

Democratic Reviews 2020-2021

Workshop: 4 August 2020

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Democratic Reviews 2020-2021

- **Objectives**
 - provide overview on upcoming democratic review processes
 1. electoral system (mandatory by 12 September 2020)
 2. Māori wards (optional by 23 November 2020)
 3. representation review (mandatory by 31 August 2021)
 - obtain general Council guidance
- **Logistics**
 - complex process
 - need to get it right (compliance)
 - community and iwi consultation

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1. Electoral system

- every 3 years Council must consider electoral system
- Council can choose to either
 - retain STV (current system)
 - adopt FPP
 - hold a poll
- resolution by 12 September 2020
- mandatory public notice by 19 September 2020
- notice provides opportunity for public to demand a poll

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- **Electoral system poll**
 - Council can resolve to hold a poll anytime
 - if by 12 September 2020
 - poll held by 21 May 2021
 - no public notice required
 - result binding for 2022 & 2025 elections
 - if by 21 February 2021
 - poll held by 21 May 2021
 - result binding for 2022 & 2025 elections
 - if after 21 February 2021
 - poll held after 21 May 2021 e.g. with 2022 elections
 - result binding for 2025 & 2028 elections

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- **Electoral system poll**
 - electors can demand a poll anytime
 - if received by 21 February 2021
 - poll held by 21 May 2021
 - result binding for 2022 & 2025 elections
 - if received after 21 February 2021
 - poll held after 21 May 2021 e.g. with 2022 elections
 - result binding for 2025 & 2028 elections
 - minimum 5% electors (2,021) required
 - estimated cost of standalone poll \$85k + GST

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- **Electoral system choice**

- Single Transferable Voting (STV)
 - form of preferential voting
 - electors have single vote and rank candidates in order they prefer
 - must achieve certain number of votes (quota) to be elected
 - used by 14% local authorities in 2019 (11 of 78) incl KCDC and all DHBs (future subject to Simpson Report)
- First Past the Post (FPP)
 - electors tick their preferred candidate(s) up to number of vacancies
 - candidate(s) with highest number votes elected
 - used by 67 of 78 local authorities in 2019 (86%)

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2. Māori wards

- can be established anytime but specific opportunity every three-years
- establishment optional
- sit alongside general wards
- applies to wards - not community boards
- any elector can stand in a Māori ward
- only electors on the Māori electoral roll can vote in a Māori ward
- electors in a Māori ward can also vote for 'at-large' councillors

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- **Māori wards**

- legal obligation
 - LGA sec 4: ‘Treaty of Waitangi to maintain and improve opportunities for Māori to contribute to local government decision-making processes...’
 - LGA sec 14(d): ‘a local authority should provide opportunities for Māori to contribute to decision-making.’
- LEA secs 19Z-19ZH provides opportunity and mechanisms
- need to consult with local iwi/hapu and local community
- do iwi/hapu want Māori wards?
- are other options preferred?
 - Te Whakaminenga o Kāpiti partnership

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- **Māori wards**

- every 3 years Council may consider
 - whether or not to establish Māori wards
 - whether or not to hold a poll on Māori wards
- resolution (optional) by 23 November 2020
- if establishing, public notice by 30 November 2020
- in notice provides opportunity for public to demand a poll
- resolution takes effect for at least 2022 & 2025 elections

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- **Māori wards poll**
 - Council can resolve to hold a poll anytime
 - if no date given, poll held as soon as practicable
 - if poll outcome required for 2022 election
 - resolution for poll by 21 February 2021
 - poll held by 21 May 2021
 - result binding for 2022 & 2025 elections
 - if poll outcome required for 2025 election
 - date for poll after 21 February 2021 e.g. with 2022 election
 - result binding for 2025 & 2028 elections

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- **Māori wards poll**
 - electors can demand a poll anytime
 - if received by 21 February 2021
 - poll held by 21 May 2021
 - result binding for 2022 & 2025 elections
 - if received after 21 February 2021
 - poll held after 21 May 2021 e.g. with 2022 elections
 - result binding for 2025 & 2028 elections
 - minimum 5% electors (2,021) required
 - estimated cost of standalone poll \$85k + GST

