

Title: Representation Review – Initial Proposal

Section: Democracy

Prepared by: Dale Ofsoske, Electoral Officer

Meeting Date: 1 March 2018

Legal Financial Significance = Medium

Report to COUNCIL for decision

SUMMARY

The purpose of this report is for Council to decide on an initial proposal for the representation review at its meeting on 1 March 2018, from a short-list of options.

The Local Electoral Act 2001 requires Council to complete a representation arrangements review (review of membership, wards, boundaries etc) by 31 August 2018, effective for the 2019 triennial elections.

Council has met previously to consider the relevant issues when undertaking a review, including considering seven options. The current five wards now do not meet the legislative criteria of fair representation (+/- 10% rule) so a full review, reflecting the district's communities of interest, is required.

Following preliminary community consultation, Council has identified three favoured options and now is required to select one option as its initial proposal to be notified to the community for the formal consultation process. The short-listed options are:

- a) 12 councillors elected from two wards, being an urban ward electing 9 councillors and a rural ward electing 3 councillors;
- b) 14 councillors elected from two wards, being an urban ward electing 10 councillors and a rural ward electing 4 councillors;
- c) 14 councillors elected from five wards being an urban ward electing 10 councillors and four rural wards electing 1 councillor each.

Council now needs to select one of the above options as its initial proposal that best reflects the district's communities of interest and provides for fair and effective representation.

Council also believes that communities and community boards not be established as the ward structure provides constituents with effective and fair representation.

Council at its meeting on 1 March 2018 is to resolve to adopt an initial proposal, with the formal consultation process to occur from 7 March 2018 to 27 June 2018.

The decisions or matters in this report are considered to be of **Medium** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS

That the Council:

1. Adopts as its initial resolution one of the following options:
 - a) 12 councillors elected from two wards, being an urban ward electing 9 councillors and a rural ward electing 3 councillors, no community boards; *or*
 - b) 14 councillors elected from two wards, being an urban ward electing 10 councillors and a rural ward electing 4 councillors, no community boards; *or*
 - c) 14 councillors elected from five wards being an urban ward electing 10 councillors and four rural wards electing 1 councillor each, no community boards;
2. Commences the formal consultation process on 7 March 2018, as required under the Local Electoral Act 2001.

Authorised by:



James Baty
Director Internal Partnerships

Keywords: Representation Review 2018.

BACKGROUND

1. The Local Electoral Act 2001 (LEA) requires every local authority to undertake a representation arrangements review at least once every six years, on the first occasion either in 2003 or 2006. As Council's last review occurred in 2012, a review must be undertaken in 2018, effective for the 2019 triennial elections.
2. The current representation arrangement is 13 councillors elected from five wards, with no community boards, being:

Gisborne ward	9 councillors
Matakaoa/Waiapu ward	1 councillor
Tawhiti/Uawa ward	1 councillor
Taruheru/Patutahi ward	1 councillor
Waipaoa ward	1 councillor
3. Council has previously considered two other representation issues, the choice of electoral system (resolved to retain first past the post system for the 2019 triennial elections) and Māori representation (resolved not to have Māori wards for the 2019 triennial election).

Legislation Requirements

4. Part 1A of the LEA sets out the requirements for a representation arrangements review. Issues that a local authority is required to consider include:
 - whether councillors (other than the Mayor) are to be elected by electors of the district as a whole (at large), by electors of two or more wards, or in some cases by a mix of electors of the district (at large) and by electors of wards;
 - the proposed number of councillors to be elected in each category (at large/ward mixture – if applicable);
 - the proposed name and boundaries for each ward;
 - whether there should be communities and community boards and, if so, the nature of a community and structure of a community board;
 - whether one or more communities should be constituted;
 - whether a community should be subdivided for electoral purposes;
 - the number of members of a community board (including the number elected and appointed).

Key Principles

5. In undertaking a representation arrangements review, the following key principles are required to be considered:
 - communities of interest
 - effective representation
 - fair representation.
6. These principles were discussed on 22 February at a Council meeting and a subsequent workshop where the initial seven options were presented (**Report 18-007** Representation Review – Preliminary consultation).

Communities of interest

7. The Gisborne district consists of many communities of interest, with the two prominent ones identified as urban (Gisborne urban area) and rural (the balance of the district). Within this, the preliminary consultation identified the East Coast as an area of distinctive community of interest. In terms of community's expectations, they expect a level of Māori cultural competence and have a high preference for access to and a personal relationship with Councillors.

Effective Representation

- The total number of members necessary to provide effective governance for the entire district needs to be considered. The factors that guide this include the size, nature and diversity of the region.
- The current number of councillors representing the district is 13. The options considered include reducing the number of councillors to 12 or increasing the number to 14, either option providing effective representation (population ratio per councillor).

Fair Representation

- The requirement that the average number of resident population to councillors cannot exceed +/-10% must be taken into account when undertaking a representation arrangements review.
- The latest population estimates (as at 30 June 2018) confirm that for 13 councillors, the current ward arrangements do not comply with the fair representation criteria.

