

I hereby give notice that an ordinary meeting of the Joint Governance Working Party will be held on:

Date: Monday, 21 August 2023
Time: 9.30am
Meeting Room: Meeting Room 1, Level 26
Venue: 135 Albert Street
Auckland

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party OPEN AGENDA

MEMBERSHIP

Chairperson	Cr Julie Fairey
Deputy Chairperson	Member Cath Handley
Members	Cr Andrew Baker
	Member Brent Catchpole
	Member Angela Fulljames
	Member John Gillon
	Cr Shane Henderson
	Cr Kerrin Leoni
	Cr Daniel Newman, JP
	Member Richard Northey, (ONZM)
	Member Kay Thomas
	Cr John Watson

(Quorum : 3 Councillors, 3 Local Board members)

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Governance Advisor

16 August 2023

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Overview of the review of representation arrangements for the 2025 elections and the reorganisation of local boards

File No.: CP2023/11404

Te take mō te pūrongo

Purpose of the report

1. To provide the Joint Governance Working Party (JGWP) with an overview of the processes, matters to take into account and possible options for:
 - (i) the **review of representation arrangements** and
 - (ii) the unitary authority-led reorganisation application for **reorganising local boards**.

Whakarāpopototanga matua

Executive summary

2. Attached are:
 - (i) a presentation for the meeting
 - (ii) a paper, for reference, containing the relevant legislation for the review of representation arrangements
 - (iii) a paper, for reference, containing the relevant legislation for the reorganisation of local boards.
3. The context section of this report explains the difference between the review of representation arrangements (which we sometimes refer to as a “representation review” for short) and an application to the Local Government Commission to approve a reorganisation plan relating to local boards. It also sets out the legislative processes and matters that must be taken into account.
4. The analysis and advice section of this report provides further comments on these and suggests some approaches to identifying options.
5. Staff intend that this report provides a high-level overview of the representation review and reorganisation of local boards. At the September JGWP meeting there will be more detailed information on the options for the reorganisation of local boards. Members of the JGWP are invited to suggest any options, or approaches to options, that are additional to those noted in this report so they can be explored further for the September meeting.
6. For the review of representation arrangements, the role of the JGWP is to develop recommendations to the Governing Body for council’s initial proposal.
7. For the reorganisation of local boards, the role of the JGWP is to develop options for the Governing Body to consider so that it can decide whether to proceed further.

Ngā tūtohunga

Recommendation/s

That the Joint Governance Working Party:

- a) tuhi ā-taipitopito / note the processes and matters to take into account for the review of representation arrangements and the reorganisation of local boards.
- b) whakaae / agree to provide staff with any additional options for the reorganisation of local boards or the representation review it wishes staff to report back on.

Horopaki Context

Governing Body referral to the JGWP

Item 5

8. With regard to the review of representation arrangements the Governing Body resolved:
- whakaae / agree that the council's initial proposal for representation arrangements for the 2025 elections is developed by the Joint Governance Working Party as follows:*
- i) *the Joint Governance Working Party will develop Auckland Council's initial review of representation arrangements after seeking feedback on issues and options from the Governing Body and local boards, then make recommendations to the Governing Body for the Governing Body to formally resolve its proposal for public notification for submissions.*
 - ii) *the Joint Governance Working Party will conduct the hearing of submissions and report its findings to local boards and the Governing Body before the Governing Body makes the final statutory resolution on any representation changes, which will then be publicly notified for objections and appeals*
9. With regard to the reorganisation of local boards the Governing Body resolved:
- tautohu / refer to the Joint Governance Working Party the development of a reorganisation plan, or options for reorganisation plans, for recommendation back to the Governing Body so that the Governing Body may then decide whether to proceed further, including whether to undertake public consultation.*

Difference between a representation review and a reorganisation of local boards

10. Representation arrangements are electoral arrangements and the requirement to review representation arrangements at least every six years is in the Local Electoral Act 2001 (LEA). The LEA requires a council to review, for the governing body:
- Number of councillors¹ (5 – 29) and whether they are elected at-large, by ward or a combination of at-large and ward
 - If by ward, then the names of wards, their boundaries and number of members elected in each ward.
11. For each local board, the LEA requires the council to review:
- Number of local board members (5 – 12) and whether they are elected at-large, by subdivision or by a combination of at-large and subdivision
 - If by subdivision, then the names of subdivisions, their boundaries and number of members elected in each subdivision
 - The name of the local board.
12. The LEA allows minor changes to local board boundaries, for example for the purpose of alignment with ward boundaries. The council cannot change the number of local boards as part of a representation review.

¹ Auckland Council's ability to change the number of councillors is contained in the Local Government Electoral Legislation Bill which is expected to be enacted before the House rises for the elections. That bill also contains the proposed Schedule 3A to the Local Government Act 2002 which provides for a "unitary authority-led reorganisation application".

13. To avoid confusion – the LEA does allow a council which has community boards to change the number of community boards, even abolish them altogether. Auckland Council does not have community boards but it is important to note this in case there are members who have had experience working with community boards.
14. Local boards are treated like local authorities and changing the number of local boards is a local government reorganisation under the Local Government Act 2002.
15. There are a couple of options for achieving a local government reorganisation. One involves the Local Government Commission undertaking an investigation and deciding whether to proceed with adopting a reorganisation plan. Another is called a “unitary authority-led reorganisation application”² which provides for a unitary authority like Auckland Council to adopt its own reorganisation plan for local boards and submit it to the Local Government Commission for approval. Auckland Council intends to use this latter process if the council decides to proceed with changes. A reorganisation plan includes the proposed newly reorganised local boards and for each local board its representation arrangements.
16. Another way of looking at the difference is to note that the meaning of “review” implies there is something already in place which can be reviewed. Specifically, the electoral arrangements that were in place for the last triennial elections are “reviewed” to see if they are still appropriate for the coming triennial elections.
17. On the other hand a reorganisation plan relating to local boards implies there is a plan for reorganising local boards themselves. Boards might be abolished, amalgamated, split or created. Any plan for reorganisation must include in it the representation arrangements for affected local boards.
18. The output from the council of a review of representation arrangements is a “proposal” for arrangements for the coming election. If there are objections or appeals to the council’s final proposal (and there will be), the decision on these is made by the Local Government Commission. The council appears as a submitter in front of the Local Government Commission.
19. The output from the council under a unitary authority-led reorganisation is a reorganisation plan, and accompanying documentation, that is submitted to the Local Government Commission for approval.

Processes

20. The LEA sets out a statutory timetable for reviewing representation arrangements:
 - (i) The council resolves its initial proposal for representation arrangements for the 2025 elections
 - (ii) The council must then give public notice inviting submissions – this is to be no later than 8 August 2024
 - (iii) The council must hear and consider submissions, resolve its final proposal and give public notice of its final proposal no later than 8 weeks following the close of submissions
 - (iv) The Local Government Commission hears appeals and objections and makes the final decision before 11 April 2025.
21. There is not a statutory timeframe for submitting a reorganisation application to the Local Government Commission, however the council must show evidence of community support, which implies community consultation.

² See note above.

Matters to take into account

22. For the representation review, the legislation requires the council to take into account:
 - (i) Effective representation of communities of interest
 - (ii) Fair representation
23. Other matters include:
 - (i) If the Governing Body resolves to have Māori representation then there need to be one or more Māori wards
 - (ii) Ward and local board boundaries should align as far as is practicable
 - (iii) Ward and subdivision boundaries should coincide with meshblock boundaries
24. Ward and subdivision boundaries should not be drawn in such a way that divides a community of interest or combines dissimilar communities of interest.
25. The Local Electoral Act 2001 requires the Local Government Commission to publish guidelines. These guidelines provide further guidance on assessing communities of interest and are available here: <https://www.lgc.govt.nz/representation-reviews/>
26. Fair representation requires that the ratio of population to member in a ward should not vary from the average population to a member elected by ward for the whole of the Auckland Council area by more than +/-10 percent. The same rule applies to members of local boards elected by subdivision. A council can decide to not comply with this rule on the basis that complying with the rule would split a community of interest or join disparate communities of interest. A decision to not comply with the rule must be referred to the Local Government Commission for final determination.
27. The approach taken with the 2019 review was to recognise that the ward and subdivision arrangements that were established by the Commission for the 2010 elections were basically sound. The key changes that were made were to adjust the Waitematā and Gulf Ward boundaries because population per councillor was 43 percent different to the average (the boundary changes resulted in consequential boundary adjustments to neighbouring wards) and to alter boundaries to subdivisions for the Rodney Local Board in response to community requests.
28. There were name changes to the Aotea / Gt Barrier Local Board (from Gt Barrier Local Board) and to the Albert-Eden-Puketāpapa ward (from Albert-Eden-Roskill ward). The council argued that it should be exempt from compliance with the 10 per cent rule in respect of the Rodney ward (which was 22 percent from the average) on the basis of retaining the rural communities of interest and noting that population was increasing and the non-compliance would reduce over time (in fact the current Rodney ward now complies).
29. The matters to take into account for the reorganisation of local boards are more complex than for representation reviews and are set out in the attached paper on relevant legislation.

Tātaritanga me ngā tohutohu Analysis and advice

How to combine the two processes

30. Rather than consult the public separately over proposed representation arrangements (based on the current local boards) and proposals for re-organising local boards, staff propose public consultation on both at the same time. This means the Local Government Commission will ultimately be in receipt of the council's proposal for representation arrangements based on one governing body and 21 local boards as at present, as well as the council's reorganisation plan for a different number of local boards (if the council proceeds with such a plan).

31. If the Local Government Commission approves the reorganisation plan then the arrangements for the 2025 elections for any local boards in the reorganisation plan will be as in the plan. Representation arrangements for local boards not included in the reorganisation plan and the governing body will be as in the final representation arrangements determined by the Local Government Commission, based on council's final proposal for representation arrangements.
32. If the Local Government Commission does not approve the reorganisation plan then all arrangements for the 2025 elections will be as in the final representation arrangements determined by the Local Government Commission, based on council's final proposal for representation arrangements.

Representation review – matters to take into account

33. Staff note that the legislation is very clear on the matters to take into account. Elected members need to be careful about not considering any aspects that relate, for example, to personal re-election or the effect on remuneration, other than where there is relevance to, say, effective representation of communities of interest.
34. During the 2019 review, members raised concerns about their own conflicts of interest in making decisions about representation arrangements. Staff note the process is one where the council puts a proposal to the community and if there is even only one person who appeals or objects to the council's proposal then the final decision is made by the Local Government Commission.

Reorganisation of local boards – matters to take into account

35. One of the concerns about reducing the number of local boards relates to diluting elected representation. Staff note that this can be mitigated by increasing the number of members on large local boards to the maximum allowable 12 members and by ensuring that those members are elected by subdivisions, possibly representing existing board areas.

Representation review – approaches to options

36. The Governing Body will make a decision at its October meeting on whether there should be Māori representation on the Governing Body. If so, the representation review must provide for one or more Māori wards. The provision of a Māori ward will affect population numbers for general wards. Further work on representation arrangements for the Governing Body should wait for this decision to be made. In order to have one member elected by Māori ward there must be a minimum of 8 ward members in total.
37. There are two known issues with current local boards. The Botany subdivision of the Howick Local Board does not comply with the 10 percent rule due to population increases. This could be addressed by adding a member or re-designing boundaries.
38. The second issue relates to the Rodney Local Board. Councillor Sayers presented, by way of notice of motion, a request from the Rodney Northern Action Group (NAG) to change Rodney Local Board subdivision boundaries. The changes had the aim of increasing rural representation. Essentially the whole of the Rodney Local Board area would be one large rural subdivision with additional small subdivisions for the town areas of Warkworth, Dairy Flat and Kumeū. The motion to conduct a review for the 2022 elections was lost. The report noted that a review would be conducted for the 2025 elections and Bill Foster the chair of NAG has made contact seeking early discussion of their concerns.

Reorganisation of local boards – approaches to options

39. Approaches to options for the reorganisation of local boards will be developed and presented to the JGWP for consideration at its September 2023 meeting. One issue is whether, whatever final arrangement is decided, there should continue to be separate local boards for the two rural areas and the two islands given their distinct communities. If this is the case, then the starting point is at least these four local boards.

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40. One of the options must be the status quo. There will be later comment on issues with the status quo arrangement.
41. One approach to considering other options is based on observing that Governing Body wards must represent communities of interest, yet in some wards there are two local boards. This option considers combining two boards into one board where both boards currently exist in the same ward.
42. Further approaches to options are those explored by the Royal Commission on Auckland Governance for 11 and 6 entities (referred to by the Commission as “local councils”).
43. One approach might be to consider the sub-regional clustering of boards based on the operational arrangements Auckland Council staff have variously adopted to assist with managing 21 local boards. This has seen north, central, south and west clusters develop over time and in part these are aligned to legacy council which are also seen by some as collective communities of common interest.
44. Another approach is relevant to the increasing responsibilities and funding to local boards. It could become important, for example, to recognise which boards make decisions about which facilities. If a local board uses its funding to subsidise increased hours or to reduce fees associated with a facility in its area, then there could be a sense of inequity if the facility is close to the local board boundary and used by residents of an adjoining local board. Increasing the size of local board areas could reduce the frequency of this happening.
45. Staff are seeking initial JGWP feedback on reorganisation options to assist in developing more detailed options for consideration at the working party’s September 2023 meeting.

Tauākī whakaaweawe āhuarangi

Climate impact statement

46. Changing the governance arrangements for 2025 will not impact on climate.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera

Council group impacts and views

47. There could be significant impacts for the group, particularly Auckland Transport which liaises with local boards on a regular basis. Consultation with relevant members of the council family should occur as part of this process.
48. Should the number of local boards change, the operational model for how staff interact with local boards should be reviewed. Current arrangements were put in place in 2010 when no one really knew how local boards would operate, and have remained largely unchanged.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe

Local impacts and local board views

49. The proposed process includes engagement with local boards throughout its development. This includes a members briefing this side of Christmas 2023, individual local board workshops in February 2024 and formal reports to local board business meetings in August 2024.
50. Prior to the establishment of Auckland Council the regional council and each territorial local authority conducted its own representation review and publicly notified its own proposals for public submissions. In the Auckland Council situation the decision-making lies with the Governing Body and not local boards however the Governing Body is required to seek the views and preferences of affected local boards.

Tauākī whakaaweawe Māori

Māori impact statement

51. The issue of Māori representation is being addressed as a separate project. However if the Governing Body resolves to have Māori representation then the representation review must include one or more Māori wards.

Ngā ritenga ā-pūtea

Financial implications

52. There will be costs associated with both the representation review and the reorganisation of local boards. For the 2019 review of representation arrangements the key costs were:
- \$30K for double page advertisements in the NZ Herald
 - \$13K for LINZ official maps of new boundaries
 - \$23K for work undertaken by community partners
53. Likely costs associated with and resulting from the local board reorganisation have not yet been quantified and will be reported at a later date.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

54. There is a risk that the application to the Local Government Commission to approve a reorganisation plan relating to local boards will not be approved. Informal discussions with Commission staff indicate that there is no scope in the legislation for the Commission to amend, or correct, a reorganisation application – it can only approve it or not approve it. If the Commission decides it cannot approve the application, the tight timeframe for making decisions about arrangements for the 2025 elections might mean there is no time for the council to amend the reorganisation plan and resubmit it.
55. There is a further risk that the Commission approves the reorganisation application but there is then an appeal to the Commission's decision on a point of law. Depending on how long this takes, a reorganisation might not be able to be implemented for the 2025 elections.
56. These risks indicate that the council's application to the Commission for the reorganisation of local boards must be watertight. Staff have good liaison with Commission staff on matters of procedure. Meeting all the requirements in the legislation is very important – including considering the views and preferences of affected local boards and demonstrating community support.

Ngā koringa ā-muri

Next steps

57. Staff will present more detail at the JGWP September meeting on options for the reorganisation of local boards.

Ngā tāpirihanga Attachments

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B	Legislative references - representation arrangements	
C	Legislative references - reorganisation of local boards	

Ngā kaihaina Signatories

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Date: Monday 21 August 2023
Time: 9.30am
Meeting Room: Meeting Room 1, Level 26
Venue: 135 Albert Street
Auckland

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party

OPEN ATTACHMENTS

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What is the difference?

Review of representation arrangements:

Deals with the review of current electoral arrangements, such as number of members and wards, subdivisions etc for the 2025 election

Requirements are in the Local Electoral Act 2001

Reorganisation of local boards:

Deals with the number of local boards and what areas they administer etc

Requirements are in the Local Government Act 2002

What does a “representation review” actually review?

For the governing body, other than mayor:

- number of councillors
- whether councillors elected by ward or at-large or a mixture
- number of wards, their names, boundaries and number of members in each

For each local board:

- number of members
- whether members elected by subdivision or at-large (mixture is not an option)
- an alternative to by subdivision is by ward if a local board area encompasses 2 or more wards
- subdivision names, boundaries and members in each
- name of the local board

What must a local board reorganisation plan contain?

- the number and names of local board areas
- for each local board —
 - local board area
 - number of members
 - its electoral subdivisions, if any, and number of members in each subdivision
- must ensure that the boundaries of local board areas –
 - enable democratic local decision making by, and on behalf of, communities throughout the district
 - enable equitable provision to be made for the current and future well-being of all communities within the affected area
 - coincide with boundaries of statistical meshblock areas
 - so far as practicable, coincide with ward boundaries

They have different processes

Representation review
Council notifies an initial proposal
Council conducts a hearing of submissions
Council notifies its final proposal
Local Government Commission hears any appeals or objections
Local Government Commission determines final representation arrangements
Reorganisation of local boards
Council adopts a reorganisation plan
Council submits the reorganisation plan to the Local Government Commission
Local Government Commission checks it complies with requirements
Local Government Commission approves reorganisation plan

Implications of different processes for local boards

The intention is to consult on both at the same time to avoid the community becoming confused if we go out to the community twice.

A review of representation arrangements

- reviews the arrangements for current local boards

Reorganisation plan

- will include the representation arrangements of each local board

If the Local Government Commission **does**

not approve the reorganisation plan:

- there will be no change to the number of local boards
- the 2025 representation arrangements for local boards will be the outcome of the representation review

If the Local Government Commission

approves the reorganisation plan:

- the 2025 representation arrangements for local boards will be as in the reorganisation plan



Representation review

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Attachment A

Representation review

Matters to take into account

- Effective representation of communities of interest
- Fairness of representation

Other

- If the Governing Body resolves to have Māori representation then there need to be one or more Māori wards
- Ward and local board boundaries should align as far as is practicable
- Ward and subdivision boundaries should coincide with meshblock boundaries

Representation review

Effective representation of communities of interest

- Local Government Commission Guidelines include guidance on defining communities of interest
- Local board subdivisions and governing body wards spread representation around
- In some areas varying patterns of voter turnout could lead to parts of the community not being represented if wards or subdivisions did not exist
- Some local boards do not have subdivisions because it is not necessary to spread representation

Representation review

Fairness of representation – the 10 percent rule

- Where wards or subdivisions exist, the ratio of member to population should not vary by more than 10% from the average across the whole area
- We can decide to not comply with this rule on the basis that complying with it would divide a community of interest or combine disparate communities of interest. The Local Government Commission can review that decision.
- We are required to use the residential population statistics that are provided by Stats NZ

Representation review

What not to take into account

- Personal election prospects – invites allegations of gerrymandering
- Remuneration implications - could imply pecuniary interest, unless related to effectiveness of community representation
- Mitigation - the process provides for appeals in which case the final decision is made by the Local Government Commission:
 - mitigates any risk of allegations that the council is making decisions in the interests of current elected members
 - Commission can consider any submission that the council has taken into account consideration of irrelevant matters

Representation review

Current issues known to staff – local boards

Fair representation

- Current statistics indicate an issue with the Howick Local Board Botany subdivision
- Options include:
 - Increasing the total number of members
 - Rearranging subdivision boundaries

Rodney Local Board subdivisions

- The Rodney Northern Action Group (NAG) presented a proposal for changes to Rodney Local Board subdivisions to the Governing Body in December 2020 through a NOM of Councillor Greg Sayers. The meeting noted the next review would be this one and did not progress a review at that time.

Representation review

Current known issues – governing body

- For the first time, the number of councillors can be reviewed
 - The possibility of Māori representation, which will be decided at the October meeting of the Governing Body
-
- Note that ward boundaries must align with local board boundaries as far as is practicable:
 - Implies crossover with the reorganisation of local boards project

Representation review

Approaches to considering options – governing body

- Status quo
- Mayor's suggestion – 5 at large + 5 by ward
- 23 councillors so can include 2 from Māori ward(s) and to reflect Royal Commission recommendation for 23 councillors
- Any others??

Considerations:

- Have communities of interest changed since 2010 due to development?
- Population increases and effects on representation
- Formula for number of Māori ward councillors when applied to Auckland requires at least 8 ward councillors



Local board reorganisation

Item 5

Attachment A

Local board reorganisation

Legislative criteria

- boundaries of the local board areas will—
 - enable democratic local decision making by, and on behalf of, communities throughout the district
 - enable equitable provision to be made for the current and future well-being of all communities within the affected area
- coincide with boundaries of statistical meshblock areas
- so far as practicable, coincide with ward boundaries

Local board reorganisation

Matters to take into account

- scale and likelihood of the potential benefits of the proposed changes in terms of the objectives set out in **clause 9**
- the financial, disruption, and opportunity costs of implementing the proposed changes at the proposed time
- the risks and consequences of not implementing the proposed changes at the proposed time
- existing communities of interest and the extent to which the proposed changes will maintain linkages between communities (including iwi and hapū) and sites and resources of significance to them
- the degree and distribution of demonstrable public support for the proposed changes within communities in the affected area
- the degree and distribution of any public opposition to the proposed changes within communities in the affected area

Local board reorganisation

Clause 9 objectives

How best to achieve:

- (a) enabling democratic decision making by, and on behalf of, communities within the local board area
- (b) better enabling the purpose of local government to be given effect to within the local board area
- (c) efficiencies and cost savings
- (d) assurance that a local board has the resources necessary to enable it to effectively perform or exercise its responsibilities, duties, and powers in respect of any local board area established or changed
- (e) effective responses to the opportunities, needs, and circumstances of the affected areas
- (f) better alignment of local board areas with communities of interest
- (g) enhanced effectiveness of decision making for non-regulatory activities of a unitary authority
- (h) enhanced ability of local government to meet the changing needs of communities for governance and services into the future
- (i) effective provision for any co-governance and co-management arrangements that are established by legislation (including Treaty of Waitangi claim settlement legislation) and that are between local authorities and iwi or Māori organisations.

Local board reorganisation

Process

- Council advises the LGC of its intention to make a “unitary authority-led reorganisation application”
- Council addresses all the matters that are required, adopts a reorganisation plan and presents it to the LGC for approval
- LGC checks the council has complied with legislation requirements
- LGC must approve the reorganisation application if the council has complied with all requirements
- LGC must not approve the reorganisation application if the council has not complied with all requirements or has not considered the views of affected local boards or does not have the support of affected communities

Local board reorganisation

Approach

- What are the issues with status quo? (ie why change?)
- What are the options?
- For each option perhaps a SWOT analysis (particularly noting the legislative matters):

Strengths	eg: option reflects existing communities of interest
Weaknesses	eg: option dilutes representation
Opportunities	eg: likelihood of more responsibilities, likelihood of community support
Threats	eg: likelihood of community resistance

Local board reorganisation

Approaches to considering options

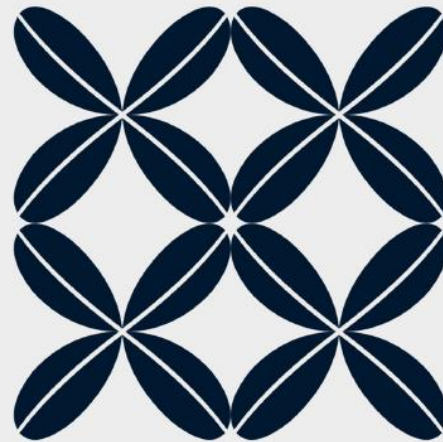
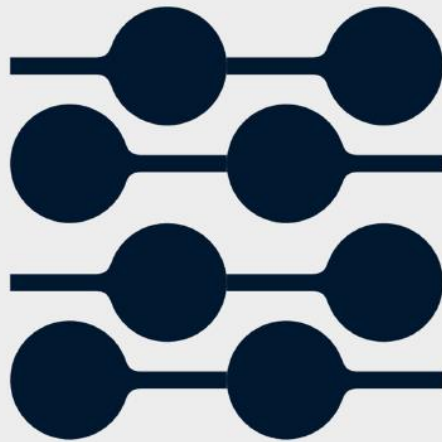
- Status quo
- Based on existing communities of interest but amalgamate two into one where both in same ward
- Based on Royal Commission on Auckland Governance models
- Based on sub-regional clustering of facilities and services
- Any others??
- Each option might be adjusted to take into account:
 - Impact of decision-making between neighbouring boards
 - Area of benefit of services and facilities
 - Alignment with new ward boundaries
 - Recent and planned developments (eg Drury)



Next steps

Next meeting

Date	Reorganisation	Representation
September 2023	JGWP starts consideration of options for local board reorganisation	JGWP starts consideration of local board issues (Howick, NAG proposal)



Review of represent- ation arrangments

Legislative references



August 2023, Version 1.0

aucklandcouncil.govt.nz



Item 5

Attachment B

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Introduction

Legislative references are to the Local Electoral Act 2001 (LEA) unless stated otherwise.

The order of sections in the LEA has been rearranged for readability and for grouping.

