
REPORT 3

1225/07/06IM & 1215/52/IM

REPRESENTATION REVIEW: CONSULTATION AND COMMUNICATIONS PLAN

1. Purpose of Report

To seek the Committee's and Council's agreement to undertake a "pre-review" public consultation before commencing the formal statutory representation review process and, if that is agreed to, to seek approval to:

- the draft consultation and communications plan for the review of Council's representation arrangements for the 2007 local authority elections; and
- the draft public discussion document to be used as part of that consultation process.

2. Executive Summary

Although not legally required to, the Council has agreed to carry out a further review of its representation arrangements in time for the 2007 local authority elections.

In undertaking this review the Council is required to comply with various legislative provisions and strict timeframes. The legislative requirements are set out in this report and a copy of the proposed timetable is attached as **Appendix 1**.

It is proposed that some "pre-review" consultation be carried out prior to the Council commencing the formal statutory process it is required to undertake. This will enable Council to obtain feedback from interested organisations and members of the community on the current representation arrangements before it adopts its "initial" representation proposal.

On the assumption that the Council decides to carry out this preliminary consultation, a draft consultation and communications plan and a draft discussion document have been prepared for the Committee's consideration and approval (**Appendices 2 and 3**).

3. Recommendations

It is recommended that the Committee:

1. *Receive the information.*
2. *Note that the Local Electoral Act 2001 requires local authorities to carry out a representation review at least once every six years and that the Wellington City Council carried out its last representation review in 2003 (in time for the 2004 local authority elections).*

3. *Note that, although not legally required to carry out its next representation review until 2009 (in time for the 2010 local authority elections), the Council agreed at its meeting on 30 October 2003 to:
“carry out a full review of community boards to be completed in sufficient time for any proposals to be implemented in a further representation review which would be completed in time for the 2007 elections”.*
4. *Note that legal advice has confirmed that:*
 - *The Council is not required under the Local Electoral Act 2001 to carry out a representation review in 2006. However, it may choose to do so.*
 - *The Council is not bound to implement its 2003 resolution to carry out a representation review, including a full review of community boards in 2006.*
 - *However, if the Council does not wish to carry out a representation review in 2006, it should formally revoke the relevant part of its 2003 resolution.*
 - *The risks arising from a decision not to conduct a representation review in 2006 can be significantly reduced by fully recording the reasons for that decision.*
5. *Note that a review of community boards can only be carried out through the representation review process and that such a review must also deal with the Council’s other representation arrangements (i.e. a review of community boards cannot be undertaken in isolation to a full review of the Council’s overall representation arrangements).*
6. *Note the legislative requirements and timeframes the Council is required to comply with in carrying out its representation review (attached as Appendix 1 to this report).*
7. *Note that the Local Government Commission has released guidelines to assist local authorities in carrying out their representation reviews and that although these guidelines are not legally binding, local authorities are required to have regard to them in undertaking their reviews.*
8. *Recommend that Council agree to undertake a “pre-review” public consultation before commencing the formal statutory representation review process and that it approve the draft discussion document on which consultation for the representation review will be focused, including the proposed timetable (attached as Appendix 3 to this report).*
9. *Approve the draft Consultation and Communications Plan for the review of the Council’s representation arrangements for the 2007 local authority elections (attached as Appendix 2 to this report).*

4. Background

Under the Local Electoral Act 2001, the Council is required to review its representation arrangements at least once every six years. The Council carried out its last review in 2003, in time for the 2004 election, and is therefore not legally required to carry out its next review until 2009 (in time for the 2010 local authority election).

However, in confirming its representation proposal on 30 October 2003, the Council agreed that a further representation review would be completed in time for the 2007 local authority elections to enable a full review of community boards to be undertaken.

5. Discussion

5.1 Requirement to carry out a representation review

The need to undertake another representation review this year (having completed its last one in 2003) was raised at the elected members' workshop held on 9 March 2006 and officers undertook to obtain a legal opinion on the Council's position in this regard.

A legal opinion has been obtained which, in summary, concludes that:

- The Council is not required under the Local Electoral Act 2001 (LEA) to carry out a representation review in 2006. However, it may choose to do so.
- The Council is not bound to implement its 2003 resolution to carry out a representation review, including a full review of community boards in 2006.
- However, if the Council does not wish to carry out a representation review in 2006, it should formally revoke the relevant part of its 2003 resolution.
- The risks arising from a decision not to conduct a representation review in 2006 can be significantly reduced by fully recording the reasons for that decision.

Despite the legal position, in the officers' opinion there is, at the very least, a moral obligation on the Council's part to proceed with the review. Various members of the community are expecting a review based on the Council's October 2003 decision, and a decision to now not proceed will almost certainly create some negative reaction from those people. In its determination dated 7 April 2004 the Local Government Commission (LGC) noted that the Council intended to review the issue of community boards on a city wide basis, prior to the 2007 local elections, and that it "looked forward to seeing the outcome of that review".

For these reasons it is recommended that the October 2003 decision stand and that the Council continue with its 2006 review.

5.2 Guidelines issued by Local Government Commission

The LEA requires the LGC to issue guidelines identifying the factors and considerations that local authorities should take into account when making their representation review decisions.

These guidelines are issued to assist local authorities in carrying out their reviews. They outline the key matters that local authorities should consider and detail a process that could be used to assist in the formulation of a local authority's representation proposal.

Although these guidelines are not legally binding local authorities are required to have regard to them during the review process.

5.3 Key factors for consideration

In preparing for and carrying out a representation review the Council must bear in mind the relevant provisions of both the LEA and the Local Government Act 2002 (LGA). These principles are set out in Appendix 1 of the draft discussion document attached to this report (**Appendix 3**).

There are three key factors that must be carefully considered by the Council when determining its representation arrangements. They are:

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

These are the factors that the LGC will focus on if appeals or objections are received against the Council's final proposal.

A detailed explanation of these factors is set out in the attached discussion document.

5.4 Process

Because the LEA does not prescribe the process that must be followed in undertaking a representation review Council may determine its own process, provided the statutory requirements are met. However the LGC does recommend that the following "best practice" process be followed in order to achieve a robust outcome that complies with the statutory criteria. The Council has followed this process in at least its last three representation reviews.

Step 1. Identify communities of interest

- Determine the communities of interest of the region, district or community. *(An extensive review of the city's suburb boundaries was undertaken in 2003 and this information was used extensively by the Council when determining its ward boundaries for the 2004 election. The suburb boundaries were determined on the basis of communities of interest).*

Step 2. Determine effective representation for identified communities of interest

- Consider whether each identified community of interest needs separate representation, or whether communities of interest can be grouped together in certain ways to achieve effective representation. *(The Council has decided in the past that the city's communities of interest can be grouped together to achieve effective representation).*

- Consider whether effective representation for identified communities of interest is best achieved by electing its members under:
 - an at large system;
 - a ward system; or
 - a mixed system, with election of members partially at large and partially by ward.

(The Council has elected its members under the ward system since 1986).
- If an at large system is proposed, decide what council membership would be appropriate to provide effective representation for the city as a whole.
- Consider whether there should be communities and community boards and, if so, the nature of any community and the structure of any community board.
- Where community boards are to be established, consider whether effective representation for identified communities of interest within the community is best achieved by way of an at large system, by subdivisions of the community or by elections from wards within the community.

(The Council's two community boards have always been elected on an at-large basis).
- Under any system of electoral subdivisions (i.e. wards or community subdivisions) decide:
 - how many subdivisions there should be (based on communities or groupings of communities of interest);
 - what the boundaries of the subdivisions should be; and
 - what the subdivisions should be named.

