward system take an oath on taking up office to act in the interests of the whole district. Therefore, in the terms of the duties of elected members, there is no functional difference in the decision-making role of members at-large and members elected by the ward system." I therefore suggested that this statement was deserving of the widest public disclosure to clarify, for the public, that councillors elected by individual wards did not actually represent their wards at the Council table. There is no record in subsequent Council papers that this clarification was undertaken.

In my further submission by email dated 3 October 2003 I mentioned my involvement with the Democracy Subcommittee between May 2002 and July 2003 since the proposed introduction of the new STV electoral system. I noted that in carrying out this review the Council was required to identify the communities of interest throughout the city and to decide how those communities can best be represented. I contended that Council had not attempted to identify those 'communities of interest' despite council being required to do so. Indeed, I referred to that default in my original submission of 16 July 2003. This contention was refuted in a comment included in Report 1 presented to the Democracy Subcommittee on 15 October 2003:

"Mr Harris' statement that no other options were put before Council is not in fact correct. A number of options were discussed at the Democracy Subcommittee on 8 August and some of those were debated at the Council meeting on 20 August 2003."

Reference to Report 2 to the Democracy Subcommittee on 8 August 2003 will show that the discussion centred around the differing permutations of wards to be referred to the

Planning and Performance Committee and did not discuss any other options under a 'community of interest' heading. This was despite that subject being separately identified in this Report. Furthermore, there was also a clear reference to "Effective representation for communities of interest is the determinant in selecting the overall representation arrangements of the local authority." which was equally ignored.

At a meeting of the Democracy Subcommittee on 27 November 2003, I defended my earlier statements and drew their attention to the above comments of 8 August. Once again I contended that Council failed to present the true position to the voting public in its public documents, when seeking submissions. I also suggested that every ward did not have similar 'communities of interest' other than geographic references to set the ward boundaries. It stretches credibility to represent every ward as having similarities when that is patently false. An at-large electoral system is the only credible representation of the district's community of interest to meet the new STV system.

The overriding impression gained whilst approaching, and during, the Triennium Review was a determination by certain councillors to protect their own interests despite any information that might be to the contrary, during the consultation process. While the consultation process for this year has been affected by an initial attempt to delay it until 2006, the most important change to the STV electoral system has suffered accordingly.

My appeal is therefore predicated by the imperative need to remove any potential for self-interested majority decisions, and to enable the objectivity of the Local Government Commission to consider whether the statutory requirements set down in the Local Government Act 2002 have been faithfully followed during the current triennial review. It has been noted that agreement of the representation requirements at this next local body election need not be reviewed again until 2009.

Yours sincerely

Bernard Te Uira Harris



LOCAL GOVERNMENT COMMISSION

Determination

of the membership and basis of election for the
general election of the Wellington City Council to be
held on 9 October 2004

BACKGROUND

- 1 The Wellington City Council ("the Council") undertook a review of the membership and basis of election of the Council and of community boards under sections 19H and 19J of the Local Electoral Act 2001 ("the Act"). On 21 August 2003 the Council resolved the initial proposed electoral arrangements to apply for the general election of the Council to be held in October 2004.
- 2 The Council elected at the 2001 general election comprises 19 members and the Mayor. The 19 members were elected as follows:

Northern Ward	4 members
Onslow Ward	2 members
Western Ward	2 members
Lambton Ward	4 members
Eastern Ward	4 members
Southern Ward	3 members
- 3 Elections were held for two community boards in the City at the 2001 general election. The boards and their membership are:
 - The Tawa Community Board - six elected members and two appointed members
 - The Makara-Ohariu - Community Board – six elected members.

- (a) *if the territorial authority or the Commission considers that the effective representation of communities of interest within island communities or isolated communities situated within the City of the territorial authority so requires, wards and subdivisions of a community may be defined and membership distributed between them in a way that does not comply with subsection (2):*
- (b) *if the regional council or the Commission considers that effective representation of communities of interest so requires, constituencies may be defined and membership distributed between them in a way that does not comply with subsection (2).*

14 The Commission notes that any preliminary ward arrangements determined to reflect communities of interest might need to change to ensure that the population to member ratio requirement of section 19V(2) is met, unless it is satisfied that island or isolated communities require separate representation to achieve effective representation.

