

**QLDC Council  
6 September 2018**

**Report for Agenda Item: 3**

**Department: Corporate Services**

**Representation Review 2018**

**Purpose**

To present the recommendations from the Hearing of Submissions on the 2018 Representation Review held on 13 August 2018 and to gain Council agreement on the final proposal for representation within the Queenstown Lakes District.

**Recommendation:**

That Council:

1. **Notes** the contents of this report;
2. **Adopts** for as its final proposal pursuant to S19H of the Local Electoral Act 2001:
  - a. That all Councillors shall be elected in three wards;
  - b. The names of the wards shall be: Queenstown-Wakatipu, Arrowtown and Wanaka;
  - c. The boundaries of each ward will be as at present except that Queenstown-Wakatipu Ward will lose meshblocks 4001187, 4011665, 401188, 401189, 4011666 and 3039806 which will become part of the Arrowtown Ward with boundaries that will now take in MacDonnell Road and the area of Millbrook and its environs;
  - d. Six Councillors will be elected by the voters in the Queenstown-Wakatipu Ward; one Councillor will be elected by the voters in the Arrowtown Ward; and three Councillors will be elected by the voters in the Wanaka Ward;
3. **Adopts** for its final proposal pursuant to S19J of the Local Electoral Act 2001 that there shall be a Wanaka Community and a Wanaka Community Board comprising four members elected directly by voters in the Wanaka Ward as a whole and the three Wanaka Ward Councillors appointed by Council;
4. **Notes** that pursuant to S19V(4) of the Local Electoral Act 2001 the Council must refer its final proposal to the Local Government Commission because it has decided not to comply with S19V(2) in respect of the Arrowtown Ward;
5. **Notes** that appeals and objections to the final proposal may be received until 5.00pm on Monday, 8 October 2018; and

6. **Resolves** pursuant to S19H(2)(h) LEA to undertake the representation review prior to the 2021 triennial general election.

Prepared by:



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22/08/2018

Reviewed and Authorised by:



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23/08/2018

## Background

- 1 Councils are required by the Local Electoral Act 2001 ['LEA'] to review their representation arrangements at least once every six years. Queenstown Lakes District Council [QLDC] was required to undertake this review in 2018 for the 2019 triennial election. The process is known as the 'Representation Review' and enables Council to reassess the structure of its membership and the way Councillors and Community Board members are elected.
- 2 The Council last undertook a review in 2012. The present ward structure has been in place since 2006 and has been used for four elections (2007, 2010, 2013 and 2016).
- 3 The Arrowtown Ward is outside the +/-10% variance allowable under the LEA. It did not comply at the time of the last review in 2012 and several alternative options were considered at that time, but none was adopted. As Council's decision was unopposed, this non-compliance was not subject to further consideration by the Local Government Commission.
- 4 Legislative change introduced in 2013 now mandates any decision by the Council not to comply with the +/-10% rule to be referred to the Local Government Commission for determination, whether opposed or not. The referral is treated by the Commission as an appeal under LEA. Following the period of objection/appeal the Council will be refer its final proposal to the Local Government Commission along with any objections or appeals received.

## Consultation and Hearing

- 5 The Council adopted the following proposal for public consultation at its meeting held on 14 June 2018:
  - a. *All Councillors are elected in wards;*
  - b. *The names of the wards shall be: Queenstown-Wakatipu, Arrowtown and Wanaka;*