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- **Māori wards poll**
 - recent poll results
 - 2018 Western Bay of Plenty District Council (22% For 78% Against)
 - 2018 Whakatāne District Council (45% For 55% Against)
 - 2016 Wairoa District Council (54% For 46% Against)
 - 2015 Far North District Council (32% For 68% Against)
 - 2015 New Plymouth District Council (17% For 83% Against)
 - 2013 Hauraki District Council (19% For 81% Against)
 - 2012 Waikato District Council (20% For 80% Against)
 - 2012 Wairoa District Council (48% For 52% Against)

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- **Māori wards calculation**

- based on Māori and general electoral populations (not electors)
 - $nmm = \frac{mepd}{(mepd + gepd)} \times nm$
 - nmm = number Māori members
 - mepd = Māori electoral population of district
 - gepd = general electoral population of district
 - nm = total number members
- 4,380 Māori Electoral Population (8%)
- 42,293 General Electoral Population (92%)
- if 10 councillors retained:
 - 1 Māori councillor (.82 rounded up)
 - 9 general councillors

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- **Māori wards**

- currently three local authorities have Māori representation
 - Bay of Plenty Regional Council (2001)
 - Waikato Regional Council (2013)
 - Wairoa District Council (2019)
- if established
 - must apply for at least two triennial elections
 - must undertake a representation review
- SOLGM submitted to Justice Committee that legislation for establishing Māori wards be aligned with creation of other wards
- matter of interest to Minister of LG
- watch this space

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3. Representation arrangements review

- review must be undertaken in 2021
 - initial proposal between 1 March 2021 and 31 August 2021
 - final proposal by 19 November 2021
- process reasonably complex and prescribed
- don't under-estimate the process
- ensure sufficient budget/resource
- impact of LTP on timing

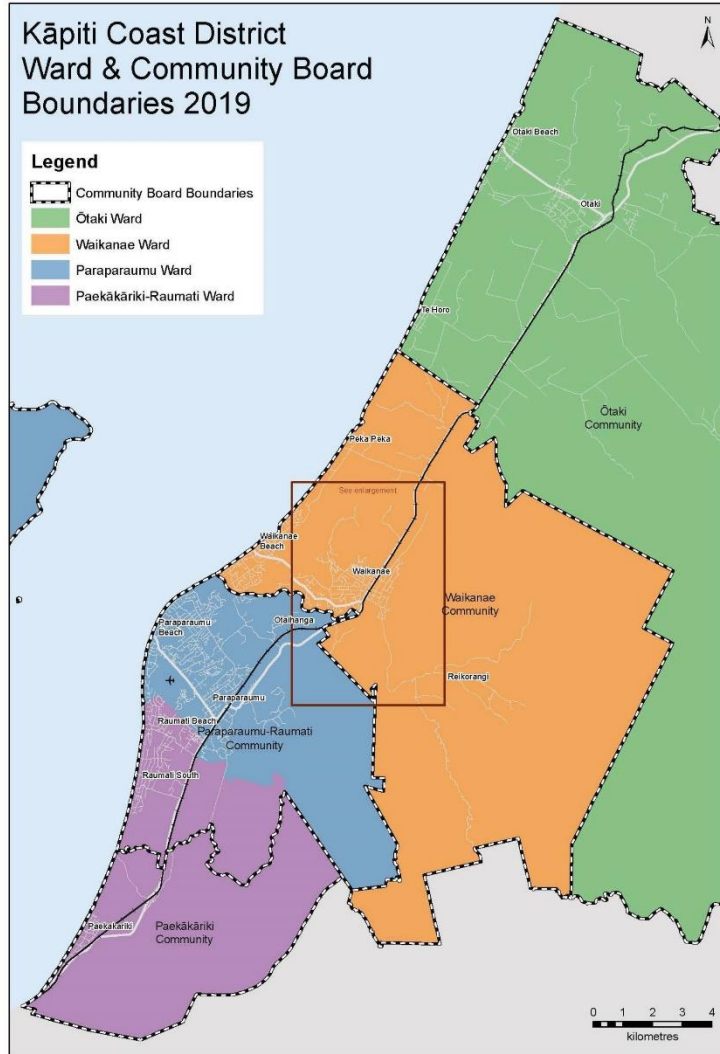
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- **Representation arrangements review**
 - current arrangements
 - 10 councillors, plus mayor
 - 5 elected 'at large'
 - 5 elected from 4 wards
 - Paekākāriki-Raumati (1)
 - Paraparaumu (2)
 - Waikanae (1)
 - Ōtaki (1)
 - 16 community board members from 4 community boards
 - Paekākāriki (4)
 - Paraparaumu/Raumati (4)
 - Waikanae (4)
 - Ōtaki (4)

