Date: 26/07/2018
Time: 9.30am
Meeting Room: Reception Lounge
Venue: Auckland Town Hall
301-305 Queen Street
Auckland

Governing Body

OPEN MINUTE ITEM ATTACHMENTS

<table>
<thead>
<tr>
<th>ITEM</th>
<th>TABLE OF CONTENTS</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.2</td>
<td>Local Board Input: Mangere-Otahuhu Local Board - Representation Review</td>
<td></td>
</tr>
<tr>
<td></td>
<td>A. 26 July 2018, Governing Body - Item 7.2 Local Board Input: Māngere-Ōtāhuhu Local Board - Representation Review - presentation</td>
<td>3</td>
</tr>
<tr>
<td>10</td>
<td>Review of Auckland Council’s representation arrangements for the 2019 elections</td>
<td></td>
</tr>
<tr>
<td></td>
<td>B. 26 July 2018, Governing Body - Item 10: Review of Auckland Council’s representation arrangements for the 2019 elections, Additional feedback Otara-Papatoetoe Local Board</td>
<td>9</td>
</tr>
<tr>
<td>16.1</td>
<td>Submission to the Election Access Fund Bill</td>
<td></td>
</tr>
<tr>
<td></td>
<td>A. 26 July 2018, Governing Body - Item 16.1: Submission to the election Access Fund Bill, Supporting Information</td>
<td>11</td>
</tr>
</tbody>
</table>

Note: The attachments contained within this document are for consideration and should not be construed as Council policy unless and until adopted. Should Councillors require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.
Review of representational arrangements - Manukau Ward Boundary
Māngere-Ōtāhuhu Local Board views
Lemauga Lydia Sosene, Chair

• 26 July 2018
Manukau ward:
(Māngere-Ōtāhuhu and Otara- Papatoetoe area)

<table>
<thead>
<tr>
<th></th>
<th>Population</th>
<th>Ward Members</th>
<th>Population-member ratio</th>
<th>Difference from quota</th>
<th>% Difference from quota</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manukau Ward</td>
<td>168,900</td>
<td>2</td>
<td>84,450</td>
<td>1,590</td>
<td>1.92</td>
</tr>
</tbody>
</table>

(Source: Presentation – Review of representation arrangements 2018)
Māngere-Ōtāhuhu views and feedback

- Do not support split of Manukau ward
- Current Manukau ward serves communities of interest and ensures fair representation
- Concern how new proposal has emerged after boards were consulted
- Gaps in consultation? We had already given feedback on the Representation review and this proposal emerged later

Ref: Resolution number MO/2018/117
Manukau ward boundary/ Māngere-Ōtāhuhu LB Feedback/ 26 July 2018
For Action

MEMO TO: Warwick McNaughton, Richard Northey, Angela Dalton, Daniel Newman

COPY TO: Rina Tagore, Phil Wilson, Louise Mason, Sarandra O’Toole, Carol McKenzie-Rex

FROM: Janette McKain - Local Board Democracy Advisor

DATE: 23 July 2018

MEETING: Māngere-Ōtāhuhu Local Board Meeting of 18/07/2018

Please note for your action / information the following decision arising from the meeting named above:

MO/2018/117 Review of Auckland Council’s representation arrangements for the 2019 elections

FILE REF CP2018/12297

AGENDA ITEM NO.

19 Review of Auckland Council’s representation arrangements for the 2019 elections

Resolution number MO/2018/117

MOVED by Chairperson L Sosene, seconded by Member T Lauese:

That the Māngere-Ōtāhuhu Local Board:

a) endorse the board’s feedback on the additional representation review proposal for Manukau Ward to be split into two wards.

i. does not support the proposal to split the Manukau ward into two separate wards

ii. has a concern about the way this new proposal has come about, after this local board had already considered and given feedback on an earlier report which didn’t mention this proposal

iii. is of the view that the current Manukau ward serves communities of interest and ensures fair representation.

b) requests that this local board be consulted earlier on such proposals, as the board had already given input on the representation review.

