

Report to the Constituency Review Subcommittee
from Lloyd Bezett, Policy Analyst

Determining Effective Representation

1. Purpose

To consider constituency boundaries that provide effective representation of the communities of interest that exist within the Wellington Region.

2. Background

The next stage of a review of constituencies and membership is to determine how to achieve effective representation of the communities of interest within the Region. This involves the determination of the number, name and boundaries of the constituencies.

Effective representation can be achieved by:

- making each community of interest a separate constituency, or
- combining a number of communities of interest into a single constituency, or
- dividing a community of interest.

In a territorial authority the issue of whether election should be conducted “at large” or on ward system is also considered at this time. However, in a regional council election must be conducted using constituencies.

3. Comment

3.1 *Porirua/Tawa Constituency*

If the Subcommittee considers that the Tawa Community Board area of Wellington City and Porirua City form a single community of interest, it should consider whether it should be a constituency. While this option has been rejected in previous reviews, Tawa and Porirua were a combined regional constituency for 1986-1989.

It should also be noted that the Local Government Commission, during its consideration of appeals on the Council’s last review, stated that the member to

population ratio in Porirua is low in comparison with the rest of the Region. The Commission recommended that *the Council consider the situation very carefully prior to the elections to be held in 2001.*

The Subcommittee will recall that section 101L(1)(c) of the Local Government states:

That so far as is practicable, constituency boundaries (shall) coincide with the boundaries of one or more territorial authority districts or boundaries of wards.

As Tawa is no longer a separate ward of Wellington City this raises an issue of whether the Council can legally create such a constituency.

The Council has sought a legal opinion on this issue. The opinion has concluded that if the Council has good reasons to depart from the principle in section 101L(1)(c), and it does so to achieve fair representation, then it is a viable option to pursue. Furthermore, proposing a constituency boundary that coincides with a community boundary rather than a ward boundary would not be in contravention of the spirit of the Act.

3.2 Two Constituencies for Wellington City

2.2.1 Past Reasons

The 1989 Order-in-Council establishing Wellington Regional Council created two constituencies in the area of Wellington City - Wellington North electing three representatives and Wellington South electing four representatives on a 19 Member Council. At that time the maximum number of elected members representing one constituency in a regional council was set at 4. (That, of course, was before the 14 member maximum was imposed.) In 1992, the Local Government Amendment Act united Wellington City into a single constituency with five members out of a total Council membership of 14.

In 1994, and subsequently in 1997 the Council took the view that Wellington be divided into two constituencies for the following reasons:

- representation is more likely to be equally distributed geographically throughout the city
- the cost to candidates could be reduced allowing a more equal contest
- it enables improved Councillor contact with the local community and accountability
- leads to voters being more informed of candidates and increases the likelihood of direct contact
- encourages public participation in the Council's activities
- allows for considerable savings for the Council should a by-election in Wellington be necessary.

The argument for a single Wellington constituency is that:

- voter choice of candidates is maximised
- councillors would serve the whole City and not just part of it

- a larger number of councillors assists more diverse representation from minority groups.

3.2.2 The Future

If the Council determines that there should be two constituencies for Wellington City, the question then arises - how should the boundaries of those constituencies be set?

The Act specifies that, as far as practicable, constituency boundaries should conform to territorial authority or ward boundaries. It should be noted that the division of Wellington City into two constituencies is done to produce effective representation, not because the Council recognises separate communities of interest. The starting position therefore is the current Wellington City ward boundaries (See map at **Attachment 1**).

Possible constituency boundaries are as follows:

- Wellington North Western Constituency comprising Northern, Onslow and Western Wards of Wellington City
- Wellington South Eastern Constituency comprising Southern, Eastern and Lambton Wards of Wellington City

The Subcommittee may also wish to consider placing the Lambton Ward in the North Western Constituency. The actual boundaries adopted by the Council will be influenced by its decision on whether the Tawa Community Board area should be part of Porirua.

For the Subcommittee's information **Attachment 2** gives the number of councillors, member-to population ratio in Auckland, Canterbury and Waikato Regional Council.

3.3 *Four Regional Constituencies*

Another possibility that has been mooted is a four constituency model consisting of Wellington, Porirua/Kapiti, Hutt Valley and Wairarapa. The simplicity of this model has some attraction, however the Subcommittee should consider whether four constituencies would adequately recognise the communities of interest identified in this paper and allow each to be "effectively" represented

Four constituencies may also lead to some cities or districts being under represented on the Wellington Regional Council. For example, it could be anticipated that the overwhelming electoral strength of Lower Hutt, in a combined Hutt Valley constituency, would mean that a candidate from Upper Hutt could have difficulty being elected

3.4 *A Maori Constituency*

Environment Bay of Plenty has promoted a Local Bill allowing for the establishment of constituencies based on the Maori/iwi communities of interest in that Region. If

successful, this would be the first instance of direct Maori representation on a local authority using racially based communities of interest (excluding the Auckland Regional Authority experiment with Maori wards based on Maori electorate boundaries).

While the creation of constituencies not based on contiguous geographic areas is not legally possible (be it for Maori or the rural community), the Subcommittee may wish to use the opportunity of the Review to seek the opinion of the public on this issue.

3.5 *Two Constituencies for the Wairarapa*

The Council is aware that there has been some dissatisfaction expressed in the Wairarapa that the dominance of urban Masterton in population terms (19,450 residents out of a constituency total of 38,260) means that it is difficult for a candidate from outside Masterton to be successful.

The Subcommittee may therefore wish to discuss whether a case can be made out for two constituencies in the Wairarapa to achieve effective representation.

3.6 *Naming Constituencies*

Councillors should consider whether the proposed names of constituencies allow them to be clearly identified by electors.

4. Recommendation

That the Subcommittee receive the Report as the basis for discussion.

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