The Local Government (Auckland Council) Act 2009 states (s 5):

If there is any inconsistency between this Act and the Local Government Act 2002, the Local Government Act 1974, the Local Electoral Act 2001, the Land Transport Management Act 2003, or any regulations made under those Acts, this Act prevails.

Representation arrangements

What they are

8 Governing body of Auckland Council (Local Government (Auckland Council) Act 2009)¹

(1) The governing body of the Auckland Council must comprise—

(a) a mayor elected in accordance with the Local Electoral Act 2001; and

(b) no fewer than 5 other members and no more than 29 other members elected in accordance with the Local Electoral Act 2001.

(2) The mayor must be elected by the electors of Auckland as a whole.

19C Basis of election of members of territorial authority

(1) A district of a territorial authority may be divided into wards for electoral purposes.

(2) If a district is divided into wards, some of the members of the territorial authority may be elected by the electors of the district as a whole, but, in that case, the other members of the territorial authority must be elected by the electors of each ward of the district.

(3) Each ward must elect at least 1 member of the territorial authority.

(4) If a district is not divided into wards, the members of the territorial authority must be elected by the electors of the district as a whole.

(5) If a district is divided into wards, each member of the territorial authority representing a ward must be elected by the electors of that ward.

11 Membership of local boards (Local Government (Auckland Council) Act 2009)

(1) The initial number of members for each local board is determined by the Local Government Commission under section 34(1)(c).

¹ As amended by the Local Government Electoral Legislation Bill when it is enacted.

- (1A) The number of members for each local board may be altered in either of the following ways, but must at all times be no fewer than 5 and no more than 12 members:
 - (a) as a consequence of a review carried out by the Council under the Local Electoral Act 2001;
 - (b) as part of a local government reorganisation under the Local Government Act 2002.
- (2) Members of a local board—
 - (a) must be elected in accordance with this Act and the Local Electoral Act 2001; and
 - (b) must elect a chairperson from among themselves using one of the systems of voting set out in clause 25(3) and (4) of Schedule 7 of the Local Government Act 2002.

19EC Basis of election of members of local board

- (1) A local board area may be subdivided for electoral purposes.
- (2) Each subdivision must elect at least 1 member of the local board.
- (3) If a local board area comprises 2 or more whole wards, the elected members of the local board may be elected by the electors of each ward².
- (4) If the local board area is not subdivided for electoral purposes, the members of the local board must, unless they are to be elected in accordance with subsection (3), be elected by the electors of the local board area as a whole.
- (5) If a local board area is subdivided for electoral purposes or if the members of the local board are to be elected in accordance with subsection (3),—
 - (a) each member of the local board who represents a subdivision must be elected by the electors of that subdivision; and
 - (b) each member of the local board who represents a ward must be elected by the electors of that ward.

What council must review

19H Review of representation arrangements for elections of territorial authorities

- (1) A territorial authority must determine by resolution, and in accordance with this Part,—
 - (a) whether the members of the territorial authority (other than the mayor) are proposed to be elected—
 - (i) by the electors of the district as a whole; or
 - (ii) by the electors of 2 or more wards; or
 - (iii) in some cases by the electors of the district as a whole and in the other cases by the electors of each ward of the district; and
 - (b) in any case to which paragraph (a)(i) applies, the proposed number of members to be elected by the electors of the district as a whole; and

² No local Board areas currently encompass 2 or more wards.

- (c) in any case to which paragraph (a)(iii) applies,—
 - (i) the proposed number of members to be elected by the electors of the district as a whole; and
 - (ii) the proposed number of members to be elected by the wards of the district; and
 - (d) in any case to which paragraph (a)(ii) or paragraph (a)(iii) applies,—
 - (i) the proposed name and the proposed boundaries of each ward; and
 - (ii) the number of members proposed to be elected by the electors of each ward; and
 - (e) the proposed number of elected members of any local board and, if an Order in Council under section 25 of the Local Government Act 2002 so provides, the proposed number of appointed members of that board³; and
 - (f) whether the elected members of any local board are proposed to be elected—
 - (i) by the electors of the local board area as a whole; or
 - (ii) by the electors of 2 or more subdivisions of the local board area; or
 - (iii) if the local board area comprises 2 or more wards, by the electors of each ward; and
 - (g) in any case to which paragraph (f)(ii) applies,—
 - (i) the proposed name and the proposed boundaries of each subdivision; and
 - (ii) the number of members proposed to be elected by the electors of each subdivision; and
 - (h) in any case to which paragraph (f)(iii) applies, the number of members of the local board proposed to be elected by the electors of each ward; and
 - (i) the proposed name of any local board.
- (2) The determination required by subsection (1) must be made by a territorial authority,—
- (a) on the first occasion, either in 2003 or in 2006; and
 - (b) subsequently, at least once in every period of 6 years after the year in which the first determination was made.
- (2A) To avoid doubt, subsection (2) is subject to sections 19K(1AA) and 19M(1).
- (3) This section must be read in conjunction with section 19ZH and Schedule 1A.

Minor changes to local board boundaries

19JAA Review of local board area boundaries by unitary authority⁴

- (1) A unitary authority may, when it passes a resolution under section 19H, determine by that resolution not only the matters referred to in that section but also new proposed boundaries of local board areas in the district of the unitary authority.

³ Auckland Council local boards do not have appointed members. For other councils it may be possible to appoint ward councillors to a local board.

⁴ As amended by the Local Government Electoral Legislation Bill when it is enacted.

- (2) In determining new proposed boundaries of local board areas, the unitary authority must ensure that—
 - (a) the population affected by the new proposed boundaries will not exceed the population transfer limit prescribed by regulations made under this Act; and
 - (b) the boundaries of the local board areas will—
 - (i) enable democratic local decision making by, and on behalf of, communities of interest throughout the district; and
 - (ii) enable equitable provision to be made for the current and future well-being of all communities of interest within the affected area; and
 - (c) the boundaries of local board areas coincide with boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes; and
 - (d) so far as is practicable, local board area boundaries coincide with ward boundaries.
- (3) Regulations may—
 - (a) prescribe a population transfer limit by specifying a limit on the proportion of the population of an existing local board area that would, if the new proposed boundaries were to take effect,—
 - (i) cease to be included in the population of that local board area; or
 - (ii) be added to the population of that local board area;
 - (b) apply different population transfer limits in different circumstances;
 - (c) set out 1 or more methods by which the applicable population transfer limit is calculated.
- (4) This section does not prevent a unitary authority from applying to the Local Government Commission for an alteration of the boundaries of local board areas as part of a local government reorganisation under the Local Government Act 2002 instead of determining new proposed boundaries of local board areas in accordance with this section.

The review process

Council resolution

19K Requirements for resolution

- (1AA) A resolution under section 19H, 19I, or 19J that affects the next triennial general election of members of a territorial authority, regional council, local board, or community board must be passed no earlier than 1 March of the year before the year of the election.
- (1) Every resolution specified in subsection (3) must include or be accompanied by a description of each proposed ward, constituency, community, or subdivision, and its proposed boundaries, so as to make each proposed ward, constituency, community, or subdivision readily identifiable to the public.
- (2) If any resolution under section 19H or section 19I or section 19J proposes any change to the basis of election, membership, or ward, constituency, community, or subdivision boundaries which applied at the last triennial general election of members of the territorial authority, regional council, local board, or community board, that resolution must include an explanation of the reasons for the proposed change.
- (3) Subsection (1) applies to every resolution under section 19H(1)(a)(ii) or section 19H(1)(a)(iii) or section 19H(1)(g) or section 19I(1) or section 19J(2)(a) or section 19J(2)(b) or section 19J(2)(c) or section 19J(2)(d) or section 19J(2)(e) or section 19J(2)(h)(iii).

Public consultation

19M Public notice of proposals and responsibilities in relation to submissions

- (1) A territorial authority or regional council that makes a resolution under section 19H or section 19I or section 19J must, within 14 days after making the resolution (but, in the year immediately before the year of a triennial general election, not later than 8 September), give public notice of the proposals contained in the resolution.
- (2) The public notice must—
- (a) include a statement about how persons interested in the proposals may inspect the full proposals; and
 - (b) specify the communities of interest considered by the territorial authority or regional council as required by section 19T and section 19V or, as the case may require, section 19U and section 19V; and
 - (c) specify the ratio of population to proposed members for each proposed ward (if any) or constituency or subdivision (if any), and the reasons for those proposals in terms of section 19V(2) and, if applicable, section 19V(3); and
 - (d) specify a period of not less than 1 month from the date of the first or only publication of the notice within which persons interested in the resolution may make submissions on the resolution to the territorial authority or regional council.
- (3) A territorial authority or regional council to whom subsection (1) applies must—

- (a) ensure that any person who makes a submission on the proposal within the period referred to in subsection (2)(d)—
 - (i) is sent a written notice acknowledging receipt of that person's submission; and
 - (ii) is given a reasonable opportunity to be heard by the territorial authority or regional council (if that person so requests); and
- (b) ensure that the notice given to a person under paragraph (a) contains information—
 - (i) advising that person of that person's opportunity to be heard; and
 - (ii) explaining how that person may exercise that person's opportunity to be heard; and
- (c) ensure that, except as otherwise provided by Part 7 of the Local Government Official Information and Meetings Act 1987, every meeting at which submissions on a resolution referred to in subsection (1) are heard or at which the territorial authority or regional council deliberates on the proposal is open to the public; and
- (d) subject to the Local Government Official Information and Meetings Act 1987, make all written submissions on a resolution of that kind available to the public.

Publicly notice of amended resolution

19N Response to submissions

- (1) The territorial authority or regional council must, within 6 weeks after the end of the period allowed for the making of submissions and specified in the notice given under section 19M,—
 - (a) consider all submissions received and may, by resolution, make such amendments to the resolution made under section 19H or section 19I or section 19J, as the case may be, as it thinks fit; and
 - (b) give public notice of its proposals.
- (2) The public notice must—
 - (a) incorporate any amendments resolved under subsection (1)(a); and
 - (b) state both the reasons for the amendments and the reasons for any rejection of submissions; and
 - (ba) specify the communities of interest considered by the territorial authority (as required by sections 19T and 19V) or regional council (as required by sections 19U and 19V); and
 - (bb) specify the ratio of population to proposed members for each proposed ward, constituency, or subdivision, and the reasons for those proposals in terms of section 19V(2) and, if applicable, section 19V(3); and
 - (c) specify the right of appeal conferred by section 19O, including the place and closing date for the receipt of appeals; and
 - (d) if the territorial authority or regional council has amended its proposals under subsection (1)(a), specify the right of objection conferred by section 19P, including the place and closing date for the receipt of objections.
- (3) The territorial authority or regional council by which the public notice was given must—

- (a) send a copy of that notice to—
 - (i) the Commission; and
 - (ii) the Surveyor-General; and
 - (iii) the Government Statistician; and
 - (iv) the Remuneration Authority; and
- (b) if that notice was given by a territorial authority, send a copy of that notice to any regional council for a region in which the district of the territorial authority or any part of that district is situated; and
- (c) if that notice was given by a regional council, send a copy of that notice to every territorial authority whose district or a part of whose district is within the region.

Appeals and objections

19O Appeals

- (1) Any person who or organisation (including a local board or community board) that has made submissions on a resolution made under section 19H or section 19I or section 19J may lodge a written appeal against the decision of the territorial authority or regional council at the principal office of the territorial authority or regional council on or before the date specified in the public notice of that decision.
- (2) That date—
 - (a) must not be earlier than 1 month after the date of the first or only publication of the public notice; and
 - (b) must not, in a year immediately before the year of a triennial general election, be later than 20 December.
- (3) An appeal lodged under this section—
 - (a) must identify the matters to which the appeal relates:
 - (b) may raise only those matters that were raised in the appellants' submissions.

19P Objections

- (1) If the territorial authority or regional council has, under section 19N(1)(a), amended the resolution made by it under section 19H or section 19I or section 19J, any interested person or organisation (including a local board or community board) may lodge a written objection to the amended resolution at the principal office of the territorial authority or regional council on or before the date specified in the public notice, which date must be the same date as that specified for the closing of receipt of appeals under section 19O.
- (2) An objection lodged under this section must identify the matters to which the objection relates.

19Q Obligation to forward appeals and objections to Commission

If the territorial authority or regional council receives any appeal under section 19O or any objection under section 19P, the territorial authority or regional council must, as soon as practicable, but, in the year of a triennial general election, in no case later than 15 January, forward to the Commission—

- (a) the resolution made under section 19H or section 19I or section 19J and any resolution made under section 19N(1)(a) that made amendments to the resolution made under section 19H or section 19I or section 19J; and
- (b) a copy of the public notice given under section 19N(1)(b); and
- (c) every submission made to the territorial authority or regional council on the resolution made by the territorial authority or regional council under section 19H or section 19I or section 19J; and
- (d) every appeal and objection received by the territorial authority or regional council under section 19O or section 19P; and
- (e) such information concerning the communities of interest and population of the district or region or local board area or community, or any proposed ward or constituency or subdivision, as is held by the territorial authority or regional council and is necessary for the purposes of section 19R.

Commission makes determination

19R Commission to determine appeals and objections

- (1) The Commission must—
 - (a) consider the resolutions, submissions, appeals, objections, and information forwarded to it under section 19Q; and
 - (b) subject to sections 19T and 19V in the case of a territorial authority, and to sections 19U and 19V in the case of a regional council, determine,—
 - (i) in the case of a territorial authority that has made a resolution under section 19H, the matters specified in that section:
 - (ii) in the case of a regional council that has made a resolution under section 19I, the matters specified in that section:
 - (iii) in the case of a territorial authority that has made a resolution under section 19J, the matters specified in that section.
- (2) For the purposes of making a determination under subsection (1)(b), the Commission—
 - (a) may make any enquiries that it considers appropriate; and
 - (b) may hold, but is not obliged to hold, meetings with the territorial authority or regional council or any persons who have lodged an appeal or objection and have indicated a desire to be heard by the Commission in relation to that appeal or objection.
- (3) The Commission must, before 11 April in the year of a triennial general election, complete the duties it is required to carry out under subsection (1).

Matters to take into account

Effective representation of communities of interest

- 19T Requirement for effective representation and other factors in determination of membership and basis of election of territorial authorities and local boards
- (1) In determining the matters specified in paragraphs (a) to (d) of section 19H(1), the territorial authority and, where appropriate, the Commission must ensure—
- (a) that the election of members of the territorial authority (other than the mayor), in one of the ways specified in subparagraphs (i) to (iii) of section 19H(1)(a), will provide effective representation of communities of interest within the district; and
 - (b) that ward boundaries coincide with the boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes; and
 - (c) that, so far as is practicable, ward boundaries coincide with any local board area or community boundaries.
- (2) In determining the matters specified in section 19H(1)(e) to (h), the territorial authority and, where appropriate, the Commission must ensure—
- (a) that the election of members of the local board, in one of the ways specified in section 19H(1)(f)(i) to (iii), will provide effective representation of communities of interest within the local board area; and
 - (b) that the boundaries of subdivisions coincide with the boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes; and
 - (c) that, so far as is practicable, subdivision boundaries coincide with ward boundaries.

Fair representation

- 19V Requirement for fair representation and other factors in determination of membership for wards, constituencies, and subdivisions
- (1) In determining the number of members to be elected by the electors of any ward or constituency or subdivision, the territorial authority or regional council and, where appropriate, the Commission must ensure that the electors of the ward or constituency or subdivision receive fair representation, having regard to the population of every district or region or local board area or community and every ward or constituency or subdivision within the district or region or local board area or community.
- (2) For the purposes of giving effect to subsection (1), the territorial authority or regional council and, where appropriate, the Commission must ensure that 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 local board area 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).

- (3) Despite subsection (2),—
- (a) if the territorial authority or the Commission considers that 1 or more of the following apply, wards and subdivisions of a local board area or a community may be defined and membership distributed between them in a way that does not comply with subsection (2):
 - (i) non-compliance with subsection (2) is required for effective representation of communities of interest within island communities or isolated communities situated within the district of the territorial authority; or
 - (ii) compliance with subsection (2) would limit effective representation of communities of interest by dividing a community of interest between wards or subdivisions; or
 - (iii) compliance with subsection (2) would limit effective representation of communities of interest by uniting within a ward or subdivision 2 or more communities of interest with few commonalities of interest;
 - (b) if the regional council or the Commission considers that effective representation of communities of interest so requires, constituencies may be defined and membership distributed between them in a way that does not comply with subsection (2).
- (4) A territorial authority or regional council that decides under subsection (3) not to comply with subsection (2) must refer that decision to the Commission together with the information specified in section 19Q(a) to (e).
- (5) A reference under subsection (4) must be treated as if it were an appeal against the decision of the territorial authority or regional council, for the purposes of sections 19R (other than subsection (1)(b)), 19S, and 19Y, which apply with any necessary modifications.
- (6) On receiving a reference under subsection (4), the Commission must determine, under section 19R(1), whether—
- (a) to uphold the decision of the territorial authority or regional council; or
 - (b) to alter that decision.

Population statistics

19X Certificate of Government Statistician

- (1) For the purposes of sections 19H to 19W, the certificate of the Government Statistician as to the population of any region, district, local board area, constituency, ward, community, or subdivision or any proposed constituency, ward, community, or subdivision is to be—
- (a) a certificate of the ordinarily resident population as shown by the figures for the most recently published census (other than the figures for a census carried out in the year before a triennial general election of a territorial authority or regional council or the year in which such an election is to be held); or
 - (b) a certificate of the ordinarily resident population as assessed by the Government Statistician at any later date assessed by the Government Statistician.

- (2) Every territorial authority and every regional council must supply to the Government Statistician such information as may be required by the Government Statistician concerning the definition of any area to which any certificate of the kind referred to in subsection (1) is to relate.

Commission's guidelines

19ZI Guidelines in relation to reviews of representation or minor alterations to boundaries

- (1) The Commission must issue guidelines identifying factors and considerations for territorial authorities or regional councils to take into account in making determinations under any of the provisions of sections 19H to 19JB and Schedule 1A.
- (2) The Commission may, from time to time, amend or revoke any guidelines issued under subsection (1).
- (3) Any guidelines issued under subsection (1) may relate to territorial authorities or regional councils generally or to a specific class of territorial authorities or regional councils.
- (4) The Commission must, as soon as practicable after issuing any guidelines under subsection (1),—
- (a) send a copy of those guidelines to every territorial authority and every regional council; and
 - (b) publish in the Gazette a notice—
 - (i) stating that the guidelines have been issued; and
 - (ii) naming the place or places at which copies of the guidelines are available for inspection free of charge or for purchase or both.
- (5) The Commission must ensure that, so long as the guidelines remain in force, copies of the guidelines are available—
- (a) for inspection by members of the public free of charge; and
 - (b) for supply to members of the public either free of charge or for purchase at a reasonable price.
- (6) The provisions of subsections (4) and (5) apply, with all necessary modifications, in respect of any amendment or revocation of any guidelines issued under subsection (1).

Māori wards

Council resolution

- 19Z Territorial authority or regional council may resolve to establish Māori wards or Māori constituencies
- (1) Any territorial authority may resolve that the district be divided into 1 or more Māori wards for electoral purposes.
 - (2) Any regional council may resolve that the region be divided into 1 or more Māori constituencies for electoral purposes.
 - (3) A resolution under this section,—
 - (a) if made after a triennial general election but no later than 23 November of the year that is 2 years before the next triennial general election, takes effect, subject to paragraph (c), for the purposes of the next triennial general election of the territorial authority or regional council; and
 - (b) in any other case, takes effect, subject to paragraph (c), for the purposes of the next but one triennial general election; and
 - (c) in either case, takes effect for 2 triennial general elections of the territorial authority or regional council, and for any associated election, and continues in effect after that until a further resolution under this section takes effect.
 - (4) This section—
 - (a) is subject to clauses 2(5) and 4(4) of Schedule 1A; and
 - (b) does not apply in relation to a territorial authority or regional council if another enactment requires,—
 - (i) in the case of a territorial authority, that the district be divided into 1 or more Māori wards; or
 - (ii) in the case of a regional council, that the region be divided into 1 or more Māori constituencies.
 - (5) In this section, associated election, in relation to any 2 successive triennial general elections of a territorial authority or regional council, means—
 - (a) any election to fill an extraordinary vacancy in the membership of the body concerned that is held—
 - (i) between those elections; or
 - (ii) after the second of those elections but before the subsequent triennial general election;
 - (b) an election of the members of the body concerned under section 258I or 258M of the Local Government Act 2002 that is held—
 - (i) between those elections; or
 - (ii) after the second of those elections but before the subsequent triennial general election.

19ZH Basis of election of territorial authority and regional council

If, for the purpose of a triennial general election,—

(a) a district of a territorial authority is required to be divided into 1 or more Māori wards; or

(b) a region of a regional council is required to be divided into 1 or more Māori constituencies,—

the provisions of this Part (other than those of sections 19B, 19G, and 19J, and those of this section) are subject to the provisions of Schedule 1A.

Requirement for one or more Māori wards

Schedule 1A

1 Review of representation arrangements for election of territorial authority

(1) If, for the purposes of a triennial general election, a district of a territorial authority (being a district that is not already divided into 1 or more Māori wards) is required to be divided into 1 or more Māori wards, the territorial authority must, in the year immediately before the year in which the triennial general election is to be held, but not later than 31 August in the year immediately before the year in which the triennial general election is to be held, make a determination under section 19H.

(2) That determination must be made as if the territorial authority were required by section 19H to determine by resolution, in accordance with Part 1A,—

(a) the proposed number of members of the territorial authority (other than the mayor); and

(b) whether—

(i) all of the proposed members of the territorial authority (other than the mayor) are to be separately elected by the electors of 1 or more Māori wards and the electors of 1 or more general wards; or

(ii) some of the proposed members of the territorial authority (other than the mayor) are to be elected by the electors of the district as a whole and some to be elected separately by the electors of 1 or more Māori wards and 1 or more general wards, and, if so, what number of members are to be elected by electors of the district as a whole, and what number are to be elected separately; and

(c) the proposed number of members of the territorial authority to be elected by the electors of 1 or more Māori wards; and

(d) the proposed number of members of the territorial authority to be elected by electors of 1 or more general wards; and

(e) the proposed name and the proposed boundaries of each ward; and

(f) the number of members proposed to be elected by the electors of each Māori ward; and

(g) the number of members proposed to be elected by the electors of each general ward.

(3) This clause does not limit section 19B(1).

Formula for calculation

2 Calculation of number of Māori and general ward members

- (1) The number of members to be elected by the electors of 1 or more Māori wards of the district of a territorial authority (Māori ward members) is to be determined in accordance with the following formula:

$$nmm = mepd \div (mepd + gepd) \times nm$$

where—

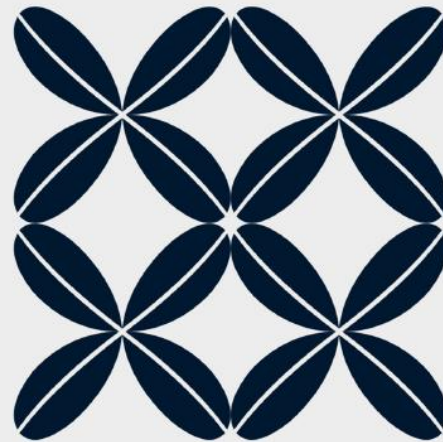
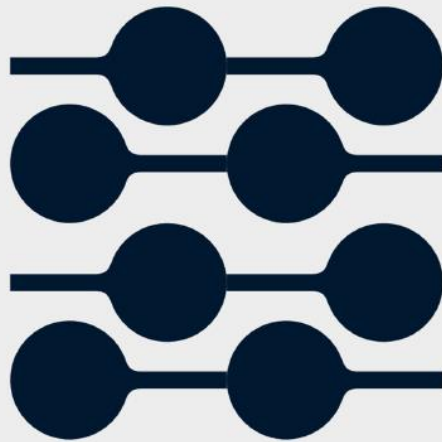
nmm is the number of Māori ward members

mepd is the Māori electoral population of the district

gepd is the general electoral population of the district

nm is the proposed number of members of the territorial authority (other than the mayor).

- (2) If a determination is made under clause 1(2)(b)(ii), the definition of nm in the formula must be applied as if for the words “proposed number of members of the territorial authority (other than the mayor)” there were substituted the words “proposed number of members of the territorial authority (other than the mayor and the members to be elected by electors of the district as a whole)”.
- (3) If the number of the Māori ward members (other than the mayor) calculated under subclause (1) includes a fraction, the fraction must be disregarded unless it exceeds a half. If the fraction exceeds a half, the number of Māori ward members must be the next whole number above the number that includes the fraction.
- (4) The number of members to be elected by the electors of 1 or more general wards is to be determined by subtracting from the proposed number of members of the territorial authority (other than the mayor, or, if the case requires, other than the mayor and the members of the territorial authority to be elected by electors of the district as a whole) the number of Māori ward members, as calculated under subclauses (1) and (3).
- (5) Despite Part 1A and the provisions of this schedule, if the number of Māori ward members, as determined in accordance with the method of calculation in this clause, is zero (because the number of Māori ward members as so determined is a fraction of the whole number 1 that does not exceed one half),—
- (a) the district must not be divided into 1 or more Māori wards and 1 or more general wards:
- (b) the provisions of clauses 1, 5, and 6 of this schedule must not be applied for the purposes of any determination under section 19H or section 19R.



Reorgan- isation of local boards

Legislative references



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Item 5

Attachment C

Introduction

Legislative references are to the Local Government Act 2002, schedule 3A unless stated otherwise.

The order of clauses in schedule 3A has been rearranged for readability and for grouping.

Clause 15 (2) states that parts of the legislation apply to a unitary authority as if it were the Commission. The use of “[council]” indicates that “Commission” was the original wording and has been substituted.