15 The Commission's first responsibility was to decide whether or not the City should be divided into wards, and if so the number and boundaries of those wards to provide effective representation of communities of interest within the City.

16 In a determination issued by a previous Local Government Commission in 2001 it was stated that –

“Wellington City is a diverse area, with the Central Business District focussed on Lambton Harbour, suburban areas, and rural areas on its western periphery. The topography and geographic features of the City have been factors in fostering distinct communities of interest over time.”

17 The Commission is satisfied that this continues to be the case and that because of the diversity of the City; effective representation of communities of interest could only be achieved by councillors being elected on a ward basis.

Appropriate Ward System and Membership

18 Having decided that the basis of election would be the ward system, the Commission then considered the number and boundaries of wards necessary to ensure the effective representation of the various communities of interest in the City. The Commission does not consider that section 19T envisages that individual communities of interest need separate representation. Its sole requirement in this regard is that the representation of communities of interest must be effective.

19 The Commission emphasises that wards are for electoral purposes only, and that the Council is the entity to which members are elected.

- 20 In the Commission's view, where a City is to be divided into wards, there should be such number of wards as is necessary and consistent with the concept of effective representation of various communities of interest. In this regard the requirements of section 19V(2) also need to be taken into account, as the population that each ward member represents must be generally similar across the City.
- 21 As noted above appeals were lodged against a number elements of the Council's proposals for wards and membership. These included alternative numbers of members and wards and alternative boundaries.
- 22 The Commission had to consider a number of appeals and objections, (some with conflicting aims). In its determination it has to ensure effective representation of communities of interest and the requirement for the population to member ratio of each ward to comply with the +/-10% requirement of section 19V(2) of the Act.
- 23 Taking into account the resolutions of the Council and the submissions and appeals and other information forwarded to it under section 19Q of the Act, the Commission has decided to design a ward system and a level of membership that meets the obligations set out above. The Commission also came to an overall conclusion that a 19 member council is more than is required to ensure effective representation of communities of interest. The system the Commission has devised is broadly as follows:

Ward	Area encompassed by ward
Northern	The area of the proposed Northern Ward and the Raroa area proposed to be transferred to the Onslow Ward
Onslow-Western	The area of the proposed Onslow Ward (excluding the Raroa area proposed to be transferred from the Northern Ward) and the area of the proposed Western Ward
Lambton	The area of the proposed Lambton Ward, <ul style="list-style-type: none"> • excluding meshblock 21861100 transferred to the Eastern Ward; • including the Mortimer Terrace area proposed by the Council to be transferred from the Lambton ward to the Southern Ward; and • the following Brooklyn area transferred from the Southern Ward, specifically meshblocks - 2160000, 2160101, 2160200, 2160301, 2160302, 2160303, 2160400, 2160500, 2160600, 2160700, 2160801, 2160802, 2160900, 2160102, 2161000, 2161100, 2161201, 2161202, 2161300, 2161400, 2161500, 2161600, 2161700, 2161800, 2161900, 2162000, 2162100, 2162300, 2162400, 2162600, 2162700, 2162800, 2162900, 2163000, 2163100, 2163200, 2187201, 2187202, 2187203, 2187304, 2187306
Eastern	The area of the proposed Eastern Ward, and including meshblock 2190002 transferred from the Southern Ward and meshblock 2186110 transferred from the Lambton Ward
Southern	The area of the proposed Southern ward less – <ul style="list-style-type: none"> • excluding the Mortimer Terrace area proposed by the Council to be transferred from the Lambton ward to the Southern Ward; and • those areas transferred to the Lambton Ward and the Eastern Ward

- 25 The Commission has decided that a Council of 14 members (excluding the mayor) can best achieve effective representation for communities of interest. It also does not require the division of communities of interest in a way that other levels of representation may have required. Applying the above boundaries to a Council of 14 members enables the requirements of section 19V(2) to be met, as follows:

Ward	Members	Population per member	Ward Population (2001 Census)
Northern	3	13321	39964
Onslow-Western	3	11890	35670
Lambton	3	13215	39645
Eastern	3	11207	33621
Southern	2	12610	25220

(The population per member falls within the range of 12437+/-10% (11193 to 13681). The City's total usually resident population at the time of the 2001 Census was 174120.)