CARRIED
For Action

MEMO TO: Warwick McNaughton - Principal Advisor - Democracy Services
COPY TO: Phil Wilson, Louise Mason, Samdra O'Toole, Carol McGarry, Neil Taylor, Albert Scott, Carol McKenzie-Rex
FROM: Carol McGarry - Democracy Advisor Ōtara-Papatoetoe
DATE: 18 July 2018
MEETING: Ōtara-Papatoetoe Local Board Meeting of 17/07/2018

OP/2018/128 Review of Auckland Council’s representation arrangements for the 2019 elections
FILE REF CP2018/11764

AGENDA ITEM NO. 18

18 Review of Auckland Council’s representation arrangements for the 2019 elections
Resolution number OP/2018/128
MOVED by Member M Gush, seconded by Member D Trenberth:
That the Ōtara-Papatoetoe Local Board:
a) recommend to the Governing Body that the issue of representation of the Manukau ward requires further consideration and public consultation.
b) advise the Governing Body and working party members of the board’s concern and extreme displeasure at the lack of process followed. The local board is unhappy that the working party adopted the proposal to split Manukau Ward after the close of formal consultation with local boards on the representation review.
c) delegate to the Chair to present the board’s views on the review of representation arrangements, to the Governing Body on 26 July 2018.

CARRIED

Please note for your action / information the following decision arising from the meeting named above:

SPECIFIC ACTIONS REQUIRED:

Local Board Services Democracy Advisor to send a copy of this action memo to: Richard Northy (Chair of the Governance PWP), Angela Dalton (southern local boards rep on the Governance PWP) and Daniel Newman (southern GB rep on the Governance PWP)
Submission to the Governance and Administration Select Committee on the Election Access Fund Bill

Purpose of the report

1. To seek Governing Body approval of a submission to the Governance and Administration Select Committee, submitting that Auckland Council endorses the Election Access Fund Bill and wishes to see it extended to local body elections.

Summary

2. This item is being brought to the Governing Body as an extraordinary item because the deadline for submission on this Bill is Friday 27 July. The Disability Advisory Panel first brought the Bill to the council’s attention on 23 July. The Bill is attached as Attachment A.

3. The Bill passed its first reading unanimously at Parliament and is now at select committee stage.

4. The Election Access Fund Bill seeks to establish an Election Access Fund to be administered by the Electoral Commission. The fund would be used by:
   - disabled candidates to cover disability-related costs of standing in a general election
   - not-for-profit bodies running an election education event or producing an election publication to cover costs of making election education events and materials accessible
   - registered political parties to support access needs of any members to allow them to participate internally within the party.

5. The fund would be able to help with costs including (but not limited to):
   - NZSL interpreter support
   - notetaker or transcribing costs
   - costs of translating material into braille or Easy Read
   - inclusive venue hire
   - accessible transport.

6. Deaf Action NZ, an advocacy group for deaf New Zealanders is already seeking that the Bill be extended to local body elections.

7. The Disability Advisory Panel has confirmed its support for the council submitting in favour of the Bill.

8. Legal Services has reviewed the Bill and has advised that they can see no legal reason why it should not be supported by the council. Further, they can see no legal reason why the council should not support an extension of the Bill to local government elections.

9. On the basis of Legal Services’ advice I have drafted the submission in Attachment B, which Democracy Services has reviewed.
Recommendation
That the Governing Body:

a) Approves Auckland Council’s draft submission to the Governance and Administration Select Committee

Attachments

<table>
<thead>
<tr>
<th>No</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Election Access Fund Bill</td>
</tr>
<tr>
<td>B</td>
<td>Draft Submission to the Governance and Administration Select Committee</td>
</tr>
</tbody>
</table>

Signatory

| Author | Councillor Cathy Casey |
Election Access Fund Bill

Member’s Bill

Explanatory note

General policy statement

Disabled people face major challenges in accessing and participating in elections and standing for political office.

