
REPRESENTATION AND ELECTORAL SYSTEM REVIEW

Purpose

1. This report provides an overview on the representation arrangements review (representation review) to be undertaken in 2018 and outlines the statutory requirements to review the electoral system (Single Transferable Voting (STV) or First Past the Post (FPP)) to be used by Wellington City Council for the 2019 triennial elections.

Summary

2. The Local Electoral Act 2001 (the Act) requires Council to undertake a representation review every six years. Because the last representation review was undertaken in 2012, Council must undertake a representation review in 2018.
3. The formal process of a representation arrangements review cannot commence before 1 March 2018, but informal community consultation, research and consideration of various options can commence now.
4. A resolution on the electoral system is required by 12 September 2017 and Council is to consider whether:
 - the Single Transferable Voting (STV) electoral system is retained; or
 - the First Past the Post Voting (FPP) electoral system is introduced; or
 - a poll of electors is held on which electoral system is to be used for the next two triennial elections.

Recommendations

That the Council:

1. Receive the report.
2. Agree that pursuant to section 19H of the Local Electoral Act 2001, Council undertakes a representation arrangements review, with an initial proposal required no earlier than 1 March 2018 and no later than 31 August 2018.
3. Agree that pursuant to section 27 of the Local Electoral Act 2001, Council agrees for the 2019 Wellington City Council triennial election to, either:
 - (i) confirm that the Single Transferable Voting Electoral System (STV) will continue to be used for the 2019 election

OR

 - (ii) change to the First Past the Post electoral system.
4. Note that a public notice will be made by 19 September 2017 of the resolution and of the right of electors to demand a poll on the electoral system to be used for the next two local authority elections.

Background

5. The current representation arrangements, comprise:

-
- the Mayor elected at large
 - five wards electing a total of 14 councillors
 - two community boards electing a total of 12 members.
6. These arrangements were determined by the Local Government Commission on 3 April 2013 and applied for the 2013 and 2016 local government elections for Council.
 7. Pursuant to section 19H(2) of the Act, a representation review *must* be undertaken at least once every six years. The last representation review was undertaken in 2012 for and the next review is required in 2018 for the 2019 triennial election.
 8. The representation review must be undertaken between 1 March 2018 and 31 August 2018.
 9. A representation review must comply with strict legislative requirements and timelines and are complex and prescriptive in nature. The three key factors for Council to consider over the next 12 months are:
 - Communities of interest
 - Effective representation
 - Fair representation.
 10. The formal process of the review must occur between 1 March 2018 and 31 August 2018, although preliminary thinking of various scenarios and informal community consultation and research can occur prior to 1 March 2018.

Electoral Systems

11. Council is required, under section 27 of the LEA, to consider by 12 September 2017, the electoral system to be used for its 2019 triennial election.
12. Wellington City Council adopted STV for its 2004 triennial election, following an electoral poll in 2003 and has used STV since then. A further poll was held in 2009, which supported the continued use of STV.
13. Two electoral systems are available for consideration, these are STV and FPP:
 - STV is a proportional electoral system where each voter gets one vote, no matter how many vacancies. Voters rank candidates in order of preference – ‘1’ beside their first preference, ‘2’ beside their second preference etc. A candidate must reach a ‘quota’ to be elected;
 - FPP voters have as many votes as there are positions to be elected. The candidates (equal to the number of vacancies) with the most votes are elected.
14. A table comparing FPP and STV (as used in a territorial authority’s 2015 electoral system poll, and approved by DIA) is attached (Appendix 1).
15. Advantages of adopting Single Transferable Voting system:
 - Wellington community is familiar with this system and it has worked well for Wellington City
 - The electoral systems for Porirua City, Greater Wellington Regional Council, district health boards and Wellington City are the same, leading to a less confusing voter experience
 - STV is a proportional representation system which provides an outcome that is more representative of the community.

