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**REPORT 2**  
(1215/52/IM)

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## **GREATER WELLINGTON REGIONAL COUNCIL REPRESENTATION REVIEW SUBMISSION**

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### **1. Purpose of Report**

To seek the Committee's approval to make a submission on the Greater Wellington Regional Council's proposed representation arrangements for the 2007 local authority elections.

### **2. Recommendations**

It is recommended that the Committee:

- 1. Receive the information.*
- 2. Approve the submission on the Greater Wellington Regional Council's proposed representation arrangements for the 2007 local authority elections as publicly notified on 14 June 2006 (attached as Appendix 1).*
- 3. Delegate authority to the Mayor, the Portfolio Leader-Governance and the Chief Executive to approve any minor amendments to the draft submission attached to the officer's report dated 27 July 2006.*

### **3. Background**

The Greater Wellington Regional Council (GWRC) is required to carry out a review of its representation arrangements this year, the results of which are to take effect at the 2007 local authority elections.

The current membership of the GWRC is thirteen and its members are elected from the following constituencies:

<b>Constituency</b>	<b>Constituency boundary</b>	<b>No. of members</b>
Wellington	Wellington City	5
Lower Hutt	Hutt City	3
Upper Hutt	Upper Hutt City	1
Porirua	Porirua City	1

Kapiti	Kapiti District Council	1
Wairarapa	Combined boundaries of South Wairarapa, Carterton and Masterton District Councils, and the area of the Tararua District Council to the south of the Owahanga River catchment.	2

The GWRC has notified its “initial” proposal and, as required by the Local Electoral Act 2001, has provided this Council with a copy of its decision.

Submissions on the proposal close with the GWRC at 5pm on Friday 4 August 2006.

## 4. Discussion

### 4.1 The proposal

The GWRC’s proposal is to divide the region into four constituencies, by combining the existing Lower Hutt and Upper Hutt constituencies and the existing Porirua and Kapiti constituencies together, and for those constituencies to elect a total of 14 members (i.e. an increase of one member to reflect the population growth in Kapiti). This will bring the level of membership on the GWRC to fourteen, the maximum permitted for a regional council.

The proposal is as follows:

Constituency	Constituency boundary	No. of members
Wellington Constituency	Based on the current boundary of the Wellington City Council.	5
Hutt Valley Constituency	Based on joining the current boundaries of the Hutt and Upper Hutt City Councils.	4
Kapi-Mana Constituency	Based on joining the current boundaries of the Kapiti Coast District Council and Porirua City Council.	3
Wairarapa Constituency	Based on the current boundaries of South Wairarapa, Carterton and Masterton District Councils, and the area of the Tararua District Council that is just south of the Owahanga River catchment.	2

The population that each member will represent under the proposed arrangements is as follows:

Constituency	Population	Members	Population per member	Percentage deviation
Wellington	185,200	5	1:37,040	- 12.63%
Hutt Valley	138,400	4	1:34,600	- 5.21%

Kapi-Mana	97,500	3	1:32,500	+ 1.17%
Wairarapa	39,300	2	1:19,650	+ 40.25%
	460,400	14	1:32,885	

As the table clearly shows the most difficult issue to resolve (because of the maximum number of members permitted) is the level of representation the Wairarapa Constituency should receive.

It is argued that there needs to be two councillors in the Wairarapa constituency in order to provide for the effective representation of its 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, has a strong rural focus. The election of only 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. The Wairarapa Constituency currently elects two members.

The proposal does not meet the fairness requirements of section 19V(2) of the Local Electoral Act 2001 (i.e. Wellington is under represented by 12.63% and Wairarapa over represented by 40.25%). The GWRC is permitted to depart from the population formula under section 19V(2) only if it considers it is necessary to ensure the effective representation of communities of interest within its region. However, any final proposal that does not comply with the population formula (i.e. plus or minus 10%), must be forwarded to the Local Government Commission for their decision, whether or not any appeals or objections are received to the final proposal.

## 4.2 Other options assessed by the GWRC

The GWRC investigated a significant number of different representation scenarios and, before deciding on its preferred option, considered the following matters in terms of how well each of the options met the requirements of the Local Electoral Act 2001:

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

The results of those considerations are summarised in a report to the GWRC from the Chairperson of its Representation Review Subcommittee dated 23 May 2006 (**Appendix 2**).

Some options which have either been developed as part of the GWRC Representation Review, or which officers here have considered, are set out below.