Article 29 of the United Nations Convention on the Rights of Persons with Disabilities, which New Zealand has signed, confirms the right of disabled people to participation in political and public life including recognising the right “...to stand for elections, to effectively hold office and perform all public functions at all levels of government...”. The purpose of this bill is to give effect to New Zealand’s obligations under Article 29.

Currently there are many barriers to participation in elections. This makes it particularly difficult for disabled people to make informed decisions, stand for election, lobby political parties or get their issues onto the political agenda.

Unless hosted by a disability organisation, most candidate or political forums are not accessible for Deaf, hard of hearing or others with specific access needs. Yet disabled people have the right to know where political candidates or parties stand on a full range of issues.

A Deaf candidate standing for election currently has to find funding for their own access needs (such as NZSL interpreters) in order to participate in a candidate forum. This extra cost is a major barrier to standing for political office. Furthermore a disabled person wishing to get involved with a political party will often find that the party is not able to cover their access costs. For example, funding NZSL support to attend local branch remit discussions.

In order to remove barriers to political participation, this bill will establish an Election Access Fund, to be administered by the Electoral Commission. The Fund may be used by any disabled candidate to cover disability-related costs of standing in a general election. These costs could include, for example: NZSL interpreter support.
for candidate forums, notetaker or transcribing costs, costs of translating material into braille, or travel costs to attend candidate forums. The Fund may also be used by any not-for-profit body running an election education event or producing an election publication to cover costs of making election education events and materials accessible. Finally, the Fund may be used by any registered political party to support the access needs of any of their members to allow them to participate internally within the party.

Clause by clause analysis

Clause 1 is the Title clause.
Clause 2 provides that the Bill comes into force 6 months after Royal assent.

Part 1
Preliminary provisions

Clause 3 states the purpose of the Bill, which is to establish a fund to remove or reduce barriers for disabled people wishing to standing as a candidate in a general election or otherwise participating in a general election.
Clause 4 contains the definitions.
Clause 5 provides that the Bill binds the Crown.

Part 2
Election Access Fund

Clause 6 establishes the Election Access Fund (the Fund).
Clause 7 provides for the Electoral Commission to determine the criteria for eligibility for access to the Fund.
Clause 8 provides that a payment from the Fund to a candidate or a party is not a donation for the purposes of the Electoral Act 1993.
Clause 9 provides for a review of the Bill after 3 years.
Clause 10 amends the Electoral Act 1993 to provide the administration of the Fund is a function of the Electoral Commission.
Chlöe Swarbrick

Election Access Fund Bill

Member’s Bill

Contents

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Title</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Commencement</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td><strong>Part 1</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Preliminary provisions</strong></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Purpose</td>
<td>2</td>
</tr>
<tr>
<td>4</td>
<td>Interpretation</td>
<td>2</td>
</tr>
<tr>
<td>5</td>
<td>Act binds the Crown</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td><strong>Part 2</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Election Access Fund</strong></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Election Access Fund established</td>
<td>2</td>
</tr>
<tr>
<td>7</td>
<td>Eligibility for funding for election access</td>
<td>3</td>
</tr>
<tr>
<td>8</td>
<td>Payment from Fund not a candidate or party donation</td>
<td>3</td>
</tr>
<tr>
<td>9</td>
<td>Evaluation</td>
<td>3</td>
</tr>
<tr>
<td>10</td>
<td>Amendment to Electoral Act 1993</td>
<td>3</td>
</tr>
</tbody>
</table>

The Parliament of New Zealand enacts as follows:

1 **Title**

This Act is the Election Access Fund Act 2018.

2 **Commencement**

This Act comes into force immediately after the expiry of the 6-month period that starts on the date of Royal assent.
Part 1
Preliminary provisions

3 Purpose
The purpose of this Act is to establish a fund designed to remove or reduce barriers to standing as a candidate in a general election or otherwise participating in a general election faced by individuals as a consequence of their disability and which non-disabled individuals do not face.

