



**greater WELLINGTON**  
REGIONAL COUNCIL  
Te Pane Matua Taiao

If calling please ask for: Democratic Services

12 October 2018

## **Representation Review 2018 Hearing Committee**

Order Paper for the meeting of the Representation Review 2018 Hearing Committee to be held in the Council Chamber, Greater Wellington Regional Council, Level 2, 15 Walter Street, Te Aro, Wellington on:

**Thursday, 18 October 2018 at 9.30am**

### **Membership**

Cr Donaldson (Chair)

Cr Blakeley  
Cr Gaylor  
Cr Laban  
Cr Lamason  
Cr Ogden  
Cr Staples

Cr Brash  
Cr Kedgley  
Cr Laidlaw  
Cr McKinnon  
Cr Ponter  
Cr Swain

***Recommendations in reports are not to be construed as Council  
policy until adopted by Council***

## Representation Review 2018 Hearing Committee

Order Paper for the meeting to be held on Thursday, 18 October 2018 in the Council Chamber, Greater Wellington Regional Council, Level 2, 15 Walter Street, Te Aro, Wellington at 9.30am

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**Report** 18.440  
**Date** 5 October 2018  
**File** CCAB-8-1841

**Committee** Representation Review 2018 Hearing Committee  
**Author** Francis Ryan, Manager, Democratic Services

## **Process for considering submissions on the initial representation proposal for the 2019 triennial elections**

### **1. Purpose**

To advise the Representation Review 2018 Hearing Committee (the Committee) on the process for considering submissions on the Council's initial representation proposal for the 2019 triennial elections.

### **2. Background**

At its meeting on 16 August 2018 the Council resolved its initial representation proposal for the 2019 triennial elections; the Council's resolution is attached as [Attachment 1](#). The initial proposal was publicly notified on 24 August 2018 and the submission period closed on 26 September 2018. The opportunity for submissions was also featured on the home page of GWRC's website during the submission period.

The submission process is prescribed by the Local Electoral Act 2001 and the guidelines issued by the Local Government Commission.

The terms of reference for the Representation Review 2018 Hearing Committee are attached as [Attachment 2](#).

#### **2.1 Public Consultation**

This hearing completes the public submission phase for the Council's initial representation review proposal for the 2019 triennial elections.

#### **2.2 Principles of consultation**

Six principles of consultation are set out in the Local Government Act 2002. One of these principles is that views presented to a local authority should be accepted with an open mind, and should be given due consideration by the local authority, in making a decision.

The Committee should also take into account that persons who wish to have their views on the decision or matter considered by the local authority should

be provided by the local authority with a reasonable opportunity to present those views to the local authority.

It is consistent with best practice that members should be present for the substantial part of the hearing and deliberations in order to participate in the decision-making of the Committee.

### **3. Submissions received**

#### **3.1 Written submissions**

A total of five written submissions were received on the Council's initial representation proposal for the 2019 triennial elections.

The written submissions have been distributed separately to Committee members. It is suggested that written submissions are taken as read by the Committee, and that Committee members discuss submissions in more detail where further consideration is warranted.

### **4. Oral submission process**

The purpose of the hearing is to consider all the submissions received and hear oral presentations in support of written submissions from three submitters. All five submitters had initially advised that they wished to be heard in relation to their submissions; however, two submitters later advised that they are unavailable to attend.

Ten minutes have been allocated to each individual submitter, with additional time allocated for organisations. This time covers both speaking time and time for questions of clarification by the Committee. The hearing schedule is attached as [Attachment 3](#).

It is proposed that deliberations commence following the consideration of submissions.

### **5. Consideration of issues raised in submissions**

The Committee must consider all written submissions, regardless of whether or not an oral presentation in support of a submission has been made.

#### **5.1 Process after consideration of submissions**

Any amendments proposed by the Committee to the Council's initial representation proposal must be made in response to submissions. This is because, otherwise, the community will not have had an opportunity to give feedback on all aspects of the proposal. Changes from the initial proposal not reflecting submissions are grounds for objection, by any person, against the Council's final proposal.

The Committee will need to recommend to Council, for consideration at the Council meeting on 31 October 2018, any amendments to the Council's initial proposal following its consideration of submissions, and state the reasons for any amendments to its initial proposal and the reasons for any rejection of submissions. At the Council meeting on 31 October the Council will resolve

its final proposal for the 2019 elections. Depending on the nature of the Council's final proposal the proposal will then be open to appeals and/or objections.

