



Report 06.221
Date 23 May 2006
File E/01/04/01

Committee Policy, Finance and Strategy Committee
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Proposed representation arrangements

1. Purpose

To decide on the Council's proposed representation arrangements for public consultation.

2. Significance of the decision

The matters for decision in this report are of significance. The Local Electoral Act 2001 (LEA 2001) sets out the consultation process that the Council must follow in making such decisions.

3. Background

3.1 Representation Review Subcommittee

In December 2005 the Council established the Representation Review Subcommittee to help the Council review its representation arrangements. One of the Subcommittee's key functions is to make a recommendation to the Policy, Finance and Strategy Committee on Council's proposed representation arrangements for public consultation. This report sets out the Subcommittee's recommendations and discusses the key representation options the Subcommittee considered.

3.2 Legal requirements

There are a number of legal requirements that must be taken into account when determining the Council's representation arrangements. The key requirements are fair representation, (which provides a population formula based on the number of people per councillor), and effective representation of the region's communities of interest. (See **Attachment 1** for a full description of the legal requirements under the LEA 2001.)

The Council may only depart from the population formula required for fair representation where it is necessary to do so to ensure the effective representation of communities of interest. A decision by the Council not to

comply with the population formula must be referred to the Local Government Commission for determination. If the Commission does not deem that the Council has robust reasons for its proposal to be robust then it may impose different representation arrangements. All of the representation options available to the Council, including the recommended option, fall outside of the population formula.

3.3 Preliminary consultation

In preparation for recommending the proposed representation arrangements the Subcommittee carried out preliminary consultation with key stakeholders, i.e. local territorial authorities, community boards and residents' associations. This involved a letter to all stakeholders and a meeting for interested stakeholders.

4. Comment

4.1 Four key options

The Subcommittee explored a huge variety of different representation scenarios and came up with four key options (**Attachment 2**). All other scenarios were discarded because they either did not comply with the population formula in all constituencies except the Wairarapa, or they did not adequately reflect the region's communities of interest. These included the Council's current representation arrangements, which fall outside of the population formula in the Wairarapa, Porirua and Kapiti constituencies (**Attachment 3**).

Councillors will note that all of the four key options are based on one elected member in the Wairarapa. There is, however, the possibility of adding another councillor to the Wairarapa for any of the four options (see discussion under 4.2.6).

We have not shown what each option would look like with two representatives in the Wairarapa. Legal advice states that, where a specific community of interest (or grouping of communities of interest) is considered to be more effectively represented without complying with the population rule, then compliance with the rule may be relaxed for the balance of the region, particularly if continuing to apply the rule would create impediments to effective representation for the region overall. However, the rule would need to be applied to the extent practicable.

In Greater Wellington's case, two representatives in the Wairarapa cause other constituencies to fall outside of the population formula. Adjusting the numbers of councillors and constituency boundaries to fit the formula for those constituencies would not make sense in terms of effective representation of communities of interest.

All options are based on identified communities of interest. **Attachment 4** contains maps which relate to the region's communities of interest.

4.2 Assessing the options

When deciding which option to recommend to the Council the Subcommittee considered the following matters in terms of how well they met the requirements of the LEA 2001:

- More or fewer councillors?
- Larger constituencies or smaller constituencies?
- Communities of interest and constituencies based on territorial authority areas or regional council functions?
- Kapiti and Porirua as two constituencies or joined together to form one large constituency?
- Upper Hutt and Lower Hutt as two constituencies or joined together to form one large constituencies?
- One or two elected members in the Wairarapa constituency?

4.2.1 More or fewer councillors?

Options 1 and 2 provide for 13 councillors, while options 3 and 4 provide for 10 councillors. This would result in 14 or 11 councillors respectively if there were two councillors in the Wairarapa constituency.

The LGA 2002 places considerable emphasis on the ability of councils to reflect community diversity in their decision-making. The Subcommittee considered whether or not the number of councillors would compromise how aware or sympathetic the Council is to different concerns or minority views.

The Wellington region has a diverse community, comprising a mix of rural coastal and city elements which, while definitely stronger in some areas, are spread throughout the entire region. This leads to a diversity of needs and views which all need to be represented.

While there is a strong rural component in the Wairarapa and Upper Hutt, there are also elements of rural life in western Wellington (towards Makara and Owhiro Valley) and on the Kapiti Coast (Reikorangi and Maungatuk) and Porirua (Pauatahanui). There is a string of coastal communities on the Kapiti Coast, but also in Porirua (Paremata, Plimmerton, Pukerua Bay and Titahi Bay) and the Wairarapa (Riversdale, Castle Point and Ngawi). Urban life is not just focussed on Porirua and Wellington, Upper Hutt and Lower Hutt cities. It is also building in other areas of the region such as Kapiti. In all areas, including the key cities, Wellington, Masterton, Upper Hutt, Lower Hutt and Porirua, there is a wide range of socio-economic and demographic factors.