Community Boards

- 26 The Council proposed that the existing Tawa and Makara-Ohariu Community Boards should be retained. The Commission is satisfied that they continue to fulfil a useful local governance function and has therefore determined the Tawa and Makara-Ohariu areas should continue to have community board coverage.
- 27 Three appeals sought the exclusion of the Willowbank area from the Tawa Community. The Commission did not consider that Willowbank was geographically so distinct to justify its exclusion from the Tawa Community. The Commission therefore determined that the boundaries of the Tawa Community should remain as proposed by the Council.
- 28 The Council proposed that both community boards should each have six elected members and that the Tawa Community Board should also have two appointed members. The Commission considers that this will provide effective representation for the residents of each community.
- 29 Appeals were received that sought the constitution of a community board for the Newlands-Paparangi area, and for the City as a whole. The Commission was not satisfied that the area proposed for this community is the most appropriate area for a community board in this part of Wellington City. It considers that it may be too confined an area to provide community-level governance for Council services in this part of the City. Overall the Commission was not persuaded that community boards should be constituted for the other areas of the City at this time. The Commission notes that the Council intends to review the issue of community boards on a city-wide basis prior to the 2007 local elections. This would seem to be the appropriate mechanism for consideration of this issue. The Commission looks forward to seeing that the outcome of that review.

- (c) three members shall be elected by the electors of the Lambton Ward;
- (d) three members shall be elected by the electors of the Eastern Ward; and
- (e) two members shall be elected by the electors of the Southern ward.

- (4) There shall be two communities as follows:
 - (a) The Tawa Community, comprising the area of the Tawa Community as previously defined by the Wellington City Council; and
 - (b) The Makara-Ohariu Community, comprising the area as delineated on S.O. Plan No. 36004 deposited with Land Information New Zealand.
- (5) The membership of the community board for each community shall be as follows:
 - (a) The Tawa Community Board shall comprise six elected members and two members of the Council representing the Northern Ward and appointed to the community board by the Council; and
 - (b) The Makara-Ohariu Community Board shall comprise six elected members.

32 As required by sections 19T(b) and 19W(c) of the Act, the boundaries of the above wards and communities coincide with the boundaries of current statistical meshblock areas determined by Statistics New Zealand and used for Parliamentary electoral purposes.

THE LOCAL GOVERNMENT COMMISSION

Grant Kirby (Chairman)
 Linda Constable (Commissioner)
 Kerry Marshall (Commissioner)

7 April 2004

Wellington City Council

2006 Representation Review

Public Discussion Document

April 2006

Absolutely

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31 May 2006

Representation Review 2006
Wellington City Council
PO Box 2199
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Attention Ross Bly – Special Projects Officer – Democratic Services

I am responding to your letter dated 5 May 2006 addressed to the Vogelmorn Kingston Residents Association – Review of Council Representation and Membership, not as the Secretary of the Association, but as the specialist adviser in our community, due to my familiarity with the statutory requirements of the subject.

I firstly refer to the Determination of the Local Government Commission dated 7 April 2004 in which particular comments are made:

- Para 12 “... is the provision of effective representation of the various communities of interest within the city. The Commission must determine which communities of interest or groupings of communities of interest require representation.”
- Para 13 “Section 19V provides that the electors of the various wards within the city must receive fair representation.”
- Para 15 “The Commission’ first responsibility was to decide whether or not the city should be divided into wards.”
- Para 16 “In a determination issued by a previous Local Government Commission in 2001 it was stated that –
“Wellington City is a diverse area, with the Central Business District focused on Lambton Harbour, suburban areas, and rural areas on its western periphery. The topography and geographic features of the City have been factors in fostering distinct communities of interest over time.”
- Para 17 “The Commission is satisfied that this continues to be the case and that because of the diversity of the City, effective representation of communities of interest could only be achieved by councillors being elected on a ward basis.”
- Para 18 “... The Commission does not consider that section 19T envisages that individual communities of interest need separate representation. Its sole

requirement in this regard is that the representation of communities of interest must be effective.”

