

SOUTH WAIRARAPA DISTRICT COUNCIL

8 AUGUST 2018

AGENDA ITEM C5

REPRESENTATION REVIEW

Purpose of Report

To report to Council on the representation review.

Recommendations

Officers recommend that the Council:

1. *Receive the information.*
2. *That the South Wairarapa District Council adopts as its Initial Proposal for the Representation Review for the local election to be held in 2019 and subsequent elections until altered by any subsequent decisions the following:*
 - (a) *That the Council comprise nine (9) Councillors elected from three (3) wards, and the Mayor elected at large;*
 - (b) *That the Council retain the existing ward names of Featherston, Greytown and Martinborough;*
 - (c) *That the proposed boundaries of the three (3) wards remain as they are at present;*
 - (d) *That there be three (3) Community boards representing the communities of Featherston, Greytown and Martinborough;*
 - (e) *That the proposed boundaries of the three (3) communities remain as they are at present;*
 - (f) *That the membership of the Featherston, Greytown and Martinborough Community Boards be retained at four (4) members elected at large from the respective communities and two members appointed by the Council representing the respective Wards;*
3. *That public notice is given of the Initial Proposal as contained in this resolution;*
4. *That the South Wairarapa District Council will hear submissions on this Initial Proposal.*

1. Introduction

The Local Electoral Act requires local authorities to carry out a review of their representation arrangements at least once every six years. Having

previously conducted a representation review in 2012 for the 2013 and 2016 local elections, the Council is now required to undertake a representation review for the 2019 and 2022 local elections. Representation reviews are defined by the Local Electoral Act 2001 as reviews of the representation arrangements for a local authority. Those arrangements include:

- a. The number of councillors to be elected to the Council;
- b. Whether councillors are elected by wards or by the district as a whole (or a mixture of both systems);
- c. If elected by wards, the number, boundaries and names of these wards and the number of councillors that will represent them; and
- d. Whether to have Community Boards, and if so how many, their boundaries and membership.

The Council is required to adopt an initial proposal for public consultation on its representation arrangements for the 2019 and 2022 elections. Following adoption, the proposal must be publicly notified inviting the public to make submissions on it. The Council must consider, and hear if requested, any submissions received on its proposal. Based on those submissions, the Council needs to either confirm or amend the proposal as its "final" proposal, which is also notified. The Council's "final" proposal must be adopted and public notice given within six (6) weeks of the close of submissions on the Initial Proposal. If there are appeals and objections to the "final" proposal, then the Local Government Commission makes the final determination. The Commission determination must be made no later than 10 April 2019 and is subject to judicial review or appeal on a point of law. The process must adhere to a statutory timeline and process.

Once the initial proposal is agreed, the formal statutory review process commences. As discussed at Councillor Workshops, it is desirable to embark on public consultation on an initial proposal as soon as possible.

In preparing for and carrying out a representation review, the Council must be aware of the relevant provisions of the Act and the Local Government Act 2002. The Council must also consider the guidelines issued by the LGC to assist local authorities in identifying the factors and considerations that they should take into account when developing their representation proposals

2. Community Boards and Maori Representation

Recommendations were sought from the three Community Boards and the Maori Standing Committee and these have been considered. Their recommendations supported maintaining the status quo.

Provided the recommendations are approved by Council at the August council meeting the advertisement will be placed in the local press the following week.

The Council at its workshops agreed that more research be done on separate electoral representation for Maori for further consideration.

3. Communities of Interest and Fair and Effective Representation

Council has prepared this initial proposal for public review. The initial proposal reflects the following key principles:

3.1 Identifying Communities of Interest:

South Wairarapa District is a territorial authority with urban townships surrounded by rural farmland. The review takes into account a number of factors when identifying the communities of interest, including:

- Current and historic boundaries
- Housing and development patterns, and potential for urban growth
- Business and education activities such as industrial areas, defined shopping hubs and existing schools
- Community organisation's boundaries
- Areas of significant open space, topographic and other features and natural landscapes (such as major roads and transport corridors, rivers, local beaches, hills and valleys)
- Provision of utilities
- Rural character
- Opportunities for planned and random social interactions
- Services and local places, including marae, schools, medical facilities, libraries, community centres, churches, cafes and shops
- Open spaces and recreational spaces and facilities, including parks, pools and walking tracks

Effective Representation - that identified communities of interest are adequately represented by a council structure elected by Wards, at large or a mixture of both.

Fair Representation - that any ward structure (if adopted) ensures that electors receive fair representation from an appropriate number of elected members per ward and that the ratio of electors per ward member is consistent across the whole district ($\pm 10\%$).

Table 1: Estimated Resident Population at 30 June 2017

Ward	Estimated Resident Population	Members	Population Per Member
Featherston	3,180	3	1,060
Greytown	3,460	3	1,153
Martinborough	3,600	3	1,200
Totals	10,240	9	

In accordance with section 19V(2) of the Local Electoral Act 2001 the population that each member represents must be within the range of 1,138 $\pm 10\%$ (1,024 to 1,251) unless particular community of interest considerations justify otherwise. The proposed ward representation structure meets that population test.

4. Conclusions:

The reasons for the Council's initial proposal include:

- All wards comply with the legislative requirements and provide for fair representation;
- The growth patterns predicted in the District growth projections prepared as part of the long term plan process indicate that compliance will continue in future years;
- The existing ward and community board structure is well understood by the electors;
- The Council is satisfied that the existing structure will continue to provide effective representation for the District's distinct communities of interest; and
- No significant changes have occurred since 2012 to indicate that the Council should be proposing changes to its representation arrangements at this time.

5. Proposed timeline:

- **Wednesday 8 August 2018** - Council meeting to resolve initial proposal.
- **Wednesday 15 August 2018** - advertise initial proposal and consultation period (allowing one month to make submissions).
- **Friday 21 September 2018** - consultation closes.
- **Wednesday 24 October 2018** - Council meeting to include Representation Review hearing/to adopt final proposal (within 6 weeks of submissions closing).
- **Wednesday 31 October 2018** - Public Notice of final proposal. (within 6 weeks of submissions closing).
- **Friday 2 November – Monday 3 December 2018** - appeals/objections period (at least one month).
- **By 14 December 2018** - Forward to LGC (if required).

6. Submissions

The format of the required advertisement is Appendix 4 in the Local Government Commission Guidelines.

7. Financial Implication

There are costs associated with representation. The costs will largely be associated with:

- Elected member remuneration and administrative costs and facilities, and
- Compilation of electoral rolls and administration of the election.

There are no additional costs should the Council retain the status quo.

Costs of the Representation Review consultation will be covered by the Election Expenses budget.

8. Legal Implications

Local Electoral Act 2001 - Section 19 of the Local Electoral Act sets out the provisions for the Council's representation review. In particular, Sections 19T to 19V relate to the requirements around effective and fair representation when determining membership and basis of election.

Local Government Act 2002 - The Council is also required to comply with the decision-making procedures contained in Part 6 of the Local Government Act.

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