Status quo: 5 wards, 13 councillors: $48,500/13 = 3,730 \pm 10\% = 3,357 - 4,103$

Ward	Population	Councillors	Average	Fits Rule	% Variation
Gisborne	35,300	9	3,922	Yes	+5.1%
Matakaoa/Waiapu	2,940	1	2,940	No	-21.20%
Tawhiti/Uawa	2,870	1	2,870	No	-23.10%
Taruheru/Patutahi	3,790	1	3,790	Yes	+1.6%
Waipaoa	3,640	1	3,640	Yes	-2.5%

Community Boards

- At each representation review, Council is required to consider whether or not to introduce communities and community boards.
- Council has considered this matter and believes the ward structure adequately delivers appropriate representation to its communities of interest.

Council Workshops

- The Council held a workshop to consider the representation review on 22 February 2018, and considered seven options. Council then short-listed these to two options—with staff adding a third option—and will resolve an initial proposal from one of these at its meeting on 1 March 2018.

OPTIONS FOR FURTHER CONSIDERATION

- The following options were identified at their earlier workshop for further consideration by Council and option 2 was added by staff:

Option 1: 12 councillors elected from two wards, being an urban ward electing 9 councillors and a rural ward electing 3 councillors, no community boards.

2 wards, 12 councillors: $48,500/12 = 4,041 \pm 10\% = 3,637 - 4,445$

Ward	Population	Councillors	Average	Fits Rule	% Variation
Gisborne	35,300	9	3,922	Yes	-3%
Rural	13,240	3	4,413	Yes	+9.2%

Refer MAP 1.

Option 2: 14 councillors elected from two wards, being an urban ward electing 10 councillors and a rural ward electing 4 councillors, no community boards

2 wards, 14 councillors: $48,500/14 = 3,464 \pm 10\% = 3,117 - 3,810$

Ward	Population	Councillors	Average	Fits Rule	% Variation
Gisborne	35,300	10	3,530	Yes	+1.9%
Rural	13,240	4	3,310	Yes	-4.45%

Refer MAP 1A.

Option 3: 14 councillors elected from five wards being an urban ward electing 10 councillors and four rural wards electing 1 councillor each, no community boards

5 wards, 14 councillors: $48,500/14 = 3,464 \pm 10\% = 3,117 - 3,810$

Ward	Population	Councillors	Average	Fits Rule	% Variation
Gisborne	35,300	10	3,530	Yes	+1.9%
Matakaoa/Waiapu	3,310	1	3,310	Yes	+4.44%
Tawhiti/Uawa	3,310	1	3,310	Yes	+4.44%
Taruheru/Patutahi	3,310	1	3,310	Yes	+4.44%
Waipaoa	3,310	1	3,310	Yes	+4.44%

As above but with modified boundaries based on 2013 census data.

Ward	Population	Councillors	Average	Fits Rule	% Variation
Matakaoa/Waiapu	3,060	1	3,084	Yes	-1%
Tawhiti/Uawa	3,108	1	3,084	Yes	+1%
Taruheru/Patutahi	3,090	1	3,084	Yes	+ 0.2%%
Waipaoa	3,081	1	3,084	Yes	- 0.1%

Refer MAPS 2 and 2A.

NEXT STEPS

Initial Proposal

16. Council, at its meeting on 1 March 2018, is to consider the above three short-listed options with the view to either seeking more information or resolving one option as its initial proposal for public consultation.

Formal Consultation

17. Under the provisions of the Local Electoral Act 2001 (LEA), following a Council resolution of the initial proposal, a formal consultative process is required. It is recommended this be as follows:

Council initial proposal	1 March 2018	(section 19H LEA)
Public notice of initial proposal	7 March 2018	(section 19M LEA)
Public submission period	7 March 2018 – 11 April 2018	(section 19M LEA)
Submissions heard	9 May 2018	(section 19M LEA)
Council resolution of final proposal	17 May 2018	(section 19N LEA)
Public notice of final proposal	23 May 2018	(section 19N LEA)
Public objection period	23 May 2018 – 27 June 2018	(section 19N LEA)
Forward material to LGC (if required)	End July 2018	(section 19Q LEA)

Hearings

18. The formal consultative process involves the ability for the public to make submissions on the representation arrangements review. Any submissions received over the submission period (7 March 2018 – 11 April 2018) will need to be considered by Council during April/May 2018 (suggested 9 May 2018).

POLICY AND PLANNING IMPLICATIONS

19. How a sense of community is expressed provides insight for how communities can be represented at Council. Community of interest is made up of:

- **Perceptual** (and attitudinal): a sense of belonging to a clearly defined area or locality.
- **Functional**: the ability to meet with reasonable economy the community's requirements for comprehensive physical and human services.
- **Political**: the ability of the elected body to represent the interests and reconcile the conflicts of all its members.

20. The perceptual and functional aspects can be extended to define a community of interest as having:

- A sense of community and identity belonging, reinforced by:
 - Distinctive physical and topographical features
 - Similarities in economic or social activities carried out in the area
 - Similarities in demographic, socio-economic and/or ethnic characteristics of the residents of a community
 - Distinct local history
 - Rohe or takiwa of local iwi and hapu and shared whakapapa links.
- Dependence on shared facilities and services in the area, including:
 - Schools, recreational and cultural facilities
 - Retail outlets, transport and communication links.