Para 19 **“The Commission emphasises that wards are for electoral purposes only, and that the Council is the entity to which members are elected.”**
(my emphasis)

Para 20 “..... as the population that each ward member represents must be generally similar across the City.”

Para 23 “...The Commission also came to an overall conclusion that a 19 member council is more than is required to ensure effective representation of communities of interest.”

Para 25 “...It also does not require the division of communities of interest in a way that other levels of representation may have required.”

Para 29 “...The Commission notes that the Council intends to review the issue of community boards on a city-wide basis prior to the 2007 local elections.The Commission looks forward to seeing that (sic) the outcome of that review.”

Para 30 “The Commission encourages territorial authorities.....to review the functions delegated to community boards.should consider providing the boards with a comprehensive set of delegated functions.”

I have made the above references for the specific purpose of seeking assurance that the 2006 Representation Review is a proper ‘greenfield’ review uninfluenced by comment from the last Determination. Circumstances and events at a given time determine the outcome of any review and the Long Term Council Community Plan (LTCCP) to 2016/17, the escalating price of crude oil, and economic uncertainties are examples warranting serious consideration. Included with this response is a copy of my objection to the last review in 2003, which summarises my concerns at that time.

Since the commencement of the new Triennium in 2004 it is evident that the present Council has failed to gain the confidence of its community of interests, being five wards and two community boards. This is primarily the result of a lack of cohesive governance from the present elected representatives, where divisive attitudes predominate. This may be the special preserve/disease of local government, where the preferences of individuals can take precedence over the well-being of the community. From a community perspective however, the structure in which governance operates may be a contributor to the present situation. The review should therefore be directed towards identifying the precise means whereby objectives can be achieved with confidence. The imperative in such a review is the assembly of the necessary resources to provide that confidence and the caliber of the people charged with that responsibility. Essential in such an environment is the quality of the information available to support the policy recommendations being sought.

What the community expects from its elected representatives requires a transparency in the communication process that minimises any possibility of its misinterpretation. Hence, the LTCCP becomes the agreed direction during which three statutory triennium

reviews may be undertaken. This priority deserves to be identified as the primary consideration in the present representation review.

The public Discussion Document dated April 2006 presents certain options from which the Council will present the communities of interest and recommendations for formal consultation. I am reasonably comfortable with the range of options presented but ask that the three ward option be expanded to consider (A) six members per ward; (B) six members per ward with Roseneath in the Eastern/Southern Ward instead of the Western/Lambton ward; and (C) six members per ward with Roseneath in the Eastern/Southern ward, Wadestown in the Northern/Onslow ward, and the Western/Lambton ward reduced accordingly. My calculations indicate that option (C) presents the minimum variation in Population per Councillor of any of the ward permutations. Primarily due to the fact that the STV electoral system will be operative in 2007, I must admit to a preference to the six members per ward as it enables the diversity of electoral interests to be accommodated in each ward, and could be quite complementary across the City consistent with the formal declaration required by members at the First Meeting of a new Triennium.

I would be happy to expand on these suggestions if clarification is desired.

Yours sincerely

Bernard Te Uira Harris

PUBLIC NOTICE OF COUNCIL'S DECISION: DOMINION POST SATURDAY 8 JULY 2006

Have your say! Representation Arrangements for the 2007 Local Authority Elections

Wellington City Council has reviewed its representation structure and, on 28 June 2006, resolved that the following proposal apply for the Council and its Community Boards for the elections to be held on 13 October 2007.

Council Representation

The Council is required to identify communities of interest in the city and decide whether each community needs separate representation, or whether they can be grouped together to achieve effective representation.

The Council has previously identified its communities of interest with suburbs, grouping these into wards. It still believes the most effective representation is through the ward system.