Unfortunately there is no concrete evidence on whether or not a greater number of councillors is more likely to better represent the diversity of opinion across the region, or whether or not the difference between 10 and 14

representatives is enough to make a difference to the level of effective representation.

Common-sense would say that more councillors equal more effective representation. With more councillors there is more chance of there being a diversity of views. More councillors also reduce councillors' workload, enabling them to meet and hear community views more often and from a wider variety of groups or individuals. How reflective those views are of the region's communities, however, will be largely dependent on individual councillors' availability and their level of input.

4.2.2 Larger or smaller constituencies?

There is not a wide variety of choice in terms of larger or smaller constituencies i.e. either four larger constituencies (options 1 and 3) or five constituencies (options 2 and 4). This is because none of the representation scenarios with six or more constituencies complied with the requirements of the LEA 2001.

Proponents of smaller constituencies for regional councils say that a local representative makes sure local issues are heard in the bigger, region-wide context. However, those who support regional councils having bigger constituencies state that it aligns with councillors' focus on the regional perspective and will help people move away from the idea that local regional councillors are the spokesperson for the territorial authority area with which their constituency is aligned.

It was noted that larger constituencies could result in an increase in the number of councillors that electors can vote for. This is the case when comparing option 4 (five constituencies with one representative in the Kapiti constituency and one representative in the Porirua constituency) against option 1 or 2 (which have one large Porirua-Kapiti constituency which has three representatives). However, under option 3 there would only be two representatives for the Porirua-Kapiti constituency.

A mayor of one of the region's territorial authorities said that there was a willingness to work with representatives from a larger constituency that went beyond the boundaries of a single territorial authority.

4.2.3 Boundaries based on territorial authority areas

The Subcommittee examined the possibility of defining communities of interest according to regional council functions, such as water catchments and air sheds. Members concluded, however, that defining communities of interest and constituency boundaries by regional council functions was not appropriate because:

- most regional council functions, such as water catchments, air sheds or pest management areas are not aligned and/or only cover part of region. Therefore only one Council function could be used to determine communities of interest. It could also lead to separating

people that are in very close in proximity and who would consider themselves to be part of the same community of interest in other respects.

- it would require using meshblocks, instead of territorial authority and ward boundaries. According to legislation, where practicable, the boundaries of a regional council's constituencies should be aligned with one or more territorial authority boundaries or ward boundaries.
- the importance of territorial authority areas in providing a sense of community. Who picks up one's rubbish and recycling, provides sewerage facilities and provides building consents is a big part of identifying where one's community of interest is.

All of the options in this paper are based on territorial authority areas or unifying territorial authority areas.

4.2.4 Kapiti and Porirua

Some argue that Kapiti and Porirua are distinct communities of interest. One person providing preliminary feedback to the Subcommittee stated that "Kapiti is a string of towns on the outskirts of the region with different characteristics and needs from city dwellers".

Others say that Kapiti and Porirua have a lot in common, especially in a regional council context, and that joining them together in one large constituency would not destroy those communities of interest. Kapiti and Porirua follow along the same stretch of coastline and, like Kapiti, Porirua also has a number of seaside communities, such as Pukerua Bay, Plimmerton, Paremata and Titahi Bay. They are also joined by key roads and public transport lines.

4.2.5 Upper Hutt and Lower Hutt

While Upper Hutt and Lower Hutt are different in social aspects, they are connected in a number of ways that are relevant to the functions of the regional council, such as flood management and public transport.

No concerns were raised about the two areas being joined together at a meeting held with Subcommittee members and key territorial authorities on 2 May 2006.

4.2.6 Wairarapa

The Subcommittee considers that there needs to be two councillors in the Wairarapa constituency in order to provide for the effective representation of communities of interest.

The Wairarapa constituency is a distinct community of interest. It is a large land area (74% of the region) that is separated from the rest of the region by the Rimutaka Ranges and, in comparison to the rest of the region, it has a strong rural focus.

One representative in the Wairarapa could make it difficult for that member to have a strong link with their constituents and effectively represent their views. Elected members in the Wairarapa attend formally constituted meetings for river and catchment schemes (about 17 schemes). There can be up to 100 meetings annually. Wairarapa members also represent a diverse community that is relatively sparsely populated. Members often get requests to meet with individual farm owners and the large number of meetings and long travel times could significantly limit the access the population has to an elected member and vice-versa if there was only one member.

