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Committee Representation Review Subcommittee
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Proposed representation arrangements

1. Purpose

To decide on the representation proposal to recommend to Council for their approval on 1 June 2006.

2. Significance of the decision

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

3. Background

Under the Local Electoral Act 2001 (LEA 2001) councils are required to review their representation arrangements at least once every six years, with the first review taking place in either 2003 or 2006. This is the Council's first review of its representation arrangements under the LEA 2001. Representation arrangements are:

- The number and boundaries of constituencies
- The name of each constituency
- The number of members to be elected by the electors of each constituency.

Under the LEA 2001, the Council must decide on its proposed representation arrangements by 31 August 2006. The Council is scheduled to decide on its proposed arrangements on 1 June 2006. It is the responsibility of the Representation Review Subcommittee to make a recommendation to the Policy, Finance and Strategy Committee on the Council's proposal for public consultation. In preparation, Subcommittee members have attended three workshops and sought feedback from key stakeholders on some of the possible representation options.

4. Comment

There are a number of legal requirements that must be taken into account when determining representation arrangements. Key requirements are fair representation, (which is 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 rule 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 rule must be referred to the Commission for determination. If the Local Government Commission does not deem the Council's reasons for its proposal to be robust then they may impose different representation arrangements.

The Council's current representation arrangements do not comply with the requirement for fair representation under the LEA 2001 (**Attachment 2**). The Wairarapa, Porirua and Kapiti constituencies all fall outside of the population rule under fair representation. Many of the representation options being considered by the Subcommittee also do not comply with the population formula, because of the Wairarapa.

4.1 Key options

A huge variety of different representation scenarios have been explored and officers have come up with five key options for the Subcommittee's consideration. (All other scenarios which did not meet the required population formula in all constituencies except the Wairarapa or did not reflect the region's communities of interest were discarded.) Each of the five key options is outlined below and is provided as a map in **Attachment 3**.

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

You will note that all of the five 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 these 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 rule under fair representation. 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.

4.1.1 Option 1 - Four constituencies and 13 councillors

The current Kapiti and Porirua constituencies are joined together to make one constituency with three members. The Lower Hutt and Upper Hutt constituencies are combined to make one constituency with four members. The Wellington and Wairarapa constituencies remain as they are currently, with five members and one member respectively.

4.1.2 Option 2 - Four constituencies and ten councillors

This option has the same constituencies as above, but with two members in the Kapiti-Porirua constituency, three members in the Hutt Valley constituency and four members in the Wellington constituency. The Wairarapa constituency has one member.

4.1.3 Option 3 - Four constituencies based on water catchments and 12 councillors

The current Upper Hutt and Lower Hutt constituencies are unified to make one constituency with four members. The current Kapiti and Porirua constituencies are joined together with Linden, Tawa, Greenacres and Churton Park to form one constituency with three members. The Wellington constituency is modified to take account of this change and has four members. The Wairarapa constituency remains as it is currently but has one member.

4.1.4 Option 4 - Five constituencies and 13 councillors

This option has one large constituency which joins Porirua and Kapiti together and has three members. All other constituencies and number of members are the same as they currently, except there is one member in the Wairarapa constituency.

4.1.5 Option 5 - Five constituencies and ten councillors

This option has one large constituency which joins Lower Hutt and Upper Hutt together and has three members. All other constituencies and number of members are the same as they currently, except there is one member in the Wairarapa constituency.

4.2 Choosing an option

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

- More or fewer councillors?

- Larger constituencies or smaller constituencies?
- Should constituencies be based on territorial authority areas or regional council functions such as water catchments?
- Should Kapiti and Porirua remain as two constituencies or be joined together into one large constituency?
- Should there be one or two elected members in the Wairarapa constituency?

4.2.1 More or fewer councillors

Options 1 and 4 provide for 13 councillors, while options 2 and 5 provide for 10 councillors and option 3 provides for 12 councillors. This would result in 14, 11 or 13 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 should consider 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. 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. This leads to a diversity of needs and views which all need to be represented.