Step 3. Consider fairness of representation for electors of the electoral subdivisions

- Consider a range of options for the total membership of the Council and any community boards. Under each option, determine the ratio of population per member for each proposed electoral subdivision.
- For each option, compare the subdivision ratios calculated with the average population per member for the Council/community board as a whole.
- Ensure that the subdivision ratios under the options for total membership fall within +/- 10% of the average population per member. If they don't comply, consider altering subdivision boundaries or reconfiguring subdivision arrangements (to the extent practicable to provide effective representation of communities of interest) so that the subdivision ratios fall within the required range.

5.5 Community Boards

The LEA requires the Council, on every occasion it carries out a representation review, to consider whether the establishment of community boards would be appropriate in

order to provide fair and effective representation for individuals and communities in its district. It must therefore specifically decide whether:

- there should be communities and community boards; and
- if so, the nature of any community and the structure of the community board.

The requirement to review the establishment (or not) of community boards applies to all territorial authorities whether or not they currently have community boards.

It is important to note that all the elements of a proposal relating to community boards are subject to the same rights of appeal and/or objection to the LGC and Council therefore needs to ensure that any community board proposal receives the same level of care and consideration as all other elements of the review.

Details of the specific matters that need to be considered and on which decisions may have to be made are set out in the discussion document. (**Appendix 3**).

5.6 Timetable

The LEA clearly sets out the legislative timeframes the Council is required to comply with in carrying out a representation review.

A proposed timetable has been developed based on those timeframes and is attached for the Committee's information (**Appendix 1**). The deadlines that must be met have been bolded for easy reference.

5.7 “Pre-review” consultation and release of a discussion document

Council needs to be mindful of the principles of consultation as set out in Section 82 of the LGA 2002 and apply those processes to the review as appropriate.

Although not mandatory, a number of local authorities have in the past chosen to seek feedback from the public on issues relating to the representation review prior to commencing the formal statutory review process. Wellington city has used this “pre-review” consultation process for its last few reviews and it is a practice which has the support of the LGC.

This preliminary consultation has assisted the Council in identifying issues relevant to the review process and has enabled officers to formulate and consider a wider range of representation options when developing formal proposals.

Although this preliminary consultation is a useful additional component to the representation review process it is **not** a substitute for the formal statutory review.

The discussion documents we have produced for this pre-review consultation stage in the past have contained:

- general information on the process, including a summary of the legal provisions and the timeframes we are required to follow;
- details of the issues the Council is required to consider and a range of representation options on which we seek public comment/input;

- information on how to make a submission, including a questionnaire for completion and return.

Because of the benefits outlined above it is recommended that the Council agree to do some preliminary consultation with the community before embarking on the formal statutory process. A draft discussion document is attached for the Committee's consideration and approval if it is agreed that this preliminary consultation is to take place (Appendix 3).

Before Council agrees to undertake this "pre-review" consultation it needs to be noted that a number of other formal consultations will also be underway at the same time; i.e. the Draft LTCCP and Draft ICT Policy etc.

Running this number of consultations over such a short period of time will no doubt place a heavy workload on some of the stakeholder groups who will, more than likely, want to be involved in a number of these consultations. This could result in some negative feedback.

It is important to remember that this pre-review consultation is not mandatory and that we are therefore not constrained to the normal consultation requirements. Every effort will therefore be made to ensure that those interested are given as long a period as possible to participate in this particular consultation, which will hopefully assist in spreading some of the workload. Every interested person/group will also have the opportunity to make a submission during the formal consultation process scheduled for July/August 2006.

5.8 Options for consideration

It is important not to get too focussed on only one or two options at this early stage of the process. The issue that we need public feedback on at this stage (i.e. the pre-review consultation) is what representation arrangement, in their view, provides the most effective representation for identified communities of interest in the city and also whether the establishment of community boards is required to achieve this.

It is also important to remember that any viable ward option must meet the "fairness of representation" criteria (i.e. the ratio of population per member within each of the wards must fall within +/- 10% of the average population per member across the whole city) and the fact that identified communities of interest should not be split in order to achieve these ratios. This fairness criteria also applies to any proposed subdivision of individual community boards.

A number of possible options were discussed at the elected members' workshop held on 9 March 2006 some of which have been taken forward and are included in the draft discussion document.

5.9 Consultation and Communication Plan

A draft Consultation and Communications Plan has been prepared for this review and is attached as Appendix 2 to this report.

The plan, which has been based on previous representation review consultation plans, is recommended for approval.

6. Conclusion

The Council has decided to carry out another representation review in time for the 2007 local authority elections.

This report outlines the procedures, processes and timelines the Council is required to comply with in undertaking this review. It also proposes that the Council carry out preliminary consultation with the public before it commences the formal statutory review of its representation arrangements. A draft Consultation and Communications Plan and a draft discussion document are attached for the Committee's approval in the event it decides to carry out this preliminary consultation.

Contact Officer: *Ross Bly, Special Projects and Electoral Officer*

Supporting Information

1) Strategic Fit / Strategic Outcome

*This project supports objective 9.2 City decision-making:
People are encouraged to participate in the decision making process.*

2) LTCCP/Annual Plan reference and long term financial impact

Relates to C534: Committee and Council process.

3) Treaty of Waitangi considerations

There are no Treaty of Waitangi implications.

4) Decision-Making

This is not a significant decision.

5) Consultation

a) General Consultation

Refer to Section 5 of the report

b) Consultation with Maori

Not required.

6) Legal Implications

Council's legal advisors have been consulted during the development of this report.

7) Consistency with existing policy

This report is consistent with existing Wellington City Council policy.

APPENDIX 1

Recommended Timetable for 2006 Representation Review

Task	Proposed Date	Legislative Deadline
Deadline for Council decision to hold a poll on Maori representation	N/A	28 February 2006
Deadline for receipt of public demand for a poll on Maori representation	N/A	28 February 2006
Report to Strategy and Policy Committee: <ul style="list-style-type: none"> • Consultation Plan • Timeframe • Discussion Document 	6 April 2006	N/A
Recommendation to Council (from SPC)	6 April 2006	N/A
Discussion document released for consultation with the public	Mid April to late May 2006	N/A
Report to Strategy and Policy Committee recommending “initial” proposal	15 June 2006	N/A
Council to adopt “initial” proposal	28 June 2006	31 August 2006
Public notification of initial proposal (calling for submissions)	8 July 2005	8 September 2006
Close of public submissions	28 August 2006	8 October 2006
Council to hear/consider submissions	Week commencing 4 September 2006	Before 19 November 2006
Report to Strategy and Policy Committee recommending “final” proposal	21 September 2006	Before 19 November 2006
Council decision on “final” proposal	27 September 2006	Before 19 November 2006
Public notice of the Council’s “final” decision	7 October 2006	19 November 2006
Close of public appeals/objections to “final” proposal	10 November 2006	20 December 2006
All documentation to LGC (if any appeals/objections are received)	24 November 2006	15 January 2007

Consultation Plan: 2006 Representation Review

1. Consultation Focus

The consultation will focus on obtaining feedback from interested parties and members of the community to ascertain whether, in their opinion, the Council's current representation arrangements provide for the most effective representation of communities of interest in Wellington city and, if not, what alternative arrangement would they support.

2. Objectives

The objective of the consultation is to obtain feedback from interested parties before the Council adopts its "initial" representation proposal and the formal statutory review gets under way. This pre-review consultation has been used in the past and has proved useful not only in identifying issues relevant to the review but has also helped Council to formulate and consider a wider range of options than might otherwise have been the case.

