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Committee       **Representation Review Subcommittee**  
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## **Objections/appeals on final representation proposal**

### **1. Purpose**

The purpose of this report is to:

- 1) Provide the Subcommittee with the objections/appeals that have been received on the Council's final representation proposal.
- 2) Outline the final stages of the review process.
- 3) Provide Subcommittee members with an opportunity to discuss the content of the Council's presentation to the Local Government Commission.

### **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**

On 12 September 2006 the Council decided on its final representation proposal. As required by legislation, the final proposal and the right of the public to object/appeal to the final proposal was then publicly notified. Objections/appeals closed at 5pm on 27 October 2006.

### **4. Comment**

#### **4.1 Objections/Appeals received**

A bound copy of all the objections and appeals that Greater Wellington received has been distributed to all Subcommittee members. Three of the objections/appeals were received after the closing date by one or two days. The Local Government Commission will have to decide whether or not it will

accept these objections/appeals. For the purposes of this report officers have assumed that these will be accepted.

## 4.2 Origin of appeals/objections

The Council received 26 appeals/objections in total, two of which were from the same person (Mr Michael Gibson). These comprised two organisations/groups (Kapiti Coast Grey Power Association and Kapiti Coast Chamber of Commerce), two local authorities (Porirua City Council and Kapiti Coast District Council) and 22 personal objections/appeals. Included in the appeal/objection from Kapiti Coast Grey Power Association was a petition with 564 signatures of people who wish to retain separate Kapiti representation on the Greater Wellington Regional Council.

Most appellants/objectors were from Kapiti. The table below shows which area the objectors/appellants came from.

Area	Number of appeals/objections
Kapiti	15 (As noted above, one of these includes a petition of 564 people.)
Porirua	1
Upper Hutt	1
Lower Hutt	3
Wellington	2 (Both of these are from the same person. One is an objection, the other is an appeal.)
Wairarapa	0
Unknown	4

## 4.3 Key points made by appellants/objectors

### 4.3.1 Against combining Kapiti and Porirua

The majority of appeals/objections (19) were against the current Kapiti and Porirua constituencies being combined to form one constituency. One person supported combining Porirua and Kapiti. Those who opposed combining Kapiti and Porirua said they did so for the following key reasons:

- Kapiti and Porirua are separate communities of interest (16 appeals/objections). Objectors/appellants cited the following aspects which made them distinct communities:
  - Population demographics

- Geographic separation
  - Only 5% of Kapiti residents employed in Porirua
  - Social characteristics
  - Separate facilities (including schools) and events
  - Different physical environments, which result in different needs from a regional council in terms of harbour management, bulk water supply and flood protection
  - Transport requirements
  - No business linkages
- Kapiti would end up without a direct representative and would not, therefore, have a voice (11 appeals/objections).
  - Either Porirua or Kapiti would end up without a representative who lived in their area (four appeals/objections). They commented that representatives would not, therefore, be interested in promoting the needs of either community.
  - Concern with the Council's inconsistent application of the population formula and effective representation of communities of interest across the region (six appeals/objections). Objectors/appellants commented that Lower Hutt and Upper Hutt were treated differently to Kapiti and Porirua in relation to effective representation of communities of interest, and that erratic weighting was given to the population formula in Kapiti, Porirua and the Wairarapa.
  - The size of the large constituency will not enable access to representatives impacting on effectiveness of representation (two appeals/objections).

Two appellants/objectors expressed concern about how rates would be spread under the proposed arrangements and the impact on accountability and responsibility of elected members from the Porirua and Kapiti constituency. One objector said that if there was separate rating for Kapiti and Porirua, but members were elected from the combined constituency, none of the representatives would see themselves as advocating for Kapiti in the rating process.

#### 4.3.2 Support reduction in number of elected members

Of the 19 that opposed combining Porirua and Kapiti, four specifically stated they would be happy if this meant reducing to 10 elected members. The rest did not state.