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

The Subcommittee does not have a wide variety of choice in terms of larger or smaller constituencies i.e. either four larger constituencies (options 1, 2, and 3) or five constituencies (options 4 and 5). This is because none of the representation scenarios with six or less constituencies that officers tested 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 has been 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 5 (five constituencies with one representative in the Kapiti constituency and one representative in the Porirua constituency) against option 1 or 3 (four constituencies with one large Porirua-Kapiti constituency which has three representatives). However, under option 2 there would only be two representatives for the Porirua-Kapiti constituency.

It has been noted by a mayor of one of the region's territorial authorities that they would have willingness to work with representatives from a larger constituency that went beyond the boundaries of the territorial authority.

4.2.3 Boundaries based on territorial authority areas or water catchments

Communities of interest can be defined in many ways. Officers felt that it was important to look at communities of interest according to regional council functions, such as water catchments and air sheds, as well as in terms of an area to which one feels a sense of belonging and to which one looks for social, service and economic support.

Most regional council functions, such as water catchments, air sheds or pest management areas are not aligned and/or only cover part of region, so officers chose to look at one function when determining options. Option 3 has constituencies that are based communities of interest defined by larger water catchment areas. All of the other options presented in this paper are based on territorial authority areas or unifying territorial authority areas.

Officers do not feel that defining communities of interest and constituency boundaries by water catchments works. This is because:

- It only includes one of the Council's many functions to determine communities of interest.

- The suggested catchment area for Porirua Basin includes Churton Park, which is mostly urban and Greater Wellington does not do much work in that area.
- The southern boundary of the Porirua-Kapiti-Churton Park constituency splits people who are in communities of interest from other respects that are very close in proximity.
- Including Churton Park and Glenside and Tawa areas in the Porirua/Kapiti constituency involves 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.
- This approach does not recognise 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.

4.2.4 Kapiti and Porirua

Some argue that Kapiti and Porirua are distinct communities of interest. One person providing preliminary feedback 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.

4.2.4 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.

4.2.5 Wairarapa

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 has a strong rural focus.

The Subcommittee should consider whether or not there should be two councillors in the Wairarapa constituency in order to provide effective representation of communities of interest.

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) of which there are at times up to 100 annually. They must 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, and Claire Bibby have all formally and specifically noted their support for two representatives in the Wairarapa.

4.2.6 Other

When making a decision Subcommittee members may also want to consider that following points:

- Option 1 and 4 are slightly over-represented according to the population formula 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.
- 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 Constituency names

The Subcommittee must also recommend the names of each constituency. The names of constituencies will depend on which option the Subcommittee decides to recommend to the Policy, Finance and Strategy Committee. Where the current Kapiti and Porirua constituencies are joined together officers recommend North-West Coast or West Coast constituency. Where the current Lower Hutt and Upper Hutt constituencies are unified officers recommend it be called the Hutt Valley constituency. It is suggested that all other names remain as they are in all other instances.

5. Communication

A report will be written to the Policy, Finance and Strategy Committee which will outline the recommendation of the Representation Review Subcommittee and the reasons for it. It will also discuss the other key options the Subcommittee has explored and why they chose not to recommend those options.

Once approved by the Council on 1 June 2006 the public will notified of the proposed representation arrangements and will be advised that they can make a submission on the proposal.

6. Recommendations

That the Subcommittee:

1. ***Receives*** the report.
2. ***Notes*** the content of the report.
3. ***Chooses*** one of the options discussed in this report to recommend to the Policy, Finance and Strategy Committee on 1 June 2006 as Greater Wellington Regional Council's representation proposal for public consultation and state the reasons for choosing that option.
4. ***Decides*** on names for each of the constituencies for the proposal being recommended to the Policy, Finance and Strategy Committee on 1 June 2006.
5. ***Agrees*** that the report submitted to the Policy, Finance and Strategy Committee on 1 June 2006 should come from Margaret Shields, Chair of the Representation Review Subcommittee.

Report prepared by:

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Attachment 1: Description of legal requirements under the LEA 2001

Attachment 2: GWRC's current representation arrangements

Attachment 3: Maps of the five key options

Attachment 4: Communities of interest maps