Overview of process

Council can adopt a reorganisation plan

Clause 15 Unitary authority may develop and adopt reorganisation plan

- (1) A unitary authority may develop and adopt a reorganisation plan in accordance with this clause.
- (2) Subparts 1 and 2 of this Part apply to every reorganisation plan developed under subclause (1) as if references to the Commission in those subparts were references to the unitary authority developing the plan.
- (3) A unitary authority intending to develop a reorganisation plan under this clause must ensure that written notice of that intention is given to the Commission as soon as is reasonably practicable.

Council may submit the plan to the Commission

Clause 16 Application to Commission

- (1) A unitary authority may submit a reorganisation plan adopted under clause 15 to the Commission in accordance with this clause (a unitary authority-led reorganisation application).
- (2) Before submitting a unitary authority-led reorganisation application, the unitary authority must consider any views and preferences expressed by any local boards that would be affected by the reorganisation plan.
- (3) The reorganisation plan must be accompanied by—
 - (a) a statement that complies with clause 12(2); and
 - (b) a report from the affected unitary authority, adopted by that unitary authority, that records—
 - (i) unconditional support for the plan from the governing body of the unitary authority; and

- (ii) any views and preferences expressed by any local boards that would be affected by the reorganisation plan; and
- (iii) the public consultation undertaken by the unitary authority; and
- (iv) the themes and outcomes of that consultation.

Commission approves the reorganisation plan

Clause 17 Commission review of unitary authority-led reorganisation application

- (1) As soon as practicable after receiving a unitary authority-led reorganisation application submitted in accordance with clause 16, the Commission must review that application.
- (2) The Commission must approve the reorganisation plan to which the application relates unless—
 - (a) the reorganisation plan is not accompanied by the documentation required by clause 16; or
 - (b) the Commission considers, on reasonable grounds, that—
 - (i) the provisions in subparts 1 and 2 of this Part were not complied with in developing the plan, as required by clause 15(2); or
 - (ii) the unitary authority has not complied with clause 16(2); or
 - (iii) the plan does not have the support of affected communities.
- (3) The Commission must not approve the reorganisation plan if subclause (2)(a) or (b) applies.
- (4) If the Commission approves a reorganisation plan under this clause, Part 3 of this schedule applies as if the plan were adopted under clause 11.
- (5) As soon as practicable after the Commission approves a reorganisation plan under this clause,—
 - (a) the Commission must notify the affected unitary authority of its decision; and
 - (b) the Minister must determine whether to recommend the making of an Order in Council under section 25.

The reorganisation plan

Content of reorganisation plan

Clause 13 Content of reorganisation plan

- (1) Before adopting a reorganisation plan under clause 11, the [council] must ensure that the plan complies with the requirements in this clause.
- (2) Provisions for local boards must be consistent with subpart 1A of Part 4 of this Act.
- (3) The reorganisation plan must specify—
 - (a) the name of the district of the unitary authority; and
 - (b) the number and names of local board areas within the district; and
 - (c) the boundaries of—
 - (i) each local board area; and
 - (ii) electoral subdivisions, if any, of each local board area; and
 - (d) the number of elected members of the local board for each local board area and, if a local board area is subdivided for electoral purposes, the number of members to be elected by the electors of each subdivision;
 - (e) whether each local board may include members appointed by the governing body of the unitary authority in accordance with section 48E(b); and
 - (f) for each local board, whether the chairperson of the local board is to be—
 - (i) elected by the members of the local board from among themselves using one of the systems of voting set out in clause 25(3) and (4) of Schedule 7; or
 - (ii) directly elected to that office by the electors of the local board area.
- (4) Subclause (3)(e) and (f) is subject to any requirements in other enactments that relate to 1 or more of the following matters:
 - (a) the election or appointment of members of a local board;
 - (b) the election of the chairperson of a local board.
- (5) In determining the matters referred to in subclause (3)(b) to (e), the [Council] must ensure that—
 - (a) the boundaries of the local board areas will—
 - (i) enable democratic local decision making by, and on behalf of, communities throughout the district; and
 - (ii) enable equitable provision to be made for the current and future well-being of all communities within the affected area; and

- (b) the boundaries of local board areas and any subdivisions of those areas coincide with boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes; and
- (c) so far as practicable, local board area boundaries coincide with ward boundaries.

Representation arrangements

Clause 14 Representation

- (1) In determining the representation arrangements of an affected unitary authority for a reorganisation plan, the [Council] must—
 - (a) have regard to the existing electoral and representation arrangements of the affected unitary authority in respect of local boards; and
 - (b) provide fair and effective representation for individuals and communities in the local board areas within the district of the unitary authority; and
 - (c) comply with the requirements of the Local Electoral Act 2001; and
 - (d) take into account the responsibilities, duties, and powers of the unitary authority.

When adopting a reorganisation plan

What Council must have regard to

Clause 11 [Council] may adopt reorganisation plan

- (1) The [council] may, during or at the completion of a reorganisation investigation,—
 - (a) develop 1 or more reorganisation plans; and
 - (b) adopt 1 or more reorganisation plans that meet the requirements of subpart 2 of this Part.
- (2) In deciding whether to adopt a reorganisation plan, the [Council] must have regard to—
 - (a) the scale of the potential benefits of the proposed changes in terms of the objectives set out in **clause 9** and the likelihood of those benefits being realised; and
 - (b) the financial, disruption, and opportunity costs of implementing the proposed changes at the proposed time; and
 - (c) the risks and consequences of not implementing the proposed changes at the proposed time; and
 - (d) existing communities of interest and the extent to which the proposed changes will maintain linkages between communities (including iwi and hapū) and sites and resources of significance to them; and
 - (e) the degree and distribution of demonstrable public support for the proposed changes within communities in the affected area; and
 - (f) the degree and distribution of any public opposition to the proposed changes within communities in the affected area.
- (3) The [Council] must not adopt a reorganisation plan under this clause that affects the application of any Act that establishes co-governance or co-management arrangements between local authorities and iwi or Māori organisations (including Treaty of Waitangi claims settlement legislation), without first consulting all iwi or Māori organisations to whom that Act applies, the Attorney-General, and the Minister for Treaty of Waitangi Negotiations.
- (4) A reorganisation plan to which subclause (3) applies must provide for the same level and scope of participation in decision making by iwi or Māori organisations as the arrangement specified in the Act referred to in that subclause.

Objectives

Clause 9 Objectives that [council] must consider in reorganisation investigation

- (1) In assessing the desirability of options for the reorganisation of local government within the affected area, the [Council] must take into account how best to achieve all of the following:

- (a) enabling democratic decision making by, and on behalf of, communities within the local board area:
- (b) better enabling the purpose of local government to be given effect to within the local board area:
- (c) efficiencies and cost savings:
- (d) assurance that a local board has the resources necessary to enable it to effectively perform or exercise its responsibilities, duties, and powers in respect of any local board area established or changed:
- (e) effective responses to the opportunities, needs, and circumstances of the affected areas:
- (f) better alignment of local board areas with communities of interest:
- (g) enhanced effectiveness of decision making for non-regulatory activities of a unitary authority:
- (h) enhanced ability of local government to meet the changing needs of communities for governance and services into the future:
- (i) effective provision for any co-governance and co-management arrangements that are established by legislation (including Treaty of Waitangi claim settlement legislation) and that are between local authorities and iwi or Māori organisations.

Council notifies plan

Clause 12 Notification of reorganisation plan

- (1) As soon as practicable after adopting a reorganisation plan, the [council] must—
 - (a) give public notice of the plan and, in the notice, specify where copies of the plan may be inspected; and
 - (b) take any other action that it considers necessary to inform persons, bodies, and groups that the [council] identifies as having an interest in the plan.
- (2) The [council] must attach to the reorganisation plan a full and detailed statement that—
 - (a) explains how the plan will achieve the objectives set out in clause 9; and
 - (b) provides a balanced assessment of the reorganisation plan and outlines the advantages and disadvantages of the plan.

Implementation

Former local board areas

Clause 18 Former local board areas

- (1) This clause applies in relation to implementing a reorganisation plan that—
 - (a) is given effect to by an Order in Council under section 25(1); and
 - (b) specifies alterations to the boundaries of local board areas that result in a local board area including an area (a former local board area) that formerly comprised or formed part of a separate local board area.
- (2) Subclause (3) applies unless a reorganisation order modifies its application to a reorganisation or declares that it does not apply to a reorganisation.
- (3) The local board that assumes jurisdiction over a former local board area has, may exercise or perform, and is responsible for all the powers, duties, acts of authority, and responsibilities that were previously exercised or performed by the local board of that area in relation to that area, or that would have been exercised or performed by it if it had remained in existence or responsible for that area.

Local board area bylaws

Clause 19 Local board area bylaws

- (1) The provisions of this clause apply unless a reorganisation order modifies their application to a reorganisation or declares that they do not apply to a reorganisation.
- (2) Subclause (3) applies to local board area bylaws that—
 - (a) are in force in all or part of a local board area that, under a reorganisation order, is included in the jurisdiction of a local board other than the local board that proposed them; and
 - (b) are in force immediately before the implementation date; and
 - (c) are not excluded from the application of this clause by the reorganisation order.
- (3) Each local board area bylaw remains in force, in the area to which it applied immediately before the commencement of the reorganisation order, until it expires or is revoked or amended by the unitary authority for the district that includes that area.
- (4) In this clause,—

bylaw includes—

 - (a) a set of bylaws; and
 - (b) an individual bylaw in a set of bylaws; and
 - (c) a provision within an individual bylaw

local board area bylaw means a bylaw that applies only in, or only in any part of, a local board area.

Order in council

LGA 2002 s 25

Order in Council to give effect to reorganisation plan

- (1) A reorganisation plan to which clause 22C(5) or 33 of Schedule 3 or **clause 17(5) of Schedule 3A** applies—
 - (a) is given effect to by Order in Council made on the recommendation of the Minister; and
 - (b) has effect on and from the date or dates specified for that purpose by that Order in Council (as required by subsection (3)(a)).
- (2) The Minister must recommend the making of an Order in Council under subsection (1) unless the Minister is satisfied, on reasonable grounds, that—
 - (a) the process followed in developing the reorganisation plan was not in accordance with the requirements of this Act; or
 - (b) the development of the reorganisation plan failed to give proper weight to the relevant principles, considerations, and criteria set out in this Act.
- (3) An Order in Council made under subsection (1)—
 - (a) must specify the date or dates on which its provisions come into effect; and
 - (b) in the case of a reorganisation plan to which clause 33 of Schedule 3 applies, must establish and provide for 1 or more transition bodies in accordance with—
 - (i) clauses 33 to 40 of Schedule 3; and
 - (ii) the provisions in the reorganisation plan relating to transitional matters; and
 - (c) may, with the agreement of the Commission, suspend any statutory requirement that an affected local authority would otherwise be subject to if the reorganisation would make compliance with the statutory requirement unnecessary or inappropriate.

Etc ... (cropped)

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party

OPEN MINUTES

Minutes of a meeting of the Joint Governance Working Party held in the Meeting Room 1, Level 26, 135 Albert Street, Auckland on Monday, 21 August 2023 at 9.30am.

TE HUNGA KUA TAE MAI | PRESENT

Chairperson	Cr Julie Fairey	
Deputy Chairperson	Cath Handley	via electronic link
Members	Cr Andrew Baker	
	Member Brent Catchpole	via electronic link
	Member Angela Fulljames	
	Member John Gillon	via electronic link in person from 9.43am, Item 5
	Cr Shane Henderson	
	Cr Kerrin Leoni	
	Cr Daniel Newman, JP	via electronic link until Item 5, 10.55am
	Member Richard Northey, (ONZM)	
	Member Kay Thomas	
	Cr John Watson	via electronic link

Overview of the review of representation arrangements for the 2025 elections and the reorganisation of local boards

A presentation was provided. A copy is attached to the official minutes and is available on nexus as a minutes attachment.

Resolution number JGWPC/2023/9

MOVED by Chairperson J Fairey, seconded by Member K Thomas:

That the Joint Governance Working Party:

- a) **tuhi ā-taipitopito / note the processes and matters to take into account for the review of representation arrangements and the reorganisation of local boards.**
- b) **whakaae / agree to provide staff with any additional options for the reorganisation of local boards or the representation review it wishes staff to report back on.**

CARRIED

Attachments

- A Review of representation arrangements and Reorganisation of local boards

I hereby give notice that an ordinary meeting of the Joint Governance Working Party will be held on:

Date: Friday, 10 November 2023
Time: 11.00am
Meeting Room: Meeting Room 1, Level 26
Venue: 135 Albert Street
Auckland

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party OPEN AGENDA

MEMBERSHIP

Chairperson	Cr Julie Fairey
Deputy Chairperson	Cath Handley
Members	Cr Andrew Baker
	Member Brent Catchpole
	Member Angela Fulljames
	Member John Gillon
	Cr Shane Henderson
	Cr Kerrin Leoni
	Cr Daniel Newman, JP
	Member Richard Northey, (ONZM)
	Member Kay Thomas
	Cr John Watson

(Quorum : 3 Councillors, 3 Local Board members)

Sam Riddiford
Governance Advisor

7 November 2023

Contact Telephone: 027 305 1871
Email: sam.riddiford@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Review of representation arrangements - governing body

File No.: CP2023/17104

Item 6

Te take mō te pūrongo

Purpose of the report

1. To consider the preferred number of councillors.

Whakarāpopototanga matua

Executive summary

2. A presentation will be made to the meeting.
3. The context section of this report sets out the matters that are relevant to making decisions on the number of councillors.
4. The analysis and advice section of this report sets out:
 - i) at-large councillors: pros and cons
 - ii) ward-based councillors: pros and cons
 - iii) mixture of ward and at-large councillors
 - iv) total number of councillors.
5. There are pros and cons for at-large and ward-based councillors. The most significant ones relate to:
 - the cost of campaigning for election
 - representation in lower socio-economic areas,
 - decision-making that takes into account a regional rather than local perspective.

Ngā tūtohunga

Recommendation/s

That the Joint Governance Working Party:

- a) whakaae / agree that rural communities require representation and that this means the Rodney and Franklin areas need to be wards for the election of councillors
- b) whakaae / agree that this sets the population per councillor at about 84,000 which results in 20 ward councillors
- c) kohuki / consider whether any at-large councillors should be provided in addition to 20 ward-based councillors.

Horopaki

Context

6. The matters a council must review in relation to the governing body are:
 - i) number of councillors
 - ii) whether councillors elected by ward or at-large or by a mixture
 - iii) number of wards, their names, boundaries and number of members in each.
7. The matters a council must take into account when determining wards are:
 - i) effective representation of communities of interest
 - ii) fairness of representation

8. Other requirements include:
 - i) ward and local board boundaries should align as far as is practicable
 - ii) ward and subdivision boundaries should coincide with meshblock boundaries
9. If the Governing Body resolved to have Māori representation then there would need to be one or more Māori wards. The Governing Body has decided to not provide for Māori representation for the 2025 elections.
10. The Local Government Commission, when it makes final determinations after considering appeals and objections, must have regard to these same matters. It is important that the council's proposal is robust in terms of effectiveness of representation of communities of interest and fair representation otherwise the Local Government Commission could make a determination that is different to the council's proposal.

Tātaritanga me ngā tohutohu Analysis and advice

At-large: pros and cons

11. Once elected, councillors are required to make decisions in the interests of the whole of Auckland and they make a declaration to that effect at the inaugural meeting.
12. The purpose of wards is to spread representation around geographically to ensure the various communities of Auckland are represented. Although one needs to be careful about generalising, there have been comments that ward-based councillors tend to give priority to ward events rather than attending regional events. At meetings ward-based councillors might focus on the impact of a proposal on the ward, rather than the regional impact, which is to be expected if they have been elected to represent their ward.
13. Election of councillors at-large would ensure they have a regional mandate and a regional perspective.
14. Arguments against councillors being elected at-large might include:
 - i) The maximum campaign expense limit is high (for the 2022 elections it was approximately \$680,000). A competitive election would push candidates to spend that amount, perhaps limiting the pool of successful candidates to those who could afford the campaign cost
 - ii) At-large councillors would be elected by those areas in Auckland with the highest turnout. Areas with lower turnout tend to be lower socio-economic areas and their representation would suffer
 - iii) If a vacancy occurs in an at-large position the cost of a by-election is over \$1 million
 - iv) A recognised element of the role of an elected member is constituency work – if all members are elected at-large this could make constituency work difficult.

Ward-based: pros and cons

15. The pros and cons of ward-based councillors are the reverse of those for at-large councillors.
16. The advantages are that:
 - wards spread representation geographically ensuring effective representation of communities of interest (similar to Parliamentary electorates)
 - liaison with local boards is more defined
 - constituency work is more defined

17. The disadvantage is that:

- ward electoral accountability can lead to a focus on local impacts and make it less likely that a councillor will take a regional perspective.

Mixture: ward and at-large

18. If wards are required to spread representation around, having some councillors elected at-large reduces the number elected by ward (unless the at-large councillors are in addition to the ward councillors). This in turn means that each ward-based councillor represents a much greater population.
19. A mixture that resulted in fewer ward-based councillors might prohibit separate rural representation. For example, if there were two councillors elected at-large, out of a total of 20, that would leave 18 ward-based councillors, with each representing about 94,000 people. The rural wards are currently around 83,000. That would represent a variation of 11% from the average. It might be accommodated with some tweaking of boundaries.

Number of ward councillors

20. In Attachment A there is a table setting out global examples of city councils, their populations and membership.
21. It is clear that there is no global best practice. Some councils in the UK are like mini parliaments. Glasgow City has 85 councillors elected from 23 wards. On the other hand Vancouver has 10 councillors elected at-large.
22. A recommended approach to considering the number of ward councillors is to start with the legal requirement to provide effective representation of communities of interest.
23. Two distinct communities of interest in Auckland are rural and urban, with rural communities having a lower population (Franklin has a population of approximately 84,000). If it is important that rural communities are represented at the Governing Body then that sets the population per councillor at about 84,000 which results in 20 councillors across the whole of Auckland.
24. To test this, the presentation shows a map which includes "Counties Manukau". This is much larger than Franklin but is a community of interest in respect of many sports clubs and the administration of public services, such as police districts and hospital services.
25. The guidance from the Local Government Commission suggests that a community interest has the following dimensions:

Perceptual:

- a sense of belonging to an area or locality which can be clearly defined

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.

26. Counties-Manukau is a community in terms of the perceptual and functional dimensions but possibly not in terms of the political dimension. Within the total Counties-Manukau area there are varying populations and varying degrees of voter turnout. It is unlikely that voters in rural Franklin would be influential in electing a candidate that represented the rural area. That casts doubt on whether there would be a voice at the Governing Body table that would represent the interests of the rural area and help to reconcile any urban-rural conflicts in decision-making.
27. For rural Franklin to be represented it would need to be its own ward.

28. In order for further work to be carried out on wards and ward boundaries it would be helpful to have an initial agreement as to the number of ward councillors.
29. The JGWP is asked to confirm:
 - i) that in order to provide effective representation of communities of interest it is important that the rural communities are represented
 - ii) that this means that the rural communities of Rodney and Franklin are single wards
 - iii) that this implies that the number of population per ward councillor is about 84,000, resulting in a total number of ward councillors of 20.
30. The JGWP is also asked to advise its view on whether there should be at-large councillors in addition to 20 ward councillors.

Tauākī whakaaweawe āhuarangi

Climate impact statement

31. A decision on the number of councillors does not in itself have an impact on climate.
32. However, an aspect of deciding the number of councillors could affect rural representation. It could be important to have rural representation at the Governing Body when decisions are made relating to reducing impacts on climate.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera

Council group impacts and views

33. A decision on the number of councillors is about the composition of the Governing Body and does not impact the council group.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe

Local impacts and local board views

34. There is a legal requirement that ward boundaries and local board boundaries align as far as is practicable.

Tauākī whakaaweawe Māori

Māori impact statement

35. The Governing Body has considered Māori representation on the Governing Body but has deferred a decision for the 2025 elections. There is a separate report on this agenda that provides more detail.

Ngā ritenga ā-pūtea

Financial implications

36. There may be financial implications if the number of councillors is increased in the sense that more support staff are required.
37. Whether there are more or fewer councillors does not affect the total remuneration cost since the Remuneration Authority sets a remuneration pool.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

38. A risk is that the council does not robustly consider the effective representation of communities' interest. The risk is whether an appeal to the council's proposal could easily persuade the Local Government Commission to make a determination that is different to the council's proposal resulting in a loss of reputation for council, and costs associated with the development of the proposal. Careful project management, and good engagement with communities throughout the proposal will mitigate this risk.

Ngā koringa ā-muri

Next steps

39. If the JGWP agrees a preferred number of councillors, then this will be included in the report to the Governing Body December 2023 meeting and will provide a basis for further work in the new year that looks more closely at ward boundaries.

Ngā tāpirihanga

Attachments

No.	Title	Page
A	International comparison of councils	111

Ngā kaihaina

Signatories

Author	Warwick McNaughton - Principal Advisor
Authorisers	Rose Leonard - Manager Governance Services Louise Mason - General Manager Local Board Services

International comparison of ward and at-large

Canada

City	Population	At-large / wards
Toronto ¹	2.8 million	1 mayor 26 single-member ward councillors
Montreal ²	1.8 million	1 mayor 18 borough mayors and 46 city councillors (has a powerful small executive committee which is accountable to the full council of 65)
Calgary ³	1.3 million	1 mayor 14 single-member ward councillors
Ottawa ⁴	1.0 million	1 mayor 24 single-member ward councillors
Edmonton ⁵	1.0 million	1 mayor 12 single-member ward councillors
Vancouver ⁶	662,248	1 mayor 10 at-large councillors

United Kingdom

Greater London Assembly ⁷ (area comprises 32 boroughs and the City of London)	9 million	1 executive mayor 11 at-large members 14 single-member constituency members
Birmingham ⁸	1.1 million	101 multi-member ward councillors from 69 wards (1 acting as Lord Mayor)
Leeds ⁹	811,956	99 multi-member ward councillors (1 acting as Lord Mayor) Each of 33 wards elects 3 councillors
Glasgow ¹⁰	626,410	85 multi-member ward members (1 acting as Lord Provost) Each of 23 wards elects 3 or 4 councillors
Edinburgh ¹¹	518,500	63 members from 17 wards

New Zealand

Auckland Council	1.6 million ¹²	1 mayor 20 councillors from 13 wards
Wellington City Council ¹³	202,737	1 mayor 15 councillors from 5 general wards and 1 Māori ward

Christchurch City Council	369,006	1 mayor 16 single-member ward councillors
Dunedin City Council	126,255	1 mayor 14 at-large councillors

Australia

Brisbane City Council ¹⁴	1.2 million	1 Lord Mayor 26 single-member ward councillors
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United States

New York City Council ¹⁵	8.8 million	1 executive mayor 51 single-member district Council Members ¹⁶
Los Angeles City Council ¹⁷	3.9 million	1 executive mayor 15 single-member district Council Members
Chicago ¹⁸	2.7 million	1 executive mayor 50 single- member district aldermen
Houston ¹⁹	2.3 million	1 executive mayor 11 single- member district Council Members 5 at-large councillors
Philadelphia ²⁰	1.6 million	1 executive mayor 10 single- member district Council Members 7 at-large Council Members
Phoenix ²¹	1.6 million	1 mayor 8 single- member district Council Members
San Antonio ²²	1.4 million	1 mayor 10 single- member district Council Members
San Diego ²³	1.4 million	1 executive mayor 9 single-member district Council Members
Dallas ²⁴	1.3 million	1 mayor 14 single-member district Council Members
San Jose ²⁵	1.0 million	1 mayor 10 single-member district Council Members
Austin ²⁶	1.0 million	1 mayor 10 single-member district Council Members
Jacksonville ²⁷	1.0 million	1 executive mayor 14 single- member district Council Members 5 at-large Council Members
San Francisco ²⁸	815,201	1 executive mayor 11 single-member districts for Board of Supervisors

- ¹ <https://www.toronto.ca/city-government/council/members-of-council/>
- ² <https://montreal.ca/mairie-et-personnes-elues> https://en.wikipedia.org/wiki/Montreal_City_Council
- ³ <https://www.calgary.ca/council/councillors-and-wards.html>
- ⁴ <https://ottawa.ca/en/city-hall/mayor-and-city-councillors>
- ⁵ https://www.edmonton.ca/city_government/mayor-city-councillors.aspx
- ⁶ <https://vancouver.ca/your-government/city-councillors.aspx>
- ⁷ <https://www.london.gov.uk/who-we-are/what-london-assembly-does/about-london-assembly>
- ⁸ https://www.birmingham.gov.uk/downloads/file/775/volume_a_the_constitution
- ⁹ <https://www.leeds.gov.uk/councillors-and-democracy/councillors-and-committees>
- ¹⁰ <https://www.glasgow.gov.uk/index.aspx?articleid=17758>
- ¹¹ https://en.wikipedia.org/wiki/City_of_Edinburgh_Council
- ¹² All NZ population stats taken from 2018 census: <https://www.stats.govt.nz/tools/2018-census-place-summaries/>
- ¹³ <https://wellington.govt.nz/your-council/elections/wellington-city-wards/maps-by-ward-community-board-and-suburb>
- ¹⁴ <https://www.brisbane.qld.gov.au/about-council/governance-and-strategy/lord-mayor-and-councillors>
- ¹⁵ <https://council.nyc.gov/districts/>
- ¹⁶ In some councils, council members are referred to individually as councilman and councilwoman and in others just as councilmember
- ¹⁷ <https://www.lacity.org/your-government>
- ¹⁸ <https://www.cityofchicago.org/city/en/about/council.html>
- ¹⁹ <https://www.houstontx.gov/council/>
- ²⁰ <https://phlcouncil.com/council-members/>
- ²¹ <https://www.phoenix.gov/mayorcouncil>
- ²² <https://www.sa.gov/Directory/Departments/Mayor-Council>
- ²³ <https://www.sandiego.gov/citycouncil>
- ²⁴ <https://dallascityhall.com/government/Pages/default.aspx>
- ²⁵ <https://www.sanjoseca.gov/your-government/departments-offices/mayor-and-city-council>
- ²⁶ <https://www.austintexas.gov/government>
- ²⁷ <http://www.coj.net/city-council.aspx>
- ²⁸ <https://sfbos.org/>

Review of representation arrangements - local boards

File No.: CP2023/17109

Item 7

Te take mō te pūrongo

Purpose of the report

1. To receive an initial report on currently known issues relating to representation arrangements for local boards.

Whakarāpopototanga matua

Executive summary

2. This initial report on the representation review matters that relate to local boards notes the issues that are currently known, those being:
 - the fairness of the representation arrangements for specific existing local boards under the +/- 10 percent rule
 - potential local board subdivisions in Rodney and Upper Harbour Local Boards
 - a potential change of name for Franklin Local Boards.
3. In-depth analysis has not been undertaken on these matters at this time.
4. Staff will continue to report on the representation review as a matter of course to keep known issues in front of the working party to provide the opportunity for members to raise additional issues.
5. The pre-consultation engagement process that is being planned will aim to keep local communities informed of progress and also give them the opportunity to raise issues or ask questions.