**(a) A Thirteen Member Council (based on proposed 4 constituency boundaries)**

Constituency	Population	No of Members	Ratio Population Per Member	% Variance
Wellington	185,200	5	1:37,040	- 4.59%
Hutt Valley	138,400	4	1:34,600	+ 2.30%
Kapi-Mana	97,500	3	1:32,500	+ 8.23%
Wairarapa	39,300	1	1:39,300	- 10.97%
<b>Total</b>	<b>460,400</b>	<b>13</b>	<b>1:35,415</b>	

This option goes close to achieving the required +/- 10% population per elected member ratio, the only exception being Wairarapa which is under represented by 10.97%. It does mean however that Wairarapa will have only one elected representative. As noted above, there are strong representation reasons for Wairarapa having two members.

**(b) A 14 Member Council (based on proposed 4 constituency boundaries)**

Based on the population figures it can be argued that Wellington is entitled to another member. However this would certainly be at the expense of Wairarapa (who would be under represented by 19.51%) as the following table shows.

Constituency	Population	No of Members	Ratio Population Per Member	% Variance
Wellington	185,200	6	1:30,866	+ 6.14%
Hutt Valley	138,400	4	1:34,600	- 5.21%
Kapi-Mana	97,500	3	1:32,500	+ 1.17%
Wairarapa	39,300	1	1:39,300	- 19.51%
<b>Total</b>	<b>460,400</b>	<b>14</b>	<b>1:32,885</b>	

Any reduction in the number of members for the other two constituencies would be difficult to argue. A reduction of one member to the Hutt Valley Constituency would result in an under-representation of 40.29% and to the Kapi-Mana constituency an under-representation of 48.24%. Again, this proposal does not address issues relating to fair and effective representation for the Wairarapa Constituency.

**(c) A 14 Member Council (Shifting part of Wellington out of the Wellington Constituency)**

A possible boundary change which has been investigated by the GWRC is to shift Tawa into the Kapi-Mana Constituency. This would achieve a statistically much fairer representation ratio insofar as Wellington Constituency is concerned (Wellington

would go from being under-represented by 12.63% to 4.15%) but would mean that the Kapi-Mana Constituency is then under-represented by almost 13% (and Wairarapa would remain over represented by over 40%).

Constituency	Population	No of Members	Ratio Population Per Member	% Variance
Wellington	171,250	5	1:34,250	- 4.15%
Hutt Valley	138,400	4	1:34,600	- 5.21%
Kapi-Mana	111,450	3	1:37,150	- 12.97%
Wairarapa	39,300	2	1:19,650	+ 40.25%
Total	460,400	14	1:32,885	

If an area of Wellington city was to be transferred to the Kapi-Mana Constituency, in order to achieve fairer representation for Wellington Constituency electors and for those in the Kapi-Mana Constituency, the whole of the Northern Ward would need to be shifted in order to achieve a fair representation result.

Such a transfer would result in the reduction of one member for the Wellington Constituency and an increase of one member for the Kapi-Mana Constituency, as the following table shows.

Constituency	Population	No of Members	Ratio Population Per Member	% Variance
Wellington	142,450	4	1:35,562	- 8.14%%
Hutt Valley	138,400	4	1:34,600	- 5.21%%
Kapi-Mana	140,250	4	1:35,062	- 6.62%
Wairarapa	39,300	2	1:19,650	+ 40.25%
Total	460,400	14	1:32,885	

As noted above, a number of different options have been developed on possible representation review arrangements for the GWRC. Porirua City Council has already suggested its own proposal in response to the GWRC's initial proposal, consisting of 10 members from five constituencies (by proposing separate representation for Porirua and Kapiti but leaving Upper Hutt and Lower Hutt as a combined constituency).

All proposals have their strengths and weaknesses.

### **4.3 Issue for consideration**

#### **4.3.1 Legal requirements**

In reviewing its representation arrangements the GWRC is required to take the following factors into account:

- Its membership is to consist of no fewer than 6 and no more than 14 members
- It must ensure-
  - (a) that the number and boundaries of constituencies will provide effective representation of communities of interest within the region; and
  - (b) that the constituency boundaries coincide with the boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes; and
  - (c) that, so far as is practicable, constituency boundaries coincide with the boundaries of one or more territorial authority districts or the boundaries of wards.
- If the Regional Council considers that effective representation of communities of interest so requires, constituencies may be defined and membership distributed between them in a way that does not comply with the fairness provision (i.e. +/- 10%), subject to the proposal being referred to the Local Government Commission for its approval.