- c. *The boundaries of each ward will be as at present except that Queenstown-Wakatipu Ward will lose meshblocks MB3039711 and MB3039806 which will become part of the Arrowtown Ward;*
  - d. *Six Councillors will be elected by the voters in the Queenstown-Wakatipu Ward; one Councillor will be elected by the voters in the Arrowtown Ward; and three Councillors will be elected by the voters in the Wanaka Ward;*
  - e. *There will be a Wanaka Community Board comprising four members elected directly by voters in the Wanaka Ward and the three Wanaka Ward Councillors appointed by Council.*
- 6 Consultation commenced immediately with public notification via print, radio coverage, the Council website and social media channels; it closed on 16 July 2018.
- 7 The Council received 37 submissions on its proposal. Eighteen submissions were in favour of the Council's proposal. Eight submissions raised objections to the Council's proposal, as follows:
- Four submitters wanted the present Arrowtown Ward boundaries to be retained; and
  - Four submitters wanted the Arrowtown Ward to be merged with the Queenstown-Wakatipu Ward, electing seven Councillors.
- 8 The remaining submissions contained objections to various other elements of the Council's proposal as follows:
- Disestablishment of the Wanaka Community Board;
  - Increase the number of Councillors elected in the Wanaka Ward from three to five;
  - Subdivide Hāwea from the Wanaka Ward to create a Hāwea Ward, with the Hāwea Ward to elect one Councillor and the Wanaka Ward to elect two Councillors;
  - Subdivide Frankton from the Queenstown-Wakatipu Ward;
  - Extend the boundary of the Arrowtown Ward through the Gibbston Valley;
  - Create a Council for Wanaka;
  - No change to ward boundaries but for the Queenstown-Wakatipu Ward to elect eight Councillors (increase from six) and the Wanaka Ward to elect four Councillors (increase from three); the Arrowtown Ward to continue to elect one Councillor;
  - Council to review its practice of appointing all three Wanaka Ward Councillors to the Wanaka Community Board for the full term of Council;
  - Council to undertake a 'blue sky' look at dividing the district into wards in 2024.
- 9 In addition, Statistics NZ provided advice to the Council on 31 July that the 2018 meshblock pattern had altered and the Council's final proposal needed to use the latest meshblock pattern.

- 10 A hearing of submissions by the full Council was held on 13 August 2018. The minutes of the hearing are Attachment A to this report.
- 11 The Council considers that the proposed boundary changes to the Arrowtown Ward are appropriate for the following reasons:
- The proposal reduces the non-compliance of the Arrowtown Ward significantly (-21.09% to -12.74%) and brings it much closer to compliance with S19V(2) of LEA (+/-10%);
  - The proposal preserves the community of interest of Arrowtown by including within the boundary areas that have historically been closely associated with Arrowtown; compliance with section 19V(2) by extending the boundary of the Arrowtown Ward further would limit effective representation of communities of interest by uniting within a ward communities of interest with few commonalities of interest.
- 12 The other matters raised in objections are rejected for the following various reasons:
- The resulting representation would not comply with S19V(2);
  - The resulting representation would be over-government relative to other areas in the district;
  - Disestablishment of the Wanaka Community Board was not aligned with the submissions from the Wanaka Ward which sought greater and more local representation;
  - Increasing the number of Councillors elected by the Queenstown-Wakatipu and Wanaka Wards to accommodate the present Arrowtown Ward without change was not seen as necessary, nor was it a matter raised in a large number of submissions.
  - The ratio of appointed Wanaka Ward Councillors to elected Wanaka Community Board members was noted but rejected as being out of scope for the representation review itself. This matter may be considered at any time as a Council resolution.
  - The Representation Review as prescribed by the LEA does not include the ability to create new territorial authorities, e.g. a new district council subdivided from Queenstown Lakes District Council.
- 13 The Council accepted the submission which sought a 'blue sky' review of the present representation system prior to the 2024 triennial general election. It agreed with the submitter that arrangements had remained largely the same since amalgamation in 1989 and in that period, the district had changed immensely. The Council considered that there would be value in undertaking the review sooner than submitted, noting that a more frequent review than every six years was permissible under LEA.
- 14 The final representation proposal is set out below.

## Council Representation

- 15 It is proposed that the Council comprise ten members elected from three wards, and the mayor. The three wards reflect the following identified communities of interest:

Ward	Description
Queenstown-Wakatipu Ward	All of the Wakatipu Basin area from just beyond Kingston to the top of the Crown Range and including Glenorchy <u>except</u> those areas around Arrowtown covered by the Arrowtown Ward.
Arrowtown Ward	The village area of Arrowtown bounded by Butel Park, Millbrook, Centennial Avenue and including the area of MacDonnell Road to the intersection with State Highway 6.
Wanaka Ward	From the top of the Crown Range and all of the Upper Clutha Area including Hāwea up to just beyond Makarora and including part of the Matukituki Valley in Mt Aspiring National Park.