Ngā tūtohunga

Recommendation/s

That the Joint Governance Working Party:

- a) whiwhi / receive the update on representation issues for current local boards.

Horopaki

Context

6. The review of representation arrangements and an application for approval of a plan for the reorganisation of local boards are separate processes, but with overlapping considerations as set out in the table below.
7. As previously reported, both have been referred to the Joint Governance Working Party for consideration and it is useful for both to be considered at the same time in order to take a holistic view of Auckland's governance arrangements 13 years after they were put in place.

Item 7

	Representation Review	Reorganisation process
Legislation	Local Electoral Act 2001	Local Government Act 2002
Scope	- Total number of councillors - Ward and boundaries - Number of Members of local boards - Names of local boards - Subdivision number and boundaries	- Boundaries with other councils - Local board boundaries - Number of local boards
Frequency	At least once every six years	Ad hoc

8. Although work on a potential reorganisation plan for local boards is underway, there is a requirement to review the representation arrangements of current local boards in this term.
9. If the council submits a reorganisation plan to the Local Government Commission and it is approved by the Commission, then the representation arrangements in that plan will take effect for the 2025 elections.
10. Otherwise, any arrangements as proposed this representation review for current local boards will take effect.

Tātaritanga me ngā tohutohu Analysis and advice

11. Several matters have been raised about the representation arrangements for Auckland Council at this stage of the analysis; those being:
 - compliance with the +/- 10 percent rule
 - consideration of subdivisions for Rodney Local Board and Upper Harbour Local Board
 - consideration of a change of name for Franklin Local Board.

Compliance with 10 per cent rule

12. Section 19V of Local Electoral Act 2001 details the factors to be applied in determining the membership for wards/constituencies/subdivisions in order to achieve fair representation of electors. One of these is what is known as the +/- 10 percent rule where the territorial authority must ensure that the population of each constituency divided by the number of members to be elected by that constituency, produces a figure no more than 10 percent greater or smaller than the population of the district or region or community divided by the total number of elected members.
13. The tables below show all boards where there is non-compliance with the 10 percent rule. Statistics for 2022 were available when the report started being prepared. Statistics for 2023 were provided through the Local Government Commission as the report was being finalised. These 2023 statistics will be the statistics to use going forward and have been added as the final column.

	Pop	Mbrs	Pop per member	Diff from quota	% diff 2022	% diff 2023
Rodney Local Board Area						
Wellsford Subdivision	7,050	1	7,050	-1,779	-20.15	-22.63
Warkworth Subdivision	23,700	3	7,900	-929	-10.52	-12.55
Kumeū Subdivision	39,900	4	9,975	1,146	12.98	13.67
Dairy Flat Subdivision	8,810	1	8,810	-19	-0.21	5.61
Total	79,460	9	8,829			

	Pop	Mbrs	Pop per member	Diff from quota	% diff 2022	% diff 2023
Hibiscus Coast and Bays Local Board Area						
Hibiscus Coast Subdivision	62,600	4	15,650	1,488	10.50	10.67
East Coast Bays Subdivision	50,700	4	12,675	-1,488	-10.50	-10.67
Total	113,300	8	14,163			

Albert-Eden Local Board Area						
Ōwairaka Subdivision	49,400	4	12,350	100	0.82	1.01
Maungawhau Subdivision	48,600	4	12,150	-100	-0.82	-1.01
Total	98,000	8	12,250			

Maungakiekie-Tamaki Local Board Area						
Maungakiekie Subdivision	31,500	3	10,500	-1,200	-10.26	-10.94
Tamaki Subdivision	50,400	4	12,600	900	7.69	8.20
Total	81,900	7	11,700			

Howick Local Board Area						
Pakuranga Subdivision	42,600	3	14,200	-2,744	-16.20	-17.96
Howick Subdivision	43,400	3	14,467	-2,478	-14.62	-16.24
Botany Subdivision	66,500	3	22,167	5,222	30.82	34.20
Total	152,500	9	16,944			

Otara-Papatoetoe Local Board Area						
Papatoetoe Subdivision	58,300	4	14,575	1,161	8.65	9.85
Ōtara Subdivision	35,600	3	11,867	-1,548	-11.54	-13.13
Total	93,900	7	13,414			

Franklin Local Board Area						
Waiuku Subdivision	16,300	2	8,150	-1,139	-12.26	-13.80
Pukekohe Subdivision	40,500	4	10,125	836	9.00	10.19
Wairoa Subdivision	26,800	3	8,933	-356	-3.83	-4.39
Total	83,600	9	9,289			

Rodney Local Board

14. There is a request from the Rodney Northern Action Group in relation to their proposal for subdivision boundaries in the Rodney Local Board.

Upper Harbour Local Board

15. In the 2019 review, there had been a suggestion from the ward councillor that subdivisions be introduced into the Upper Harbour Local Board. No analysis or consultation has been done at the time of writing this report.

Franklin Local Board

16. Staff understand there is a suggestion that Franklin Local Board is considering a proposal for a change of name. No work on this has been done at this time.

Tauākī whakaaweawe āhuarangi Climate impact statement

17. This is an update report. Climate impacts will be considered when these issues are addressed individually.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

18. This is an update report. Impacts will be considered when these issues are addressed.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

19. This report has implications for subdivision arrangements for the indicated local boards. These will be addressed in consultation with the affected local boards.

Tauākī whakaaweawe Māori Māori impact statement

20. Compliance with the 10 per cent rule does not affect the Māori community differently to the rest of the community. It is based on total residential population for the area concerned.

Ngā ritenga ā-pūtea Financial implications

21. The only financial implication known at this time are the survey costs charged by the Local Government Commission if a local board reorganisation proposal goes ahead. There are likely to be other costs identified through the cost benefit analysis work which will be undertaken ahead of any decision to proceed.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

22. It is important in particular to address the non-compliance of Howick Local Board subdivision boundaries. At the 2019 review there was non-compliance and an undertaking was given to the Local Government Commission that this would be addressed in the 2025 review.

Ngā koringa ā-muri Next steps

23. Next steps with these issues will be discussed with the working party. Staff suggest they meet with the Howick Local Board to discuss options and report recommendations back to the JGWP.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Warwick McNaughton - Principal Advisor
Authorisers	Rose Leonard - Manager Governance Services Louise Mason - General Manager Local Board Services

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party

OPEN MINUTES

Minutes of a meeting of the Joint Governance Working Party held in the Meeting Room 1, Level 26, 135 Albert Street, Auckland on Friday, 10 November 2023 at 11.09am.

TE HUNGA KUA TAE MAI | PRESENT

Chairperson	Cr Julie Fairey	
Deputy Chairperson	Member Cath Handley	Until 1.42pm, Item 6
Members	Cr Andrew Baker	Until 2.12pm, Item 8
	Member Angela Fulljames	Via electronic link
	Member John Gillon	Via electronic link
		from 2.07pm, Item 8
	Cr Shane Henderson	From 11.24am, Item 9
	Cr Kerrin Leoni	
	Cr Daniel Newman, JP	Via electronic link
	Member Richard Northey, (ONZM)	
	IMSB David Taipari	Via electronic link
		from 11.05am, Item 1
	Member Kay Thomas	
	Cr John Watson	Via electronic link
		from 11.27am, Item 9

TE HUNGA KĀORE I TAE MAI | ABSENT

Members	Member Brent Catchpole
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TE HUNGA ĀPITI KUA TAE MAI | ALSO PRESENT

Cr Angela Dalton	Until 1.57pm, Item 6
Cr Wayne Walker	From 1.03pm, Item 5
	until 2.02pm Item 6
Member Maria Meredith	Via electronic link
	from 11.46am, Item 9

6 Review of representation arrangements - governing body

A PowerPoint presentation was given. A copy has been placed on the official minutes and is available as a minutes attachment.

Note: changes were made to the original recommendation amending clause c), a Chair's recommendation.

Deputy Chair C Handley left the meeting at 1.42pm.

Cr A Dalton left the meeting at 1.57pm.

Cr W Walker left the meeting at 2.02pm.

Resolution number JGWPC/2023/23

MOVED by Cr A Baker, seconded by Member J Gillon:

That the Joint Governance Working Party:

- a) **whakaae / agree that rural communities require representation and that this means the Rodney and Franklin areas need to be wards for the election of councillors**
- b) **whakaae / agree that this sets the population per councillor at about 84,000 which results in 20 ward councillors**
- c) **tūtohungia / recommend at-large councillors should not be provided in addition to 20 ward-based councillors.**

CARRIED

Attachments

- A 10 November 2023, Joint Governance Working Party - Item 6 - Review of representation arrangements - governing body - PowerPoint presentation

Note: The chairperson accorded precedence to Item 8 – Reorganisation plan - local boards, at this time.

7 Review of representation arrangements - local boards

A PowerPoint presentation was given. A copy has been placed on the official minutes and is available as a minutes attachment.

Resolution number JGWPC/2023/25

MOVED by Cr S Henderson, seconded by Chairperson J Fairey:

That the Joint Governance Working Party:

- a) **whiwhi / receive the update on representation issues for current local boards.**

CARRIED

Attachments

- A 10 November 2023, Joint Governance Working Party - Item 7 - Review of representation arrangements – local boards - PowerPoint presentation

I hereby give notice that an ordinary meeting of the Joint Governance Working Party will be held on:

Date: Friday, 8 December 2023
Time: 11.00am
Meeting Room: Meeting Room 1, Level 26
Venue: 135 Albert Street
Auckland

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party

OPEN AGENDA

MEMBERSHIP

Chairperson	Cr Julie Fairey
Deputy Chairperson	Member Cath Handley
Members	Cr Andrew Baker
	Member Brent Catchpole
	Member Angela Fulljames
	Member John Gillon
	Cr Shane Henderson
	Cr Kerrin Leoni
	Cr Daniel Newman, JP
	Member Richard Northey, (ONZM)
	IMSB Member Daivd Taipari
	Member Kay Thomas
	Cr John Watson

(Quorum : 3 Councillors, 3 Local Board members)

Sam Riddiford
Governance Advisor

5 December 2023

Contact Telephone: 027 305 1871
Email: sam.riddiford@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Representation review - local boards

File No.: CP2023/18360

Item 7

Te take mō te pūrongo Purpose of the report

1. To receive an update on representation review issues relating to local boards.

Whakarāpopototanga matua Executive summary

2. This report provides a table of representation review issues relating local boards showing the status of the listed issues.
3. Any further updates will be provided verbally to the meeting.

Ngā tūtohunga Recommendation/s

That the Joint Governance Working Party:

- a) whiwhi / receive the update in the report on representation issues relating to local boards and any further verbal updates.

Horopaki Context

4. The review of representation arrangements can make changes to:
 - (i) local board names
 - (ii) number of local board members
 - (iii) electoral subdivisions – their boundaries, names and number of members elected in each.
5. Where there are subdivisions they must provide effective representation of communities of interest, fair representation (the 10 percent rule) and align with meshblocks.
6. The legislation also allows for minor changes to local board boundaries.

Tātaritanga me ngā tohutohu Analysis and advice

7. The following table summarises issues that have been brought to the attention of staff:

• Local board	• Issue	• Status	• Source
• Devonport-Takapuna	• Looking at a name change	•	• Advised by Local Area Manager
• Devonport-Takapuna	• Saunders reserve is split between Devonport-Takapuna and Upper Harbour LB, requiring two different reserve management plans	• Investigated. Problem is due to a large meshblock. Solution is to split the meshblock and to undertake a minor boundary change to the local board boundary.	• Member George Wood.

Item 7

Local board	Issue	Status	Source
Franklin	Looking at a name change		Advised by Senior Māori Outcomes and Engagement Advisor
Franklin	Subdivisions do not comply with 10 percent rule. Largest variance is Waiuku at -13.80%		Current statistics
Hibiscus and Bays	Subdivisions do not comply with 10 percent rule. Variance is 10.67%.		Current statistics.
Howick	Subdivisions do not comply with 10 percent rule. Largest variance is Botany at 34.20%	Staff to attend workshop with Howick Local Board on Thursday 1 February 2024	Current statistics.
Maungakiekie-Tāmaki	Maungakiekie subdivision does not comply with 10 percent rule being -10.94%		Current statistics.
Ōtara-Papatoetoe	Ōtara subdivision does not comply with 10 percent rule being -13.13%		Current statistics
Rodney	Rearrange subdivisions to provide better rural representation	NAG convened a workshop with board members 22 November 2023. The local board has not considered its position yet.	Proposal from the Rodney Northern Action Group (NAG)
Rodney	Subdivisions do not comply with 10 percent rule. Largest variance is Wellsford at -22.63%		Current statistics.
Rodney	Subdivision arrangement	A board member has submitted a suggestion	
Upper-Harbour	Create subdivisions	Investigated possible subdivisions for compliance and seems ok. Not yet discussed with local board.	Suggestion from then Councillor Linda Cooper in 2019

Tauākī whakaaweawe āhuarangi

Climate impact statement

8. This is an update report. Climate impacts will be considered when these issues are addressed individually.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera

Council group impacts and views

9. This is an update report. Impacts will be considered when these issues are addressed.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe

Local impacts and local board views

10. This report addresses representation arrangement issues relating to local boards. These will be discussed further with the affected local boards.

Tauākī whakaaweawe Māori

Māori impact statement

11. The electoral arrangements for local boards do not affect Māori differently to others in the community. There have been submissions from a number of local boards requesting legislative change to provide for Māori subdivisions and these have been brought to the attention of a Parliamentary select committee however this has not resulted in any change.
12. Early engagement with Māori is planned early in 2024 to determine if there are any additional matters to consider and formal consultation with Māori will occur midway through 2024.

Ngā ritenga ā-pūtea

Financial implications

13. There will be costs to the representation review, which include costs of consultation and costs relating to the official survey maps. For the 2019 review of representation arrangements the key costs were:

\$30K for double page advertisements in the New Zealand Herald
\$13K for Land Information New Zealand official maps of new boundaries
\$23K for communications work undertaken by community partners.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

14. Following public notification of the council's final proposal for representation arrangements for the 2025 elections appeals and objections are determined by the Local Government Commission. There is a risk the Local Government Commission will agree with an appellant, or objector.
15. The provisions in the Local Electoral Act 2001 allow for a proposal which does not comply with the 10 percent rule if compliance would split a community of interest or would combine disparate communities of interest. Experience is that the Local Government Commission would approve small deviations from the rule. The council should be careful to not include any deviations where there is not a strong argument for non-compliance. In 2019 the non-compliance in the Howick Local Board subdivisions was noted in terms of an undertaking it will be addressed for the 2025 elections. The non-compliance of the Wellsford subdivision should be addressed. Other non-compliance is relatively minor.

Ngā koringa ā-muri

Next steps

16. Where there are known next steps these are shown in the status column of the table in the report. Other issues need to be followed up in the new year.

Ngā tāpirihanga

Attachments

There are no attachments for this report.

Ngā kaihaina

Signatories

Author	Warwick McNaughton - Principal Advisor
Authorisers	Rose Leonard - Manager Governance Services Louise Mason - General Manager Local Board Services

Recommendations to the Governing Body

File No.: CP2023/18879

Te take mō te pūrongo Purpose of the report

1. To agree the Joint Governance Working Party recommendations to the Governing Body meeting on 14 December 2023.

Whakarāpopototanga matua Executive summary

2. At the time of preparation of this report, the following are the proposed recommendations to the Governing Body. These may need to be amended in the light of discussion on the previous items on this agenda.

That the Joint Governance Working Party:

- a) whakaae / agree that the Joint Governance Working Party continue to develop an initial proposal for the council's review of representation arrangements, based on retaining rural Governing Body wards and noting that this results in 20 ward councillors
- b) tuhi ā-taipitopito / note that the Joint Governance Working Party intends to report an initial proposal for representation arrangements for the Governing Body and for all current local boards to the May 2024 meeting of the Governing Body for public notification for submissions
- c) whakaae / agree that the Joint Governance Working Party continue to develop a draft reorganisation plan for local boards based on the number of local boards being between 13 and 15 and report back its findings at the same time as it reports its recommendations for the review of representation arrangements
- d) tuhi ā-taipitopito / note that when the Joint Governance Working Party reports back its findings that the Governing Body will then decide whether to proceed further with formal public consultation on a reorganisation plan, based on the Working Party's investigation into costs and benefits, or to stay with the status quo in terms of number of local boards.
- e) whakaae / agree that as part of developing a reorganisation plan for local boards the Joint Governance Working Party will seek initial local board, Māori and targeted community feedback on preferences either for the status quo or for one or more other options for the number of local boards, as identified by the Joint Governance Working Party.

Ngā tūtohunga Recommendation/s

That the Joint Governance Working Party:

- a) whakaae / agree to the following recommendations to the Governing Body.

That the Joint Governance Working Party:

- a) whakaae / agree that the Joint Governance Working Party continue to develop an initial proposal for the council's review of representation arrangements, based on retaining rural Governing Body wards and noting that this results in 20 ward councillors

Item 8

- b) tuhi ā-taipitopito / note that the Joint Governance Working Party intends to report an initial proposal for representation arrangements for the Governing Body and for all current local boards to the May meeting of the Governing Body for public notification for submissions
- c) whakaae / agree that the Joint Governance Working Party continue to develop a draft reorganisation plan for local boards based on the number of local boards being between 13 and 15 and report back its findings at the same time as it reports its recommendations for the review of representation arrangements
- d) tuhi ā-taipitopito / note that when the Joint Governance Working Party reports back its findings that the Governing Body will then decide whether to proceed further with formal public consultation on a reorganisation plan, based on the Working Party's investigation into costs and benefits, or to stay with the status quo in terms of number of local boards
- e) whakaae / agree that as part of developing a reorganisation plan for local boards the Joint Governance Working Party will seek initial local board, Māori and targeted community feedback on preferences either for the status quo or for one or more other options for the number of local boards, as identified by the Joint Governance Working Party.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Warwick McNaughton - Principal Advisor
Authorisers	Rose Leonard - Manager Governance Services Louise Mason - General Manager Local Board Services

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party

OPEN MINUTES

Minutes of a meeting of the Joint Governance Working Party held in the Meeting Room 1, Level 26, 135 Albert Street, Auckland on Friday, 8 December 2023 at 11.04am.

TE HUNGA KUA TAE MAI | PRESENT

Chairperson	Cr Julie Fairey	
Deputy Chairperson	Member Cath Handley	Via electronic link
Members	Cr Andrew Baker	Via electronic link until 12.00pm, item 5
	Member Brent Catchpole	
	Member Angela Fulljames	Via electronic link
	Member John Gillon	Via electronic link from 2.12pm, item 9
	Cr Shane Henderson	Via electronic link from 11.06am, item 10. Until 1.59pm, item 7
	Cr Kerrin Leoni	
	Cr Daniel Newman, JP	Via electronic link
	Member Richard Northey, (ONZM)	
	IMSB Member David Taipari	Via electronic link
	Member Kay Thomas	

TE HUNGA KĀORE I TAE MAI | ABSENT

Members	Cr John Watson
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7 Representation review - local boards

Note: changes were made to the original recommendation by adding new clause, a) as a Chair's recommendation.

Resolution number JGWPC/2023/30

MOVED by Cr D Newman, seconded by Member B Catchpole:

That the Joint Governance Working Party:

- a) **whiwhi / receive the update in the report on representation issues relating to local boards and any further verbal updates.**
- b) **Request that any further representation issues or requests from local boards be received informally (ie do not need to be by way of resolution) by the Joint Governance Working Party by 2nd February 2024, to inform further advice prior to early engagement on the Representation Project in February and March 2024**

CARRIED

8 Recommendations to the Governing Body

Note: changes were made to the original recommendation by amending clauses, c), and e) as a Chair's recommendation.

Note: Cr S Henderson retired from the meeting at 1.59pm

Resolution number JGWPC/2023/31

MOVED by Chairperson J Fairey, seconded by Member B Catchpole:

That the Joint Governance Working Party:

- a) **whakaae / agree to the following recommendations to the Governing Body.**

That the Joint Governance Working Party:

- a) **whakaae / agree that the Joint Governance Working Party continue to develop an initial proposal for the council's review of representation arrangements, based on retaining rural Governing Body wards and noting that this results in 20 ward councillors**
- b) **tuhi ā-taipitopito / note that the Joint Governance Working Party intends to report an initial proposal for representation arrangements for the Governing Body and for all current local boards to the May meeting of the Governing Body for public notification for submissions**
- c) **whakaae / agree that the Joint Governance Working Party continue to develop a draft reorganisation plan for local boards based on option one vs the status quo as per resolution number JGWPC/2023/28 and report back its findings at the same time as it reports its recommendations for the review of representation arrangements**
- d) **tuhi ā-taipitopito / note that when the Joint Governance Working Party reports back its findings that the Governing Body will then decide whether to proceed further with formal public consultation on a reorganisation plan, based on the Working Party's investigation into costs and benefits, or to stay with the status quo in terms of number of local boards**
- e) **whakaae / agree that as part of developing a reorganisation plan for local boards the Joint Governance Working Party will seek initial local board, Māori and targeted community feedback on preferences either for the status quo or for one or more other options for the number of local boards, as identified by the Joint Governance Working Party and that this will also include early engagement on representation arrangements.**

CARRIED

I hereby give notice that an ordinary meeting of the Joint Governance Working Party will be held on:

Date: Friday, 2 February 2024
Time: 10.30am
Meeting Room: Meeting Room 1, Level 26
Venue: 135 Albert Street
Auckland

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party

OPEN AGENDA

MEMBERSHIP

Chairperson	Cr Julie Fairey
Deputy Chairperson	Member Cath Handley
Members	Cr Andrew Baker
	Member Brent Catchpole
	Member Angela Fulljames
	Member John Gillon
	Cr Shane Henderson
	Cr Kerrin Leoni
	Cr Daniel Newman, JP
	Member Richard Northey, (ONZM)
	IMSB Chair David Taipari
	Member Kay Thomas
	Cr John Watson

(Quorum : 3 Councillors, 3 Local Board members)

Duncan Glasgow
Kaitohutohu Mana Whakahaere Matua /
Senior Governance Advisor

26 January 2024

Contact Telephone: 021 579 761
Email: duncan.glasgow@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Representation review - local boards

File No.: CP2024/00230

Te take mō te pūrongo

Purpose of the report

1. To receive an update on representation review issues relating to local boards.

Whakarāpopototanga matua

Executive summary

2. This report provides a table of representation review issues relating local boards showing the status of the listed issues.
3. Any further updates will be provided verbally to the meeting. Staff will be able to update the working party on the Howick Local Board workshop held on 1 February 2024.

Ngā tūtohunga

Recommendation/s

That the Joint Governance Working Party:

- a) whiwhi / receive the update in the report on representation issues relating to local boards and any further verbal updates.

Horopaki

Context

4. The review of representation arrangements can make changes to:
 - i) local board names
 - ii) number of local board members
 - iii) electoral subdivisions – their boundaries, names and number of members elected in each.
5. Where there are subdivisions they must provide effective representation of communities of interest, fair representation (the 10 percent rule) and align with meshblocks.
6. The legislation also allows for minor changes to local board boundaries.

