

Report 12.369
Date 13 August 2012
File E/01/04/08

Committee Council
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Final representation proposal for the 2013 triennial elections

1. Purpose

For the Council to adopt its final representation proposal for the 2013 triennial elections.

2. The decision-making process and significance

Officers recognise that the matters referenced in this report may have a high degree of importance to affected or interested parties.

The subject matter of this report will lead to the Council making a decision of low significance within the meaning of the Local Government Act 2002.

The decision-making process is explicitly prescribed in the Local Electoral Act 2001. The Local Electoral Act 2001 provides that the Council's initial representation proposal shall be subject to public consultation, and that the Council must consider matters raised in the consultation in resolving its final proposal.

3. Background

3.1 Initial proposal

On 13 June 2012 the Council resolved its initial proposal for the 2013 triennial elections. The initial proposal altered the current representation arrangements through the addition of a second member for the Wairarapa Constituency.

The initial representation proposal provided that the Council comprise 14 members elected from six constituencies:

Constituency	Population	Members	Population per member
Kapiti Coast	49,800	1	49,800
Porirua-Tawa	67,600	2	33,800
Wellington	185,200	5	37,040
Lower Hutt	103,000	3	34,333
Upper Hutt	41,500	1	41,500
Wairarapa	40,600	2	20,300
Total	487,700	14	34,836

3.2 Consideration of submissions

3.2.1 The Council's initial proposal was publicly notified on Saturday 16 June 2012 in the *Dominion Post* and *Wairarapa Times Age*. In addition to this statutory public notification, advertisements were placed in the region's community newspapers informing the public of the initial proposal and the right to make submissions.

3.2.2 Submissions closed on 16 July 2012. Eight submissions were received by the close of submissions and two late submissions were received.

3.2.3 The Representation Review 2012 Hearing Committee met on 2 August 2012 to consider the submissions. After resolving to accept the two late submissions received the Committee heard from three submitters. After considering all the submissions received the Committee resolved the following recommendations for consideration by Council:

That the Committee:

1. *As a result of consideration of submissions, recommends that the Council retains its current representation arrangements for the 2013 local authority elections.*
2. *Recommends that Council endorses the following reasons for the acceptance or rejection of submissions, as set out in the table below:*

Issue	Reason for acceptance or rejection of submission
<i>That the proposed second Councillor for the Wairarapa Constituency be opposed.</i>	<i>Accepted. In accordance with the requirements of the Local Electoral Act 2001 this proposal provides fair representation for the electors of the Wairarapa Constituency.</i>

<i>That the proposed second Councillor for the Wairarapa Constituency be supported.</i>	<i>Rejected. This proposal does not meet the requirements under the Local Electoral Act 2001 for fair representation for the electors of the Wairarapa Constituency.</i>
<i>That three single-member constituencies for the area of Lower Hutt City be established.</i>	<i>Rejected. This proposal does not enhance fair or effective representation for the population of Lower Hutt City.</i>
<i>That the Council re-establish the Wairarapa Committee.</i>	<i>Rejected. The Council's committee arrangements fall outside of the representation review.</i>
<i>That the number of elected members be reduced to eleven.</i>	<i>Rejected. This proposal does not provide effective representation when compared with the Council's proposal.</i>
<i>That the Council's boundaries should not extend into Tararua District.</i>	<i>Rejected. Alteration of the regional boundary falls outside the ambit of the representation review.</i>
<i>That the Council should comprise 23 members: Lower Hutt – 5, Upper Hutt – 2, Porirua-Tawa – 3, Kapiti Coast – 2, Wellington – 9, Wairarapa – 2.</i>	<i>Rejected. The Local Electoral Act 2001 provides that the total membership of a regional council must be between 6 and 14 members (inclusive).</i>

4. Comment

The Council is now required to consider the recommendations of the Representation Review 2012 Hearing Committee and resolve its final representation proposal for the 2013 triennial elections.

The Council needs to be aware that any amendments made to the Council's initial representation proposal must be based on the matters raised in submissions. Both the Local Electoral Act 2001 and the Local Government Commission's guidelines for representation reviews provide that a council must be able to demonstrate that:

- It has considered all the submissions received on its initial proposal by providing reasons for the acceptance and rejection of proposals, and
- Its final proposal is made in light of the submissions received on the Council's initial proposal.