The Council proposes to continue having 14 members elected from five wards, with the Mayor elected at large. The names of the wards, the number of members to be elected from each ward and the communities of interest are as follows:

Northern (3)	Churton Park, Glenside, Grenada North, Grenada Village, Horokiwi, Johnsonville, Newlands, Ohariu, Paparangi, Takapu Valley, Tawa and Woodridge.
Onslow/Western (3)	Broadmeadows, Crofton Downs, Kaiwharawhara, Karori, Khandallah, Makara, Makara Beach, Ngaio, Ngauranga, Northland, Wadestown and Wilton.
Lambton Ward (3)	Aro Valley, (Part) Brooklyn, Highbury, Kelburn, Mt Cook, Mt Victoria, Oriental Bay, Pipitea, Roseneath, Te Aro, Thorndon, and Wellington Central.
Southern Ward (2)	Berhampore, (Part) Brooklyn, Island Bay, Kingston, Mornington, Newtown, Owhiro Bay, and Vogelstown.
Eastern Ward (3)	Breaker Bay, Hataitai, Houghton Bay, Karaka Bays, Kilbirnie, Lyall Bay, Maupuia, Melrose, Miramar, Moa Point, Rongotai, Roseneath, Seatoun, Southgate and Strathmore Park.

Having decided on the most effective way of representing communities of interest, the Council is required (under section 19V(2) of the Local Electoral Act 2001) to comply with the principle of population equality per member across the wards.



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28 August 2006

Representation Review 2006
Wellington City Council
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Attention Ross Bly – Special Projects Officer, Democratic Services

I am responding to your letter of 16 July 2006, reference 1225/07/06, advising of the initial proposal adopted by Council at its meeting on 28 June 2006.

I am strongly opposed to that proposal on the following grounds:

1 The responses to the Public Discussion Document dated April 2006, seeking comment regarding the 2006 Representation Review, numbered a mere 190, summarized in Report 6 to the Strategy and Policy Committee on 15 June 2006. Section 4.6 of that report indicated particular reasons for that disappointing response when compared to the three previous reviews. As one of those who responded, I agree completely with the observations that possible consultation “overload” and a period of only four weeks was a major contributor to that meaningless response, when compared to a resident population base of circa 185,000. Of the 190, a major statistical distortion results when 94 of them came from the Eastern Ward. Consequently the conclusions arising from the Issues identified in the 2006 Representation Review Questionnaire become skewed beyond any possible meaningful purpose. I made a similar comment to the previous Representation Review in 2003 when only 398 responses were received.

2 The Council is undertaking this review with the foreknowledge that the Single Transferable Voting (STV) system will be operative in 2007. Irrespective of the fault in the computer analysis in 2004, the STV system is the statutory process to determine the successful candidates in 2007. This system of voting was identified in the above Questionnaire, which only aroused the skewed response of 190. Consequently, Council has determined their “initial” proposal as five Wards with minor boundary changes and the retention of the same number of councilors per Ward as exists at present. I contend that this decision has no other purpose than to continue to deliberately misinform the voting public. It is common knowledge to most councillors that for the STV system to

work effectively, a decision of less Wards with more candidates per Ward would be consistent with the statutory requirements resulting from the poll of electors held in November 2002. Council is therefore acting in disregard of the current legislation. The obvious reason for doing so is to retain the present status quo in which their present personal, and excessive, income might be preserved. I personally find such motivation as bordering on the 'oldest profession' in the world, deserving to be exposed for the public's attention.

3 Retention of the Ward system is a matter of electoral choice. To continue to allow voters to believe that successful candidates will be acting in the best interests of their Ward is to perpetuate a misunderstanding of the reason for Wards. All successful candidates are required to make a solemn Declaration at the first Council meeting after the election results have been confirmed "...to act in the best interests of the (district)...", which means their primary responsibility is to all the communities of interest within the district of Wellington. Ward representation is to enable the successful candidates to have a particular awareness of their own 'community of interest' to be communicated to the whole of Council when policy decisions are required. There is little evidence to indicate that Council intends to correct this potential misrepresentation during this review period, as no effort has been made previously. Unless something positive to improve this understanding is done immediately, I will need to be convinced otherwise that there is a lack of moral integrity associated with this whole representation review. Politics is politics and we can all have our views as to what that means. There is no doubting the meaning of moral integrity unless one considers it to be an irrelevancy in this modern materialistic world we have at present.