## **6. Consideration of climate change**

The matters addressed in this report are of a procedural nature, and there is no need to conduct a climate change assessment.

## **7. The decision-making process and significance**

No decision is being sought in this report.

### **7.1 Engagement**

Engagement on this matter is unnecessary.

## **8. Recommendations**

*That the Committee:*

- 1. Receives the report.*
- 2. Notes the content of the report.*

Report prepared by:

**Francis Ryan**  
Manager, Democratic  
Services

Report approved by:

**Luke Troy**  
General Manager, Strategy

**Attachment 1:** 16 August 2018 resolution of Council's initial representation proposal for the 2019 elections

**Attachment 2:** Committee terms of reference

**Attachment 3:** Hearing schedule

**Wellington Regional Council meeting, 16 August 2018****Resolution on Report 18.319 - Initial representation proposal for the 2019 triennial elections**

*That the Council:*

1. **Receives** the report.
2. **Notes** the content of the report.
3. **Agrees** that the six options outlined in section 4.1 of this report represent the range of reasonably practicable options for consideration.
4. **Notes** that any resolution to change the existing representation arrangements must include an explanation for the reasons for the proposed change.
5. **Endorses** the recommendation from mana whenua that the following changes should be made to constituency names to reflect the history and mana whenua narrative of the Wellington Region:
  - i. Kapiti Coast Constituency to be renamed as “Kāpiti Constituency”
  - ii. Lower Hutt Constituency to have the dual name of “Te Awa Kairangi ki Tai/Lower Hutt Constituency”
  - iii. Upper Hutt Constituency to have the dual name of “Te Awa Kairangi ki Uta/Upper Hutt Constituency”
  - iv. Wellington Constituency to have the dual name of “Pōneke/Wellington Constituency”.
6. Having assessed the six options in terms of the requirements for effective and fair representation, and considering that it is necessary to depart from the population formula of section 19V(2) of the Local Electoral Act 2001 in order to provide effective representation for the distinct communities of interest of Kāpiti, Te Awa Kairangi ki Tai/Lower Hutt, and Wairarapa, **resolves** its initial representation proposal for the 2019 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: 39,531)</i> <i>(+/-10% range from the average: 35,578 to 43,484)</i>

<i>Pōneke/Wellington</i>	<i>5</i>	<i>The area of Wellington City, excluding the area of the Tawa Community</i>	<i>39,500</i>
<i>Porirua-Tawa</i>	<i>2</i>	<i>The area of Porirua City, and the area of the Tawa Community of Wellington City</i>	<i>35,650</i>
<i>Kāpiti</i>	<i>1</i>	<i>The area of the Kapiti Coast District</i>	<i>52,700</i>
<i>Te Awa Kairangi ki Tai/Lower Hutt</i>	<i>3</i>	<i>The area of Lower Hutt City</i>	<i>34,900</i>
<i>Te Awa Kairangi ki Uta/Upper Hutt</i>	<i>1</i>	<i>The area of Upper Hutt City</i>	<i>43,200</i>
<i>Wairarapa</i>	<i>1</i>	<i>The area of South Wairarapa District, Carterton District and Masterton District, and that part of Tararua District that falls within the Wellington Region</i>	<i>44,500</i>

7. *Notes that this proposal retains the Council's existing representation arrangements, subject to the inclusion of te reo names for constituencies, as detailed above, and also incorporating the change to the boundary of the Tawa Community as determined by the Local Government Commission on 25 September 2015 in order to provide consistency for electors and to facilitate effective election administration.*
8. *Establishes the Representation Review 2018 Hearing Committee and **adopts** the terms of reference for the Committee, as set out in Attachment 3 to this report.*
9. ***Appoints** Crs Blakeley, Brash, Donaldson, Gaylor, Kedgley, Laban, Laidlaw, Lamason, McKinnon, Ogden, Ponter, Staples and Swain to the Committee and **appoints** Cr Donaldson as Chair.*

The motion was CARRIED.

## **Terms of Reference for the Representation Review 2018 Hearing Committee**

### **1. Membership**

The membership of the Representation Review 2018 Hearing Committee shall be made up of the following members of the Greater Wellington Regional Council: Crs Blakeley, Brash, Donaldson (Committee Chair), Gaylor, Kedgley, Laban, Laidlaw, Lamason, McKinnon, Ogden, Ponter, Staples, and Swain.

