

# STAFF REPORT

**TO:** Mayor and Councillors  
**FROM:** Administration Advisor  
**REFERENCE:** C772  
**DATE:** 22 June 2005  
**SUBJECT:** Representation Review

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## PURPOSE/REASON FOR REPORT

To update Council on legislative requirements and timetable for the forthcoming representation review.

## BACKGROUND

Part 1A of the Local Electoral Act 2001 outlines the requirements for local authorities to review their representation arrangements, which was to have commenced either prior to the 2004 elections or prior to the 2007 elections. Twenty-eight local authorities carried out their review for the 2004 elections, and fifty-eight local authorities will be required to carry out their review next year. Subsequently after its first determination, every local authority must carry out a review at least once during the following six year period.

The Tasman District Council decided to retain the status quo in July 2000, as per the following recommendation:

*Moved Crs Norriss/King  
CN00/07/01*

- i) THAT the Council Membership Review Subcommittee recommendations from the meeting of 22 May 2000 be received.***
- ii) THAT for the 2001 elections:***
  - a) The Council (other than the Mayor) be elected by the electors of the existing five Wards;***
  - b) The existing Ward boundaries and names be retained;***
  - c) The number of Councillors to be elected from each Ward be the same as at present;***
  - d) The current number of elected members of both the***

***Motueka and Golden Bay Community Boards be the same as at present.***

***Carried***

and thus is required to carry out its review in 2006.

In its review each local authority is to take cognisance of the principles of both the Local Electoral Act 2001 and the Local Government Act 2002, which relate to:

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

These principles will guide council on membership, wards, ward boundaries and names, whether members are to be elected by wards or at large or a combination of both, and review of community boards.

A timetable is appended for information.

Please note that the Local Government Commission has suggested that Councils undertake their reviews as early as possible, given the nature of the exercise and factors involved, and the number of reviews to be conducted.

## **COMMENT/DISCUSSION**

Part 1A Section 19V of the Local Electoral Act 2001 refers to the “*requirement for fair representation and other factors in determination of membership for wards, constituencies, and subdivisions*”.

The +/- 10% formula to determine the member numbers per ward population could have dire consequences for both the Golden Bay and Lakes/Murchison wards. The exceptions to this are limited by 19V(3)(a), viz:

*“If the territorial authority or the Commission considers that the effective representation of communities of interest within island communities or isolated communities situated within the district of the territorial authority so requires, wards and subdivisions of a community may be defined and membership distributed between them in a way that does not comply with subsection [2] (re +/- 10% formula).”*

In an endeavour to qualify for this exception, Council needs to provide a detailed and robust case for the Local Government Commission to consider.

## **SIGNIFICANCE**

In terms of Council’s Policy on Significance, this review is considered significant as it has the potential to meet some of the criteria outlined in the Policy.

## RECOMMENDATION

THAT

(a) Council appoint a Subcommittee consisting of one member from each ward, the Chief Executive and Administration Advisor, to consider preliminary proposals for the Tasman District Council representation review, and that these proposals be brought back to a future Council meeting for discussion.

(b) Council appoints:

Cr ..... from the Richmond Ward,  
Cr .....from the Moutere/Waimea Ward,  
Cr ..... from the Lakes/Murchison Ward,  
Cr ..... from the Motueka Ward; and  
Cr ..... from the Golden Bay Ward.

S E Hartley

<http://tdctoday:82/Shared Documents/Meetings/Council/Full Council/Reports/2005/RCN050630 Report Representation Review.doc>