



Report 05.311
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Committee Policy, Finance and Strategy and Council
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Electoral System for 2007 Elections

1. Purpose

To assist the Council in deciding:

- whether or not to change from a First Past the Post (FPP) electoral system to a Single Transferable Vote (STV) electoral system for the 2007 local elections and beyond, and/or
- whether or not to conduct a poll on the electoral systems for the 2007 local elections and beyond.

2. Significance of the decision

The matters in this report do not trigger section 76(3)(b) of the Local Government Act 2002 or the significance policy of the Council.

3. Background

3.1 Legislative deadlines

The Local Electoral Act 2001 (LEA) outlines key processes and timeframes to be met by Council when choosing an electoral system. Some of these processes are mandatory while others are optional. The deadlines set out in sections 27 to 37 of the LEA have been applied to the 2007 elections:

- Council **may** resolve to change the electoral system, by 12 September 2005 (s.27).
- Council **must** give public notice by 19 September 2005 of any resolution and the right of electors to demand a poll on the electoral system to be used (s.28).
- Council **may** by 28 February 2006 resolve to conduct a poll of electors (s.31).

In addition, 5% of electors enrolled at the previous triennial general election **may** demand a poll to decide which system to use (s.29, 30 and 33).

If the public demand a poll before 28 February 2006 then the poll must be held within 82 days of the date the demand is received and the results of the poll are effective for the next two triennial elections. If the public demand a poll after 28 February 2006 then the poll must be held in accordance with section 138A and the results are effective for the next but one triennial election and the following triennial election. Such a demand could be in response to Council making no decision on an electoral system, or to Council resolving to change to STV. The result of a poll, whether initiated by Council or demanded by electors, is binding.

3.2 Choosing an electoral system

There are two options available to Council when deciding whether or not to change from FPP to STV. Council can either:

- pass no resolution and the status quo (FPP) will remain, or
- resolve to change to an STV electoral system.

Such a decision takes effect until either:

- a further resolution is made by Council. The earliest such a resolution could be made is in time for the 2010 elections, or
- a poll of electors is held. Such a poll could be initiated by Council or by 5% of the region's public demanding a poll.

4. Comment

The Council needs to think about two key aspects when it is considering the electoral system for Greater Wellington's 2007 elections and beyond:

- Whether or not the Council will initiate a poll so the region's public can decide which electoral system should be used. This could be in addition to, or instead of, the Council passing a resolution to change the electoral system.
- Whether or not the Council will change to an STV electoral system?

There is now some quantitative and qualitative research (explored below) that may help the Council make these decisions. However, more in-depth research across a longer period of time will be required before all of the evidence could be considered definitive and compelling.

4.1 Conducting a poll

4.1.1 Council may initiate a poll

Council can choose to initiate a poll on the electoral system for the 2007 elections up until 28 February 2006. Council can do this even if it has already decided which electoral system should be used for the 2007 elections.

A poll is a broad form of public consultation as it provides every elector with the opportunity to vote. However, history demonstrates that there is also the risk of low levels of voter participation and an unbalanced cross section of the region's community, should a poll be conducted. This can result in misrepresentation of the wider community's preference. A communication plan for the region's public about the poll may help voter turnout for a poll, but there are no guarantees.

4.1.2 Public may demand poll

If no poll is initiated by the Council, 5% of the region's public may still demand a poll to decide which electoral system should be used. The region's public would need to demand a poll by 28 February 2006 if the result of the poll is to take effect in time for the 2007 elections.

It is very difficult to judge the likelihood of the public demand for a poll as there is limited information on what we know about the public's preferences. There are no obvious signals that the region's public are unhappy with the Council operating under an FPP electoral system. The Local Government New Zealand (LGNZ) 2004 Post-election Survey (the survey) does, however, illustrate some interesting views of voters and non-voters on the two electoral systems (**Attachment 1**).

The survey found that among those surveyed who had the opportunity to vote using STV the preference for FPP was higher than STV (53% cf. 36%). Wellington voters were more likely to prefer STV (56% compared to 36% overall). The survey also found that 66% of those surveyed who had the opportunity to vote using STV agreed that STV was a fairer system than FPP, as you can vote for as many or as few candidates as you like.

It is, however, important to keep in mind that this survey is indicative only. It has used small sample sizes and more comprehensive studies would need to be undertaken to persuade us that there is a clear preference for one electoral system. Furthermore, electors' preferences are likely to vary according to region and district and may evolve with experience of and exposure to the different electoral systems.

4.1.3 Cost of poll

A poll, if undertaken by the regional council alone, is estimated to cost around \$300,000. If undertaken in conjunction with other territorial authorities our share of the cost would be much lower. To date no councils in the region are indicating that they will be undertaking a poll. There is currently no provision in the budget to meet the cost of a poll.

There may also be additional costs to implement an education plan for the region's public on the differences between the two electoral systems.

4.2 Differences between FPP and STV

A resource document produced by the STV Taskforce entitled "Choosing Electoral Systems in Local Government in New Zealand" is attached (**Attachment 2**). The text provides an overview of how STV works and pages 20-26 compare FPP and STV.

4.2.1 Impact of electoral systems on voter turnout and informal votes

The impact of STV on voter turnout and the number of informal votes was a key concern of the Council's when considering the electoral system for the 2004 elections. Evidence to date suggests that neither the STV electoral system nor having two electoral systems within the same local government area were significant obstacles for voters across the local government sector as a whole and in the Wellington region.

According to LGNZ the average voter turnout for the local government 2004 elections was approximately 50% of eligible voters, which is comparable with the last few local elections. The survey carried out by LGNZ shows that the reasons for not voting were similar to the survey after the 2001 elections i.e. not enough information about candidates, too busy and not interested in the elections. The survey also looked at attitudes regarding the STV voting process and noted that 79% agreed it was easy to understand how to vote.

The Wellington region provides an interesting study as three of the constituent councils used the STV electoral system while the other five councils used the FPP electoral system. The voter turnout for the councils in the Wellington region supported the results recorded by LGNZ for the local government sector as a whole. The average turnout for the councils in the Wellington region was 51% and there was no difference in the decrease in voter turnout (6% on average) for both STV and FPP elections.

While the number of informal votes for councils in the Wellington region increased from 2.99% to 3.77% of the total number of votes, this change is not big enough to be significant. There was negligible change to the number of informal votes between Greater Wellington's 2001 and 2004 elections.

4.2.2 Comparing STV and FPP in terms of representation

Due to a lack of research and limited experience it is difficult to assess the impact of the electoral systems on representation in the local government context in New Zealand. If this information was available it would tell us whether or not STV provides more proportional representation even in councils where many wards or constituencies have less than three vacancies to be filled.

4.3 Timing of decision

It would be ideal for the Council to consider the electoral system at the same time as its representation arrangements, as the two matters are interrelated.

However, the legislative timetable and the release date of the new representation guidelines have made this too difficult.

5. Communication

Legislation stipulates that Council must give public notice of the right of 5% of electors to demand a poll and any resolution of Council on the matter by 19 September 2005. This notice will be published in the Dominion Post and Wairarapa Times Age.

6. Recommendation

That the Policy, Finance and Strategy Committee recommend that the Council:

1) *Either:*

- *resolves to change to an STV electoral system and/or initiates a poll on the matter*

or

- *makes no decision and/or initiates a poll on the matter.*

2) *Notes that a public notice of the right of 5% of electors to demand a poll and of any resolution made by the Council will be placed in the Dominion Post and Wairarapa Time Age before 19 September 2005.*

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