5. Next steps

Once the Council resolves its final proposal the Local Electoral Act 2001 provides that the final proposal must be publicly notified by 25 August 2012, and that copies of the public notice must be provided to the Local Government Commission, Surveyor-General, Government Statistician, Remuneration Authority, and all territorial authorities in the Wellington Region.

The public notice must set out the Council's final proposal, any amendments made to the initial proposal, and the right to appeal and/or object to the final proposal. The public notice will provide one month for the receipt of appeals and/or objections.

Any appeals and/or objections received will be referred to the Local Government Commission, which will then determine the Council's representation arrangements for the 2013 triennial elections. Regardless of whether any appeals and/or objections are received, the Council's final proposal must be referred to the Local Government Commission for determination if the proposal does not comply with the +/- 10% rule for fair determination set out in section 19V of the Local Electoral Act 2001.

In addition to the statutory requirements outlined above, each submitter will be provided with a copy of the public notice of the Council's final proposal and informed of their right to lodge an appeal and/or objection.

6. Recommendations

That the Council:

1. ***Receives the report.***
2. ***Notes the content of the report.***
3. ***Having considered the recommendations of the Representation Review 2012 Hearing Committee, **adopts** its final representation proposal for the 2013 triennial elections, providing for a Council of 13 members, elected from six constituencies, as follows:***

<i>Constituency</i>	<i>Number of members</i>	<i>Community of interest represented by the constituency</i>	<i>Population per Councillor</i> <i>(Average: 37,575)</i> <i>(+/-10% range from the average: 33,763 to 41,267)</i>
<i>Wellington</i>	5	<i>The area of Wellington City, excluding the area of the Tawa Community</i>	37,040
<i>Porirua-Tawa</i>	2	<i>The area of Porirua City, and the area of the Tawa Community of Wellington City</i>	33,800

<i>Kapiti Coast</i>	<i>1</i>	<i>The area of the Kapiti Coast District</i>	<i>49,800</i>
<i>Lower Hutt</i>	<i>3</i>	<i>The area of Lower Hutt City</i>	<i>34,333</i>
<i>Upper Hutt</i>	<i>1</i>	<i>The area of Upper Hutt City</i>	<i>41,500</i>
<i>Wairarapa</i>	<i>1</i>	<i>The area of South Wairarapa District, Carterton District and Masterton District, and that part of the Tararua District that falls within the Wellington region.</i>	<i>40,600</i>

4. *Notes that this proposal retains the Council's existing representation arrangements, and differs from the Council's initial representation proposal in that it provides for the membership of the Wairarapa Constituency to be one member.*
5. *Endorses the following reasons for the acceptance or rejection of submissions on the Council's initial representation proposal:*

Issue	Reason for acceptance or rejection of submission
<i>That the proposed second Councillor for the Wairarapa Constituency be opposed.</i>	<i>Accepted. In accordance with the requirements of the Local Electoral Act 2001 this proposal provides fair representation for the electors of the Wairarapa Constituency.</i>
<i>That the proposed second Councillor for the Wairarapa Constituency be supported.</i>	<i>Rejected. This proposal does not meet the requirements under the Local Electoral Act 2001 for fair representation for the electors of the Wairarapa Constituency.</i>
<i>That three single-member constituencies for the area of Lower Hutt City be established.</i>	<i>Rejected. This proposal does not enhance fair or effective representation for the population of Lower Hutt City.</i>
<i>That the Council re-establish the Wairarapa Committee.</i>	<i>Rejected. The Council's committee arrangements fall outside of the representation review.</i>
<i>That the number of elected members be reduced to eleven.</i>	<i>Rejected. This proposal does not provide effective representation when compared with the Council's proposal.</i>
<i>That the Council's boundaries should not extend into Tararua District.</i>	<i>Rejected. Alteration of the regional boundary falls outside the ambit of the representation review.</i>

<p><i>That the Council should comprise 23 members: Lower Hutt – 5, Upper Hutt – 2, Porirua-Tawa – 3, Kapiti Coast – 2, wellington – 9. Wairarapa – 2.</i></p>	<p><i>Rejected. The Local Electoral Act 2001 provides that the total membership of a regional council must be between 6 and 14 members (inclusive).</i></p>
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6. *Notes that as the Council’s final representation proposal does not comply with the +/- 10% rule of fair representation, it will be forwarded to the Local Government Commission, together with any appeals and objections received on the final proposal, for determination.*

Report prepared by:

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