Four other appellants/objectors (who didn't comment on the Kapiti/Porirua situation) wanted a reduction to either nine or 10 elected members.

#### 4.3.3 Oppose two elected members in the Wairarapa

Four appeals/objections explicitly opposed provision being made for two elected members in the Wairarapa.

Some of those who advocated for nine or 10 councillors also intimated that they would support a reduction to one elected member in the Wairarapa. Two appeals/objections commented that there were other constituencies of comparable size where there is one member. One said that the large land area of the Wairarapa did not equate to more work than someone in a smaller area with a higher population.

#### 4.3.4 Other

One submitter said there was a need for more than one representative in Upper Hutt.

Another submitter said that the Commission should treat material from Greater Wellington with less regards than usual because of the inadequacy of the review process. The submitter discussed, among other things, that:

- councillors only met once before the initial proposal was decided
- the resolution of the first proposal did not include reasons for deciding on that proposal as required by legislation
- oral submissions were not reported on
- the minutes of the meeting on 1 September 2006 gave the false impression that all four members had voted in favour of submitters' recommendations.

### 4.4 The process from here

All appeals/objections Greater Wellington has received have been forwarded to the Local Government Commission (the "Commission"), along with the other information that is required by section 19Q of the Local Electoral Act 2001. Other information that was of relevance was also sent. All information forwarded to the Commission (except for a copy of the submissions and appeals/objections which have already been provided to members) is provided in **Attachment 1** to this report.

The Commission has advised us that it will be holding a hearing on 18 December 2006 to consider objections and appeals on the Council's final proposal. This will include half an hour at the beginning of the hearing for the Council to present their case. The hearing will be held in the Council Chamber.

Before the hearing on 18 December, the Representation Review Subcommittee and the Council will be meeting (on 1 December and 14 December respectively). At its meeting on 14 December, the Council will formally receive all objections/appeals forwarded to Greater Wellington.

The Commission must make its determination by 11 April 2007. However, it is likely that the Commission will make its determination well before this date. The Council will be notified as soon as the Commission has made its decision.

#### **4.5 The Council's presentation to the Commission**

Officers suggest that the Council's presentation on 18 December 2006 cover the following matters. Subcommittee members may wish to discuss the content of the presentation at the meeting on 1 December 2006:

- An overview of the process undertaken by the Council, including workshops, the public meeting with key stakeholders, Representation Review Subcommittee and Council meetings and public notices.
- An outline of the approach taken by the Council, including:
  - Greater Wellington's current representation arrangements and how they relate to the population formula prescribed by the Local Electoral Act 2001. Note that two are significantly under-represented.
  - The current constituencies with different numbers of elected members, and the impact each scenario has on the number of people per councillor.
  - The communities of interest in the region that were considered, including exploring communities of interest from a regional council perspective. This should include the exploration of scenarios which based constituencies on water catchments.
  - The different scenarios that were explored based on the identified communities of interest. This should start with those based on territorial authority boundaries, then ward boundaries and finally the addition/removal of appropriate meshblocks in an effort to meet the population formula.
- The options that were deemed to be reasonably available to Council, given the requirements of the Local Electoral Act 2001.
- The reasons the Council chose the initial and final proposal.
- Responses to specific points made by appellants/objectors.
- The dilemma the Council faced in balancing the two key requirements of the Local Electoral Act 2001 – effective representation and fair representation.

The presentation will be made by the Council Chairman. All councillors will be invited to the hearing.

## 5. Communication

As stated earlier, the Council will be advised of the objections/appeals received by Greater Wellington at the meeting on 14 December 2006.

## 6. Recommendations

*That the Subcommittee:*

1. ***Receives the report.***
2. ***Notes the content of the report.***
3. ***Recommends that the Council formally receives the objections/appeals sent to Greater Wellington on the Council's final representation proposal.***

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**Attachment 1: Information forwarded to the Local Government Commission**