3. Key Issues and Messages

- This pre-review consultation is not mandatory but is recommended as "best practice" by the Local Government Commission.
- The Council's initial proposal will be notified after its meeting on 28 June 2006 and the formal statutory process, including the calling for submissions, will then commence.
- The Council has no pre-determined position in seeking this feedback.

4. Target Audience

The consultation process is intended to encourage responses from individual members of the community, interested community groups and any other organisations who have a particular interest in this issue. The groups and organisations which have been identified as being likely to have an interest in the matter are:

- Federation of Residents' and Progressive Associations
- Residents' and Progressive Associations
- Community boards
- Political parties
- Chamber of Commerce

5. Consultation Techniques

Consultation will be based around a discussion document which will include information on:

- The legislation and timeframes the Council is required to comply with in determining its preferred proposal
- The factors it is required to take into account when developing its proposal
- The process Council will follow in undertaking the review

APPENDIX 2

- Possible representation options, including the status quo
- A free post questionnaire for completion and return.

The discussion document (including the questionnaire) will be:

- provided directly to all identified interested parties
- posted on Council's "Have Your Say" section of the website, which will include the ability for people to submit their views on line
- available at Council's libraries and service centres.

The consultation will be publicised via:

- a media release
- an article in "Our Wellington"
- advertisements in suburban and ethnic newspapers.

People will be encouraged to complete and return the questionnaire before the consultation closes in mid May. The receipt of completed questionnaires will be acknowledged and all those who have taken part in the consultation will be notified of the Council's initial decision and advised of the next steps in the process should they have an interest in being involved.

6. Consultation Evaluation

The submissions will be summarised and analysed and the results reported back to the Strategy and Policy Committee on 15 June 2006. These results will assist the Committee, and subsequently the Council, in determining its initial representation proposal.

7. Consultation Programme

Date	Task/Time/People
6 April 2006	Strategy and Policy Committee and Council approve the consultation plan and the public discussion document.
Mid April 2006	Consultation begins
Mid April to late May 2006	<ul style="list-style-type: none">• Discussion document and submission form on the Council's website• Information on the consultation published in the "Our Wellington" page in the DomPost• Document sent to all interested parties• Copies of the document available at all libraries and service centres• Place appropriate articles, translated if necessary, in ethnic newspapers circulating in Wellington• Include an article in any rates newsletter being sent out during the consultation period• Issue regular press releases inviting interested parties to have their say• Mail-in questionnaire published in suburban newspapers.• Discussions with tangata whenua and local iwi.

APPENDIX 2

Late May 2006	Consultation ends
May/June	Submissions analysed and summarised into a report for the Strategy and Policy Committee to consider
15 June 2006	Strategy and Policy Committee consider the various options and determine its preferred proposal for referral to Council
28 June 2006	Council adopts its initial representation review proposal
29 June 2006	Formal statutory review process commences

Representation Review

Public Discussion Document

April 2006

Contents

Introduction

How to make a submission

Issues for consideration

1. Community of interest
2. Effective representation
3. Fair representation
4. Single transferable voting system
5. Ward names
6. Number of Councillors
7. Review of community boards
8. Representation arrangement options

Appendices

Appendix A: Legislative requirements and statutory framework

Appendix B: Review of community boards

Appendix C: Timetable for representation review

Introduction

The Council is required to review its representation arrangements at least once every six years. This process is called the Representation Review.

Although the Council carried out a review in 2003, in time for the 2004 local authority elections, it decided (in October 2003) to undertake another review in time for the 2007 elections to enable a full review of community boards to be completed. The legislation does not allow a review of community boards to be undertaken in isolation of other representation arrangements and so another full review is required.

In preparing for and carrying out these reviews, the Council must keep in mind the relevant provisions of the Local Electoral Act 2001 (LEA) and the Local Government Act 2002 (LGA) (see Appendix A for further details) and must also have regard to the guidelines which are issued by the Local Government Commission (LGC) to assist local authorities in undertaking their reviews.

This discussion document sets out the legal process the Council is required to follow and the various issues and key factors it must take into account in carrying out its Representation Review. A number of possible representation options are identified in the document, including modified “status quo” options. The Council does not have a preferred option at this stage and is inviting your input into the review. We welcome any feedback you have.

All feedback on this document, including any alternative options put forward for consideration, will be taken into account before Council makes any decision. Any alternative proposal/s you might want to recommend for Council’s consideration should take the key factors outlined in this document into account.

The Council is required to make an “initial” decision on what its representation arrangements for the 2007 election will be by no later than 31 August 2006. Once this decision is made the formal statutory review process commences. The initial decision is notified and is open for public consultation. The Council must consider any submissions it receives on its initial proposal and, following those considerations, either confirm or amend its earlier decision and issue its final decision.

The Council’s final decision must be publicly notified before 19 November 2006 and, if any appeals or objections are received to that proposal, the matter must be referred to the LGC for its determination. The LGC is required to issue its decision before 11 April 2007 and its decision is final.

You are encouraged to comment on any aspect of the review, including the representation options set out in this document and any other options you may favour. This consultation document outlines each of the issues that the Council needs to consider and seeks your comments on these.

How to make a submission

Please complete and return the submission form provided with this discussion document. You may also wish to submit more detailed comments or have proposals of your own that you would like the Council to consider. Your submissions or alternative proposals would be most welcome.

Submissions close on and should be sent to Representation Review 2006, Free Post 2199, Wellington City Council, P O Box 2199, Wellington. If you prefer you can fax your submission to 801 3020, email it to ross.bly@wellington.govt.nz or make an online submission at www.wcc.govt.nz

Factors for consideration

The Council must carefully consider the following three key factors when determining its representation proposal:

- communities of interest
- effective representation
- fair representation

1. Community of interest

The Council must ensure that the election of its members provides effective representation of the community or communities of interest within its area. Giving proper consideration to defining local community or communities of interest is therefore an essential part of the representation review process.

The term “community of interest” is not defined by statute. It is a term that can mean different things to different people, depending on an individual’s or group’s perspective.

It is possible to identify a whole local authority district as a single community of interest where residents believe they share common interests across the city.

In its guidelines the LGC has indicated a community of interest is:

“the area to which one feels a sense of belonging and to which one looks for social, service and economic support. Geographic features and the roading network can affect the sense of belonging to an area. The community of interest can often be identified by access to the goods and services needed for everyday existence. Another community of interest factor could be the rohe or takiwa area of tangatawhenua (territory of an iwi)”.

A community of interest usually has a number of defining characteristics, which may include:

- a sense of community identity and belonging
- similarities in the demographic, socio-economic and/or ethnic characteristics of the residents of a community
- similarities in economic activities
- dependence on shared facilities in an area, including schools, recreational and

- cultural facilities and retail outlets
- physical and topographic features
- the history of the area
- transport and communication links.

Communities of interest can alter over time and careful attention must be given to identifying current communities of interest when undertaking these reviews.

A community of interest must be able to be defined as a single geographic area, i.e. a physical boundary must be able to be defined for the community of interest so that appropriate representation can be determined. Boundaries based on prominent physical characteristics of an area (e.g. rivers, principal roads, hill ridgelines etc) are therefore likely to provide strong visual reminders for the residents of the community of interest and may assist in engendering feelings of belonging and empowerment.

In previous representation reviews the Council has accepted that a community of interest means a grouping of the population, on a geographical basis, which has social and economic coherence and has identified its communities of interest at the suburb level.

The Council carried out an extensive review of its suburb boundaries in 2003 and the results of that review were used to identify appropriate ward boundaries for the 2004 local authority elections. It is proposed that those suburb boundaries be used again as the basis for the up-coming review.

2. Effective representation

Effective representation for communities of interest is the defining factor in selecting the overall representation arrangements of the Council.