Tātaritanga me ngā tohutohu

Analysis and advice

7. The following table summarises issues that have been brought to the attention of staff:

Local board	Issue	Status	Source
Devonport-Takapuna	Looking at a name change		Advised by Local Area Manager

Item 6

Local board	Issue	Status	Source
Devonport-Takapuna	Saunders reserve is split between Devonport-Takapuna and Upper Harbour LB, requiring two different reserve management plans	Investigated. Problem is due to a large meshblock. Solution is to split the meshblock and to undertake a minor boundary change to the local board boundary.	Member George Wood.
Franklin	Looking at a name change		Advised by Senior Māori Outcomes and Engagement Advisor
Franklin	Subdivisions do not comply with 10 percent rule. Largest variance is Waiuku at -13.80%		Current statistics
Hibiscus and Bays	Subdivisions do not comply with 10 percent rule. Variance is 10.67%.		Current statistics.
Howick	Subdivisions do not comply with 10 percent rule. Largest variance is Botany at 34.20%	Staff to attend workshop with Howick Local Board on Thursday 1 February 2024	Current statistics.
Maungakiekie-Tāmaki	Maungakiekie subdivision does not comply with 10 percent rule being - 10.94%		Current statistics.
Ōtara-Papatoetoe	Ōtara subdivision does not comply with 10 percent rule being -13.13%		Current statistics
Rodney	Rearrange subdivisions to provide better rural representation	NAG convened a workshop with board members 22 November 2023. The local board has not considered its position yet.	Proposal from the Rodney Northern Action Group (NAG)
Rodney	Subdivisions do not comply with 10 percent rule. Largest variance is Wellsford at -22.63%		Current statistics.
Rodney	Subdivision arrangement	A board member has submitted a suggestion	

Local board	Issue	Status	Source
Upper-Harbour	Create subdivisions	Investigated possible subdivisions for compliance and seems ok. Not yet discussed with local board.	Suggestion from then Councillor Linda Cooper in 2019

Tauākī whakaaweawe āhuarangi Climate impact statement

- This is an update report. Climate impacts will be considered when these issues are addressed individually.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

- This is an update report. Impacts will be considered when these issues are addressed.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

- This report addresses representation arrangement issues relating to local boards. These will be discussed further with the affected local boards.

Tauākī whakaaweawe Māori Māori impact statement

- The electoral arrangements for local boards do not affect Māori differently to others in the community. There have been submissions from a number of local boards requesting legislative change to provide for Māori subdivisions and these have been brought to the attention of a Parliamentary select committee however this has not resulted in any change.
- Early engagement with Māori is planned early in 2024 to determine if there are any additional matters to consider and formal consultation with Māori will occur midway through 2024.

Ngā ritenga ā-pūtea Financial implications

- There will be costs to the representation review, which include costs of consultation and costs relating to the official survey maps. For the 2019 review of representation arrangements the key costs were:

\$30K for double page advertisements in the New Zealand Herald

\$13K for Land Information New Zealand official maps of new boundaries

\$23K for communications work undertaken by community partners.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

- Following public notification of the council's final proposal for representation arrangements for the 2025 elections appeals and objections are determined by the Local Government Commission. There is a risk the Local Government Commission will agree with an appellant, or objector.

Item 6

15. The provisions in the Local Electoral Act 2001 allow for a proposal which does not comply with the 10 percent rule if compliance would split a community of interest or would combine disparate communities of interest. Experience is that the Local Government Commission would approve small deviations from the rule. The council should be careful to not include any deviations where there is not a strong argument for non-compliance. In 2019 the non-compliance in the Howick Local Board subdivisions was noted in terms of an undertaking it will be addressed for the 2025 elections. The non-compliance of the Wellsford subdivision should be addressed. Other non-compliance is relatively minor.

Ngā koringa ā-muri

Next steps

16. Where there are known next steps these are shown in the status column of the table in the report. Other issues need to be followed up in the new year.

Ngā tāpirihanga

Attachments

There are no attachments for this report.

Ngā kaihaina

Signatories

Author	Warwick McNaughton - Principal Advisor
Authoriser	Rose Leonard - Manager Governance Services

Early engagement on the Representation Project

File No.: CP2024/00120

Item 7

Te take mō te pūrongo Purpose of the report

1. To approve the early engagement approach on the Representation Project.

Whakarāpopototanga matua Executive summary

2. Early engagement is scheduled to take place on both the Representation Review and the Local Board Reorganisation during February 2024, prior to the Long-term Plan consultation.
3. The Local Government Commission has stressed the importance of community engagement to confirm community support for any changes put forward.
4. Early engagement will include workshops with elected members and will provide an opportunity to test initial thinking with mana whenua, mataawaka, advisory panels and a range of community organisations. Member involvement in these externally focused activities is welcome.
5. Analysis of this early engagement will be reported to the April 2024 Joint Governance Working Party meeting.

Ngā tūtohunga Recommendation/s

That the Joint Governance Working Party:

- a) whakaae / approve the proposed early engagement approach
- b) kohuki / consider any additional key communities of interest to target as part of the early engagement
- c) kohuki / consider any external engagement activities they would like to attend.

Horopaki Context

6. At the December 2023 Governing Body meeting, it was agreed that early engagement would take place to inform the ongoing development of a reorganisation plan for local boards (GB/2023/237). This will include workshops with local boards and the Governing Body. Early engagement has also been proposed to also take place with mana whenua, mataawaka, advisory panels, community partners and a range of other community focused groups and stakeholders.
7. The Local Government Commission has stressed the importance of ensuring that any reorganisation proposal takes into account the views and preferences of affected local boards and demonstrates community support.
8. This early engagement will provide an opportunity to build understanding and capacity to support the consultation period and test initial thinking – particularly with key partners and those who have a strong understanding of their communities.

Tātaritanga me ngā tohutohu Analysis and advice

Item 7

9. The early engagement will largely take place during February 2024 before the Long-term Plan consultation begins and will cover both representation review matters and local board reorganisation.
10. For the representation review, this will provide an opportunity to check the community's views on the number of councillors, the need for rural representation and whether some councillors should be elected at large rather than by ward.
11. Other representation matters such as boundaries, subdivisions and names of local boards are proposed to be explored mainly through elected member workshops.
12. For the local board reorganisation, internal and external engagement is proposed to help build understanding of the matters to be taken into account and particularly:
 - the scale and likelihood of the potential benefits of the proposed changes
 - the financial, disruption, and opportunity costs of implementing the proposed changes at the proposed time
 - existing communities of interest and the extent to which the proposed changes will maintain linkages between communities (including iwi and hapū) and sites and resources of significance to them.
13. This early engagement will provide an opportunity to build understanding of the council's governance structure and raise awareness prior to a public consultation later in 2024.
14. While all audiences will be provided with an opportunity to feedback on both representation review and reorganisation matters, a tailored approach is recommended to focus on key areas of interest to different audiences as outlined for external audiences below:

Audience	Key area of focus for early engagement
Mana whenua and mataawaka	Māori representation. How councillors are elected – at large or by ward. Impact of any changes if a local board reorganisation proposal goes ahead – particularly in relation to co-governance and co-management arrangements.
Demographic advisory panels and other demographic groups as well as community organisations	How well the governance structure currently works and the impact of any changes on their communities of interest. Changing needs of communities for governance and services into the future.
Rural Advisory Panel	How well the governance structure currently works and the impact of any changes on their communities of interest with a particular focus on rural representation.
Peoples panel	How well people understand the current governance structure, how people currently engage with their elected representatives and what we could do differently while testing the appetite for change.

Tauākī whakaaweawe āhuarangi **Climate impact statement**

15. This early engagement will have minimal climate impact but some travel may be required for attendance at community networks and meetings.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera **Council group impacts and views**

16. A reorganisation plan is likely to have a significant impact on many departments across the council and council-controlled organisations.
17. Feedback is being sought from across the council group on how well the current governance structure works, what challenges teams face working within the current structure as well as what issues and opportunities they see if any changes are implemented.
18. Feedback will also capture any staffing implications which will feed into the analysis of costs and benefits (financial and non-financial).

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe **Local impacts and local board views**

19. The representation review and the local board reorganisation plan could have significant impacts on local boards. Workshops have been scheduled to take place with each local board during February 2024.
20. The reorganisation proposal could impact on community groups and networks, particularly those who engage directly with local boards or receive grant-funding. A community stakeholder event will take place to consider how well the governance structure currently works and how changes might affect them.
21. Advisory panel engagement will explore the impact of any changes on Auckland's diverse communities of interest and consider the changing needs of communities for governance and services into the future.
22. A Peoples Panel survey will help us to understand how well people understand the current governance structure, how people currently engage with their elected representatives and what we could do differently while testing the appetite for change with a group of interested Aucklanders.

Tauākī whakaaweawe Māori **Māori impact statement**

23. Engagement with Māori is planned to take place alongside engagement on the Long-term Plan on both the representation review and the local board reorganisation plan. This is planned to take place from early February 2024.
24. This engagement will provide an opportunity to outline what the next steps are with respect to Māori representation. Feedback from the Māori seats for Auckland Council consultation will be reviewed to identify themes of relevance to this work.
25. For the local board reorganisation plan, engagement will need to consider the "effective provision for any co-governance and co-management arrangements that are established by legislation (including Treaty of Waitangi claim settlement legislation) and that are between local authorities and iwi or Māori organisations" (LGA schedule 3, cl 10).

Item 7

Ngā ritenga ā-pūtea Financial implications

26. A total of \$30-35k has been allocated to early engagement. Further budgets have been identified for consultation activities.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

27. There is a risk that early engagement may not reach a good cross section of those who might be impacted by any change in the governance structure which could lead to an imbalance in analysis that informs next steps. Additional engagement activities will be facilitated where resources permit and to help ensure key stakeholder groups are heard from.

Ngā koringa ā-muri Next steps

28. Analysis of early engagement will be reported back to the Joint Governance Working Party at its April 2024 meeting.

Ngā tāpirihanga Attachments

There are no attachments for this report.

Ngā kaihaina Signatories

Author	Carol Hayward - Team Leader Operations and Policy
Authoriser	Rose Leonard - Manager Governance Services

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party

OPEN MINUTES

Minutes of a meeting of the Joint Governance Working Party held in the Meeting Room 1, Level 26, 135 Albert Street, Auckland on Friday, 2 February 2024 at 10.30am.

TE HUNGA KUA TAE MAI | PRESENT

Chairperson
Deputy Chairperson
Members

Cr Julie Fairey
Cath Handley
Cr Andrew Baker

Member Brent Catchpole
Member Angela Fulljames
Member John Gillon
Cr Shane Henderson

Cr Kerrin Leoni
Cr Daniel Newman, JP

Member Richard Northey, (ONZM)
IMSB Chair David Taipari
Member Kay Thomas
Cr John Watson

Via electronic link
Until 12.37pm, Item 8
Via electronic link

Via electronic link
Until 12.59pm, Item 8
Via electronic link
Via electronic link
From 10.40am, Item 5

Via electronic link

Via electronic link

6 Representation review - local boards

Resolution number JGWPC/2024/4

MOVED by Member A Fulljames, seconded by Member J Gillon:

That the Joint Governance Working Party:

- a) **whiwhi / receive the update in the report on representation issues relating to local boards and any further verbal updates.**

CARRIED

7 Early engagement on the Representation Project

A presentation was given. A copy has been placed on the official minutes and is available as a minutes attachment.

Note: a change to the original recommendation was made, removing original clause b), with the agreement of the meeting

Resolution number JGWPC/2024/5

MOVED by Chairperson J Fairey, seconded by Cr K Leoni:

That the Joint Governance Working Party:

- a) **whakaae / approve the proposed early engagement approach**
- b) **kohuki / consider any external engagement activities they would like to attend.**

CARRIED

Attachments

- A 2 February 2024, Joint Governance Working Party, Item 7 – Early engagement on the Representation Project, presentation

I hereby give notice that an ordinary meeting of the Joint Governance Working Party will be held on:

Date: Friday, 8 March 2024
Time: 10.30am
Meeting Room: Meeting Room 1, Level 26
Venue: 135 Albert Street
Auckland

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party OPEN AGENDA

MEMBERSHIP

Chairperson	Cr Julie Fairey
Deputy Chairperson	Member Cath Handley
Members	Cr Andrew Baker
	Member Brent Catchpole
	Member Angela Fulljames
	Member John Gillon
	Cr Shane Henderson
	Cr Kerrin Leoni
	Cr Daniel Newman, JP
	Member Richard Northey, (ONZM)
	IMSB Chair David Taipari
	Member Kay Thomas
	Cr John Watson

(Quorum: 3 Councillors, 3 Local Board members)

Duncan Glasgow
Kaitohutohu Mana Whakahaere Matua /
Senior Governance Advisor

5 March 2024

Contact Telephone: 021 579 761
Email: duncan.glasgow@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Representation Review - Local Boards

File No.: CP2024/01532

Item 6

Te take mō te pūrongo Purpose of the report

1. To receive an update on representation review issues relating to local boards.

Whakarāpopototanga matua Executive summary

2. This report provides a table of representation review issues relating to local boards showing the status of the listed issues as at the time of the preparation of the report. Further updates will be reported verbally.

Ngā tūtohunga Recommendation/s

That the Joint Governance Working Party:

- a) whiwhi / receive the update in the report on representation issues relating to local boards and any further verbal updates.

Horopaki Context

3. The review of representation arrangements can make changes to:
 - (i) local board names
 - (ii) number of local board members
 - (iii) electoral subdivisions – their boundaries, names and number of members elected in each.
4. Where there are subdivisions they must provide effective representation of communities of interest, fair representation (the 10 percent rule) and align with meshblocks.
5. The legislation also allows for minor changes to local board boundaries.

Tātaritanga me ngā tohutohu Analysis and advice

6. The following table summarises issues that have been brought to the attention of staff. Note that four new issues have been added since staff last reported (labelled 'NEW') and the status column has been updated to reflect any progress that has been made.

Local board	Issue	Status	Source
Devonport-Takapuna	Looking at a name change		Advised by Local Area Manager
Devonport-Takapuna	Saunders reserve is split between Devonport-Takapuna and Upper Harbour LB, requiring two different reserve management plans	Investigated. Problem is due to a large meshblock. Solution is to split the meshblock and do minor boundary change to the local board area.	Member George Wood.

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Local board	Issue	Status	Source
Franklin	Looking at a name change		Advised by Senior Māori Outcomes and Engagement Advisor
Franklin	Subdivisions do not comply with 10 percent rule. Largest variance is Waiuku at -13.80%	Staff investigating options	Current statistics
Hibiscus and Bays	Subdivisions do not comply with 10 percent rule. Variance is 10.67%.		Current statistics.
Howick	Subdivisions do not comply with 10 percent rule. Largest variance is Botany at 34.20%	Staff attended workshop with Howick Local Board on Thursday 1 February 2024. Preference is to add 2 members to the Botany subdivision and split the subdivision. Board is undertaking community consultation.	Current statistics.
Howick (NEW)	May look at name change.	Name "Howick Local Board" clashes with name of one of the subdivisions.	
Kaipatiki (NEW)	Move part of northern boundary to Goldfinch Rise. Move all Kereru Reserve to Upper Harbour. Local board reorganisation: move Unsworth Heights from Upper Harbour to Kaipatiki.	Goldfinch Rise and Kereru Reserve changes can be implemented as minor boundary changes.	Chair John Gillon through Trina Thompson
Maungakiekie-Tāmaki	Maungakiekie subdivision does not comply with 10 percent rule being -10.94%		Current statistics.
Maungakiekie-Tāmaki (NEW)	Concern about misalignment with ward boundaries	It is possible to address this with the review of wards.	Workshop
Ōtara-Papatoetoe	Ōtara subdivision does not comply with 10 percent rule being -13.13%		Current statistics
Rodney	Rearrange subdivisions to provide better rural representation	NAG convened a workshop with board members 22 November 2023.	Proposal from the Rodney Northern Action Group (NAG)
Rodney	Subdivisions do not comply with 10 percent rule. Largest variance is Wellsford at -22.63%	Workshop with board scheduled for 28 February 2024. To consider options based on current arrangements and on the NAG proposal.	Current statistics.

Local board	Issue	Status	Source
Upper-Harbour	Create subdivisions	Investigated possible subdivisions for compliance and seems ok. Not yet discussed with local board.	Suggestion from then Councillor Linda Cooper in 2019
Waitākere Ranges (NEW)	Ensure representation from the heritage area by creating a subdivision.	Staff have investigated.	Workshop

Tauākī whakaaweawe āhuarangi

Climate impact statement

- This is an update report. Climate impacts will be considered when these issues are addressed individually.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera

Council group impacts and views

- This is an update report. Impacts will be considered when these issues are addressed.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe

Local impacts and local board views

- This report addresses representation arrangement issues relating to local boards. These are being discussed further with the affected local boards.

Tauākī whakaaweawe Māori

Māori impact statement

- The electoral arrangements for local boards do not affect Māori differently to others in the community. There have been submissions from a number of local boards requesting legislative change to provide for Māori subdivisions and these have been brought to the attention of a Parliamentary select committee however this has not resulted in any change. This continues to be an issue raised by some local boards.
- Early engagement with Māori is currently underway, primarily in regard to local board reorganisation.

Ngā ritenga ā-pūtea

Financial implications

- This is an update report. The financial implications of the representation project are considered separately.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

- Following public notification of the council's final proposal for representation arrangements for the 2025 elections, appeals and objections are determined by the Local Government Commission. There is a risk the Local Government Commission will agree with an appellant, or objector.

14. The provisions in the Local Electoral Act 2001 allow for a proposal which does not comply with the 10 percent rule if compliance would split a community of interest or would combine disparate communities of interest. Council’s experience is that the Local Government Commission would approve small deviations from the rule. The council should be careful to not include any non-compliance where there is not a strong argument. The most significant non-compliance is in the Wellsford subdivision of the Rodney Local Board and Botany subdivision of the Howick Local Board and should be addressed. Other non-compliance is relatively minor but should be addressed unless there is a strong case for non-compliance.

Ngā koringa ā-muri
Next steps

15. Specific issues relating to a local board will be addressed by a separate report to each affected local board at its March 2024 meeting.

Ngā tāpirihanga
Attachments

There are no attachments for this report.

Ngā kaihaina
Signatories

Author	Warwick McNaughton - Principal Advisor
Authorisers	Rose Leonard - Manager Governance Services Louise Mason - General Manager Local Board Services

Representation Review - Governing Body Wards

File No.: CP2024/01533

Te take mō te pūrongo

Purpose of the report

1. To consider the working party's recommendations to the Governing Body on wards for the Representation Review.

Whakarāpopototanga matua

Executive summary

2. Ward boundaries in the isthmus no longer align with local boards in some instances due to changes made at the 2019 review to correct the non-compliance of the Waitematā and Gulf ward with the 10 percent rule.
3. It is now possible to revert these ward boundary changes to their pre-2019 positions with the result of only small non-compliance. This would achieve re-alignment between wards and local board boundaries.
4. However, if council proceeds with a reorganisation plan for local boards, further changes may need to be made to ward boundaries. The council needs to be clear about alternative ward boundaries in its public consultation should a local board reorganisation plan go ahead.
5. There may be minor changes to a couple of local board boundaries to correct anomalies. Where this occurs, staff recommend that the relevant ward boundaries be adjusted to align with the local boards.

Ngā tūtohunga

Recommendation/s

That the Joint Governance Working Party:

- a) whakaae /agree that wards for the council's initial representation review proposal are based on their pre-2019 boundaries, so as to re-align with local board boundaries.
- b) tuhi ā-taipitopito / note that if council proceeds with a local board reorganisation plan, it may need to develop alternative ward boundaries and communicate these clearly through its public consultation.
- c) whakaae / agree that where there are minor changes to local board boundaries as a part of the representation review that the relevant ward boundaries are aligned.

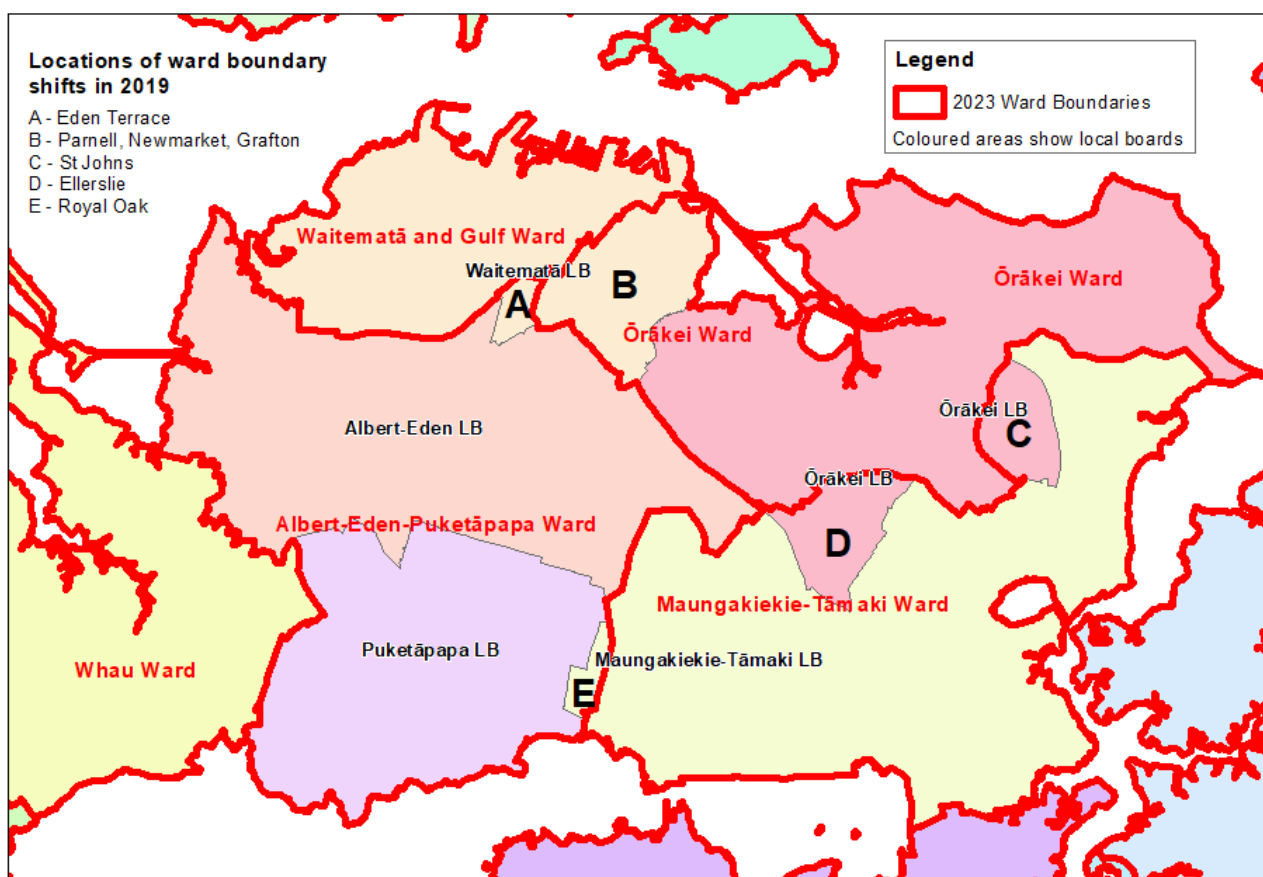
Horopaki

Context

6. The review of representation arrangements for the governing body includes:
 - number of councillors
 - whether councillors are elected at-large or by ward
 - if by ward, the wards and number of councillors in each.
7. On the recommendation of the Joint Governance Working Party the Governing Body has supported the development of a proposal based on 20 ward councillors in order that the rural areas have representation.

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8. At the 2019 review the population per councillor in the Waitematā and Gulf ward was 43.74 per cent from the average across the whole of Auckland. To be compliant it needed to be 10 per cent or less. This led to the ward being reduced on its eastern boundary with the effect that Parnell, Newmarket and Grafton moved to the Ōrākei ward. This had the effect that Ōrākei would become non-compliant.
9. There were flow-on effects in order to keep Ōrākei compliant. Areas at St Johns and Ellerslie moved to Maungakiekie-Tāmaki. A small area at Royal Oak that was in Maungakiekie-Tāmaki moved to the Albert-Eden-Puketāpapa ward.
10. The council is required to use population statistics provided by Statistics New Zealand and distributed by the Local Government Commission. For the 2019 representation review the statistics were estimates based on the 2013 census. Following the publication of the results of the 2018 census it became clear that the population estimate for Waitematā and Gulf ward had been significantly over-estimated.
11. The following map shows the resulting misalignment between wards and local boards in the isthmus.



12. The arrangements made in 2019 are currently almost compliant. The following table shows current compliance:

WARD	Pop (2023)	Mbrs	Pop per mbr	Diff from quota	% Diff from quota
Rodney Ward	81,000	1	81,000	-5,965	-6.86
Albany Ward	191,600	2	95,800	8,835	10.16
North Shore Ward	149,900	2	74,950	-12,015	-13.82
Waitākere Ward	187,000	2	93,500	6,535	7.51
Waitematā and Gulf Ward	79,800	1	79,800	-7,165	-8.24
Whau Ward	86,300	1	86,300	-665	-0.76
Albert-Eden-Puketāpapa Ward	165,400	2	82,700	-4,265	-4.90
Ōrākei Ward	87,600	1	87,600	635	0.73
Maungakiekie-Tāmaki Ward	95,200	1	95,200	8,235	9.47
Howick Ward	157,700	2	78,850	-8,115	-9.33
Manukau Ward	185,800	2	92,900	5,935	6.82
Manurewa-Papakura Ward	186,700	2	93,350	6,385	7.34
Franklin Ward	85,300	1	85,300	-1,665	-1.91
Total	1,739,300	20	86,965		

Tātaritanga me ngā tohutohu Analysis and advice

Misalignment of wards with local boards in the isthmus

13. Although the current arrangements are almost compliant, there is the opportunity to revert to the pre-2019 ward arrangements which align with existing local board boundaries. The following table shows the resulting compliance / non-compliance.