- 16 The population that each member will represent is as follows:

Ward	Population (2013 census)	Members	Population per member
Queenstown-Wakatipu Ward	22,290	6	3,715
Arrowtown Ward	3,240	1	3,240
Wanaka Ward	11,600	3	3,883
<b>District</b>	<b>37,130</b>	<b>10</b>	<b>3713</b>

- 17 In accordance with section 19V(2) of the *Local Electoral Act 2001* the population that each member represents must be within the range of 3,713 +/- 10% (3,342 to 4,084), unless particular community of interest considerations justify otherwise.
- 18 Only the representation of the Arrowtown Ward falls outside the stipulated range. The Council considers that the Arrowtown Ward warrants a single member for the following reasons:
- Arrowtown is a separate community of interest in the district because of its unique historical importance and individual character different from the wider district.
  - Compliance with subsection (2) would limit effective representation of communities of interest by uniting within a ward two or more communities of interest with few commonalities of interest.

## Community Board Representation

- 19 It is proposed that the following community board be elected:

Ward	Description
Wanaka Community Board	From the top of the Crown Range and all of the Upper Clutha Area including Hāwea up to just beyond Makarora and including part of the Matukituki Valley in Mt Aspiring National Park.

- 20 The Wanaka Community Board will elect four members. It will not be subdivided for electoral purposes. It will have three appointed members, being the three Councillors elected from the Wanaka Ward.

### **Next Steps**

- 21 The Council must give public notice of the final proposal. The public notice must incorporate any amendments made, and these are the new meshblock numbers. However, because the proposal has technically changed between the initial and final, both a right of appeal (by parties who have already submitted) and objection (by any interested person or organisation) exist. Those appealing may only raise matters already contained within their original submissions. Those objecting must identify the specific matters to which their objection relates.
- 22 The period of appeals/objections must be open for at least one month. It is proposed that the period close on 8 October 2018.
- 23 The Council is obliged by S19Q of LEA to forward any appeals and objections to the Local Government Commission. As noted earlier, because of non-compliance with S19V(2) the Council is obliged to forward its final proposal to the Commission regardless of whether other appeals or objections are received.

### **Options**

- 24 This report does not assess options in the usual way as the Council is required by law to pass a resolution in relation to its representation arrangements. The only options open to the Council at this meeting are either to adopt the recommendation as presented or to amend the recommendation in some way.

### ***Significance and Engagement***

- 25 This matter is of medium significance, as determined by reference to the Council's Significance and Engagement Policy because it will have a moderate impact upon the culture and the people of the district because it will impact upon the way they vote for the Council and the Wanaka Community Board.

### ***Risk***

- 26 This matter relates to operation risk OR011A Decision Making. The risk is classed as moderate as the Council's decision will result in the matter being referred to the Local Government Commission.

### **Financial Implications**

- 27 The cost of undertaking the Representation Review is covered by operational budgets.

### **Council Policies, Strategies and Bylaws**

- 28 The following Council policies, strategies and bylaws were considered:

- Significance and Engagement Policy
- Local Electoral Act 2001

- 29 The recommended option is consistent with the principles set out in the named policy/policies
- 30 This matter is not included in the Ten Year Plan/Annual Plan because it does not have any financial impact on Council.

### **Local Government Act 2002 Purpose Provisions**

31 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by providing income to Council and a decision in a timely manner;
- Can be implemented through current funding under the Ten Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

### **Consultation: Community Views and Preferences**

- 32 The initial proposal that the Council adopted was subject to public consultation and a right of objection/appeal applies to the final proposal.

### **ATTACHMENTS**

- A Minutes of hearing of submissions held on 13 August 2018