Once the community or communities of interest have been identified the Council is required to consider whether each identified community of interest needs separate representation, or whether communities of interest can be grouped together in certain ways to achieve effective representation.

The Council must consider whether effective representation for the identified communities of interest is best achieved by way of:

- an at large system;
- a ward system; or
- a mixed system, with election partially at large and partially by ward.

The Council has decided in its most recent reviews that the most effective representation can be achieved by grouping together a number of communities of interest. The communities of interest (i.e. suburbs) which have been grouped together for the five ward system currently operating in the city are as follows:

Northern Ward: Johnsonville/Ohariu Valley
Newlands/Paparangi/Woodridge/Grenada Village/Horokiwi
Churton Park/Glenside
Tawa/Grenada North/Takapu Road

Onslow/Western: Karori/Northland/Wilton/Makara/Makara Beach
Crofton Downs/Ngaio/Khandallah/Kaiwharawhara/
Broadmeadows/Ngauranga

APPENDIX 3

Lambton Ward:	Roseneath/Oriental Bay/Mt Victoria Brooklyn/Mt Cook/Te Aro/Wellington Central Aro Valley/Highbury/Kelburn Pipitea/Thorndon/Wadestown
Eastern Ward:	Seatoun/Karaka Bays/Breaker Bay/Moa Point Miramar/Maupuia/Strathmore Rongotai/Kilbirnie/Lyall Bay/Houghton Bay/Melrose Hataitai
Southern Ward:	Southgate/Island Bay/Owhiro Bay Newtown/Berhampore Morningson/Vogeltown/Kingston

The legislation is neutral on whether the district of a territorial authority should be divided for electoral purposes.

The LGC acknowledges that what constitutes effective representation may vary between individual councils. There are however some principles that can and should be applied across the board:

- a recognised community of interest should not be split between electoral subdivisions (if at all possible)
- grouping together two or more communities of interest that share few commonalities of interest should be avoided.

Questions in relation to accessibility, size and configuration of an area also need to be considered (e.g):

- would the population have reasonable access to its elected members and vice versa
- would elected members be able to effectively represent the views of their electoral subdivision
- would elected members be able to attend public meetings throughout their area, and provide reasonable opportunities for their constituents to have face-to-face meetings.

Elections at-large

Under the at-large system all members (including the Mayor) are elected by the electors of the whole district.

The characteristics which would make elections at-large appropriate are likely to include:

- 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 across the whole city.

If the Council decides that its members are to be elected at-large it must ensure that the number of Councillors it decides to have effectively represents the communities of interest within the city.

Elections by ward

A local authority district may be divided into wards for electoral purposes. Under this system members are elected to represent a specific ward (i.e. an area of the city) and electors may vote only for those candidates who are standing for election in the ward in which the elector resides. Each ward must elect at least one member.

Wards may be appropriate in circumstances where a territorial authority district contains a number of distinct communities of interest best served by separate representation. In deciding on ward arrangements, it is accepted that a separate ward might not be necessary or practical for the effective representation of each community of interest. Where there are a large number of communities of interest it is acceptable to look for linkages between these various interests and combine them together into one or more larger wards.

Ward boundaries must coincide with current statistical meshblock boundaries as determined by the Statistics New Zealand and, so far as is practicable, ward boundaries should coincide with community boundaries.

The 14 elected members of Wellington City Council (excluding the Mayor) are currently elected under the ward system (i.e. four wards elect three members each and one ward elects two members).

Partial election by ward and partial election at-large

The LEA now allows a territorial authority to elect some members by wards and some members at large.

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 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 the ward system.

If a mixed system of representation is adopted, careful consideration needs to be given to ensure an appropriate balance between the number of ward members and the number of at-large members. This option was first introduced in time for the 2004 local elections and was used to elect members to the Tauranga City Council and the Kapiti Coast District Council.

The pros and cons of the at-large versus the ward system have been debated over a number of years.

Arguments in favour of the at-large system

- Electors have the opportunity to choose any of the candidates who are standing i.e. restricting candidates by the ward system limits the electors' choice.
- Councillors serve the city as a whole and not simply one part of it. It encourages

- Councillors to take a more citywide perspective.
- An elector can ask any Councillor for help and is not limited to their local ward Councillors.
- An at-large system is more likely to assist in achieving more diverse representation from ethnic minority groups and other non geographic interests.
- If electors are given the opportunity to pass judgement on all candidates, increased accountability results.

Arguments in favour of the ward system

- Representation is more likely to be equally distributed geographically across the city.
- It potentially allows more candidates to compete by reducing the cost and canvassing effort required for those wishing to stand for election.
- It encourages residents to become better informed on candidates and their policies.
- It improves accountability in that ward; Councillors take greater account of local views.
- Residents are more likely to know their ward Councillors and approach them directly.

3. Fair representation

Fair representation does not need to be considered if the Council decides to elect its Councillors and community board members at-large. However, if the Council decides to divide its district into wards (to elect its Councillors) or subdivisions (to elect its community board members), it must ensure fair representation for electors, taking into account the population of every ward or subdivision within the district.

The factors which need to be applied in deciding the level of membership for wards and subdivisions are detailed in the Act. The level of membership for each ward or subdivision is required to comply with the basic principle of population equality unless there are good reasons to depart from it.

Section 19V(2) of the Act outlines the specific requirements in this regard:

“...the population of each ward or constituency or subdivision, divided by the number of members to be elected by that ward or constituency or subdivision, produces a figure no more than 10% greater or smaller than the population of the district or region or community divided by the total number of elected members (other than members elected by the electors of a territorial authority as a whole, if any, and the Mayor, if any)”.

The only ground for not complying with these provisions is to provide for effective representation for communities of interest within island communities or isolated communities.

If the Council decides to retain the ward system the LGC has already confirmed that Councils proposing wards or subdivisions involving a population per member ratio

falling outside the +/- 10% provided for, would need to specifically identify its reasons for doing so to support its decision.

The Council is required to use the most up to date population figures available when carrying out its review and these are the figures on which the fairness criteria must be based. The estimated resident population for Wellington City as at 30 June 2005 (based on the existing five ward boundaries) on which the Council is required to carry out its review are as follows:

Northern Ward	42,400
Onslow/Western Ward	37,000
Lambton Ward	45,200
Eastern Ward	34,700
Southern Ward	<u>25,800</u>
Total	<u>185,100</u>

4. Single transferable voting system

The result of the poll of electors held in November 2002 means that at least the 2007 local authority elections in Wellington will be held using the Single Transferable Vote (STV) electoral system.

STV can be used in both single and multi-member wards or subdivisions and at-large elections. It is a proportional electoral system. While there is no guarantee that the system will produce an increased diversity of representation, those who support it believe that the STV system provides a better chance of minority or ethnic groups being represented. Supporters of the STV electoral system strongly advocate fewer (and therefore larger) wards electing more members per ward or subdivision if the system is to work effectively.

This is another factor that should be taken into account when deciding which system would provide the most effective representation for the city. If the ward system is the preferred option it should also be kept in mind when determining the boundaries of the wards and the number of members to be elected from each ward.

5. Ward names

In the event the current ward system is retained for the 2007/2010 triennium it is possible to consider changes to the current ward names. The ward names as they currently exist are:

Northern Ward
Onslow/Western Ward
Lambton Ward
Eastern Ward
Southern Ward.

We would therefore appreciate your feedback as to whether you are happy or not with the current ward names. In the event that the five ward option is retained. If not what alternative names would you prefer. If you are proposing a new ward option we would appreciate it if you could provide your preferred ward names.

6. Number of Councillors

The law currently provides for the membership of a territorial authority to be no fewer than six and no more than 30 members (including the Mayor). This range is set to enable the community to settle upon a system of representation which allows for the variety and complexity of local needs and the range of functions being undertaken by a territorial authority.