WARD	Pop (2023)	Mbrs	Pop per mbr	Diff from quota	% Diff from quota
Rodney Ward	81,000	1	81,000	-5,965	-6.86
Albany Ward	191,600	2	95,800	8,835	10.16
North Shore Ward	149,900	2	74,950	-12,015	-13.82
Waitākere Ward	187,000	2	93,500	6,535	7.51

Item 7

WARD	Pop (2023)	Mbrs	Pop per mbr	Diff from quota	% Diff from quota
Waitematā and Gulf Ward	97,170	1	97,170	10,205	11.73
Whau Ward	86,300	1	86,300	-665	-0.76
Albert-Eden-Puketāpapa Ward	160,600	2	80,300	-6,665	-7.66
Ōrākei Ward	86,200	1	86,200	-765	-0.88
Maungakiekie-Tāmaki Ward	84,100	1	84,100	-2,865	-3.29
Howick Ward	157,700	2	78,850	-8,115	-9.33
Manukau Ward	185,800	2	92,900	5,935	6.82
Manurewa-Papakura Ward	186,700	2	93,350	6,385	7.34
Franklin Ward	85,300	1	85,300	-1,665	-1.91
Total	1,739,300	20	86,965		

14. The legislation provides for a council to define wards and membership in way which does not comply with the 10 percent rule if:
 - (i) ...
 - (ii) *compliance ... would limit effective representation of communities of interest by dividing a community of interest between wards...; or*
 - (iii) *compliance ... would limit effective representation of communities of interest by uniting within a ward ... 2 or more communities of interest with few commonalities of interest:*
15. If the council decides to not comply then the final decision is made by the Local Government Commission.
16. The Joint Governance Working Party is tasked with developing the council's initial proposal for public notification. Staff recommend that the Joint Governance Working Party base councillor wards on the pre-2019 boundaries for its proposal for the representation review. This re-alignment with local board boundaries recognises the communities of interest associated with those local boards.
17. However, should council decide to go ahead with public consultation on a reorganisation proposal, alternative ward boundaries may need to be developed to ensure alignment with all legislative requirements.

Local board representation review and ward boundaries

18. Some local boards have signalled minor boundary changes to correct community of interest anomalies. Staff recommend that relevant ward boundaries are changed to align with any new local board boundaries. These are very minor changes with a legal maximum of 2,000 people being transferred between local boards.

Local board reorganisation and ward boundaries

19. The Governing Body may decide to submit a local board reorganisation plan to the Local Government Commission for approval. Commission staff have asked that the council be clear in its representation review about alternative ward boundaries (if any) that would apply if the Commission approved the local board reorganisation plan.

Tauākī whakaaweawe āhuarangi

Climate impact statement

20. The ward proposals do not change current ward arrangements significantly. There is no consequent effect on climate.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera

Council group impacts and views

21. The ward proposals do not change current ward arrangements significantly. There is no effect on the council group.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe

Local impacts and local board views

22. The ward proposals do not change current ward arrangements significantly. The report notes issues around alignment between wards and local boards. Local boards will have an opportunity to provide feedback on all representation arrangements through a report to their March meetings and later during the consultation period.

Tauākī whakaaweawe Māori

Māori impact statement

23. The council has considered the option of providing Māori representation through establishing a Māori ward. That decision has been made separately.

Ngā ritenga ā-pūtea

Financial implications

24. There are no financial implications to agreeing ward arrangements.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

25. As with any aspect of the representation review there is the possibility of appeals and objections that are heard by the Local Government Commission. The council's proposal needs to be robust in terms of the requirements for effective representation of communities of interest and fair representation (the 10 percent rule).

Ngā koringa ā-muri

Next steps

26. This report provides an opportunity for the JGWP to finalise its assessment of ward boundaries for the council's representation review. At its next meeting in April 2024, the JGWP will need to devote a considerable amount of time to finalising its recommendations to the Governing Body about the review of representation arrangements for local boards and in regard to a possible local board reorganisation plan.

Ngā tāpirihanga
Attachments

There are no attachments for this report.

Ngā kaihaina
Signatories

Author	Warwick McNaughton - Principal Advisor
Authorisers	Rose Leonard - Manager Governance Services Louise Mason - General Manager Local Board Services

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party

OPEN MINUTES

Minutes of a meeting of the Joint Governance Working Party held in Room 1, Level 26, 135 Albert Street, Auckland on Friday, 8 March 2024 at 10.30am.

TE HUNGA KUA TAE MAI | PRESENT

Chairperson
Members

Cr Julie Fairey
Member Brent Catchpole
Member Angela Fulljames
Member John Gillon
Cr Shane Henderson
Cr Kerrin Leoni
Cr Daniel Newman, JP
Member Richard Northey, (ONZM)
Houkura Chair David Taipari
Member Kay Thomas
Cr John Watson

TE HUNGA KĀORE I TAE MAI | ABSENT

Deputy Chairperson
Members

Member Cath Handley
Cr Andrew Baker

TE HUNGA ĀPITI KUA TAE MAI | ALSO PRESENT

Gary Brown
Damian Light

HE HUNGA ATU ANŌ I TAE MAI | IN ATTENDANCE

6 Representation Review - Local Boards

Resolution number JGWPC/2024/12

MOVED by Member A Fulljames, seconded by Member J Gillon:

That the Joint Governance Working Party:

- a) **whiwhi / receive the update in the report on representation issues relating to local boards and any further verbal updates.**

CARRIED

7 Representation Review - Governing Body Wards

Mayor gone 1240

Taipari 1243

Resolution number JGWPC/2024/13

MOVED by Member A Fulljames, seconded by Cr K Leoni:

That the Joint Governance Working Party:

- a) **whakaae / agree that the 12 April JGWP meeting will determine** if wards for the council's initial representation review proposal are based on their pre-2019 boundaries, so as to re-align with local board boundaries.
- b) **tuhi ā-taipitopito / note** that if council proceeds with a local board reorganisation plan, it may need to develop alternative ward boundaries and communicate these clearly through its public consultation.
- c) **whakaae / agree** that where there are minor changes to local board boundaries as a part of the representation review that the relevant ward boundaries are aligned, **noting this will include split mesh blocks and movements of less than 2000 people.**

CARRIED

I hereby give notice that an ordinary meeting of the Joint Governance Working Party will be held on:

Date: Friday, 5 April 2024
Time: 10.30am
Meeting Room: Meeting Room 1, Level 26
Venue: 135 Albert Street
Auckland

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party

OPEN AGENDA

MEMBERSHIP

Chairperson	Cr Julie Fairey
Deputy Chairperson	Member Cath Handley
Members	Cr Andrew Baker
	Member Brent Catchpole
	Member Angela Fulljames
	Member John Gillon
	Cr Shane Henderson
	Cr Kerrin Leoni
	Cr Daniel Newman, JP
	Member Richard Northey, (ONZM)
	Houkura IMSB Chair David Taipari
	Member Kay Thomas
	Cr John Watson

(Quorum: 3 Councillors, 3 Local Board members)

Duncan Glasgow
Kaitohutohu Mana Whakahaere Matua /
Senior Governance Advisor

2 April 2024

Contact Telephone: 021 579 761
Email: duncan.glasgow@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Feedback summary from early engagement on the Representation Project

File No.: CP2024/01785

Te take mō te pūrongo Purpose of the report

1. To provide a summary of feedback from early engagement on the Representation Project.

Whakarāpopototanga matua Executive summary

2. Early engagement on the Representation Project (the Representation Review)
3. The Local Government Commission has stressed the importance of community engagement to confirm community support for any changes put forward.
4. Early engagement has included workshops with elected members and provided an opportunity to test initial thinking with mana whenua, mataawaka entities, advisory panels and a range of community organisations.
5. This engagement was intended to ensure that information could be disseminated on potential changes to the governance structure and to gather initial views. This was designed to be at a high level to inform ongoing discussions about communities of interest and what effective representation means to the community.
6. Feedback on retaining the current ward structure including rural representation was largely supportive. It was felt that wards were better able to ensure all parts of Auckland would be considered during regional decision-making, it would allow a local connection with members and would better enable diversity amongst Governing Body members.
7. Feedback on the need for rural and island representation as unique communities of interest was almost universally supported. It was felt that their needs would be overlooked or drowned out if they were merged with more populous urban areas.
8. Feedback on reducing the number of local boards was more mixed. Those in favour of reducing boards felt that this would lead to a cost saving and a reduction in bureaucracy. There were suggestions that this reduction could go further than the current 15 local boards option. Suggestions ranged from having zero to three boards from Peoples Panel members to between eight to 10 boards from some mana whenua and advisory panel members.
9. Those who were not in favour of reducing local boards raised concerns that this would make communities less connected and that local needs would be overlooked. There was a call for greater engagement and greater representation particularly in areas with more diverse communities.
10. Feedback on how boards could be more empowered included a strong focus on a range of transport matters and greater autonomy over budgets with increased funding.
11. Local board feedback and next steps will be reported at the 12 April meeting.

Ngā tūtohunga Recommendation/s

That the Joint Governance Working Party:

- a) whiwhi / receive this feedback report on early engagement from mana whenua, mataawaka, advisory panels and community stakeholders.

Horopaki Context

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12. At the December 2023 Governing Body meeting, it was agreed that early engagement would take place to inform the ongoing development of a reorganisation plan for local boards (GB/2023/237). This would include workshops with local boards and the Governing Body. Early engagement was also proposed to also take place with mana whenua, mataawaka, advisory panels, community partners and a range of other community focused groups and stakeholders.
13. The Local Government Commission had advised that any reorganisation proposal has undertaken a robust approach to understanding community views.
14. The early engagement took place during February and early March 2024 and covered both representation review matters and local board reorganisation.
15. For the local board reorganisation, internal and external engagement was designed to help build understanding of the process to be undertaken for a proposal for change, the timelines and the matters to be taken into account. The proposal for change put forward a 15 local board model and the status quo, noting those boards that would be affected and those that wouldn't. Discussion also covered the matters that council and then the Local Government Commission need to have regard for including communities of interest.:
16. Early engagement with advisory panels and the community was intended to provide a sense of public views on potential changes to the governance structure. This was designed to be at a high level to inform ongoing discussions about communities of interest and what effective representation means to the community, however a full public consultation will be needed to get a more definitive view when the detailed analysis has also been carried out.
17. The table below summarises the early engagement that has taken place:

Audience	Activity
Governing Body	Workshop on 21 February with a follow up workshop on 27 February
Local Boards	Individual workshops throughout February and early March Business meetings in March Additional workshops to address specific areas of focus in relation to representation matters
Mana whenua	13 February and 12 March Ara Kōtui forum 21 and 22 February – Mana Whenua as part of a Long-term Plan briefing
Mataawaka	27 February – as part of a Long-term Plan briefing A slidepack was also shared with Mataawaka including questions for feedback
Demographic advisory panels	15 February - Cross-panel forum 4 March – Youth Advisory Panel follow up 11 March – Pacific Peoples Advisory Panel follow up
Sector panels	8 February - Rural Advisory Panel meeting 14 February - Memo to City Centre Advisory Panel
Community organisations	19 February - Community and Stakeholder forum 21 March - Online community and stakeholder forum (rescheduled)

Audience	Activity
Peoples panel	27 February - Survey circulated to panel members with a goal of at least 1000 responses. 1227 received when it closed on 3 March.
CCOs and staff	Information has been shared with CCO and council leadership teams and has been published through Kotahi. Feedback has been largely captured at a CCO or department level.

Tātaritanga me ngā tohutohu Analysis and advice

18. Views on whether or not the number of local boards should be reduced were mixed and many commented that they would need better understanding first. The feedback analysis is not intended to provide a definitive answer but the following table outlines key themes to help inform the next steps:

Themes	Feedback
Ward structure and whether councillors should be elected at large or by ward	In general, feedback supported the retention of rural representation and the current ward structure. Peoples Panel members indicated a strong level of support for retaining the current ward structure with 58 per cent against councillors being elected 'at large'¹, 15 per cent in favour and 27 per cent either neutral or not knowing. Some community and advisory panel participants suggested that at large might be an opportunity for dedicated roles that represent diverse communities but more people expressed concern that introducing at large roles would decrease the representativeness of elected members and that the current ward structure ensures all areas of Auckland are considered during decision-making. The advantage for at large was also that it might provide more of a regional focus. There were mixed views on whether at large would encourage greater party politics or less and whether that was a good thing or not. The advantage of a ward focus was to have a better connection with the community and to understand local needs during regional decision-making. However, some people also noted that there were overlaps with local boards' role in representing local views. There were some mixed views about whether the number of councillors should be increased or decreased with some commenting that the populations they represented were already very large and others feeling more could be done with less. Community stakeholder feedback requested the alignment of ward and local board boundaries for better representation and efficiency e.g. Newmarket – Ōrākei Local Board

¹ Councillors can either be elected by geographically distinct wards or from across the whole of the Auckland region. Where they are elected from the whole of Auckland it is known as being elected 'at large'.

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Themes	Feedback
Rural and island representation	Most feedback on this theme supported the retention of rural and island representation as unique communities of interest. However, there were a few comments that the population size of the islands meant it was difficult to feel they were comparable with the other local boards. There were also a small number of suggestions from the Peoples Panel survey that the island boards could be merged (to strengthen their voice) or that Waiheke could merge with Waitematā. Others expressed concern that issues and concerns from these non-urban areas would be drowned out by larger populations if rural and island representation was lost. It was noted that rural areas tended to be much larger geographically so representatives needed to cover a much bigger area than those in urban areas. There was some discussion, particularly from the Rural Advisory Panel, about the difference between more urban and rural populations within the rural boundaries but also an acknowledgement that elected members were there to serve everyone.
Effective representation	Concerns about the impact of change on effective representation and engagement or connection with communities was a key concern from many. Mana whenua and the demographic advisory panels in particular noted that the current structure was not meeting the needs of Auckland's diverse communities but that fewer and larger boards would exacerbate this. Some mana whenua, advisory panel members and community stakeholders were particularly concerned that amalgamating southern local boards would lead to less engagement and effective representation – particularly for Māori and Pacific communities whose needs were felt to be higher and therefore needed greater resourcing and representation. 42 per cent of Peoples Panel members were supportive of a reduction in local boards compared to 26 per cent who were not supportive. Comments from those who supported a reduction focused on reducing costs, the complex structure and the potential for less competing interests. Conversely, those who were not supportive felt that smaller boards had greater understanding of local issues and therefore were able to respond to local needs. Some raised concern that merging local boards could mean that one part of the merged structure would become dominant and that the other part would lose out or that positive initiatives currently in place in one local board would be lost.

Themes	Feedback
15 local board proposal	There was specific feedback on the 15 local board proposal from a range of stakeholders. Some stakeholders felt that a greater reduction could be beneficial. Some Peoples Panel members who supported a reduction in local boards suggested that less (e.g. three or four boards) or even no boards would be better. Other suggestions from mana whenua and advisory panels ranged from eight to 10 boards. This would make it easier to engage with the boards for those organisations who had different areas of focus to the council structure. Those who were opposed to less local boards raised specific concerns that the proposal would merge boards who had very different communities of interest or areas of focus. This included the following: • Kaipātiki was felt to be very different to Devonport-Takapuna. Some suggested a more appropriate merger would be for Kaipātiki to merge with Upper Harbour and for Devonport-Takapuna to merge with Hibiscus and Bays. • An alternative view was that the Hibiscus Coast part of Hibiscus and Bays would be better off with Rodney. • Waitākere Ranges was felt by several people to be very different to Henderson-Massey – particularly its more rural focus. • Manurewa was felt by several people to be a very different community of interest to Papakura. • Albert-Eden was felt by several people to be a very different community of interest to Puketāpapa. • On the other hand, there was a suggestion that Albert-Eden had more of a shared community of interest with Waitematā.
How boards should be more empowered	A stronger governance role with the CCOs was a common theme in feedback across the different audiences. The ability to make more decisions about local transport projects and programmes of work and more responsibility for economic development were some of the suggestions received. A greater or a more flexible budget was another common theme including the ability to determine appropriate staffing levels and member salaries. Other suggestions were for greater decision-making over local service providers and contractors who understand local needs (e.g. rural issues). The importance of local boards being able to make decisions on land and asset sales, local reserves, sport fields, playgrounds, stormwater management and local initiatives was emphasized, highlighting the need for more autonomy in decision-making Other examples suggested through the Peoples Panel survey included: planning decisions, dog bylaws, bike lanes, alcohol licensing, community events and initiatives, rubbish collections, environmental matters as well as managing antisocial behaviour and local crime initiatives.

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Themes	Feedback
Māori feedback	Fair Funding and equity: - Focus on achieving fairer funding across local boards, with priority on addressing over and underfunded boards. - Critique of the "over and under" concept and doubts about the efficiency of amalgamations. - Concerns raised about excluding equity issues from funding discussions and the impact on Māori relationships with the council. Amalgamation concerns: - Doubts and lack of support for merging certain local boards, especially in regions with high Māori and Pasifika populations. - Any changes that take place must ensure that relationship agreements and MOUs transfer properly. - Emphasis on potential negative effects on Māori engagement, representation, and relationships with council. Uncertainty about impacts this will have on Māori and concerns about needing to build new relationships. - Questioned why unaffected local boards aren't taking cuts to their representation arrangements and concern this perpetuates inequalities. - Concerns about social disparities, with more investment in certain areas (e.g., waterfront) compared to the southern and western local boards. - Suggestion to consider alternative models and amalgamation to address underinvestment in specific areas. Engagement and public consultation: - Questions about the resourcing of engagement efforts and the need for advance notice on engagement matters. Staff must be willing to get into the finer detail when engaging with Māori. - Highlighted imbalances between current local boards in working with Mana Whenua and inconsistency through local boards' autonomy. - Critique of limited engagement with Iwi and calls for improved relationships and efforts from ward councillors. - Likelihood of public consultation on proposed changes and the importance of early engagement. - Feedback on the Independent Māori Statutory Board and calls for more direct engagement with Iwi throughout the decision-making process

Themes	Feedback
	Decision-making and representation: • Discussion on community of interest boundaries and the importance of avoiding elected member conflicts of interest. • Concerns about social disparities and underinvestment in certain areas, highlighting the importance of representation in decision-making processes. • Consideration of at-large representation and alignment with rohe boundaries, noting Auckland councils records of rohe boundaries may not be correct. • Emphasis on the need for alignment with rohe boundaries and consideration of Māori communities as their own community of interest. Specific considerations for Māori representation: • Suggestions for meaningful Māori representation through mechanisms like Māori wards or seats and co-governance models. • Recognition of unique Māori interests and the importance of consultation and engagement throughout the decision-making process. Specific feedback on proposal/s • Caution against using statistics to justify amalgamations without considering local issues for mana whenua. • Lack of support for merging certain local boards, especially in the southern region. • Concern over why it appears to be targeting south, high Māori population but also high Pasifika population. • Council must be careful not to undo the relationships that have formed between Māori and local boards over the years. • Inquiry into how downsizing from 21 to 13 or 15 local boards addresses presented concerns and empowerment issues. • Clarification that downsizing is not a cost-saving measure, but potential savings would be reinvested in empowering the remaining local boards.

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Themes	Feedback
Other feedback	There was a strong sense that the community do not understand the council's shared governance model and allocation of decision-making. In the Peoples Panel survey, 46 percent felt unknowledgeable about who makes what decisions with only 24 percent feeling knowledgeable. There was a similarly low level of understanding of the role of the Governing Body and the Local Boards with only 18 percent and 19 percent of respondents respectively feeling they knew about each governance arm. Community stakeholders suggested that the relationship between local boards and the governing body needed clearer lines of accountability, promoting a less competitive and more collaborative approach. Advisory panel members highlighted a general dissatisfaction with the current state of local governance, emphasising a lack of transparency and accountability. There was a strong call for reforms to make the council and local boards more inclusive and representative of Auckland's diverse population. Concerns were raised about voter fatigue and the need for a more engaging and accessible electoral process. Panel members expressed a desire for a shift towards stewardship rather than leadership, indicating a preference for a governance model that prioritizes community needs and sustainable management over traditional hierarchical structures. The importance of addressing systemic issues within the current system was underscored, with specific emphasis on the challenges faced by the disability community in Auckland.

Tauākī whakaaweawe āhuarangi Climate impact statement

19. This early engagement had minimal climate impact apart from a small amount of travel that was required for attendance at local board workshops.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

20. A reorganisation plan is likely to have a significant impact on many departments across the council and council-controlled organisations so feedback was sought at a department or organisational level.
21. Generally, respondents believed the current model meets community needs reasonably well – allowing for community connection and understanding of local needs. It provided the ability to target planning and delivery based on different localities. An increase in the geographic area served by boards was seen as a risk to this and there was a concern that this could impact on voter turnout. Investing more in community engagement was one suggestion that could mitigate against this potential risk.

22. Conversely, the size and number of local boards was identified as time-consuming, resource hungry and complex in relation to communicating and engaging on regional plans or programmes of work. This was exacerbated by the boards working in different ways. Some also commented that they had tried briefing multiple boards at once but noted that this is harder to arrange and often requires individual local board follow-up.
23. The potential benefits for fewer boards included:
 - less competition between boards for staff advice and resources
 - the ability to plan and deliver programmes across catchments or ecological areas with better economies of scale
 - the potential for more full-time members to meet workload expectations.
24. Aligning wards and board boundaries was felt by some to create some simplicity in elected member communications and could lead to greater collaboration between councillors and local boards while creating an opportunity to clarify their different decision-making roles.
25. Feedback on how boards could be more empowered included:
 - strengthened advice and better supported boards
 - greater ability to determine local transport funding allocation.
26. Feedback has informed the analysis of costs and benefits (financial and non-financial) which will be covered in a separate report.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

27. The representation review and the local board reorganisation plan could have significant impacts on local boards. Workshops and business meetings have taken place during February and March. Local board feedback will be reported at the 12 April 2024 Joint Governance Working Party meeting.

Tauākī whakaaweawe Māori Māori impact statement

28. For the local board reorganisation plan, engagement will need to consider the “effective provision for any co-governance and co-management arrangements that are established by legislation (including Treaty of Waitangi claim settlement legislation) and that are between local authorities and iwi or Māori organisations” (LGA schedule 3, cl 10). Work to understand if there is any impact on co-governance and co-management arrangements has begun which will be consulted on later this year as appropriate.
29. Previous feedback from mana whenua and mataawaka on Māori representation from 2022 and 2023 included:
 - strong support for Māori representation on local boards
 - advocacy for Māori involvement in decision-making and co-design of Māori representation models between the council and Māori
 - emphasis on the importance of strong relationships between the council and Māori outside of Māori representation
 - encouragement for the council to be aspirational in its thinking.
30. Engagement with Māori took place alongside engagement on the Long-term Plan. This provided an opportunity to provide an update on Māori representation matters while introducing the representation review and the local board reorganisation plan for early engagement.
31. More in-depth engagement with Māori is expected to take place during the consultation period.

Ngā ritenga ā-pūtea
Financial implications

32. A total of \$30-35k was allocated to early engagement – final spend is in the process of being confirmed.

Ngā raru tūpono me ngā whakamaurutanga
Risks and mitigations

33. This early engagement was designed to inform and seek initial views. There is a risk that some elements of the representation project have not received sufficient feedback which will mean that next steps are not as well informed as would be ideal. Full public consultation will provide another chance to fully test proposals and identify what changes might be needed.

Ngā koringa ā-muri
Next steps

34. Consultation on the representation review (ward councillors etc) is provisionally scheduled to take place from June 2024. On 30 May 2024 the Governing Body will consider whether to consult on a local board reorganisation.

Ngā tāpirihanga
Attachments

There are no attachments for this report.

Ngā kaihaina
Signatories

Author	Carol Hayward - Team Leader Operations and Policy
Authorisers	Rose Leonard - Manager Governance Services Louise Mason - General Manager Local Board Services

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party

OPEN MINUTES

Minutes of a meeting of the Joint Governance Working Party held in Meeting Room 1, Level 26, 135 Albert Street, Auckland on Friday, 5 April 2024 at 10.34am.

TE HUNGA KUA TAE MAI | PRESENT

Chairperson	Cr Julie Fairey	
Deputy Chairperson	Member Cath Handley	
Members	Cr Andrew Baker	
	Member Brent Catchpole	Via electronic link
	Member Angela Fulljames	
	Member John Gillon	
	Cr Shane Henderson	Via electronic link From 10.42am, Item 6
	Cr Kerrin Leoni	
	Cr Daniel Newman, JP	
	Member Richard Northey, (ONZM)	
	Houkura IMSB Chair David Taipari	Via electronic link From 10.36am, Item 6
	Member Kay Thomas	Via electronic link From 11.36am, Item 6
	Cr John Watson	Via electronic link From 11.26am, Item 6

TE HUNGA ĀPITI KUA TAE MAI | ALSO PRESENT

Mayor Wayne Brown	Via electronic link
Cr Angela Dalton	Via electronic link
Cr Ken Turner	Via electronic link
Local Board Chair Damian Light	Via electronic link
Local Board Chair Ella Kumar	Via electronic link

5 Feedback summary from early engagement on the Representation Project

A presentation was provided. A copy is attached to the official minutes.

Cr D Newman returned to the meeting at 12.18pm.

Note: changes were made to the original recommendation, amending clause a) and adding new clause b), with the agreement of the meeting.

Resolution number JGWPC/2024/18

MOVED by Member J Gillon, seconded by Cr A Baker:

That the Joint Governance Working Party:

- a) **whiwhi / receive this feedback report on early engagement from mana whenua, mataawaka, advisory panels and community stakeholders, and information from staff and a People's Panel survey**
- b) **tuhi ā-taipitopito / note early engagement feedback will be received from local boards and the value for money assessment on 12 April 2024 for substantive decision making.**

CARRIED

Attachments

- A 5 April 2024, Joint Governance Working Party, Item 5 - Feedback summary from early engagement on the Representation Project, presentation

I hereby give notice that an ordinary meeting of the Joint Governance Working Party will be held on:

Date: Friday, 12 April 2024
Time: 9.30am
Meeting Room: Room 1, Level 26
Venue: 135 Albert Street
Auckland

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party

OPEN AGENDA

MEMBERSHIP

Chairperson	Cr Julie Fairey
Deputy Chairperson	Member Cath Handley
Members	Cr Andrew Baker
	Member Brent Catchpole
	Member Angela Fulljames
	Member John Gillon
	Cr Shane Henderson
	Cr Kerrin Leoni
	Cr Daniel Newman, JP
	Member Richard Northey, (ONZM)
	Houkura IMSB Chair David Taipari
	Member Kay Thomas
	Cr John Watson

(Quorum: 3 Councillors, 3 Local Board members)

Duncan Glasgow
Kaitohutohu Mana Whakahaere Matua /
Senior Governance Advisor

9 April 2024

Contact Telephone: 021 579 761
Email: duncan.glasgow@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.

