



LOCAL GOVERNMENT COMMISSION

REPRESENTATION REVIEW UPDATE: OCTOBER 2003

Progress with reviews

The proposals of three local authorities have now become final. The Kawerau District Council and the Nelson City Council each received no submissions on their initial proposals. The Grey District Council received one submission on its initial proposal, but no appeal on its proposal came forward by the closing date.

Prompt provision of information to the Commission

Under section 19R(3) of the Local Electoral Act 2001 the Commission is required to determine the representation arrangements of those local authorities for which appeals and/or objections are received against their representation proposals by 10 April 2004.

In effect the Commission will be working to an earlier deadline of 8 April 2004, given the timing of next year's Easter break.

As you will appreciate, the Commission has a very constrained timeframe in which to consider the proposals, appeals and objections, to hold hearings (if considered necessary) and to formulate and issue its determinations.

It would be of considerable assistance to the Commission if those local authorities that receive appeals and/or objections would forward to the Commission **as soon as possible after the closing date for appeals and/or objections** the information required under section 19Q of the Local Electoral Act 2001 and any other supplementary information that may be relevant (refer to the attached checklist).

The closing dates for appeals and/or objections fall before the end of November in respect of eleven local authorities. If those local authorities promptly forward their information to the Commission then the Commission would look to holding some hearings before the Christmas break.

Is a hearing needed?

The Commission will make a decision in each case on whether a hearing on the local authority's proposal, and the appeals and/or objections is required. In reaching a decision, the Commission will consider the number of appeals and/or objections received, the range of issues covered in the appeals and/or objections, the nature of the Council's proposals, and the Commission's existing workload.

If the Commission were to decide to determine a local authority's representation arrangements on the basis of the papers provided to it in accordance with section 19Q of the Local Electoral Act 2001, then it would notify all the parties and the local authority would be advised that it has ten working days to make a written submission to the Commission of the matters raised in the appeals and/or objections.

If the Commission were to decide to hold a hearing, the Commission would endeavour to provide the parties with at least ten working days notice of the hearing. As in previous years, the Commission would wish to use Council Chambers or suitable meeting rooms for the hearings. The local authority would have the opportunity at the hearing to outline its proposal and to present its views of the matters raised in the appeals and/or objections. The local authority would also have a right of reply to conclude the hearing.

Preparation of Survey Office Plans

Where the Commission determines representation arrangements that involve ward, constituency or community board boundary changes, it will be necessary for the Commission to arrange for the preparation of new Survey Office plans, or amendment to existing Survey Office plans, to define those boundaries.

The preparation of new Survey Office Plans, or amendment to existing plans, is necessary to obtain the certification of the Surveyor-General, which is required under section 19Y(3)(b) of the Local Electoral Act 2001.

Section 19Y(5) of the Act provides that local authorities must reimburse the Commission for any costs incurred by it in obtaining the Surveyor-General's certificate. In practice the Commission will probably arrange for the organisation undertaking the preparation of the plans and the obtaining of the Surveyor-General's certificate to invoice local authorities directly for the cost of that work.

Information Checklist

Attached is a checklist outlining the information that needs to be sent to the Commission and other organisations at various points in the representation process (Appendix 1).

A handwritten signature in black ink, appearing to read 'Donald Riezebos', with a long horizontal stroke extending to the right.

Donald Riezebos
Chief Executive Officer

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CHECKLIST OF REPRESENTATION REVIEW INFORMATION TO BE FORWARDED BY LOCAL AUTHORITIES

1 Notification requirements regarding initial and final representation proposals

A Organisations to be notified



A number of organisations have an interest in the outcome of local authorities' representation reviews in terms of how the proposals impact on the statutory responsibilities of those organisations.

For each of the statutory provisions outlined in sections 1B to 1E below information is required to be sent to:

- The Local Government Commission
- The Surveyor General
- The Government Statistician
- The Remuneration Authority
- The territorial authorities in its region if a regional council makes the resolution
- The relevant regional council(s) if a territorial authority makes the resolution.

B Local authority's initial proposal

Section 19L, Local Electoral Act 2001

As soon as possible after the local authority resolves its initial proposal, a copy of the resolution must be forwarded to the organisations listed in section 1A above.



C No submissions on initial proposal

Section 19Y (1) and (2)

If no submissions on the local authority's initial proposal are received, then the proposal becomes final, and public notice of that must be given.

The public notice must, as soon as possible, be copied to the organisations listed in section 1A above, **and** to the Secretary for Local



Government.

D Local authority's final proposal (if submissions received on initial proposal)

Section 19N (3)

As soon as possible after the Council resolves its final proposal public notice of the final proposal must be given. A copy of that public notice must be copied to the organisations listed in section 1A above.

E No appeals or objections to final proposal

Section 19Y(1) and (2)

If no submissions on the local authority's final proposal are received, then the proposal becomes final, and public notice of that must be given.

The public notice must, as soon as possible, be copied to the organisations listed in section 1A above, and to the Secretary for Local Government.

2 Information requirements when appeals and/or objections received against local authority's final proposal

Section 19Q

As soon as possible, but not later than 15 January 2004, a local authority receiving appeals and/or objections against its final proposal must forward the following information **to the Local Government Commission**:

- Resolution of the local authority's initial proposal
- Resolution of the local authority's final proposal
- Public Notice of the final proposal
- Every submission made on the local authority's initial proposal
- Every appeal and objection made on the local authority's final proposal
- Information concerning communities of interest and population.

Other Information

To assist its consideration of the issues the Commission has found it useful in the past for the following additional information to also be provided:

- Public Notice of the Council's initial proposal
- Officer or independent panel reports to Council
- Extracts from Minutes of relevant Council meetings
- Records of relevant Council workshops
- Other information published by the Council about the representation review
- Maps showing the current and proposed boundaries of electoral subdivisions
- Details of existing representation arrangements of the local authority, and any constituent community boards in the case of territorial authorities, if not detailed in other documents.