The current elected membership of Wellington City Council is 14 (excluding the Mayor) and was decreased to that level, from 19, in 2004 (as determined by the LGC).

The views on what the number of elected members should be varies greatly, depending on what the role of Councillors is seen to be. The role of an elected member has changed significantly since the major local government reform which took place in 1989 and more recently with the passing of the Local Government Act 2002.

The view of those who support a smaller number of elected representatives is that the legislation now requires Councillors to focus their attention on strategic and policy matters and have less hands-on involvement in the running of the Council. In their view this role can be satisfactorily carried out by a smaller number of Councillors.

The opposing view is that any reduction to the existing numbers would lower the level of representation to an unacceptable degree and is seen as an erosion of the democratic process.

7. Review of community boards

There are only two community boards operating in Wellington city at the present time, both of which were established by the LGC in 1989 as part of the local government reorganisation undertaken at that time. The Tawa Community Board consists of six elected members and two appointed members and the Makara/Ohariu Community Board has six elected members.

APPENDIX 3

The role of a community board is to:

- represent, and act as an advocate for, the interests of its community
- consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board
- maintain an overview of services provided by the territorial authority within the community
- prepare an annual submission to the territorial authority for expenditure within the community
- communicate with community organisations and special interest groups within the community
- undertake any other responsibilities that are delegated to it by the territorial authority.

Community boards are established under the LGA to perform such functions and duties and exercise such powers as are delegated to them by the Council. They are not however committees of the council. Community boards cannot set rates, raise funds, enter into contracts, deal in property, pass bylaws or appoint staff.

Whenever the Council is reviewing its own representation arrangements it is also required to undertake a review of community boards. The community board review process applies to all councils carrying out representation reviews, not just those councils that currently have them as part of their governance structure. This means that Council must, as part of every representation review it undertakes, consider whether community boards are necessary to provide fair and effective representation for individuals and communities in its district. It provides a process whereby a council can propose the constitution of new boards or the disestablishment of existing boards. In carrying out such a review two levels of decisions are required:

- whether there should be communities and community boards within the council's district; and if so
- the nature of any community and the structure of any community board.

In undertaking its community board review, the Council is required to have regard to the reorganisation criteria detailed the LGA (see Appendix B). Applying those criteria for community board reviews means that the following matters need to be considered by Council:

- will the proposal promote the good local government of the parent district and the community area concerned?
- would the district and the community have the resources necessary to enable it to carry out their respective responsibilities, duties and powers?
- would the district and the community encompass an area that is appropriate for the efficient and effective exercise of its responsibilities, duties and powers?
- would the district and community contain a sufficiently distinct community of interest or sufficiently distinct communities of interest?
- would the district and the community be able to meet the decision-making requirements of section 76 of the LGA, to the extent that they are

applicable?

An existing community board may be abolished or united with another community board, and the boundaries of a community board may be altered, by:

- (a) an Order in Council giving effect to a reorganisation scheme; or
- (b) the territorial authority or the Local Government Commission as part of a review of the territorial authority's representation arrangements.

A community board may be established in any part of a council district but must be wholly within that district. Unless an existing board is abolished a new community board cannot be constituted for any part of a district if a community board is already constituted for that part of that district. The boundaries of any community board must be of a continuous area.

The Act allows the area of a community board to be subdivided for electoral purposes. The division of a community board into electoral subdivisions may be appropriate when the community board area is made up of a number of distinct communities of interest at the local level, and the formation of subdivisions will provide effective representation of communities of interest. The members of a community board may therefore be elected at-large by the community, by a subdivision of the community, or by ward if the community contains two or more wards in the city.

8. Representation options

The particular issues that Council would like feedback on at this "pre-review" consultation stage of the process are:

- (i) Whether effective representation for identified communities of interest in the city can be best achieved by way of:
 - an at large system (where all members are elected by all voters across the city); or
 - a ward system; or
 - a mixed system, with election of members partially at large and partially by ward.
- (ii) If an at large system is proposed, what number of elected members would be appropriate to provide effective representation for the district as a whole.
- (iii) Should there be communities and community boards and if so the number of any community and the structure of any community board.

The number of possible ward options would be endless if it were not for the "fairness of representation" requirement (i.e. the ratio of population per member within each of the wards must fall within +/- 10% of the average population per member across the whole city) and the fact that identified communities of interest should not be split in order to achieve these ratios.

APPENDIX 3

A number of possible options have been developed which comply with the various legislative requirements on which we would appreciate your view:

The options are as follows:

(a) Election of all Councillors (including the Mayor) under the “at large” representation arrangement.

A number of at large options (with the number of members ranging from 12 to 18) are as follows:

Population	Number of Councillors	Population per Councillor
185,100	12	1:15,425
185,100	13	1:14,239
185,100	14	1:13,222
185,100	15	1:12,340
185,100	16	1:11,569
185,100	17	1:10,889
185,100	18	1:10,284

Note:

- Although the election of its members at large is an option the Council can consider, the LGC did indicate in its most recent determination that, because of the city’s diversity, the effective representation of the city’s communities of interest is, in its view, best achieved by councillors being elected on a ward basis.
- If an at-large system is proposed the Council would need to determine what membership numbers would be appropriate to provide effective representation for the district as a whole. The current population per Councillor ratio (based on the estimated population as at 30 June 2005) is 1:13,222.
- The LGC in setting the Council’s level of representation at 14 members (excluding the Mayor) for the 2004/2007 triennium indicated that in its view the previous 19 member council (excluding the Mayor) was more than was required to ensure effective representation of communities of interest in Wellington city.

(b) Modified “status quo” (i.e. five wards electing 14 Councillors)

The “status quo” (with no boundary adjustments) is not a possible option because the fairness criteria are not met, as the figures in the table below indicate.

Ward	Population	% of Total	Entitlement	Proposed Councillors	Population per Councillor	Variance
Northern	42,400	22.90%	3.21	3	1:14,134	- 6.73%
Onslow-Western	37,000	19.99%	2.80	3	1:12,334	+ 6.86%
Lambton	45,200	24.42%	3.42	3	1:15,067	-13.77%
Eastern	34,700	18.75%	2.63	3	1:11,567	+ 12.66%
Southern	25,800	13.94%	1.95	2	1:12,900	- 2.59%
Totals	185,100	100%		14	Ave 1:13,243	

APPENDIX 3

Note:

- Under the status quo option (with no boundary adjustments) the population ratio per member for both the Lambton and Eastern Wards is outside the permitted range of +/- 10% of 13,243 [i.e. 11,919 to 14,567]. Lambton exceeds the population limits by 1500 and Eastern is under by 1056.
- Any increase in the number of members (elected from five wards) would require significant changes to the current boundaries.

However, with some boundary adjustments it is possible to retain the status quo and three possible options are as follows

Option 1: Modified “status quo” (i.e. five wards electing 14 Councillors) by adjustments to the Lambton and Eastern Wards

Ward	Population	% of Total	Entitlement	Proposed Councillors	Population per Councillor	Variance
Northern	42,400	22.91%	3.21	3	1:14,134	- 6.73%
Onslow-Western	37,000	19.99%	2.80	3	1:12,334	+ 6.86%
Lambton	43,600	23.55%	3.29	3	1:14,533	-9.74%
Eastern	36,300	19.61%	2.74	3	1:12,100	+ 8.63%
Southern	25,800	13.94%	1.95	2	1:12,900	- 2.59%
Totals	185,100	100%		14	Ave 1:13,243	

Note:

- This option is achieved by shifting Roseneath (population of 1600) from the Lambton Ward to the Eastern Ward.
- Roseneath is currently in the Rongotai Parliamentary Electorate and by including it as part of the Eastern Ward will mean that the ward and parliamentary boundaries in this area are consistent.
- The population per Councillor ratio for the Lambton Ward is still close to the maximum permitted under this option.