Review of representation arrangements for the 2025 elections - initial proposal

File No.: CP2024/03116

Te take mō te pūrongo

Purpose of the report

1. To agree recommendations for the council's representation review initial proposal.

Whakarāpopototanga matua

Executive summary

2. The Joint Governance Working Party (JGWP) will recommend the council's initial proposal for representation arrangements to the Governing Body. This report sets out all the recommendations for the council's initial proposal including:
 - a) remaining with 20 ward councillors
 - b) deciding not to comply with the 10 percent rule for North Shore, Albany, and Waitemata and Gulf wards
 - c) changes to the subdivisions for Rodney Local Board
 - d) changes to the number of members and subdivisions for Howick Local Board
 - e) deciding not to comply with the 10 per cent rule for the following boards:
 - i) Hibiscus and Bays
 - ii) Maungakiekie-Tāmaki
 - iii) Ōtara-Papatoetoe
 - iv) Franklin
 - f) minor boundary changes for five local boards.
3. Some local boards at their meetings raised additional matters or asked for alternative options to be investigated. Not all of that investigation had been completed at the time of finalising this report. An update will be provided to the meeting.
4. The resolutions of local boards are attached as Attachment A.

Ngā tūtohunga

Recommendation/s

That the Joint Governance Working Party:

- a) tūtohungia / recommend to the Governing Body the following Governing Body representation arrangements for the council's initial proposal:
 - i) Governing Body representation will include 20 councillors elected from current wards with the following changes:
 - A) all ward boundaries in the isthmus will be realigned with local board boundaries
 - B) where there is a minor boundary change for a local board the relevant ward boundary will be aligned with the new local board boundary
- b) tūtohungia / recommend to the Governing Body that the council decide to not comply with the 10 per cent rule for the North Shore and Albany wards as the non-compliance is very small and communities of interest that relate to local board boundaries would be compromised

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- c) tūtohungia / recommend to the Governing Body that the council decide to not comply with the 10 per cent rule for the Waitemātā and Gulf ward as the non-compliance is very small and communities of interest that relate to local board boundaries would be compromised
- d) tūtohungia / recommend to the Governing Body the following local board representation arrangements for the council's initial proposal:
 - i) the representation arrangements for all local boards will be the current arrangements except for the following changes:
 - A) the subdivisions in the Rodney Local Board will be, as shown in Map 3:
 - 1) North Rural, 1 member
 - 2) South Rural, 3 members
 - 3) Warkworth, 2 members
 - 4) Kumeū, 2 members
 - 5) Dairy Flat, 1 member
 - B) the total number of members on the Howick Local Board will increase from nine members to 11 members. The subdivisions will be as shown in Map 5:
 - 1) Howick, 3 members (no change)
 - 2) Pakuranga, 3 members (no change)
 - 3) Botany, 2 members (changed area)
 - 4) Flat Bush, 3 members (new subdivision)
- e) tūtohungia / recommend to the Governing Body that the council decide to not comply with the 10 per cent rule for the following local boards:
 - i) Hibiscus and Bays
 - ii) Maungakiekie-Tāmaki
 - iii) Ōtara-Papatoetoe
 - iv) Franklin
- f) tūtohungia / recommend to the Governing Body the following minor changes to local board boundaries:
 - i) the boundary between the Upper Harbour and Devonport-Takapuna local boards should be changed so that all of Saunders Reserve is in the Upper Harbour Local Board area (Map 6)
 - ii) the boundary between Kaipātiki and Upper Harbour local boards will run along Goldfinch Rise (subject to further information following the meeting of the Upper Harbour Local Board) (Map 7)
 - iii) the boundary between Kaipātiki and Upper Harbour local boards in the vicinity of Kereru Reserve will be adjusted such that the parcel of land, Lot 3 DP 142477 (R 14 Kereru Grove), becomes part of the Upper Harbour Local Board area (Map 8).
 - iv) the boundary between the Puketāpapa and Maungakiekie-Tāmaki local boards will be adjusted such all of Taumanu Reserve lies within the Maungakiekie-Tāmaki Local Board area (Map 9).

Horopaki Context

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Joint Governance Working Party to make recommendations

5. With regard to the review of representation arrangements the Governing Body resolved:
- whakaae / agree that the council's initial proposal for representation arrangements for the 2025 elections is developed by the Joint Governance Working Party as follows:*
- the Joint Governance Working Party will develop Auckland Council's initial review of representation arrangements after seeking feedback on issues and options from the Governing Body and local boards, then make recommendations to the Governing Body for the Governing Body to formally resolve its proposal for public notification for submissions.*
 - the Joint Governance Working Party will conduct the hearing of submissions and report its findings to local boards and the Governing Body before the Governing Body makes the final statutory resolution on any representation changes, which will then be publicly notified for objections and appeals*

There are statutory deadlines

6. The Act requires all councils to review their representation arrangements at least every six years.
7. The Act requires the following timeline and process:
- public notice of the council's proposals within 14 days of the council's resolution and by 8 August 2024 at the latest
 - consideration of submissions
 - public notice of the council's final proposals within eight weeks of the closing date for submissions.
 - if there are no objections or appeals, and the council's decisions include proposals that comply with the 10 per cent rule, the council's proposals stand and are implemented
 - if there are objections or appeals, they are forwarded to the Local Government Commission for a decision
 - the Local Government Commission hears and considers all appeals and objections
 - the Local Government Commission must make its determinations before 11 April 2025.

Representation arrangements that must be reviewed

8. For Governing Body representation, it is possible to review (for members other than the mayor):
- the number of councillors
 - whether members are elected by ward or at-large or by a mixture
 - if by ward, the number of wards, names, boundaries and number of members for each ward.
9. For the representation of each local board it is possible to review:
- the number of members for the local board
 - whether members are elected by subdivision or at-large or by a mixture
 - if by subdivision, the number of subdivisions, names, boundaries and number of members for each subdivision
 - the name of the local board.

Matters the council must take into account

10. The Act requires the council to take into account:
 - the effective representation of communities of interest
 - fairness of representation.
11. Other provisions in the Act include:
 - that ward boundaries should align with local board boundaries as far as is practicable
 - that boundaries must align with mesh-block boundaries
 - when the council gives public notice of its proposal it needs to give reasons for any changes from the 2019 and 2022 elections.
12. The concept of effective representation of communities of interest includes the division of a total area into smaller wards (for territorial local authorities), subdivisions (for local boards), constituencies (for regional councils) or electorates (for parliament), to achieve a spread of representation through the area which ensures the various communities of interest are effectively represented.
13. There is no definition of 'community of interest' in the Act. The Local Government Commission, in its guidelines, identifies three dimensions for recognising communities of interest:
 - perceptual: a sense of belonging to an area or locality
 - functional: the ability to meet the community's requirements for services
 - political: the ability to represent the interests and reconcile conflicts of the community.
14. The concept of fairness means that the ratio of population to elected member for wards, in the case of the governing body, and subdivisions, in the case of local boards, should not vary significantly across the region or local board area respectively. The legislation allows for a variance of up to 10 per cent. This is referred to in this report as the '10 per cent rule'. The legislation further allows the council to not comply if compliance would result in splitting communities of interest or joining disparate communities of interest. The final decision on a proposal to not comply is made by the Local Government Commission.
15. Some boards have noted that the statistics are a 2023 estimate based on the 2018 census, and that 2023 census population data will be available later this year. The Governing Body will be resolving the council's initial proposal on 30 May 2024. The first release of 2023 census data is scheduled for the day prior, at no finer granularity than local board level and therefore there will not be time to analyse any implications of the census in detail. Finer spatial level detail, for example to use for looking at the population balance between the Papatoetoe and Ōtara subdivisions (the latter currently non-compliant and noted by the Ōtara-Papatoetoe Local Board to likely suffer from undercount) may not be available till early October.

Tātaritanga me ngā tohutohu Analysis and advice

Governing Body representation arrangements

Number of councillors

16. The Local Government (Auckland Council) Act 2009 set the number of councillors at 20 members. This prescription was removed in 2023 and the council can now review the number of councillors.

17. The JGWP considered that the effective representation of rural communities of interest required the retention of the Rodney and Franklin wards. This sets the ratio of population to member at around 85,000 people. This leads to a total of twenty ward councillors for the whole of Auckland.
18. The Governing Body supported this approach to determining the total number of councillors.

Whether any Governing Body members should be elected at large

19. The Royal Commission in 2009 proposed a total of 23 councillors with 10 elected at-large, eight elected in four double-member urban wards, two single rural ward councillors, two elected by those on the Māori roll, one appointed by mana whenua.
20. The Government's response to the Royal Commission in its report 'Making Auckland Greater' proposed 20 councillors with eight elected at-large and 12 single-member wards.
21. Parliament's Select Committee, The Auckland Governance Legislation Committee, reported there was significant opposition to electing councillors at-large and felt that retaining the at-large councillors could reduce voter participation. The majority of members believed that replacing the at-large councillors with ward councillors would provide for better representation of the communities of interest in Auckland.
22. The Local Government Commission determined the current arrangements in 2010. There was considerable public interest and the Commission's final determination followed 736 submissions on its first proposal.
23. The Joint Governance Working Party, at its meeting on 10 November 2023, considered the advantages and disadvantages of election at-large and by ward.
24. The advantages of election at-large:
 - Would promote a regional perspective in decision-making
 - Would promote regional accountability to the electorate
 - All at-large councillors would need to liaise with all local boards
 - At-large councillors could share some of the mayor's responsibilities for attendance at events.
25. The disadvantages include:
 - Councillors would be elected by the areas with higher voter turnout leaving some communities without effective representation
 - By-election cost if there is a vacancy
 - Cost of election campaigning could deter candidates
 - Constituency work would be less defined
 - Retaining rural representation means there would be twenty ward-based councillors and so at-large councillors would be in addition, resulting in a very large Governing Body.
26. The JGWP considered the total number of councillors should be 20 and that election should be by ward, with no additional at-large councillors.

Whether any Governing Body ward boundaries should be changed

27. There have not been any suggestions to change from the current arrangement of single and double member wards.
28. Nevertheless, there are some changes to boundaries that are recommended.
29. In the isthmus, as a result of changes to ward boundaries for the 2019 review of representation arrangements, there is misalignment with local board boundaries. The statistics for the 2025 review show that boundaries could be re-aligned without becoming significantly non-compliant with the 10 per cent rule.

30. Population table based on current ward boundaries (highlighted lines show non compliance):

Item 6

Ward (current boundaries)	Pop (2023)	Mbrs	Pop per mbr	Diff from quota	% diff from quota
Rodney Ward	81,000	1	81,000	-5,965	-6.86
Albany Ward	191,600	2	95,800	8,835	10.16
North Shore Ward	149,900	2	74,950	-12,015	-13.82
Waitākere Ward	187,000	2	93,500	6,535	7.51
Waitematā and Gulf Ward	79,800	1	79,800	-7,165	-8.24
Whau Ward	86,300	1	86,300	-665	-0.76
Albert-Eden-Puketāpapa Ward	165,400	2	82,700	-4,265	-4.90
Ōrākei Ward	87,600	1	87,600	635	0.73
Maungakiekie-Tāmaki Ward	95,200	1	95,200	8,235	9.47
Howick Ward	157,700	2	78,850	-8,115	-9.33
Manukau Ward	185,800	2	92,900	5,935	6.82
Manurewa-Papakura Ward	186,700	2	93,350	6,385	7.34
Franklin Ward	85,300	1	85,300	-1,665	-1.91
Total	1,739,300	20	86,965		

31. Population table if wards in the isthmus are realigned with local board boundaries: (highlighted lines show non-compliance).

Ward (realigned)	Pop (2023)	Mbrs	Pop per mbr	Diff from quota	% diff from quota
Rodney Ward	81,000	1	81,000	-5,965	-6.86
Albany Ward	191,600	2	95,800	8,835	10.16
North Shore Ward	149,900	2	74,950	-12,015	-13.82
Waitākere Ward	187,000	2	93,500	6,535	7.51
Waitematā and Gulf Ward	97,170	1	97,170	10,205	11.73
Whau Ward	86,300	1	86,300	-665	-0.76
Albert-Eden-Puketāpapa Ward	160,600	2	80,300	-6,665	-7.66
Ōrākei Ward	86,200	1	86,200	-765	-0.88
Maungakiekie-Tāmaki Ward	84,100	1	84,100	-2,865	-3.29
Howick Ward	157,700	2	78,850	-8,115	-9.33
Manukau Ward	185,800	2	92,900	5,935	6.82
Manurewa-Papakura Ward	186,700	2	93,350	6,385	7.34
Franklin Ward	85,300	1	85,300	-1,665	-1.91
Total	1,739,300	20	86,965		

32. The legislation requires ward boundaries to align with local board boundaries as far as is practicable.
33. Comments from local boards are as follows:
- a) The Waitematā Local Board did not record any feedback on realigning local board boundaries in the isthmus in its formal resolution but staff note that Member Northey is able to provide the board's view/
 - b) The Ōrākei Local Board resolved:

"The Board believes ward and board boundaries should be aligned. There is well documented evidence that the community is confused, not only about what boards can and cannot do, but also about which board members represent which areas of the city. Any future representation plans should include a more comprehensive education campaign to the community about councillor and board member responsibilities and areas of governance."
 - c) The Maungakiekie-Tāmaki Local Board resolved:

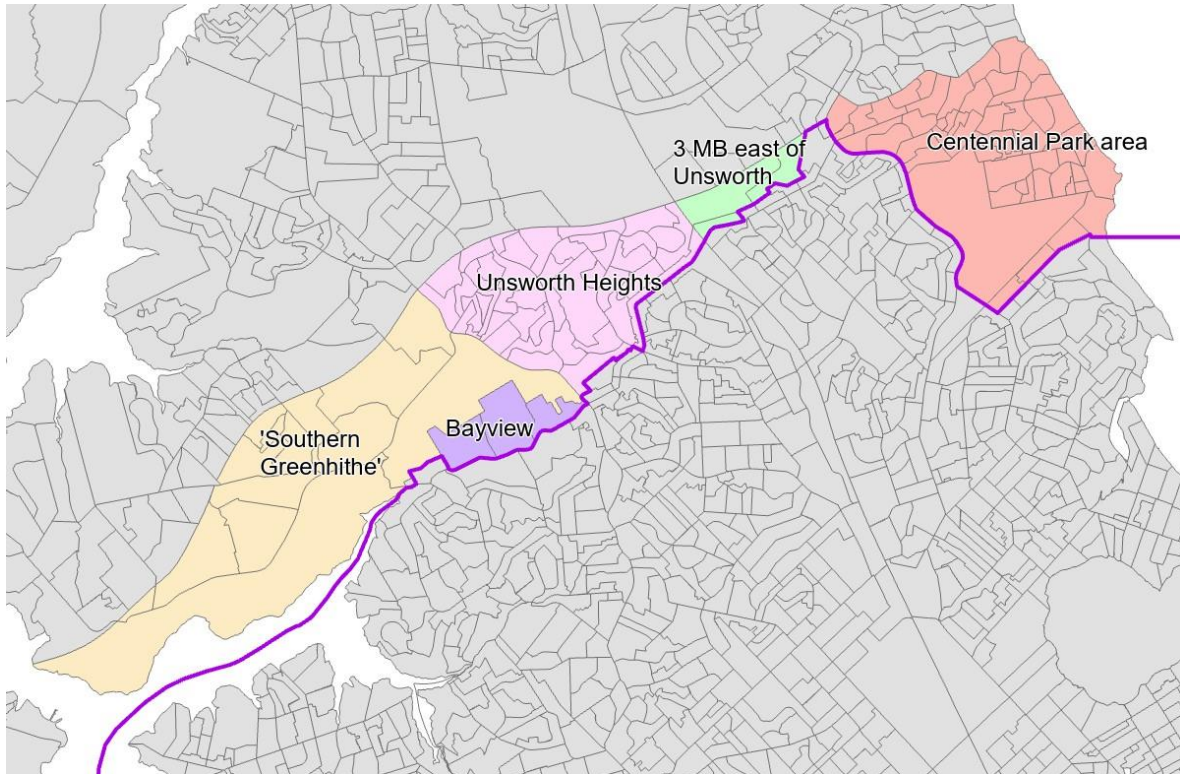
"support the development of advice for returning ward boundaries to their pre-2019 positions, to enable local board and ward councillor boundaries to align, making it simpler for communities to know who their council representatives are."

Staff understand that the Newmarket and Parnell Business Associations might oppose a realignment of isthmus ward boundaries, stating their customer base tends to be more from Ōrākei than Waitematā.

Non-compliance with the 10 per cent rule

North Shore/Albany

34. The North Shore ward variance is -13.82 per cent and needs to gain population. The Albany ward variance is 10.16 per cent and needs to lose population. Staff have investigated options for correcting this.



35. Effect on variance for North Shore ward:
- Unsworth Heights & Bayview: -10.03 per cent
 - Centennial Park: -10.13 per cent
 - Everything except Centennial Park: -8.8 per cent
 - Move all 5 areas from Albany to North Shore: -5.1 per cent.
36. Any of these options would lead to ward and local board boundaries being unaligned. Staff recommend that the council decides to not comply with the 10 per cent rule.

Waitematā and Gulf ward

37. If isthmus wards are re-aligned with local board boundaries, the Waitematā and Gulf ward will have a variance of 11.73 per cent.
38. At the time of finalising this report, staff were investigating options for addressing this non-compliance. The JGWP will be updated at today's meeting.

Local board representation arrangements

Non-compliance with 10 per cent rule

39. Non-compliance of local board subdivisions with the 10 per cent rule is set out as follows (highlighted lines show non compliance):

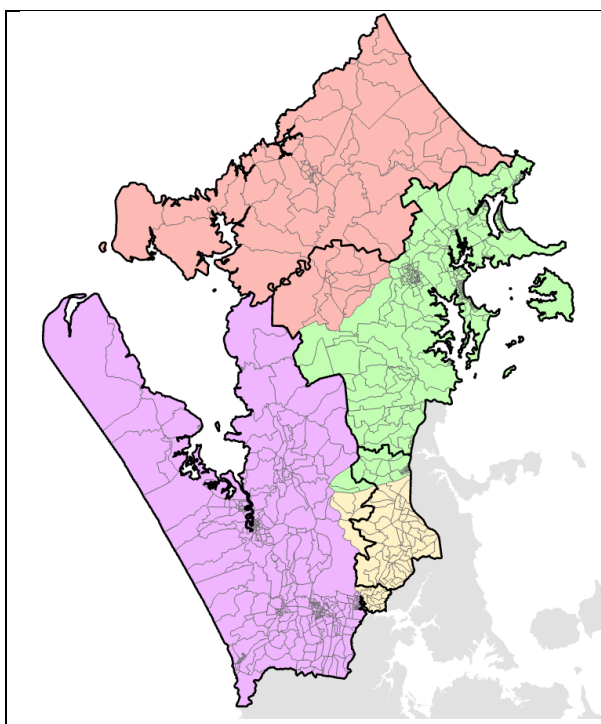
Local board	Pop (2023)	Mbrs	Pop per mbr	Diff from quota	% diff
Rodney Local Board Area					
Wellsford Subdivision	6,960	1	6,960	-2,036	-22.63
Warkworth Subdivision	23,600	3	7,867	-1,129	-12.55
Kumeū Subdivision	40,900	4	10,225	1,229	13.67
Dairy Flat Subdivision	9,500	1	9,500	504	5.61
Total	80,960	9	8,996		
Hibiscus and Bays Local Board Area					
Hibiscus Coast Subdivision	64,800	4	16,200	1,563	10.67
East Coast Bays Subdivision	52,300	4	13,075	-1,563	-10.67
Total	117,100	8	14,638		
Albert-Eden Local Board Area					
Ōwairaka Subdivision	50,200	4	12,550	125	1.01
Maungawhau Subdovision	49,200	4	12,300	-125	-1.01
Total	99,400	8	12,425		
Maungakiekie-Tamaki Local Board Area					
Maungakiekie Subdivision	32,100	3	10,700	-1,314	-10.94
Tamaki Subdivision	52,000	4	13,000	986	8.20
Total	84,100	7	12,014		
Howick Local Board Area					
Pakuranga Subdivision	43,100	3	14,367	-3,144	-17.96
Howick Subdivision	44,000	3	14,667	-2,844	-16.24
Botany Subdivision	70,500	3	23,500	5,989	34.20
Total	157,600	9	17,511		

Item 6

Local board	Pop (2023)	Mbrs	Pop per mbr	Diff from quota	% diff
Ōtara-Papatoetoe Local Board Area					
Papatoetoe Subdivision	60,700	4	15,175	1,361	9.85
Ōtara Subdivision	36,000	3	12,000	-1,814	-13.13
Total	96,700	7	13,814		
Franklin Local Board Area					
Waiuku Subdivision	16,350	2	8,175	-1,308	-13.80
Pukekohe Subdivision	41,800	4	10,450	967	10.19
Wairoa Subdivision	27,200	3	9,067	-417	-4.39
Total	85,350	9	9,483		

Rodney Local Board

40. To become compliant the Wellsford subdivision needs to increase population.
41. The Rodney Local Board considered a total of six options for addressing the non-compliance of subdivisions. Three options were based on the current geographical communities of interest and three options were based on a proposal from the community based Northern Action Group (NAG).
42. The NAG proposal emphasises the rural and urban nature of communities of interest rather than geographical communities of interest. For example people living in a rural area have in common the same services, identify as rural and have similar issues that are relevant to effective representation. The proposal basically makes the whole of the Rodney Local Board area a rural subdivision with additional subdivisions for Kumeū, Dairy Flat and Warkworth which are smaller than those current subdivisions.
43. The Rodney Local Board has resolved its support in principle for the second of the NAG options, which splits the large rural subdivision into north and south to ensure there will always be representation for the north. NAG itself strongly favours the first NAG option.



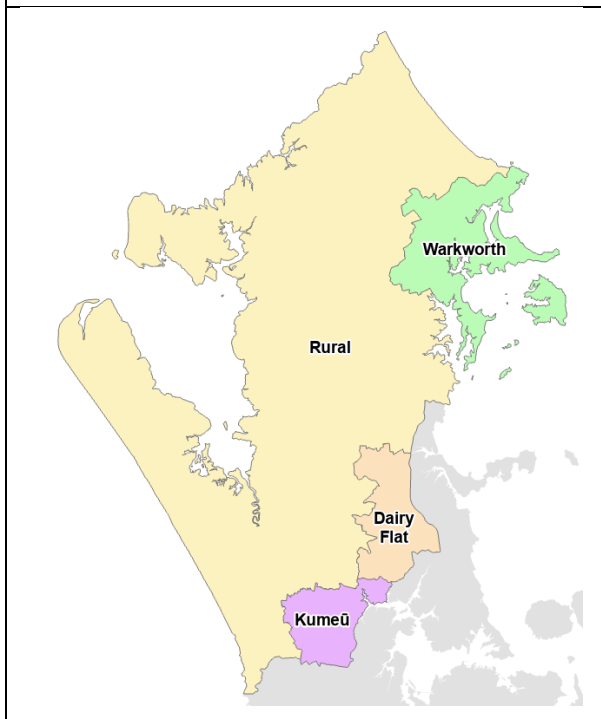
Map1

Option based on geographical communities of interest.

Bold lines are current subdivision boundaries.

Shaded areas are proposed subdivisions.

Wellsford expands into Warkworth with flow-on effects for Dairy Flat and Kumeū.

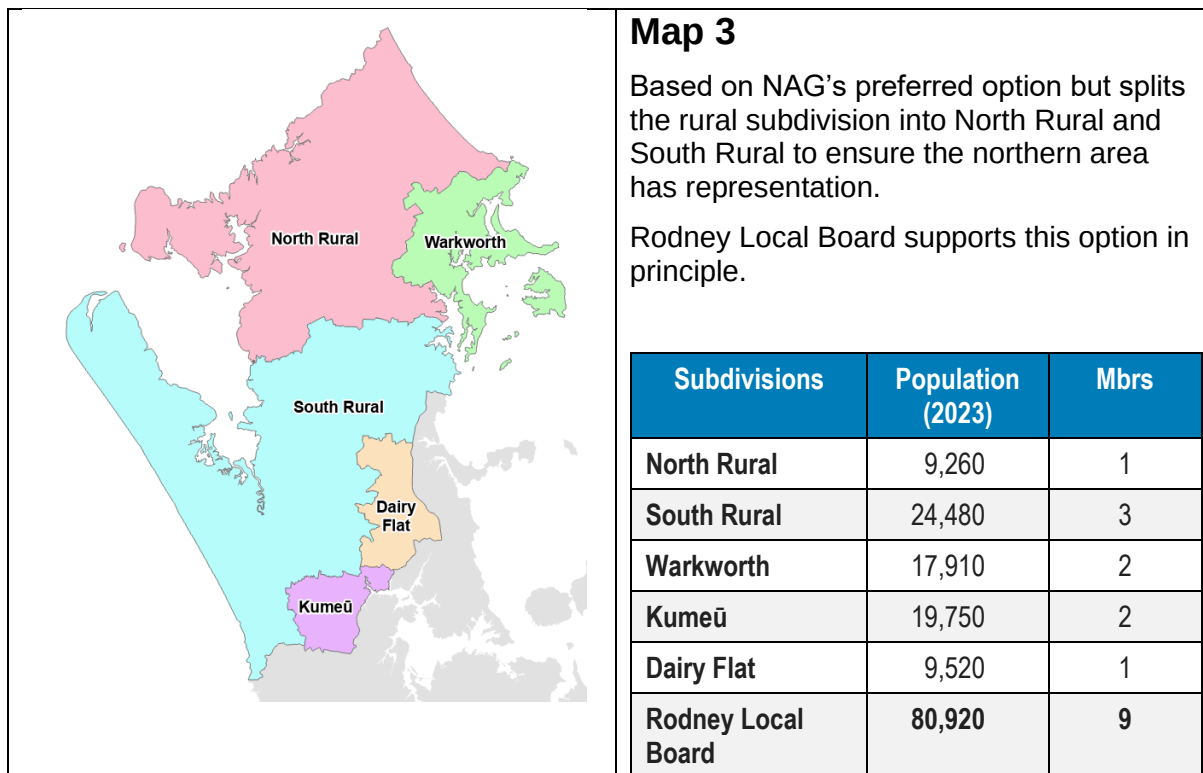


Map 2

Option strongly preferred by NAG.