#### 4.3.2 Population growth

The population in the Wellington region is growing at an “uneven” rate, as the following provisional 2006 census night population figures show:

Territorial Authority	2001 Census night count	2006 Census night count	% growth 1996-2001	% growth 2001-2006
Porirua City	47,292	47,700	1.9%	0.9%
Upper Hutt City	36,684	38,200	-0.1%	4.1%
Lower Hutt City	95,121	96,800	-0.3%	1.8%
Wellington City	167,187	183,500	4.4%	9.8%
Kapiti Coast District	42,543	46,000	10.0%	8.1%
Masterton District	22,926	23,1000	-0.5%	0.7%
Carterton District	6,897	7,160	1.5%	3.8%
South Wairarapa District	8,754	8,870	-1.0%	1.4%

Although these figures cannot be used for the review they do show that both Wellington and Kapiti areas have experienced a significantly greater population growth than the

other territorial authorities in the region. Work carried out on population trends by the Wellington Regional Strategy Forum suggests that these different rates of growth are projected to continue.

Although its level of membership remains unchanged at five, under the current proposal the Wellington Constituency will be under represented by 12.63%. This problem will be further exacerbated if the “uneven” population growth across the region continues in the future.

#### **4.3.3 Constituency boundaries based on Territorial Authority boundaries**

The decision by GWRC to base its constituency boundaries on territorial authority areas or unifying territorial authority areas, and the reasons for doing so, are noted.

It is accepted that the setting of constituency boundaries are constrained, in some part, by the legislation and that the use of territorial authority boundaries (as the constituency boundaries in the most part) has been appropriate in the past.

However, in view of the issues such as the projected population growth, which are now evident, more serious consideration will need to be given to determining constituency boundaries on a geographic or regional council functions basis in the future.

It is accepted that, because of the constraints that exist, it is difficult to come up with an “ideal” proposal that provides fair and effective representation for the electors of the various territorial authorities in the region.

However, for the reasons outlined above relating to population change, it is recommended that the Council make a submission on the GWRC’s proposed representation arrangements which, whilst not opposing it, draws attention to the concern that the Council has about future reviews of the representation arrangements of the GWRC in order to ensure that the electors of Wellington City receive fair and effective representation on the regional council. In this regard it is recommended that the GWRC be asked to give serious consideration to carrying out its next representation review in 2009 (in time for the 2010 local authority elections) despite the fact that it is not legally required to carry out another review until 2012.

## **5. Conclusion**

The closing date for the receipt of submissions on the GWRC’s representation proposal is 5pm on Friday 4 August 2006. If the Council wishes to make a submission on this proposal it will need to meet this deadline.

Contact Officer: *Ross Bly, Special Projects Officer*

## **Supporting Information**

### **1) Strategic Fit / Strategic Outcome**

*This supports objective 7.28 of the Governance Strategy:  
Wellington will operate an open and honest decision-making process that generates confidence and trust.*

### **2) LTCCP/Annual Plan reference and long term financial impact**

*Relates to C534: Elections, governance and democratic services. The review will have no long term financial impact.*

### **3) Treaty of Waitangi considerations**

*There are no Treaty implications.*

### **4) Decision-Making**

*This is not a significant decision.*

### **5) Consultation**

#### **a) General Consultation**

#### **b) Consultation with Maori**

*The GWRC has carried out preliminary consultation with key stakeholders and is now involved in the formal consultation process required by the Local Electoral Act 2001.*

### **6) Legal Implications**

*The legal requirements of the Local Electoral Act 2001 have been complied with by the GWRC. If the Council wishes to make a submission on the proposal it must do so by Friday 4 August 2006.*

### **7) Consistency with existing policy**

*The report is consistent with existing policy.*



## APPENDIX 1

### Draft Submission on Greater Wellington Regional Council's Proposed Representation Arrangements

#### INTRODUCTION

Wellington City Council recognises the need for the Greater Wellington Regional Council (GWRC) to balance the interests and the needs of the various territorial authority areas in its region and the statutory constraints it is required to comply with when undertaking its review of its representation arrangements.

It acknowledges that there are issues that the GWRC faces in providing the electors of the region, and in particular the electors of the Wairarapa Constituency, with fair and effective representation and the limited options available to the GWRC in helping to resolve those issues.