Option 2: Modified “status quo” (i.e. five wards electing 14 Councillors) by adjustments to the Lambton, Eastern and Onslow/Western Wards

Ward	Population	% of Total	Entitlement	Proposed Councillors	Population per Councillor	Variance
Northern	42,400	22.91%	3.21	3	1:14,134	- 6.73%
Onslow-Western	40,250	21.74%	3.04	3	1:13,417	- 1.31%
Lambton	40,350	21.80%	3.05	3	1:13,450	-1.56%
Eastern	36,300	19.61%	2.74	3	1:12,100	+ 8.63%
Southern	25,800	13.94%	1.95	2	1:12,900	- 2.59%
Totals	185,100	100%		14	Ave 1:13,243	

APPENDIX 3

Note:

- This option is achieved by shifting Roseneath (population of 1600) from the Lambton Ward to the Eastern Ward and shifting Wadestown (population of 3,250) from Lambton Ward to the Onslow/Western Ward.
- Although the population per Councillor ratio is more balanced under this option the figures for the Eastern Ward are still relatively close to the limits permitted.

Option 3: Modified “status quo” (i.e. five wards electing 14 Councillors) by adjustments to the Lambton, Eastern, Onslow/Western and Southern Wards

Ward	Population	% of Total	Entitlement	Proposed Councillors	Population per Councillor	Variance
Northern	42,400	22.91%	3.21	3	1:14,134	- 6.73%
Onslow-Western	40,250	21.74%	3.04	3	1:13,417	- 1.31%
Lambton	40,350	21.80%	3.05	3	1:13,450	-1.56%
Eastern	37,180	20.09%	2.81	3	1:12,393	+ 6.42%
Southern	24,920	13.46%	1.88	2	1:12,460	- 5.91%
Totals	185,100	100%		14	Ave 1:13,243	

Note:

- This option is achieved by shifting Roseneath (population of 1600) from the Lambton Ward to the Eastern Ward, shifting Wadestown (population of 3,250) from Lambton Ward to the Onslow/Western Ward and shifting Southgate (population of 880) from the Southern Ward to the Eastern Ward.
- This option provides the most balanced population per Councillor ratio but it does involve shifting three communities of interest from their current groupings.

(c) Amalgamate the existing five wards into three wards with each ward electing the same number of Councillors

Option 1: Three wards electing four Councillors each

Ward	Population	% Pop	Entitlement	Proposed Councillors	Population per Councillor	Variance
Northern/Onslow	59,300	32.04	3.84	4	1:14,825	+ 3.89%
Western/Lambton	65,300	35.28	4.23	4	1:16,325	- 5.83%
Eastern/Southern	60,500	32.68	3.92	4	1:15,125	+ 1.94%
	185,100	100		12	Ave 1:15,425	

APPENDIX 3

Option 2: Three wards electing five Councillors each

Ward	Population	% Pop	Entitlement	Proposed Councillors	Population per Councillor	Variance
Northern/Onslow	59,300	32.04	4.86	5	1:11,860	+ 3.89%
Western/Lambton	65,300	35.28	5.29	5	1:13,060	- 5.83%
Eastern/Southern	60,500	32.68	4.90	5	1:12,100	+ 1.94%
	185,100	100		15	Ave 1:12,340	

Note:

- Apart from splitting the Western/Onslow Ward (along the boundary which divided this ward for the 2001 local authority elections), these options follow existing ward boundaries and comply with the fairness criteria without any boundary adjustments.
- In order to achieve the perceived benefits that the STV electoral system brings (i.e. an increase in the diversity of representation), supporters of that system strongly advocate fewer (and therefore larger) wards electing more members per ward. These options achieve that.

(d) Three wards electing four members each and a further four members being elected at large across the city.

Ward	Population	% Pop	Entitlement	Proposed Councillors	Population per Councillor	Variance
Northern/Onslow	59,300	32.04	3.84	4	1:14,825	+ 3.89%
Western/Lambton	65,300	35.28	4.23	4	1:16,325	- 5.83%
Eastern/Southern	60,500	32.68	3.92	4	1:15,125	+ 1.94%
At Large				4		
	185,100	100		16	Ave 1:15,425	

Note:

- This “mixed” system is currently operating in Kapiti Coast District Council and Tauranga City Council.
- Apart from splitting the Western/Onslow Ward (along the boundary which divided this ward for the 2001 local authority elections), these options follow existing ward boundaries and comply with the fairness criteria without any boundary adjustments.
- In order to achieve the perceived benefits that the STV electoral system brings (i.e. an increase in the diversity of representation), supporters of that system strongly advocate fewer (and therefore larger) wards electing more members per ward. This option achieves that.

There are many other possible variations. You are welcome to put forward in your submission any other representation options you may favour.

APPENDIX 3

Community Board Options

- (a) **Status quo (Retain the Tawa and Makara/Ohariu Community Boards with no boundary or membership changes)**

Community Board	Population	Proposed Members	Population per Member
Tawa	14,500	6 (elected) 2 (appointed)	1:2,417
Makara/Ohariu	980	6 (elected)	1:164
Total		12	

Note:

- No change to the existing community board arrangements (i.e. membership or boundaries) are proposed in this option.
- The number of members on the Makara/Ohariu Community Board could be reviewed under this option if considered appropriate.

- (b) **Retain Makara/Ohariu Community Board as the only community board in the City**

Community Board	Population	Proposed Members	Population per Member
Makara/Ohariu	980	6 (elected)	1:164
Total		6	

Note:

- This option proposes the retention of the Makara/Ohariu Community Board (because of its specialised and unique role) and the disestablishment of the Tawa Community Board (on the basis that under the existing arrangement Tawa residents are receiving a higher level of representation than the rest of the city).
- The Tawa Community Board would have the right of appeal to the Local Government Commission if it was opposed to the disestablishment of the Board. The Local Government Commission's decision is final.

- (c) **Establishment of five new community boards (based on one of the modified five ward options) electing six members each, except for the Southern Community Board which will elect four members, and retaining the Makara/Ohariu Community Board (but reducing the current number of members on the Board from six to four).**

Community Board	Population	Proposed Members	Population per Member
Northern	41,930	6	1:6,988
Onslow/Western	39,470	6	1:6,578
Lambton	40,350	6	1:6,725
Eastern	36,300	6	1:6,050
Southern	25,800	4	1:6,450
Makara/Ohariu	980	4	1:245
Total	185,100	32	

Note:

APPENDIX 3

- This proposal is based on the five ward option in which it is proposed that Roseneath be shifted from the Lambton Ward to the Eastern Ward and Wadestown be shifted from Lambton Ward to the Onslow/Western Ward.
 - This option proposes the disestablishment of the Tawa Community Board and the inclusion of the Tawa community within the new Northern Community Board
 - The larger community boards identified in this option could be subdivided to take account of the Council's existing boards and other appropriate subdivisions e.g. the Northern Community Board could be divided into three subdivisions incorporating:
 - 1) Tawa, Takapu Valley and Grenada North (the current Tawa Community Board boundary).
 - 2) Churton Park and Glenside
 - 3) Johnsonville, Newlands, Paparangi, Woodridge, Horokiwi and Grenada Village.
 - If the community boards are subdivided for electoral purposes, the members elected from each of the subdivisions would need to be adjusted to meet the fairness criteria.
 - This is a similar arrangement to that currently operating in Christchurch City.
- (d) Establishment of three new community boards (based on the amalgamated three ward option) electing six members each and retaining the Makara/Ohariu Community Board (but reducing its membership from six to four).**