All Rodney is rural except for the urban areas of Warkworth, Dairy Flat and Kumeū which have guaranteed representation.

Subdivisions	Population (2023)	Mbrs
Rural	33,740	4
Warkworth	17,910	2
Kumeū	19,750	2
Dairy Flat	9,520	1
Rodney Local Board	80,920	9



44. It is expected that NAG will continue to advocate for Map 2 and the JGWP needs to be aware of its rationale. NAG sees the benefits of Map 2 to include:
- *“It will unify the 95% rural area of Rodney that share the same local board issues, lack of services and investment*
 - *Rural Rodney has a population of about 35,000 and pays \$50 million pa rates*
 - *Representation will depend on the quality of candidates. Statistically and voting distribution, we could expect RLB members to be from the north, central and south however each member would be expected to support the whole subdivision without prejudice.*
 - *Iwi representation becomes possible if iwi want to put up a candidate for the rural area*
 - *It encompasses the entire Rodney coastline of the Kaipara Harbour*
 - *It will simplify local board decisions for rural/urban investment, services and activity*
 - *Splitting the rural area is not favoured it would be an arbitrary line and exacerbate a north – south divide, rural is rural, agriculture, horticulture. Forestry, life style, villages.”*
45. The key benefit of Map 3 is that it guarantees that the north rural area will have a representative. However, members will know that once subdivisions (or wards) are defined that constituency work is left to the member(s) in those subdivisions (or wards). Map 3 would put a heavy load on the single member for North Rural. Under Map 2, the 4 members could agree to share the constituency load. There is no guarantee that that would happen but it almost mirrors at-large representation – all rural members are responsible for the whole rural area.
46. Staff are recommending in line with the position of the Rodney Local Board at this point. The Rodney Local Board has asked staff to investigate related community of interest issues. These were being worked on at the time of the preparation of this report. The JGWP will be updated.

Hibiscus and Bays Local Board

47. Subdivision non-compliance is minor (10.67 per cent). The East Coast Bays subdivision needs to gain population and the Hibiscus Coast subdivision needs to lose population. However the boundary between them is largely in a rural area and requires a large geographical shift to get the required population transfer. The local board considered two options presented by staff. In both options the board felt that compliance would compromise communities of interest and has requested the council to decide to not comply.

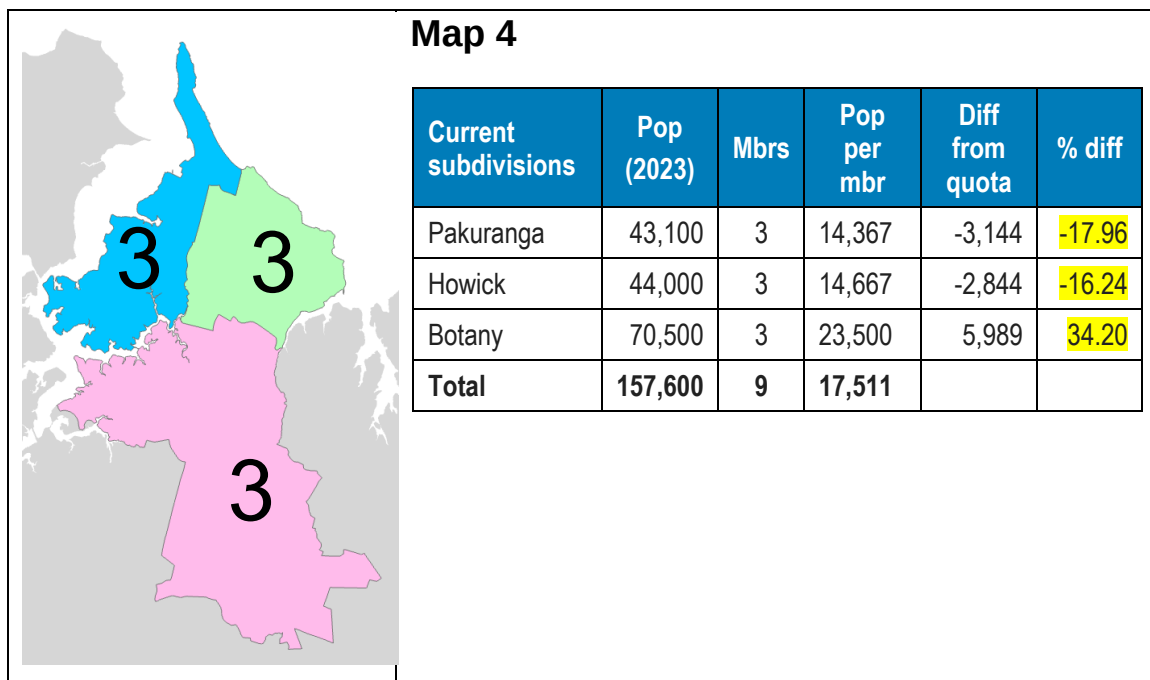
Maungakiekie-Tāmaki Local Board

48. Subdivision non-compliance is minor (-10.94 per cent). The board has recommended that the council decide to not comply with the 10 percent rule on the basis that complying would compromise communities of interest.

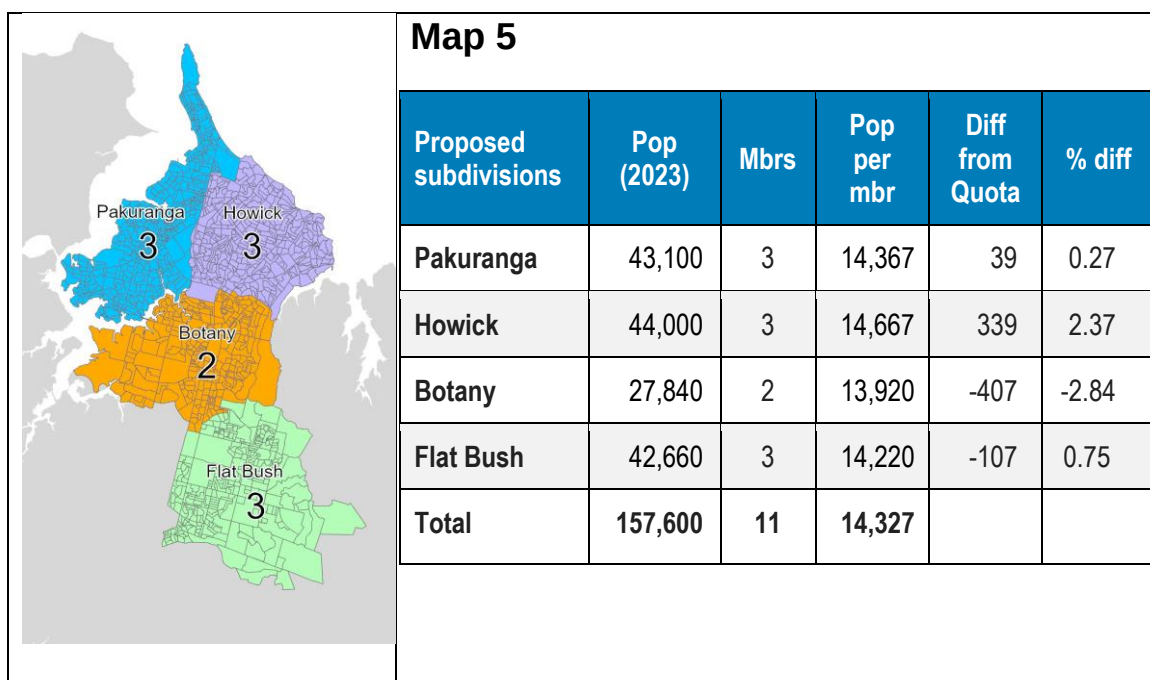
Howick Local Board

49. The variance for the Botany subdivision is 34.20 per cent and needs to be corrected. The Botany subdivision needs to lose population – or gain members. The local board considered:
- a) expanding the Howick and Pakuranga subdivisions further south
 - b) adding a member to the Botany subdivision and expanding the Howick and Pakuranga subdivisions to a lesser degree
 - c) adding two members to the Botany subdivision (a total of 5)
 - d) splitting the Botany subdivision into Botany and Flat Bush subdivisions with one subdivision having 3 members and the other having 2 members.
50. The board considered that options a) and b) compromised communities of interest. Following a community consultation exercise the board has identified as its preferred option, option d) where the Botany subdivision has two members and the Flat Bush subdivision has three members. The total number of members on the board increases from nine to 11.
51. Staff support this. The Howick Local Board is already a local board of the size that results from amalgamating two local boards under the local board reorganisation project. It comprises the whole of a two-councillor ward. The reorganisation project advice has proposed amalgamated boards having 12 members to ensure that representation loss is minimised. Increasing the Howick Local Board membership from 9 to 11 in that context seems reasonable.

52. Current subdivisions:



53. Proposed subdivisions:



Ōtara-Papatoetoe Local Board

54. The Ōtara subdivision needs to gain population. Staff presented three options for expanding the Ōtara subdivision. However the Ōtara subdivision is bounded by the southern motorway and expanding it across the motorway is artificial and would join disparate communities of interest. The motorway is a very strong boundary.
55. The board recommends that the council decides to not comply with the 10 per cent rule on the basis that complying would join disparate communities of interest. Staff support this.

Franklin Local Board

56. The Waiuku subdivision is non-compliant and needs to gain population. The adjacent Pukekohe subdivision needs to lose population. The Waiuku subdivision's variance is -13.80 per cent.
57. The Waiuku subdivision is largely rural and achieving a transfer of population requires a relatively large geographical change to the boundary. Staff presented two options for expanding the Waiuku subdivision into the Pukekohe subdivision. One option expands part of the Waiuku subdivision to Patumahoe Road. This is close to the Pukekohe town and it is likely that residents in the transferred area would go to Pukekohe for services than to Waiuku, though they share similar rural characteristics with the Waiuku subdivision.
58. The other option expands the Waiuku subdivision into Waiau Pa. The board considers that Waiau Pa does not share a community of interest with Waiuku. The Waiau Pa area's physical connections are primarily to Pukekohe, Drury and motorway.
59. The board recommends that the council decides to not comply with the 10 per cent rule on the basis that complying would compromise communities of interest.

Minor boundary changes

Boundary between Devonport-Takapuna and Upper Harbour local boards

60. Due to the shape of mesh-blocks part of the current boundary splits Saunders Reserve between the two boards. The Devonport-Takapuna Local Board recommends an adjustment to mesh-blocks so that the boundary can adjusted for the whole of Saunders Reserve to be included in the Upper Harbour Local Board area.
61. It is expected that this will be supported by the Upper Harbour Local Board.¹
62. In the map, the local board boundary is the red line.

Map 6

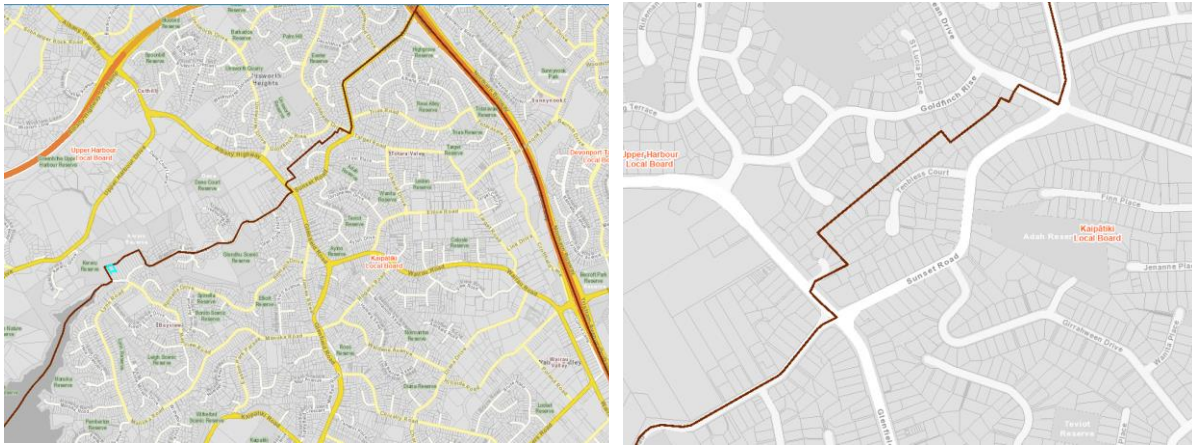


¹ At the time of finalising this report the Upper Harbour Local Board had yet to have its meeting.

Boundary between Kaipātiki and Upper Harbour local boards

63. The Kaipātiki Local Board proposes that part of boundary which currently runs along the back of houses between Sunset Road and Goldfinch Rise, runs along Goldfinch Rise. This would result in a transfer of population from the Upper Harbour Local Board to the Kaipātiki Local Board.
64. The map shows the current boundary. It is the only part of the local board boundary that does not run along a road. The local board considers that this is confusing for residents.

Map 7



65. A second minor boundary change is in the vicinity of Keruru Reserve. In the map the current boundary (red line) could run along the green boundary which would have the effect that part of Keruru Reserve would be in the Upper Harbour Local Board area.

Map 8



66. The Kaipātiki Local Board has asked for further investigation to include the residential area on the northern side of Glendhu Road (including side roads) in the Kaipātiki Local Board area, as it is part of the suburb and community of interest of Bayview.

Boundary between Puketāpapa and Maungakiekie-Tāmaki local boards

67. There is a small area of the Taumanu reserve that is in the Puketāpapa Local Board area whereas the rest of Taumanu Reserve is in the Maungakiekie-Tāmaki Local Board area.
68. In the map below, the red line is the local board boundary and the blue line is Taumanu Reserve.
69. The Puketāpapa Local Board recommends a boundary adjustment such that the part of Taumanu Reserve that is in the Puketāpapa Local Board area is in the Maungakiekie-Tāmaki Local Board area. This is supported by the Maungakiekie-Tāmaki Local Board.

Map 9



Tauākī whakaaweawe āhuarangi Climate impact statement

70. Changes to electoral boundaries do not impact on climate.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

71. Changes to electoral boundaries do not generally impact on the council group. To the extent that some internal databases relate to local board areas, there may need to be adjustments to some records resulting from minor boundary changes to local boards.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

72. Feedback from local boards is attached to this report.

Tauākī whakaaweawe Māori Māori impact statement

73. A key issue relating to representation arrangements for 2025 was whether to establish a Māori ward. The Governing Body has debated that opportunity and has not proceeded with it.

Ngā ritenga ā-pūtea Financial implications

74. Matters relating to consultation, including costs, are dealt with in a separate item on this agenda.
75. A budget of \$66k associated with the mandatory review of representation arrangements is unavoidable and has been budgeted for.

Ngā raru tūpono me ngā whakamaurutanga Risks and mitigations

76. The process under the Local Electoral Act 2001 provides for public submissions and ultimately appeals and objections which are determined by the Local Government Commission.
77. There is a risk that on the basis of an appeal or objection the Local Government Commission will amend the council's final proposal.

Ngā koringa ā-muri Next steps

78. The recommendations of the JGWP will be presented to the Governing Body.
79. Following the Governing Body resolving the council's initial proposal there will be public submissions. These will be heard by the JGWP acting as a committee of the Governing Body with delegation to hear submissions and to recommend any amendments to the initial proposal and recommend which submissions should be rejected. The Governing Body will then resolve the council's final proposal for public notification. Appeals and objections will be sent to the Local Government Commission for determination.

Ngā tāpirihanga Attachments

No.	Title	Page
A	Local board feedback	

Ngā kaihaina Signatories

Author	Warwick McNaughton - Principal Advisor
Authorisers	Rose Leonard - Manager Governance Services Louise Mason - General Manager Local Board Services

Tōpūtanga o ngā Mana Hautū / Joint Governance Working Party

OPEN MINUTES

Minutes of a meeting of the Joint Governance Working Party held in the Room 1, Level 26, 135 Albert Street, Auckland on Friday, 12 April 2024 at 9.30am.

TE HUNGA KUA TAE MAI | PRESENT

Chairperson
Deputy Chairperson
Members

Cr Julie Fairey	
Member Cath Handley	
Cr Andrew Baker	From 9.58am, Item 6
Member Brent Catchpole	Via electronic link
Member Angela Fulljames	
Member John Gillon	
Cr Shane Henderson	Via electronic link
	Until 11.33am, Item 7
Cr Kerrin Leoni	
Cr Daniel Newman, JP	
Member Richard Northey, (ONZM)	
Houkura Chair David Taipari	Via electronic link
	From 1032am, Item 6
Member Kay Thomas	
Cr John Watson	Via electronic link
	Until 12.39pm, Item 8

TE HUNGA ĀPITI KUA TAE MAI | ALSO PRESENT

Mayor Wayne Brown

6 Review of representation arrangements for the 2025 elections - initial proposal

Cr A Baker entered the meeting at 9.48am.

Houkura Chair D Taipari joined the meeting at 10.32am.

Note: changes were made to the original recommendations, adding new clauses a) i) A) 1), 2) and 3), removing original clause c), amending original clause d) i) A), amending original clause f) ii) and adding new clause e) v), with the agreement of the meeting.

The Joint Governance Working Party:

- a) tūtohungia / recommend to the Governing Body the following Governing Body representation arrangements for the council's initial proposal:
 - i) Governing Body representation will include 20 councillors elected from current wards with the following changes:
 - A) all ward boundaries will be aligned with local board boundaries except for
 - 1) the Eden Terrace area which is currently in the Waitemātā Local Board area and Albert-Eden-Puketāpapa ward and which will remain as such
 - 2) the Bayview meshblock be transferred into the North Shore Ward and the Governing Body seek agreement from the Local Government Commission to accept a departure from the 10 per cent population variance rule
 - 3) the Unsworth Heights area (pink and green in para 34 of the agenda report) which is currently in the Upper Harbour Local Board area and the Albany ward and would remain in the Upper Harbour Local Board area (subject to reorganisation proposals) but move to the North Shore ward
 - B) where there is a minor boundary change for a local board the relevant ward boundary will be aligned with the new local board boundary
- b) tūtohungia / recommend to the Governing Body that the council decide to not comply with the 10 per cent rule for the North Shore and Albany wards as the non-compliance is very small and communities of interest that relate to local board boundaries would be compromised
- c) tūtohungia / recommend to the Governing Body the following local board representation arrangements for the council's initial proposal:
 - i) the representation arrangements for all local boards will be the current arrangements except for the following changes:
 - A) the subdivisions in the Rodney Local Board will be, as shown in Map 3A in the update report:
 - 1) North Rural, 1 member
 - 2) South Rural, 2 members
 - 3) Warkworth, 2 members
 - 4) Kumeū, 3 members
 - 5) Dairy Flat, 1 member
 - B) the total number of members on the Howick Local Board will increase from nine members to 11 members. The subdivisions will be as shown in Map 5:

- 1) Howick, 3 members (no change)
 - 2) Pakuranga, 3 members (no change)
 - 3) Botany, 2 members (changed area)
 - 4) Flat Bush, 3 members (new subdivision)
- d) tūtohungia / recommend to the Governing Body that the council decide to not comply with the 10 per cent rule for the following local boards:
- i) Hibiscus and Bays
 - ii) Maungakiekie-Tāmaki
 - iii) Ōtara-Papatoetoe
 - iv) Franklin
- e) tūtohungia / recommend to the Governing Body the following minor changes to local board boundaries:
- i) the boundary between the Upper Harbour and Devonport-Takapuna local boards should be changed so that all of Saunders Reserve is in the Upper Harbour Local Board area (Map 6)
 - ii) the boundary between Kaipātiki and Upper Harbour local boards will run along Sunset Road (Map 7A in the update report)
 - iii) the boundary between Kaipātiki and Upper Harbour local boards in the vicinity of Kereru Reserve will be adjusted such that the parcel of land, Lot 3 DP 142477 (R 14 Kereru Grove), becomes part of the Upper Harbour Local Board area (Map 8).
 - iv) the boundary between the Puketāpapa and Maungakiekie-Tāmaki local boards will be adjusted such all of Taumanu Reserve lies within the Maungakiekie-Tāmaki Local Board area (Map 9).
 - v) the boundary between Kaipātiki and Upper Harbour local boards will be adjusted to include the residential area of Bayview that is north of Glendhu Road in the Kaipātiki Local Board area, noting that meshblocks will need to be adjusted to avoid affecting any reserve area in the Upper Harbour Local Board area (Map 10 in the update report).

The recommendation was decided in parts.

The Joint Governance Working Party:

- a) tūtohungia / recommended to the Governing Body the following Governing Body representation arrangements for the council's initial proposal:
- i) Governing Body representation will include 20 councillors elected from current wards with the following changes:
 - A) all ward boundaries will be aligned with local board boundaries except for
 - 1) the Eden Terrace area which is currently in the Waitemātā Local Board area and Albert-Eden-Puketāpapa ward and which will remain as such
 - 2) the Bayview meshblock be transferred into the North Shore Ward and the Governing Body seek agreement from the Local Government Commission to accept a departure from the 10 per cent population variance rule

- 3) the Unsworth Heights area (pink and green in para 34 of the agenda report) which is currently in the Upper Harbour Local Board area and the Albany ward and would remain in the Upper Harbour Local Board area (subject to reorganisation proposals) but move to the North Shore ward

A division was called for, voting on which was as follows:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Mayor W Brown	Cr A Baker	
Member J Gillon	Member B Catchpole	
Deputy Chairperson C Handley	Chairperson J Fairey	
Cr S Henderson	Member A Fulljames	
Cr K Leoni	Cr D Newman	
Houkura Chair D Taipari	Member R Northey	
Member K Thomas	Cr J Watson	

The decision was declared EQUAL.

The chair exercised their casting vote for, so the decision was carried.

The Joint Governance Working Party:

- a) **tūtohungia / recommended to the Governing Body the following Governing Body representation arrangements for the council's initial proposal:**
- i) **Governing Body representation will include 20 councillors elected from current wards with the following changes:**
- B) **where there is a minor boundary change for a local board the relevant ward boundary will be aligned with the new local board boundary**
- b) **tūtohungia / recommend to the Governing Body that the council decide to not comply with the 10 per cent rule for the North Shore and Albany wards as the non-compliance is very small and communities of interest that relate to local board boundaries would be compromised**
- c) **tūtohungia / recommend to the Governing Body the following local board representation arrangements for the council's initial proposal:**
- i) **the representation arrangements for all local boards will be the current arrangements except for the following changes:**
- A) **the subdivisions in the Rodney Local Board will be, as shown in Map 3A in the update report:**
- 1) North Rural, 1 member
 - 2) South Rural, 2 members
 - 3) Warkworth, 2 members
 - 4) Kumeū, 3 members
 - 5) Dairy Flat, 1 member
- B) **the total number of members on the Howick Local Board will increase from nine members to 11 members. The subdivisions will be as shown in Map 5:**
- 1) Howick, 3 members (no change)
 - 2) Pakuranga, 3 members (no change)
 - 3) Botany, 2 members (changed area)
 - 4) Flat Bush, 3 members (new subdivision)

- d) **tūtohungia / recommend to the Governing Body that the council decide to not comply with the 10 per cent rule for the following local boards:**
 - i) **Hibiscus and Bays**
 - ii) **Maungakiekie-Tāmaki**
 - iii) **Ōtara-Papatoetoe**
 - iv) **Franklin**
- e) **tūtohungia / recommend to the Governing Body the following minor changes to local board boundaries:**
 - i) **the boundary between the Upper Harbour and Devonport-Takapuna local boards should be changed so that all of Saunders Reserve is in the Upper Harbour Local Board area (Map 6)**
 - ii) **the boundary between Kaipātiki and Upper Harbour local boards will run along Sunset Road (Map7A in the update report)**
 - iii) **the boundary between Kaipātiki and Upper Harbour local boards in the vicinity of Kereru Reserve will be adjusted such that the parcel of land, Lot 3 DP 142477 (R 14 Kereru Grove), becomes part of the Upper Harbour Local Board area (Map 8).**
 - iv) **the boundary between the Puketāpapa and Maungakiekie-Tāmaki local boards will be adjusted such all of Taumanu Reserve lies within the Maungakiekie-Tāmaki Local Board area (Map 9).**
 - v) **the boundary between Kaipātiki and Upper Harbour local boards will be adjusted to include the residential area of Bayview that is north of Glendhu Road in the Kaipātiki Local Board area, noting that meshblocks will need to be adjusted to avoid affecting any reserve area in the Upper Harbour Local Board area (Map 10 in the update report).**

Note: Member J Gillon requested that his disagreement with clause e) ii), be recorded.