The quorum is seven members.

### **2. Meeting procedures**

All members have equal speaking and voting rights (one per member).

Meetings will be open to the public, except where there are grounds to exclude the public in terms of the Local Government Official Information and Meetings Act 1987.

The Greater Wellington Regional Council Standing Orders apply.

### **3. Purpose**

The purpose of the Representation Review 2018 Hearing Committee is to aid the Council in reviewing its representation arrangements under section 19I of the Local Electoral Act 2001 in time for the Greater Wellington Regional Council's 2019 triennial election.

### **4. Powers**

The Committee has the power to:

- (1) Consider any written submissions the Council receives on its proposed representation arrangements and oral presentations relating to the written submissions.
- (2) Once submissions have been considered, make recommendations to the Council on what, if any, amendments should be made to the Council's proposed representation arrangements. The report containing these recommendations should include reasons for any proposed amendments to the Council's initial representation proposal and for the rejection of any submissions.

### **5. Responsibilities**

The Committee shall ensure that:



- The hearing and consideration process is carried out in a way that is effective and timely
- Submitters are provided with the best possible opportunity to be heard in support of their submission
- Committee members receive submissions with an open mind and give due consideration to each submission
- The decision-making process is robust and transparent and the summary of the consultation process adequately, fairly and demonstrably reflects the submitters' comments
- The process and advice that the Committee provides to the Council is consistent with the legislative requirements of the Local Electoral Act 2001.

## **6. Duration of Committee**

The Committee is deemed to be dissolved once the representation arrangements have been finalised for the Greater Wellington Regional Council's 2019 triennial election.

## Attachment 3 to Report 18.440

## Hearing schedule for considering submissions on the initial representation proposal for the 2019 triennial elections

Submitter	Presenter	Submission Number	Time	Total allocated, including questions
Public Transport Users Association – Wellington Branch	Kara Lipski	3	9:45am	10 minutes
Kapiti Coast District Council	Cr Fiona Vining	4	9:55am	20 minutes
Masterton District Council	Mayor Lyn Patterson	5	10:15am	20 minutes



**Report** 18.439  
**Date** 5 October 2018  
**File** CCAB-8-1839

**Committee** Representation Review 2018 Hearing Committee  
**Author** Francis Ryan, Manager, Democratic Services

## **Submissions received on the initial representation proposal for the 2019 triennial elections**

### **1. Purpose**

This report provides an overview of the submissions received on the Council's initial representation proposal for the 2019 triennial elections, together with officers' comments on submission points. The report will assist the Committee in making recommendations to Council on the proposed form of the Council's final representation proposal for the 2019 elections after the Committee's consideration of the submissions received.

Report 18.440 sets out the process for considering submissions at the Committee's hearing.

### **2. Submission process**

At its meeting on 16 August 2018 the Council resolved its initial representation proposal for the 2019 triennial elections. The initial proposal was publicly notified on 24 August 2018 and the submission period closed on 26 September 2018. The opportunity for submissions was also featured on the home page of GWRC's website during the submission period.

### **3. Submissions received**

Five submissions were received. Two were personal submissions, one was from a community organisation, and two were from territorial authorities in the Wellington Region.

All submitters have proposed changes to the Council's initial representation proposals; however, there are no common elements in the submissions. A summary of the changes sought by submitters and officer comments for the Committee to consider in its deliberations is attached as [Attachment 1](#). A full set of submissions has been provided separately to Councillors.

No submissions were received on the Council's proposal to include a Te Reo name for each of the current Lower Hutt, Upper Hutt and Wellington constituencies. Also, no submissions were received on the Council's proposal

to make a minor boundary alteration between the Pōneke/Wellington and Porirua-Tawa constituencies.

#### **4. Communication**

The Committee's recommendations will be considered by Council on 31 October 2018, with the Council then resolving its final representation proposal for the 2019 elections.

#### **5. Consideration of climate change**

The matters addressed in this report are of a procedural nature, and there is no need to conduct a climate change assessment.

#### **6. The decision-making process and significance**

The matter requiring decision in this report has been considered by officers against the requirements of Part 6 of the Local Government Act 2002.

##### **6.1 Significance of the decision**

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

The decision-making process for the Council's representation review for the 2019 triennial elections is set out in the Local Electoral Act 2001.

##### **6.2 Engagement**

No engagement is required in relation to this report.

Engagement with regard to the Council's final representation proposal will be undertaken in accordance with the process set out in the Local Electoral Act 2001.