Community Board	Population	Proposed Members	Population per Member
Northern/Onslow	58,790	6	1: 9,798
Western/Lambton	64,830	6	1:10,805
Eastern/Southern	60,500	6	1:10,083
Makara/Ohariu	980	4	1:245
Total	185,100	22	

Note:

- This option proposes the disestablishment of the Tawa Community Board and the inclusion of the Tawa community within the new Northern/Onslow Community Board
- The larger community boards identified in this option could be subdivided to take account of the Council's existing boards and other appropriate subdivisions e.g. the Northern/Onslow Community Board could be divided into three subdivisions incorporating:
 - (1) Tawa, Takapu Valley, Grenada North, Churton Park and Glenside
 - (2) Johnsonville, Newlands, Paparangi, Woodridge, Horokiwi and Grenada Village
 - (3) Ngauranga, Broadmeadows, Khandallah, Kaiwharawhara, Ngaio and Crofton Downs
- If the community boards are subdivided for electoral purposes, the members elected from each of the subdivisions would need to be adjusted to meet the fairness criteria.
- This is a similar arrangement to that currently operating in Christchurch City.

APPENDIX 3

If you favour the retention of the existing community boards and/or the establishment of more community boards in the city, any one of these community board options can be incorporated with your preferred option insofar as the Council's representation arrangements are concerned.

Again there are many other possible options and if there is one that you prefer above any of those outlined in this document please let us know.

If you have other representation options you would like the Council to consider (for either the Council or community boards) it would be helpful if the boundaries you are proposing could be detailed on a base map of Wellington. Copies of these maps can be obtained from Ross Bly tel 801-3484.

Further information

If you require any explanation of the information contained in this document, or further advice or information on the Representation Review process, please contact Ross Bly, Special Projects Officer, Democratic Services, Wellington City Council, P O Box 2199, Wellington, ph 801 3484, fax 801 3020, email ross.bly@wcc.govt.nz

Appendix A

Legislative requirements and statutory framework

The Council is required, under Section 19H of the Local Electoral Act 2001 (LEA), to review and determine, at least once every six years, the representation arrangements for the election of its members.

The review requires the Council to decide:

- (a) whether its Councillors (other than the Mayor) are to be elected:
 - (i) by the electors across the whole city (i.e. at large); or
 - (ii) by the electors of two or more wards; or
 - (iii) in some cases by the electors of the city as a whole and in other cases by the electors of two or more wards of the city (i.e. a combination of at large and the ward system).
- (b) in any case to which paragraph a(i) applies, the proposed number of members to be elected by the electors of the city as a whole.
- (c) in any case to which paragraph a(iii) applies:
 - (i) the proposed number of members to be elected by the electors of the city as a whole
 - (ii) the proposed number of members to be elected by the electors of the wards of the city.
- (d) in any case to which paragraphs a(ii) or a(iii) apply:
 - (i) the proposed name and the proposed boundaries of each ward
 - (ii) the number of members proposed to be elected by the electors of each ward.

On every occasion it carries out a representation review the Council is also required to determine whether in light of the principles set out in Section 4(1)(a) of the LEA:

- there should be communities and community boards; and if so
- the nature of any community and the structure of the community board.

In preparing for and carrying out representation reviews, the Council must bear in mind the relevant provisions of the LEA and the Local Government Act 2002 (LGA).

Local Electoral Act 2001

In terms of the purpose of the Act section 3(c)(ia) provides that the Act is to allow diversity (through local decision-making) in relation to-

the regular review of representation arrangements for local authorities.

In preparing for a representation review the Council is required to be aware of the principles of the Act, as set out at section 4. Subsection 2 of section 4 states:

Local authorities, electoral officers, and other electoral officials, must, in making decisions under this Act or any other enactment, take into account those principles specified in subsection (1) that are applicable (it any), so far as is practicable in the circumstances.

Section 4(1)(a) provides that one of the principles that the Act is designed to implement is the provision of:

fair and effective representation for individuals and communities.

Local Government Act 2002

Section 19W of the LEA provides that a local authority in undertaking a review of community boards under section 19J of the Act, or the Commission in determining a local authority's community board arrangements after consideration of appeals and objections, must have regard to the relevant criteria for reorganisation proposals as specified in the LGA. The criteria for reorganisation schemes are prescribed in Subpart 2 of Part I of Schedule 3 of the LGA. The criteria are set out in Appendix B.

It is also appropriate for a local authority to bear in mind the purposes and principles of local government as set out in the LGA in undertaking its overall review. Section 3 of the LGA provides that:

The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities...

Section 10(a) provides that the purpose of local government is:

- (a) *to enable democratic local decision-making and action by, and on behalf of, communities; and*
- (b) *to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.*

Section 14 sets out the principles relating to local authorities, and includes the following provisions that a local authority must act in accordance with in performing its role. These principles include, amongst others:

- (1)(b) *a local authority should make itself aware of, and should have regard to, the views of all of its communities; and*
- (1)(c) *when making a decision, a local authority should take account of—*
 - (i) *the diversity of the community, and the community's interests, within its district or region; and*

APPENDIX 3

- (ii) the interests of future as well as current communities; and*
- (iii) the likely impact of any decision on each aspect of well-being referred to in section10.*

Section 52 sets out the role of community boards. It should be noted that to a significant extent, the role of community boards is to be determined by the extent to which specific responsibilities are transferred by the territorial authority under section 52(b) and (f).

Appendix B

Review of Community Boards

Section 19J of the Local Electoral Act 2001 requires the Council to carry out a review of community boards every time it carries out a representation review.

The Council must take the following factors into account in carrying out its review of community boards.

- (1) Every community board:
 - (a) is to consist of not fewer than four members nor more than 12 members
 - (b) is to include at least four elected members
 - (c) may include appointed members.
- (2) The number of appointed members is to be less than half the total number of members.
- (3) The persons who are appointed under subsection (i)(c) as members of the community board must:
 - (a) be members of, and must be appointed by, the territorial authority for the district in respect of which the community is constituted
 - (b) if the territorial authority is divided into wards, also be members of the territorial authority representing a ward in which the community is situated.
- (4) The part of a district in respect of which a community is constituted may be subdivided for electoral purposes.
- (5) Each subdivision must elect at least one member of the community board.
- (6) If a community comprises two or more whole wards, the elected members of the community board may be elected by the electors of each ward.
- (7) If the community is not subdivided for electoral purposes, the members of the community board must, unless they are to be elected in any case to which paragraph (6) above applies, be elected by the electors of the community as a whole.
- (8) If a community is subdivided for electoral purposes or if the members of the community board are to be elected in any case to which paragraph (6) above applies
 - (a) each member of the community board who represents a subdivision must be elected by the electors of the subdivision
 - (b) each member of the community board who represents a ward must be elected by the electors of that ward.

The resolution the Council is required to pass must determine:

- (a) whether one or more communities should be constituted
- (b) whether any community should be abolished or united with another community
- (c) whether the boundaries of a community should be altered
- (d) whether a community should be subdivided for electoral purposes or whether it should continue to be subdivided for electoral purposes, as the case may require
- (e) whether the boundaries of any subdivision should be altered
- (f) the number of members of any community board
- (g) the number of members of a community board who should be elected and the number of members of a community board who should be appointed
- (h) whether the members of a community board who are proposed to be elected are to be elected:
 - (i) by the electors of the community as a whole
 - (ii) by the electors of two or more subdivisions
 - (iii) if the community comprises two or more whole wards, by the electors of each ward.
- (i) in any case to which paragraph (h)(ii) applies:
 - (i) the proposed name and the proposed boundaries of each subdivision
 - (ii) the number of members proposed to be elected by the electors of each subdivision.