16. Council can resolve to retain STV or resolve to change to FPP. If a resolution to retain STV is made, the resolution will apply for the 2019 triennial election.
17. A public notice of the right of 5% of electors (7,095) to demand a poll on the electoral system to be used for the 2019 and 2022 triennial elections must then be made by 19 September 2017. The public notice must include:
 - notice of that resolution; and
 - a statement that a poll is required to countermand that resolution.
18. As a result of the public notice, a demand for a poll on the electoral system may be received. A demand can be received at any time, but if an outcome of the poll is to be for the 2019 and 2022 triennial elections, a demand must be received by 21 February 2018 and the poll held by 21 May 2018.
19. Should a poll be held (either as a result of a demand or by Council resolution), the outcome is binding on the two triennial elections following the poll, and for all subsequent elections until either a further resolution takes effect or a further poll is held.
20. If a poll is held (as a result of a Council resolution or public demand), the cost would be in the order of \$300,000 + GST.

Discussion

Representation Arrangements Review

21. Council commences its thinking around the upcoming representation arrangements review with regard to:
 - identifying communities of interest;
 - the appropriate number of elected members;
 - the number and boundaries of wards (if retained);
 - the number and boundaries of community boards (if retained).
22. It is recommended a review strategy be developed, workshops held and informal community consultation and research be undertaken prior to 1 March 2018, when the formal process commences.

Electoral Systems

23. It is recommended Council considers the electoral system that best suits the Wellington community for the 2019 election.
24. It is recommended that we retain STV due to the fact that STV is more effective in a multi-member constituency.

Next Actions

25. Council considers the next steps in undertaking the representation arrangements review.
26. A recommended timetable is set out in Attachment 2.
27. Council must publicly notify its decision for a electoral system by 19 September 2017.

Attachments

- Attachment 1. Comparing FPP and STV
- Attachment 2. Electoral System and Representation Review Arrangements
Review Timetable

Author	Anusha Guler, Head of Governance
Authoriser	Kane Patena, Director Governance and Assurance

SUPPORTING INFORMATION

Engagement and Consultation

Consultation and engagement plan will be developed following resolution by Council.

Treaty of Waitangi considerations

Although there are no direct Treaty of Waitangi implications, engaging with iwi and mana whenua (who we have signed an MOU with) will be incorporated into our consultation and engagement plan.

Financial implications

No financial implications.

Policy and legislative implications

There are no policy or legislative implications in carrying out the representation review.

Risks / legal

There are no legal implications for council making a decision on this report. Council will need to ensure it meets the statutory requirements under the Act when carrying out the representation review.

Climate Change impact and considerations

There are no climate change impacts.

Communications Plan

A communications plan will be developed as part of the representation review.

Health and Safety Impact considered

Not applicable.

Appendices

Appendix 1: Comparing FPP and STV

COMPARING FPP AND STV

A typical FPP voting document could look like this

 Vote Here	HYPOTHETICAL CITY COUNCIL DOWNTOWN WARD ELECTING THREE (3) COUNCILLORS You can tick up to three (3) candidates
<input checked="" type="checkbox"/>	BROWN, Sandy
<input checked="" type="checkbox"/>	JONES, Sam
<input type="checkbox"/>	OWENS, Harry
<input checked="" type="checkbox"/>	TAWHIRI, Ngaire
<input type="checkbox"/>	WATSON, Alice

A typical STV voting document could look like this

Number Here 	HYPOTHETICAL CITY COUNCIL DOWNTOWN WARD ELECTING THREE (3) COUNCILLORS Rank candidates in order of preference ... '1' '2' '3' etc
3	BROWN, Sandy
1	JONES, Sam
5	OWENS, Harry
2	TAWHIRI, Ngaire
4	WATSON, Alice