#### **7. Recommendations**

*That the Committee:*

- 1. Receives the report.*
- 2. Notes the content of the report.*
- 3. Considers the information in this report and attachments in determining its findings and recommendations to Council.*
- 4. Recommends to the Council the proposed final representation proposal for the 2019 elections, incorporating any changes to the Council's initial proposal as resolved by this Committee.*

Report prepared by:

**Francis Ryan**  
Manager, Democratic  
Services

Report approved by:

**Luke Troy**  
General Manager, Strategy

**Attachment 1:** Proposals for changes to GWRC's initial proposal

**Attachment 1 to Report 18.439****GWRC initial representation proposal for the 2019 triennial elections****Proposals for changes to GWRC's initial proposal**

<b>Submitter</b>	<b>Proposals for changes to the GWRC initial proposal</b>	<b>Officer comment</b>
<b>Michael Gibson</b>	I submit that Wellington "gains" Tawa and therefore a sixth Councillor.	Option 2 contained in Attachment 4 to Report 18.319, considered at the Council meeting on 16 August 2018, sets out membership options for a Wellington Constituency which includes Tawa.  Statistically, a sixth member for the Wellington Constituency for a Council comprising 13 Councillors would not comply with the +/-10% rule (-10.3%).
	Councillors should be elected at large.	Under section 19E of the Local Electoral Act 2001 a region must be divided into constituencies for electoral purposes.
<b>Max Shierlaw</b>	I propose that the following constituencies be formed. Wellington/Porirua 6 Councillors average 44,800 Kapiti 1 Councillor average 52,700 Hutt Valley 3 Councillors average 49,300 Wairarapa 1 Councillor average 44,500  Total of 11 Councillors average 47,825  +/- 10% 43,043 to 52,608 Only Kapiti exceeds the +/- 10%, and by less than 100 voters.	The Region's population of 513,900 divided by 11 members provides an average of 46,718 persons per member. Accordingly, the correct +/-10% range for the submitter's proposal is 42,046 to 51,390.  Under the submitter's proposal the population of the Kāpiti Constituency exceeds the upper limit of the +/-10% rule by 2.8% (1,310 persons).

<p><b>Public Transport Users Association (Wellington Branch)</b></p>	<p>Another option is to (a) combine Porirua and Kapiti and provide this area with 3 councillors, and (b) increase the number of councillors to 14. ... In this case, only Upper Hutt falls well outside the +/-10% range, and Wairarapa is closer to the top of the range. ...</p> <p>No option to include Tawa as part of Porirua should be considered. It is also important to increase the number of Wellington representatives to 6 ...</p>	<p>Under a 14 member scenario with the Porirua and Kāpiti constituencies combined, and with the Wellington Constituency having six members, the population per Councillor for the Upper Hutt Constituency would exceed the average by 17.7%, and the population per Councillor for the Wairarapa Constituency would exceed the average by 21.2%.</p>
<p><b>Kāpiti Coast District Council</b></p>	<p>The preferred option of Kapiti Coast District Council is for two Regional Councillors for the Kapiti Coast District.</p> <p>Kāpiti Coast District Council rejects the proposed name change from “Kapiti Coast Constituency” to “Kāpiti Constituency” with the loss of the word “Coast”.</p>	<p>This is the 14 member scenario of Option 1 contained in Attachment 4 to Report 18.319, considered at the Council meeting on 16 August 2018.</p> <p>It is unclear whether the submitter wishes for the current constituency name of “Kapiti Coast Constituency” to be retained or for the word “Coast” to be added to GWRC’s proposed constituency name to form “Kāpiti Coast Constituency”.</p>
<p><b>Masterton District Council</b></p>	<p>Masterton District Council (MDC) continues to advocate for greater representation of the Wairarapa at a regional level. Therefore, we request that GWRC:</p> <ul style="list-style-type: none"> <li>• Increase the total number of GWRC elected members to 14;</li> <li>• Increase the number of GWRC representatives for the Wairarapa from one to two; and/or</li> <li>• Increase the level of delegation to the Wairarapa Committee.</li> </ul>	<p>This is the scenario of Option 5 contained in Attachment 4 to Report 18.319, considered at the Council meeting on 16 August 2018.</p> <p>The matter of delegations to the Wairarapa Committee falls outside of the scope of the representation review and the terms of reference for the Representation Review 2018 Hearing Committee.</p>