Criteria for reorganisation schemes (as prescribed in Schedule 3 of the Local Government Act 2002)

Subpart 2—Criteria to be considered

3 Promotion of good local government

- (1) When considering a reorganisation proposal or scheme, the joint committee of the affected local authorities or the appointed local authority or the Commission must satisfy itself that the proposal or scheme will—
 - (a) promote good local government of the districts or regions concerned; and
 - (b) ensure that each local authority provided for under the proposal will—

APPENDIX 3

- (i) have the resources necessary to enable it to carry out its responsibilities, duties, and powers; and
 - (ii) have a district or region that is appropriate for the efficient and effective performance of its role as specified in section II; and
 - (iii) contain within its district or region a sufficiently distinct community of interest or sufficiently distinct communities of interests; and
 - (iv) be able to meet the requirements of section 76.
- (2) When considering the matters specified in subclause (1) in relation to any reorganisation proposal or scheme, the joint committee of the affected local authorities or the appointed local authority or the Commission must have regard to—
 - (a) the area of impact of the responsibilities, duties, and powers of the local authorities concerned; and
 - (b) the area of benefit of services provided; and
 - (c) the likely effects on a local authority of the exclusion of any area from its district or region; and
 - (d) any other matters that it considers appropriate.

4 Appropriate boundaries

- In determining boundaries under any reorganisation proposal or scheme, the joint committee of the affected local authorities or the appointed local authority or the Commission must ensure that,—
- (a) if practicable, the boundaries of regions conform with catchment boundaries; and
 - (b) if practicable, the boundaries of districts conform with the boundaries of regions; and
 - (c) the boundaries of regions and the boundaries of districts conform with the boundaries of statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes.

Appendix C

Timetable for review of representation arrangements

Task	Proposed Date	Legislative Deadline
Council approves discussion document	6 April 2006	N/A
Discussion document released for consultation with the public	Mid April to late May 2006	N/A
Report to Strategy and Policy Committee recommending “initial” proposal	15 June 2006	N/A
Council decision on “initial” proposal	28 June 2006	31 August 2006
Public notification of initial proposal (calling for submissions)	8 July 2005	8 September 2006
Close of public submissions	28 August 2006	8 October 2006
Council to hear/consider submissions	Week commencing 4 September 2006	Before 19 November 2006
Report to Strategy and Policy Committee recommending “final” proposal	21 September 2006	Before 19 November 2006
Council decision on “final” proposal	27 September 2005	Before 19 November 2006
Public notice of the Council’s “final” decision	7 October 2006	19 November 2006
Close of public appeals/objections to “final” proposal	10 November 2006	20 December 2006
All documentation to LGC (if any appeals/objections are received)	24 November 2006	15 January 2007

2006 Representation Review Draft Questionnaire

Community of interest

The Council is required to define local communities of interest throughout the city as part of this review.

Based on the factors and reasons outlined on pages.... of the discussion document, the Council has identified its communities of interest at the suburb level for previous reviews.

Do you think this is an appropriate way of identifying and defining communities of interest?

Yes
No

If “no” what other suggestions do you have?

Effective representation

Having identified its communities of interest the Council must then decide whether each community of interest needs separate representation or whether communities of interest can be grouped together to achieve effective representation. *(Please tick one box only)*

Which of the following three options, in your view, provides the most effective representation of the city’s communities of interest and why?

- An at large (i.e. a citywide) system
- A ward system; or
- a mixed system, where some councillors are elected at large and some are elected by ward

Reasons for your choice:

Possible representation options

(Please tick only those boxes relative to your answer to question..... above)

At large system:

Which of the options (if any) outlined on page ... of the discussion document do you think would be appropriate to provide effective representation for the city as a whole?

- | | |
|----------|--------------|
| Option 1 | (12 members) |
| Option 2 | (13 members) |
| Option 3 | (14 members) |
| Option 4 | (15 members) |
| Option 5 | (16 members) |
| Option 6 | (17 members) |
| Option 7 | (18 members) |

APPENDIX 3

Any other?

Reasons for your preference:

Ward system

If the Council decides to retain the ward system (i.e. divide the city into groupings of communities of interest for electoral purposes) which of the options (if any) outlined on pages.....of the document do you prefer and why?

- Option 1 (5 wards electing 14 Councillors with shift of Roseneath)
- Option 2 (5 wards electing 14 Councillors with shift of Roseneath and Wadestown)
- Option 3 (5 wards electing 14 Councillors with shift of Roseneath, Wadestown and Southgate)
- Option 4 (3 wards electing 12 Councillors [4 Councillors per ward])
- Option 5 (3 wards electing 15 Councillors [5 Councillors per ward])

Any other?

Reasons for your preference:

Mixed system

If you prefer the option of electing some Councillors under the ward system and some at large, do you support the option outlined in the discussion document (i.e. 12 Councillors elected from 3 wards and 4 Councillors elected at large giving a total membership of 16 [excluding the Mayor])?

Yes

No

If “no” what would your preference be and why?

Number of Councillors

The current number of members on the Wellington City Council is fourteen (excluding the Mayor). This number was reduced from 19 prior to the 2004 local authority election as a result of a decision of the Local Government Commission.

The Council is required to ensure effective representation of communities of interest. In order to achieve this do you think the number of Councillors (excluding the Mayor) should:

- Remain the same (i.e. 14)
- Be increased to? (please state)
- Be reduced to? (please state)

Reasons for your preference

Ward Names

If you support the retention of wards, are you happy with the ward names currently in use (i.e. Northern, Onslow, Western, Lambton, Southern and Eastern)?

Yes

No

If “no” what are your suggested alternative names?

If the current five wards were amalgamated into three wards (i.e. options.....) do you have any suggested names (other than those used in the examples in the discussion document) for the new wards?

Yes (what are they?)

No

If you are proposing an alternative ward option what are your preferred ward names?

Review of Community Boards

Do you know what the role of a community board is?

Yes

No

Having read the relevant section in the discussion document (i.e. pages....) do you think the establishment of community boards across the city would provide fairer and more effective representation for individuals and communities in Wellington city than the current arrangement provides

Yes

No

Reasons for your view:

If community boards were established across the city would you support a reduction in the number of Councillors currently elected to the Council?

Yes

No

Reasons for your view:

There are only two community boards operating in the city at the present time. Both these Boards have been operating since 1989. The Tawa Community Board has six elected members and two appointed members and the Makara/Ohariu Community Board has six elected members.

If you reside in either Tawa or Makara/Ohariu are you happy with the current operation of the Boards and their existing boundaries and level of membership?

APPENDIX 3

Tawa Community Board

Yes

No

If 'no' what are your concerns?

Makara/Ohariu Community Board

Yes

No

If "no" what are your concerns?

Which, if any, of the community board options outlined in the discussion document (pages....) do you prefer?

- | | |
|----------|--|
| Option 1 | Status quo (i.e. retain the existing boards and not establish any more) |
| Option 2 | Retain the Makara/Ohariu Community Board as the only community board in the city |
| Option 3 | Establish five new community boards (based on a five ward Council arrangement electing 14 Councillors) and retain the Makara/Ohariu Community Board (with a reduction in membership) |
| Option 4 | Establish three new community boards (based on a three ward Council arrangement) and retain the Makara/Ohariu Community Board (with a reduction in membership) |

Any other

Reason for your preference:

If community boards were established across the city, would you support the division of those larger community board areas into smaller subdivisions as outlined in the examples in the discussion document?

Yes

No