Although the electors of Wellington City will be under-represented on the GWRC if the notified proposal is finally adopted, the Wellington City Council does not formally oppose the proposal. However, there are some comments/concerns that the Council would like to draw to your Council's attention.

#### POPULATION NUMBERS

The following provisional census figures show that both the Wellington and Kapiti areas have experienced a significant population growth over the last five years, more so than the other territorial authorities in the region.

Territorial Authority	2001 Census night count	2006 Census night count	% growth 1996-2001	% growth 2001-2006
Porirua City	47,292	47,700	1.9%	0.9%
Upper Hutt City	36,684	38,200	-0.1%	4.1%
Lower Hutt City	95,121	96,800	-0.3%	1.8%
Wellington City	167,187	183,500	4.4%	9.8%
Kapiti Coast District	42,543	46,000	10.0%	8.1%
Masterton District	22,926	23,1000	-0.5%	0.7%
Carterton District	6,897	7,160	1.5%	3.8%

South Wairarapa District	8,754	8,870	-1.0%	1.4%
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Although these figures cannot be used for the review they do show that there has been significant population growth in both these areas over the last five years. Work carried out on population trends by the Wellington Regional Strategy Forum suggests that these different rates of growth are projected to continue. The current under representation, as provided under the GWRC's notified proposal, will therefore be exacerbated.

This situation is further compounded by the fact that the GWRC is not legally required to carry out its next representation review for another six years (i.e. in 2012 in time for the 2013 local authority elections).

### **CONSTITUENCY BOUNDARIES**

The decision by GWRC to base its constituency boundaries on territorial authority areas or by unifying territorial authority areas, and the reasons for doing so, are noted.

It is accepted that the setting of constituency boundaries is constrained, in some part, by the legislation and that the use of territorial authority boundaries (as the constituency boundaries in the most part) has been appropriate in the past.

However, in view of issues such as the projected population growth, which is now becoming more evident, serious consideration may need to be given to determining constituency boundaries on a geographic or regional council functions basis in the future.

### **REGIONAL RATING DATA**

The Wellington City Council's concern about its future equity of representation on the GWRC is further highlighted when comparing the GWRC's regional rate income it collects across the various territorial authorities in the region.

The following schedule shows the budgeted level of rates the GWRC intended to collect from its constituent territorial authorities for the financial year ending 30 June 2006. These figures do not include the water supply levy paid to the GWRC by Wellington, Hutt, Upper Hutt and Porirua City Councils.

Territorial Authority	Regional Rates (GST incl) \$000's	Percentage of total take	Percentage of total population	Proposed Constituency Boundaries	Regional Rates (GST incl) \$000's	Percentage of total take
Wellington	33,867	53.12%	40.23%	Wellington	33,867	53.12%
Hutt	12,686	19.90%	21.83%	Hutt Valley	16,260	25.50%
Upper Hutt	3,574	5.60%	8.23%	Hutt Valley		

Porirua	5,306	8.32%	10.97%	Kapi-Mana	10,681	16.75%
Kapiti Coast	5,375	8.43%	10.20%	Kapi-Mana		
Masterton	1,406	2.21%	5.01%	Wairarapa	2,947	4.62%
Carterton	585	0.92%	1.55%	Wairarapa		
South Wairarapa	954	1.50%	1.92%	Wairarapa		
Tararua (Part)	2	0.003%	0.05%	Wairarapa		
<b>Totals</b>	<b>63,755</b>	<b>100%</b>	<b>100%</b>		<b>63,755</b>	<b>100%</b>

It is accepted that it is difficult to come up with an “ideal” proposal that provides fair and effective representation for the electors of the various territorial authorities in the region.

However, for the reasons outlined above relating to population change, and in order to ensure that the electors of Wellington City receive fair and effective representation on the regional council, it is recommended that the GWRC give serious consideration to carrying out its next representation review in 2009 (in time for the 2010 local authority elections) despite the fact that it is not legally required to carry out another review until 2012.

The Council would like to be heard in support of its submission.

## APPENDIX 2

**(Extract from a report to the GWRC's Policy, Finance and Strategy Committee from the Chairperson, Representation Review Subcommittee, dated 23 May 2006)**

### AN ASSESSMENT OF 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?

### 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.

### **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.

### **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 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.

### **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.

### **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.

## **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.

## **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.