

## *Draft Terms of Reference for an Independent Review Panel for the Kapiti Coast District Council Representation Review in 2024*

### **What is a Representation Review?**

In New Zealand every three years, elections are held for local councils. This includes Mayors, Councillors, Community Board members and Local Board members. These are called the triennial elections.

In addition to these elections, local councils are also required to review their representation arrangements at least once every six years. As part of the Representation Review, councils take a fresh look at the existing structure, including their membership and the way Councillors are elected.

Any member of the public can make a written submission on a proposed Representation Review. The Council considers all submissions and may change its proposals as a result.

### **What needs to be considered in a representation review?**

The representation review process is a legislatively mandated process. The prescribed process aims to determine, review and confirm:

- What the district's communities of interest<sup>1</sup> are and/or whether they have changed since the last review
- How these communities of interest and its electors are best represented in a fair and effective manner (representation need to comply with the 'fair representation rule' that suggests that effective and fair representation is achieved if all elected members represent roughly the same number of constituents. This is called the +/- 10% rule.)
- Do our current arrangements outlines above reflect our communities needs and expectations? Questions that will need to be answered are:
  - Has the population grown and is there a significant roading impact to consider?
  - Do the current arrangements have the right number of councillors and how should these councillors be elected (by ward or districtwide, or should there be a mixed system of both), and how does the Māori ward fit into the arrangements?
  - Are the names and boundaries of the wards still fit for purpose and do they comply with the fair representation rule of +/- 10%?
  - How do Community Boards fit into the current arrangements and what is their role? And are their boundaries, names and membership still fit for purpose?

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<sup>1</sup> The term 'Communities of Interest', while not defined in the Local Electoral Act 2001 or the Local Government Act 2002 as it means different things to different people, is an essential part of the representation review process and is described by a three dimensional concept:

- Perceptual – a sense of belonging of a clearly defined area or locality
- Functional – the ability to meet with reasonable economy the community's requirements for goods and services
- Political – the ability of the elected body to represent the interests and reconcile the conflicts of all its members

### ***What is your Role as a Panel Member?***

As a Panel Member it will be your job to engage with the public. We will need you to be able to explain easily and clearly what a Representation Review is and what the consequences of changing the system will mean to the voting public, both positive and negative. We will also be depending on you to be engaging and able to interpret individual's opinions and help develop them into a workable document.

You will need to bring together the opinions of the public, work through the feedback you have received and draw on your own insights and that of your fellow panel members to write a comprehensive report for Council on what you think would be the best way for the community to be represented by the Kapiti Coast District Council.

Your report for the Representation Review needs to be based on evidence and needs to show that the panel have worked to present information that is relevant and not just based on their individual opinions. It will be important for you to be thorough and comprehensive in detailing your conclusions. We will ask that you use quotes and references for your suggestions so that the Council understands the basis for your insights.

### ***What process steps and timeline milestones will the independent panel need to meet?***

A process to be followed by the panel may include the following steps:

- The Representation Review Panel will meet to discuss the current representation arrangements.
- The panel will engage with Councillors and Community Board members to gather feedback on representation arrangements.
- The Panel will engage with the public to educate and gather opinions. Examples of preliminary consultation before beginning the formal statutory process include community surveys, decision documents, newspaper advertising, focus groups, email groups of interested citizen, and public workshops and meetings. Targeted consultation may also be appropriate, including with mana whenua.
- The Panel will meet as a group to develop a proposal for representation arrangements.
- Once a written report is ready, this will be presented to Council and made available to the public.
- The Council will consider the Panel's report and make a decision using their report as guidance.
- Once the Council makes a decision it will be open to public submission.
- Upon review of the public submissions Council may maintain their decision or change it depending on the public feedback.

Once the decisions are made final, Council will submit a report to the Local Government Commission and the representation arrangements will stay in effect for six years (two election cycles) or until the next review.

### ***What is required of you?***

As a member of the Panel, you will be expected to attend a number of meetings with the public and also meet with your fellow panel members. You will be expected to attend the Council meeting at which your report will be presented.

It is estimated that you will spend about 20-25 hours (or 5 meetings) of your time on meeting activities and an additional five hours in preparation and research over the course of three months (January to March 2024). The total time that we expect this will require is about 25-30 hours for which you will be remunerated. The approved remuneration for an independent member is \$227.00 per 5.5 hour meeting (or \$41.30 per hour) and for the independent chair is \$323.00 per 5.5 hour meeting (of 58.70 per hour).

***What should the independent panel membership look like?***

An independent member should possess some or all of the following attributes:

- A demonstrated knowledge of local communities, their concerns and interests.
- An open and inquiring mind and the ability to accept different points of view.
- Ability to critique, probe and develop reasoned and principled argument.
- A willingness to take part in public consultation.

Ideally, the panel should also consist of representatives from the following groups:

- Mana Whenua
- Council
- Older Persons' Council
- Youth Council
- Community Boards