Carterton District Council, Griff Page, Chief Executive of South Wairarapa District Council, the Pauatahanui Residents' Association and Claire Bibby have all formally and specifically noted their support for two representatives in the Wairarapa.

4.2.7 Other

When making a decision on the recommended proposal, the Subcommittee also considered the following points:

- Option 1 and 2 are slightly over-represented in the Kapiti-Porirua by 8.3%. This may be helpful in the future as it will help to cater for the population growth that is predicted for the Kapiti Coast and reduce the likelihood that the constituency boundaries would have to change in the near future.
- In option 1 the number of representatives in each constituency is very even. This could in turn help ensure balanced, region-wide decision-making, as there would not be the opportunity for the members of one constituency to vote one way and sway a decision of Council.

4.3 Recommended option

The Subcommittee recommends the Council proposes option 1, with an additional councillor in the Wairarapa constituency, for the following reasons:

- Representation is more effective with a greater number of councillors. It is more likely to result in a diversity of councillors who can represent the range of views within the region.
- More councillors will also reduce councillors' workload, enabling them to meet and hear community views more often and from a wider variety of groups or individuals.
- Larger constituencies align with councillors' focus on the regional perspective and will help people move away from the idea that local regional councillors are the spokespeople for the territorial authority area with which their constituency is aligned.
- Larger constituencies result in an increase in the number of councillors that electors can vote for.

- Joining Kapiti and Porirua together, and Lower Hutt and Upper Hutt together does not destroy those communities of interest. Each area has a lot in common, especially in a regional council context, such as major roads, public transport, flood protection and natural features such as the coastline.
- Basing constituencies on territorial authority areas or unified territorial authority areas recognises the importance of territorial authority areas in providing a sense of community. Who picks up one's rubbish and recycling, provides sewerage facilities and provides building consents is a big part of identifying where one's community of interest lies.
- Option 1 is over-represented by 8.3% in the Kapiti-Porirua. This may be helpful in the future as it will help to cater for the population growth that is predicted for the Kapiti Coast and reduce the likelihood that the constituency boundaries would have to change in the near future.
- The number of representatives in each constituency is relatively even. This could in turn help ensure balanced, region-wide decision-making, as there would not be the opportunity for the members of one constituency to vote one way and sway a decision of Council.
- The Wairarapa requires two councillors to ensure the effective representation of communities of interest. It is a distinct community of interest with a large land area, diversity of views and high number of meetings because of the river and catchment schemes.

4.4 Constituency names

Where the current Kapiti and Porirua constituencies are joined together the Subcommittee recommends that the constituency be called the Kapiti-Mana constituency. Where the current Lower Hutt and Upper Hutt constituencies are unified the Subcommittee recommends it be called the Hutt Valley constituency. It is suggested that all other constituency names remain as they are.

5. Communication

Once the proposal is approved by the Council, a public notice will be placed in the main newspapers to advise members of the public of the proposed representation arrangements and tell them how they can make submissions on the proposal. This is a requirement of the LEA 2001.

In August 2006 the Subcommittee will hear and consider all submissions that are received from members of the public on the proposed representation arrangements. The Subcommittee will then make recommendations to the Policy, Finance and Strategy Committee on what, if any, amendments should be made to the Council's proposed representation arrangements.

6. Recommendations

That the Committee:

1. **Receives** the report.
2. **Notes** the content of the report.
3. **Recommends** that the Council proposes the following representation arrangements for the Wellington Regional Council:

<i>Constituency name</i>	<i>Constituency boundary</i>	<i>Number of members</i>
<i>Wellington Constituency</i>	<i>Remains unchanged. Based on the current boundary of the Wellington City Council</i>	<i>5</i>
<i>Hutt Valley Constituency</i>	<i>Based on joining the current boundaries of the Hutt City Council and Upper Hutt City Council</i>	<i>4</i>
<i>Kapiti-Mana Constituency</i>	<i>Based on joining the current boundaries of the Kapiti Coast District Council and Porirua City Council</i>	<i>3</i>
<i>Wairarapa Constituency</i>	<i>Remains unchanged. Based on joining the current boundaries of South Wairarapa District Council, Carterton District Council and Masterton District Council, and the area of the Tararua District Council that is just South of the Owahanga River catchment</i>	<i>2</i>

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Attachment 1: Description of legal requirements under the LEA 2001

Attachment 2: Maps of the four key options

Attachment 3: GWRC's current representation arrangements

Attachment 4: Communities of interest maps