4 Interpretation
In this Act, unless the context otherwise requires,—
- **candidate** has the same meaning as in section 3(1) of the Electoral Act 1993
- **donation** has the same meaning as in section 207(1) of the Electoral Act 1993
- **election education event** means an event held in relation to a general election which has the purpose of engaging and educating voters and which does not seek or discourage support for the election of a particular person, party, or people
- **Electoral Commission** has the same meaning as in section 3(1) of the Electoral Act 1993
- **entity** has the same meaning as in section 4(1) of the Charities Act 2005
- **Fund** means the Fund established under **section 6** of this Act
- **general election** has the same meaning as in section 3(1) of the Electoral Act 1993
- **Minister** means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act
- **party** has the same meaning as in section 3(1) of the Electoral Act 1993.

5 Act binds the Crown
This Act binds the Crown.

Part 2
Election Access Fund

6 Election Access Fund established
(1) The Electoral Commission must establish a fund to facilitate the participation of persons with disabilities in general elections.
(2) In each year, out of money appropriated by Parliament for the purpose, the fund must be paid a general grant.
(3) The amount of the grant must be determined by the Minister, taking into account the amount of funding required to ensure that persons with disabilities have access to sufficient support to overcome disability-related barriers to participation in general elections.

7 Eligibility for funding for election access
(1) The Electoral Commission must, by notice in the Gazette, set out the basis on which a person listed in subsection (3) may be eligible for a payment out of the Fund.
(2) The Electoral Commission must not issue a notice under subsection (1) without first consulting persons and organisations that the Commission considers appropriate, having regard to the purpose of the Fund.
(3) A person may be eligible for a payment out of the Fund if they are—
   (a) a person with a disability who is standing as a candidate in, or seeking selection as a candidate in, a general election;
   (b) a not-for-profit entity that is organising an election education event;
   (c) a party.

8 Payment from Fund not a candidate or party donation
Any payment made from the Fund to a candidate or a party is not to be treated as a donation for the purposes of the Electoral Act 1993.

9 Evaluation
The Minister must, no later than 3 years after the commencement of this Act, review, or arrange for the review of, its operation and—
   (a) consider the impacts of funding on the participation of persons with disabilities in general elections; and
   (b) assess whether any changes are needed, including any amendments to this Act, to improve the effectiveness of funding to increase the participation of persons with disabilities in general elections; and
   (c) report the findings of the review to the House of Representatives as soon as practicable after the review is completed.

10 Amendment to Electoral Act 1993
(1) This section amends the Electoral Act 1993.
(2) After section 5(c), insert:
   (ea) administer the fund established by section 6 of the Election Access Fund Act 2018.
Ko te tāpaetanga o te Kaunihera o Tāmaki Makaurau

28 July 2018

Auckland Council Submission to the Governance and Administration Committee on the Election Access Fund Bill

Mihimihī

| E whakamau ō kamo ki te āhuru mōwai e hora ake nā i mua i a koe. | Cast your eyes over the sheltered haven that lies before you. |
| E mīharo ki tā te ringa tangata i hanga ai hei kākahū i tā te ringa atua. | Marvel at what the human hand has created to embellish what was created by the hand of God. |
| E takahi rā koe mā runga i ngā tapuwhae o te tīnī – pō te ao, ao te pō. | Follow in the footsteps of the many now passed – dawn till dusk and dusk till dawn. |

Submission

1. Auckland Council is welcoming the opportunity to present a submission to express our strong support for the Election Access Fund Bill.

2. Auckland Council notes the Bill refers to a person with a disability, but does not define this term. Auckland Council recommends a definition is added.

3. Auckland Council notes that Article 29 of the United Nations Convention of Rights of Persons with Disabilities, applies to all levels of government. We submit that this Bill should also apply to local body elections.

4. Our view is supported by Auckland Council’s Disability Advisory Panel.