4 With an STV electoral system, the replacement of the Ward system, by the at-large system of previous years, has some clear attraction. It enables a more diverse representation of community interests to be considered by the voting public, if that interest can be aroused. Prior evidence suggests that the voting public has an apathetic interest in local government unless it affects them directly. Without predicting the future, the effect of recent catastrophic natural disasters and the escalation in all energy pricing can no longer be ignored. Under the circumstances, this option warrants proper consideration in order to attract candidates having the experience and commitment to concentrate on the well-being of our community.

5 I drew attention to the fact that the public notice advising of the Council's³ decision in the Dominion Post of Saturday, 8 July 2006 was on page ~~6~~6 of that edition and not in the Public Notice section. I do not believe that the subsequent comment on the Council's activities each Thursday is the equivalent.

I also ask that my earlier submission dated 31 May 2006 (Appendix N of Report 6 of the SPC Meeting of 15 June 2006) be associated with this submission. I also seek the opportunity to support this submission orally.

Yours sincerely
Bernie Harris



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10 November 2006

The Chief Executive
Wellington City Council
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Re: Representation arrangements for the 2007 LA Elections

I am formally appealing against the decision of Council in the adoption of the initial proposal (as notified) as its final proposal, subject to the amendments advised in its letter of 12 October 2006. My appeal is predicated upon the following:

- 1 I attended virtually every meeting of the Democracy Subcommittee in the previous triennium when it was proposed to introduce the STV electoral system of voting.
- 2 I made several representations during the last triennium relating to the poor communication of the local authority voting procedures, and the need for major improvements to correct the false impression that ward councilors represented their wards.
- 3 This new triennium introduced a complete review of the Standing Committee and Subcommittee structure of Council without any prior communication with the Wellington public. I objected to the Local Government Commission regarding the conduct of the initial meeting of Council at that time as the legislation had indicated particular changes that were being notably ignored.
- 4 I have attempted to inform Council during the present review of the requirements of the current legislation, that STV has been notable for its absence in most public notices, that community of interests is not confined to ward boundaries, that three wards of a particular composition present the most logical structure for equitable representation, and, most importantly, that self-interest of councilors has corrupted the democratic process once again.



I make the above comments as an informed observer of the Wellington City Council's revised procedures since the new triennium commenced. I am appalled that the interests of this city have been made secondary to the selfish interests of "the few" in ignoring the sincere desire of many passionate Wellingtonians to contribute to the future of this wonderful city.

I look forward to making these views known personally to the Local Government Commission for their final objective determination.

Yours sincerely

Bernie Harris



LOCAL GOVERNMENT COMMISSION

15 February 2007

Bernard Harris
84 Mills Road
WELLINGTON 6002

Dear Bernard

HEARING OF APPEALS AND OBJECTIONS RELATING TO THE FINAL REPRESENTATION PROPOSAL OF THE WELLINGTON CITY COUNCIL

The Local Government Commission has decided to hold a hearing of appeals and objections relating to the final representation proposal of the Wellington City Council.

It will be hearing appeals and objections on Monday 5 March 2007, at the Wellington City Council, No. 1 Committee Room, Ground Floor, Civic Administration Building, 101 Wakefield Street, Wellington commencing at 12.30pm.

Would you please confirm that you wish to be heard by the Commission in support of your appeal/objection. Each appellant/objector will be allocated a maximum of 10 minutes with an allowance of 5 minutes for questions from Commissioners. The hearing will be open to the public and the media.

My contact details are (04) 460 2211 or gavin.beattie@lgc.govt.nz.

If you have any further queries please do not hesitate to contact me.

Yours sincerely

Gavin Beattie
Senior Policy Analyst

*Wynne Reynolds
Wynne Reynolds
Gwen Bell A.R.C.*

PUBLIC NOTICE ABOUT THE COUNCIL'S DECISION

REVIEW OF WELLINGTON CITY COUNCIL REPRESENTATION ARRANGEMENTS FOR THE 2013 LOCAL ELECTIONS

28 June 2012

Wellington City Council reviewed its representation arrangements on 29 August 2012 and agreed that the following proposal should apply for the Council and its community boards for the elections to be held on 12 October 2013.

13 October 2012

It is proposed the arrangements will apply unless there is more wide ranging local government reorganisation in the wider Wellington area between now and then.