FPP	STV
FPP has long been widely used in New Zealand, is familiar and is generally easy to understand.	STV is currently used in Australia, United States, Ireland and Malta. Along with all the DHBs it is also being used by seven New Zealand Councils in 2013. STV is also used by companies like Fonterra, to select board members.
Each voter is able to cast one vote for each vacancy to be filled. Voters place a tick beside the name of the candidate or candidates they wish to vote for.	Each voter gets one vote, no matter how many vacancies. Voters rank candidates in order of preference - "1" beside their most preferred candidate "2" beside the second-most preferred candidate, and so on. Voters do not have to rank all candidates, but must use consecutive numbers.
The candidate who receives the most votes is elected. Where there is more than one vacancy, the candidates (equal to the number of vacancies) who receive the most votes are elected.	A candidate must reach the quota to be elected. Where there is more than one vacancy, the candidates (equal to the number of vacancies) who reach the quota are elected.
FPP is not a form of proportional representation. Each tick is counted as a vote for that candidate and the candidate or candidates with the most votes are elected. A candidate may be elected by a small margin.	STV is a proportional electoral system. Proportional systems are intended to provide more effective representation for all significant points of view, although it cannot be guaranteed that STV will provide an increased diversity of representation.
A candidate may receive more votes than they need to get elected.	A candidate would not receive more votes than they would need to get elected, as surplus votes are transferred to the next preference.
Some voters may not have supported any of the candidates who get elected.	If voters rank every candidate, they are likely to have supported at least one successful candidate.
Where political parties or organised political groupings contest the elections, and there are say 3 vacancies, voters can vote for the 3 candidates representing a political party or organised political group ("block" voting). This can result in all candidates from a political party or organised political group being elected.	STV can moderate "block" voting as voters can rank every candidate therefore making it more difficult for all candidates from a political party or organised political group to be elected.

Appendix 2: Electoral System and Representation Review Arrangements Review Timetable



T +64 9 973 5212
 E info@electionservices.co.nz
 W electionservices.co.nz

PO Box 5135, Wellesley Street, Auckland 1141, New Zealand
 Level 2, 198 Federal Street, Auckland

// bringing change

2017/2018 ELECTORAL SYSTEM & REPRESENTATION ARRANGEMENTS
REVIEW TIMETABLE

LEGISLATIVE REQUIREMENTS

By 12 September 2017*	A local authority MAY resolve to change the electoral system (from the system it used at the 2016 general election) for the next two triennial elections.	Section 27 of LEA
By 19 September 2017*	A local authority MUST give public notice that electors may at any time demand that a poll be held on the future electoral system to be used by the local authority for the next two triennial elections, and if a poll outcome is to apply to the next triennial election, a demand for a poll must be received by 21 February 2018. If a resolution has been made by a local authority by 12 September 2017, this must be included in the notice.	Section 28 of LEA
By 21 February 2018*	IF a demand for a poll that a specified electoral system be used for the next two triennial elections is received by 21 February 2018, a poll must be held by 21 May 2018.	Sections 29 and 30 of LEA
By 21 February 2018*	A local authority MAY also resolve to undertake a poll of electors that a specified electoral system be used for the next two triennial elections.	Section 31 of LEA
From 1 March 2018	Period commences for formal consultation/resolution of initial proposal for Representation Arrangements Review by local authority.	Section 19K (1AA) of LEA
By 21 May 2018*	If a successful demand for a poll has been received by 21 February 2018, or a resolution for a poll has been made by a local authority by 21 February 2018 (that a specified electoral system be used for the next two triennial elections), then a poll MUST be held within 89 days of notification.	Section 33 of LEA

G:\ElectionServices\Timetables\2017\2017-electors-repr-rev-tble (WCC).doc

By 31 August 2018*	Period concludes for consultation/resolution of initial proposal for Representation Arrangements Review by local authority.	Section 19H of LEA
By 8 September 2018*	A local authority MUST give public notice of resolution of initial proposal. One month submission period.	Section 19M of LEA
By 8 October 2018*	Submission period closes.	Section 19M of LEA
By 19 November 2018*	Submissions heard by local authority and resolution of final proposal made by a local authority.	Section 19N of LEA
By 19 November 2018*	A local authority MUST give further public notice of its resolution of final proposal. One month appeals/objection period.	Section 19N of LEA
By 20 December 2018*	Appeals/objections period closes.	Section 19O of LEA
By 15 January 2019*	Forward all Representation Arrangements Review material to LGC (if appeals/objections received).	Section 19Q of LEA
Before 11 April 2019*	Determination by LGC	Section 19R of LEA

* may be earlier than but not later than

Dale Ofsoske, July 2017