Kāpiti Coast District Ward & Community Board Boundaries 2019

Legend

- Community Board Boundaries
- Ōtaki Ward
- Waikanae Ward
- Paraparaumu Ward
- Paekākāriki-Raumati Ward



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- **Representation arrangements review**
 - must consider:
 1. communities of interest
 - not legally defined and may mean different things to different people
 - LGC provides guidance
 - perceptual – sense of belonging to a clearly defined area
 - functional – ability to meet community’s requirements for physical and human services
 - political – ability of elected body to represent interests of all its members

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- **Representation arrangements review**
 - communities of interest
 - need to be identified
 - area where one feels sense of community/belonging
 - access to daily goods and services
 - physical and topographical features
 - similar communities can be grouped together
 - can change over time
 - e.g. impact of new SH 1

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- **Representation arrangements review**
 2. effective representation
 - total number of members (is 10 about right?)
 - elected from wards/at large/mix
 - ward boundaries/names/number elected per ward
 - community boards (retain, alter, dis-establish)
 - community board boundaries/names/subdivisions/number elected and appointed per board

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- **Representation arrangements review**

- 3. fair representation

- population equity (+/- 10% rule)
 - each member represents about the same number of people
 - a little leeway so as not to split a community of interest
 - two current wards do not comply
 - Ōtaki ward (-14.73%, over-represented with 1,650 people short)
 - Waikanae ward (+26.34%, under-represented with 2,950 people too many)
 - data used (2019 population estimates based on 2013 Census)

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- **Representation arrangements review**
- 2016 review
 - retained same representation arrangements as 2010 review
 - but altered boundary between Waikanae and Ōtaki wards
 - transferred mainly rural area from Ōtaki ward to Waikanae ward
 - +/- 10% compliance would divide a community of interest between the wards
 - referred to LGC as Waikanae and Ōtaki wards +/- 10% non-compliant
 - LGC decision upheld final proposal on grounds of +/- 10% non-compliance would divide a community of interest
 - LGC recommended next review (2021) 'give particular consideration to the ongoing appropriateness of certain sections of the Waikanae/Ōtaki ward/community boundary.'

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- **Representation arrangements review timetable**
 - to 28 February 2021: informal consultation
 - 1 March – 31 August 2021: consider review scenarios
 - by 31 August 2021: initial proposal
 - by 8 September 2021: public notice, call for submissions
 - 8 September – 8 October 2021: submission period
 - by 19 November 2021:
 - submissions heard
 - final proposal determined
 - public notice call for appeals/objections
 - 19 November – 19 December 2021: appeal/objection period
 - 15 January 2022: any appeal/objection to LGC
 - by 11 April 2022: if required, determination by LGC

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- **Consultation**

- Māori wards
 - conversation with local iwi/hapu for their view
- representation arrangements review
 - public consultation/strategy for the review
 - informal consultation Y/N
 - before or after LTP?
 - can undertake now
 - public information (website, brochures etc)
 - surveys
 - formal process/consultation from 1 March 2021

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- **To consider**

- consider electoral system – retain STV?
- should Māori wards be established?
- start thinking about representation – total number of elected members, wards, boundaries, community boards
- what, if any, informal public consultation should be undertaken on the representation review – need to establish a comms strategy?
- next steps
 - electoral system decision and public notice
 - Māori ward conversation and decision
 - next representation review workshop

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Workshop 4 August 2020

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