You can make feedback on this proposal if you wish. Submissions are required by 5pm on Friday 5 October.

Council representation

We're proposing that the Council comprise 14 City Councillors elected from five wards, and that the Mayor be elected at large. The proposal is to retain the status quo with no boundary adjustments and no changes to the current ward membership numbers.

The five wards reflect the following identified communities of interest:

Ward	Communities of interest
Northern Ward (electing three Councillors)	Comprising the suburbs of Churton Park, Glenside, Grenada North, Grenada Village, Horokiwi, Johnsonville, Newlands, Ohariu, Paparangi, Takapu Valley, Tawa and Woodridge.
Onslow/Western Ward (electing three Councillors)	Comprising the suburbs of Broadmeadows, Crofton Downs, Kaiwharawhara, Karori, Khandallah, Makara, Makara Beach, Ngaio, Ngauranga, Northland, Wadestown and Wilton. <i>Ohariu</i>
Lambton Ward (electing three Councillors) <i>8 July 2012 (incl. Roseneath)</i>	Comprising the suburbs of Aro Valley, Highbury, Kelburn, Mt Cook, Mt Victoria, Oriental Bay, Pipitea, Te Aro, Thorndon, Wellington Central and <u>part of Brooklyn.</u>
Southern Ward (electing three Councillors)	Comprising the suburbs of Berhampore, Island Bay, Kingston, Mornington, Newtown, Owhiro Bay, Southgate, Vogeltown and <u>part of Brooklyn.</u>
Eastern Ward (electing three Councillors)	Comprising the suburbs Breaker Bay, Hataitai, Houghton Bay, Karaka Bays, Kilbirnie, Lyall Bay, Maupuia, Melrose, Miramar, Moa Point, Rongotai, Roseneath, Seatoun and Strathmore Park.

The population that each Councillor (or member) would represent is as follows:

Suburban communities of interest is a direct conflict with initial declaration/commit to represent the whole city.

2002 No 85 Local Electoral Amendment Act 2002

4 Interpretation

"ward means a ward established under this Act and resulting from the division, for electoral purposes, of the district of a territorial authority."

"19C Basis of election of members of territorial authority

"(1) A district of a territorial authority may be divided into wards for electoral purposes.

"(2) If a district is divided into wards, some of the members of the territorial authority may be elected by the electors of the district as a whole, but, in that case, the other members of the territorial authority must be elected by the electors of each ward of the district.

"(3) Each ward must elect at least 1 member of the territorial authority.

"(4) If a district is not divided into wards, the members of the territorial authority must be elected by the electors of the district as a whole.

"(5) If a district is divided into wards, each member of the territorial authority representing a ward must be elected by the electors of that ward.

19H Review of representation arrangements for elections of territorial authorities

"(1) A territorial authority must determine by resolution, and in accordance with this Part,-

"(a) whether the members of the territorial authority (other than the mayor) are proposed to be elected-

"(i) by the electors of the district as a whole; or

"(ii) by the electors of 2 or more wards; or

"(iii) in some cases by the electors of the district as a whole and in the other cases by the electors of each ward of the district; and

"(b) in any case to which paragraph (a)(i) applies, the proposed number of members to be elected by the electors of the district as a whole; and

"(c) in any case to which paragraph (a)(iii) applies,-

"(i) the proposed number of members to be elected by the electors of the district as a whole; and

"(ii) the proposed number of members to be elected by the wards of the district; and

"(d) in any case to which paragraph (a)(ii) or paragraph (a)(iii) applies,-

"(i) the proposed name and the proposed boundaries of each ward; and

"(ii) the number of members proposed to be elected by the electors of each ward.

"(2) The determination required by subsection (1) must be made by a territorial authority,-

"(a) on the first occasion, either in 2003 or in 2006; and

"(b) subsequently, at least once in every period of 6 years after the first determination.

"(3) This section must be read in conjunction with section 19ZH and Schedule 1 A.

