

8 February 2008

Ms Lynne Pillay
Chairperson
Justice and Electoral Select Committee
Parliament Buildings
Wellington
NEW ZEALAND

Dear Ms Pillay

INQUIRY INTO THE 2007 LOCAL AUTHORITY ELECTIONS

The Waitakere City Council appreciates the opportunity to submit on the Inquiry into the 2007 Local Authority Elections.

The Waitakere City Council generally agrees with the Local Government New Zealand and the Society of Local Government Manager's submissions where agreement is notified or where the Waitakere City submission is silent on the matter.

Section 1: Electoral systems and processes

The Electoral Officer advises that the time permitted by the Local Electoral Act 2001 between the close of nominations and the mailing of voting documents to electors is too short. There are few contractors who have invested adequately to enable them to provide the services required during this time and consequently many local authorities are backed up in a queue to have their voting documents printed and distributed. An extra week during this period would assist all parties to ensure accuracy and timely delivery of voting documents.

The Council contends that the order of candidate's names on the ballot paper is one of choice for each local authority and that option should remain in the legislation.

Section 113 of the Local Electoral Act 2001 (regarding advertising) requires some clarification - subsection 5 refers to the Internet but subsection 1 does not and there does need to be some consistency. The use of electronic mediums for conveying messages will increase and there is a need to ensure the legislation covers web sites and "blogging". Subsection 5 has also caused some difficulty in elections in recent years as high profile personalities working in the radio and television industries seek election as candidates. That leads to confusion over what they are entitled or not entitled to do as "bone fide broadcasters" in the cause of their employment. Some community views in Waitakere in the 2007 elections emphasised that considerable advantage was obtained by talk back hosts who become candidates. The use of their programmes to promote their election effort and then not having to value and incorporate any elements of that in their electoral expenses return was a cause for concern in some quarters.

The Council has had cause to run a by-election at an estimated cost of \$75,000 for a New Lynn Community Board extraordinary vacancy created by a resignation after just one meeting following the 2007 elections. This raises again the issue about whether Community Boards should be permitted to make an appointment during the term rather than be compulsorily required to have an election. Perhaps a

Special Consultative Procedure could determine whether the community wants to incur the costs of a by-election before instigating the action to commence the process. The Council would like the option of an appointment being able to be made to extraordinary vacancies on Community Boards to be included in the legislation.

Section 2: Representation

The Waitakere City Council contends that the Local Government Commission should consider the impacts of its decisions on likely voter turnout when making decisions on representation issues. Following the review of representation in Waitakere some 26,000 electors were shifted between Wards and letters were sent to every elector so affected. Considerable dissatisfaction was expressed about the changes at the time. A number of telephone inquiries resulted when voting documents were delivered from electors wanting to vote for the people they knew and had voted for in a number of elections.

The Council advises that having two electoral systems on the one voting paper is an added complication to the voting process. Having a single voting system for all local elections would be a sensible move where all local elections are conducted at the same time. If two voting systems are to continue there needs to be much clearer information on the voting papers and in candidate information booklets to better inform voters about the two different systems and how to vote.

The Council made considerable effort in 2007 to encourage the community to participate in the electoral process but there is a clear need for a national education and information process in addition to any local programmes. Communications and education needs to include funding to address Maori representation and participation in the elections.

The Council remains concerned about the requirements under Section 19V of the Local Electoral Act 2001 for wards and constituencies to be designed to be within a +/- 10% population ratio. The Council would prefer to see more flexibility in the legislation to cater for local situations. This City has one ward, large in area but less densely populated than the other three wards and not growing at the same rate. That ward is significantly disadvantaged by the Council's inability to deviate from the +/- 10% population formula. Simply altering the boundary to make it "fit" during each review effectively works against the communities of interest principle.

Section 3: Voter turnout

The Waitakere City Council requests that the Select Committee recognises that voter turnout is a joint central and local government responsibility and central government has to be resourced adequately to promote participation and involvement with the elections. The Electoral Commission has responsibility for overseeing national education and communications, with regard to all public sector processes - local and national, and that funding should be provided for this to occur. This work will be supplemented by local initiatives and promotions on the elections. The role should also include the national collation (broken down by council) of the key information on the elections, for example, candidates, voter turnout and results.

The Chief Electoral Office and Electoral Commission should be leading the work on future voting methods for all elections, and working with the Electoral Working Party on any pilots for electronic voting.

Section 4: Education

The Waitakere City Council contends that the Ministry of Education should work with the Electoral Commission on the development of proposals for comprehensive citizenship education for schools, that would assist students better understanding the nature of civic life and their rights and responsibilities as citizens. This will include leadership of the Kidsvoting project.

There is also a need to develop a strategy to raise awareness amongst media, of the role they can play in enhancing interest and participation in local elections and understanding about the role of local government.

Kind regards

Harry O'Rourke
CHIEF EXECUTIVE
WAITAKERE CITY COUNCIL