Subject: REPRESENTATION REVIEW FOR 2013 LOCAL ELECTION
From: Tom <lawt@clear.net.nz>
Date: 30/09/2012 8:35 p.m.
To: 'Jim Candiliotis' <nppa@paradise.net.nz>
CC: 'Bernie Harris' <btharri@clear.net.nz>

REPRESENTATION REVIEW FOR 2013 LOCAL ELECTION

All members of FWPR will be aware that elected members of the Wellington City Council are their representatives irrespective of the electoral system adopted. They become the governors of the city in accordance with the Local Government legislation operative at the time. It is their prime responsibility to ensure that all operational details are in accordance with amongst other documents; policies and the annual and long term plans, after effective engagement and consultation with their constituents.

The Council decided on 29 August 2012 that at the 2013 election it would comprise 14 city councillors elected from five wards and that the Mayor would be elected at large. The proposal is to retain the status quo with no boundary adjustments and no changes to the current ward membership numbers for the 2013 Local Elections. The names of those wards and the suburban communities of interest comprised in each of those wards were set out in the public notice published in the DomPost.

That decision has been taken in complete contravention of the existing statutory provisions set out in the relevant legislation, without any prior discussion with the electorate. It is the position of your duly elected executive committee that this decision serves only the purpose of those who made it and is not in the best interests of the whole district at all. Under these circumstances, we seek your confirmation of approval of the unanimous resolution passed at the last regular meeting of the FWPR on Tuesday, 25 September, which is to be conveyed to the WCC before 5pm on Friday 5 October 2012 as the formal submission of FWPR for the 2013 Local Election system. We would also be seeking the opportunity to expand upon our submission before the Strategy and Policy Committee during the following week when oral submissions will be heard. The proposal is:

"That the Wellington City Council adopt the At Large electoral system for the 2013 Local Elections."

The justification for this resolution to change from the prior Ward electoral system is provided by the **Local Government Commission - Guidelines to Assist in Undertaking Representation Reviews** - dated March 2003. We set out below particular items extracted from

- Section 3 - Factors for Consideration
- Section 4 - A Best Practice Process for Representation Reviews
- Section 5 - Particular Considerations When the Single Transferable Vote (STV) System Applies

Purpose and Principles of the Local Electoral Act 2001

- Section 3(c)(ia) which states that the purpose of the Act is to provide for the regular review of representation arrangements of local authorities; and
- Section 4(1)(a) which states that one of the principles the Act is designed to implement is "fair and effective representation for individuals and communities".

Key Factors

There are three key factors that must be carefully considered by local authorities when determining their representation proposals. They are

- community of interest;
- effective representation; and
- fair representation.

Territorial Authorities: Elections by Ward or At Large

- the district having a relatively compact geographic area
- very strong commonalities of interest among identified communities of interest, i.e. a shared common community of interest at a district level

The Commission notes that the division of a district into wards is for electoral purposes only and that all members elected under the ward system take an oath on taking up office to act in the best interests of the whole district. Therefore in terms of the duties of elected members there is no functional difference in the decision making role of members elected at large and members elected by way of the ward system.

Fair Representation for Electors

Section 19V of the Act provides for each form of electoral subdivision is required to comply with the basic principle of population equality unless there are good reasons for departing from it. If an at large system is proposed, determine what Council size would be appropriate to provide effective representation for the district as a whole.

Particular Considerations when the STV Electoral System Applies

Experience in overseas jurisdictions that have used STV over many years suggests that STV is most effective when there are electoral subdivisions of at least 5 members.

Conclusion

The Federation meeting held on 25 September 2012 is of the view that a Council elected At Large is beneficial for the City of Wellington for the following reasons:

1. All elected Councilors take an oath on taking up office to act in the best interest of the whole district
2. STV electoral system is most effective when electing 5 or more members
3. A person can vote for those candidates in the whole District that will represent them best
4. The opportunity for a number of representatives to be elected from an area for their skills and interest. The arbitrary limitation of the current ward system does not apply

Member response

Your earliest response will enable any amendments to be incorporated by the due date for the submission i.e. 5 October 2012. Any strong objection will be noted, otherwise no response will be taken as affirmative. All members are strongly encouraged to support this resolution if the democratic principles laid down in Section 14 of the Local Government Act 2002 have a sincere intent. Your attendance at the oral submission would also be helpful.

Sincerely

Tom Law
President
Phone 04 3898202
Mobile 021 791337