

QLDC Council
16 September 2021

Report for Agenda Item | Rīpoata moto e Rāraki take 1

Department: Corporate Services

Title | Taitara Representation Review 2021 Final Proposal

PURPOSE OF THE REPORT | TE TAKE MŌ TE PŪRONGO

- 1 The purpose of this report is to present the final Representation Review proposal for the Council to adopt following completion of a consultation process and two public hearings of submissions.

RECOMMENDATION | NGĀ TŪTOHUNGA

That Council:

1. **Note** the contents of this report;
2. **Adopt** for its final proposal pursuant to Section 19H of the Local Electoral Act 2001:
 - a. That all Councillors are elected in wards;
 - b. The names of the wards shall be: Queenstown-Whakatipu, Arrowtown-Kawarau and Wānaka-Upper Clutha;
 - c. The boundaries of the wards shall be:
 - i. The boundary of the Wānaka-Upper Clutha Ward will be the same as the present Wānaka Ward;
 - ii. The boundary of the Arrowtown-Kawarau Ward will be 3038701, 3038702, 4014322, 4014303, 4014329, 4014328, 3039504, 3038219, 3038106, 4001028, 4001203, 4016932, 4018096, 4001213, 3039727, 4001031, 4014322, 4015842, with the interior including the full area of the present Arrowtown Ward;
 - iii. The boundary of the Queenstown-Whakatipu Ward will be 4014604, 4010455, 4014325, 3039405, 4015498, 3038202, 4011608, 4011609, 4010439, 4010440, 4000500, 4010438, 4017638, 3040001;
 - iv. Four Councillors will be elected by the voters in the Queenstown-Whakatipu Ward, four Councillors will be elected by voters in the Wānaka-Upper Clutha Ward and three Councillors will be elected by voters in the Arrowtown-Kawarau Ward;

3. **Adopt** for its final proposal pursuant to S19J of the Local Electoral Act 2001 that there shall be a Wānaka-Upper Clutha Community and a Wānaka-Upper Clutha Community Board comprising four members elected directly by voters in the Wānaka-Upper Clutha Ward as a whole and one of the four Wānaka-Upper Clutha Ward Councillors as an appointed member (to be appointed by Council);
4. **Notes** that appeals and objections to the final proposal may be received until 5.00pm on Friday, 22 October 2021; and
5. **Formally thanks** the members of the Representation Review Advisory Group.

Prepared by:



Jane Robertson
Electoral Officer

1/09/2021

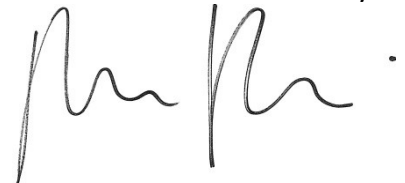
Reviewed and Authorised by:



Naell Crosby-Roe
Governance and Stakeholder
Relations Manager

2/09/2021

Reviewed and Authorised by:



Meaghan Miller
General Manager, Corporate
Services

3/09/2021

CONTEXT | HOROPAKI

- 2 Councils are required by the Local Electoral Act 2001 ['LEA'] to review their representation arrangements at least once every six years but may do so every three years. This 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. The Mayor is always elected by the whole district, so is not part of the review.
- 3 The Council resolved as part of the 2018 review that the next review should be undertaken within three years to be in place for the 2022 triennial election. The 2018 review largely retained the three-ward structure that had been in place since 2006, with the Queenstown-Wakatipu Ward electing six Councillors, the Wānaka Ward electing three and the Arrowtown Ward electing one. The only change made during the 2018 review was to expand the area of the Arrowtown Ward by transferring six meshblocks from Queenstown-Wakatipu. This served to reduce the non-compliance of the Arrowtown Ward from -21.09% to -12.74% and brought it closer to meeting S19V(2) of LEA which stipulates no more than a +/-10% variance (member/population measure).
- 4 Although no appeals or objections were received, LEA required the Council's final proposal to be referred to the Local Government Commission for determination because the Arrowtown Ward did not comply with S19V(2). The Commission upheld the Council's decision. Notwithstanding this, Council submitted to the Commission that it was its intention to undertake a review prior to the 2022 triennial general election although not by statute required to do so. This was both a recognition of the district's rapid growth and consistent with the Spatial Plan work that had just begun in 2018. It was also in response to a submission that had urged a 'blue sky' review of representation, pointing out that the ward arrangements had largely remained unchanged since amalgamation in 1989.

ANALYSIS AND ADVICE | TATĀRITANGA ME NGĀ TOHUTOHU

- 5 The Council adopted the following proposal for public consultation at its meeting held on 30 June 2021:
 - a. All Councillors are elected in wards;
 - b. The names of the wards shall be: Whakatipu, Kawarau, Arrowtown and Wānaka-Hāwea;
 - c. The boundaries of each ward are described as being:
 - i. the boundary of the Wānaka-Hāwea Ward shall be as the current Wānaka Ward;
 - ii. the external boundary of the Whakatipu and Kawarau Wards combined shall be the same as the present Queenstown-Wakatipu Ward;
 - iii. the Kawarau Ward shall exclude the present Arrowtown Ward and the boundary of the Arrowtown Ward shall be the same as present;
 - iv. the boundary between the Whakatipu and Kawarau Wards shall generally follow the line of the Shotover River and the eastern boundary of the lower part of Lake Whakatipu;

- v. the Whakatipu Ward shall be located generally to the west of the Shotover River and eastern boundary of the lower part of Lake Whakatipu *except* diverting to include meshblocks 3040105, 4010436, 4010435, 4000982, 4000981, 3040116, 3040107, 3040111, 3040114, 3040113, 3040112, 3040109, 4001022, 3040104, 4001021, 3040115, and the Kawarau Ward to the east *except* diverting to include meshblocks 3038219, 3039406, 3039504, 3040604, 4000906, 4000907, 4001002, 4001003, 4010441, 4010442;
 - d. The voters in each Whakatipu and Wānaka-Hāwea wards will elect four Councillors;
 - e. The voters in Arrowtown ward shall elect one Councillor;
 - f. The voters in Kawarau ward shall elect three Councillors;
 - g. There will be no community boards in the district.
- 6 Consultation commenced immediately with public notification via print, radio coverage, the Council website, social media channels, and direct mail to out-of-town ratepayers; it closed on 6 August 2021.
- 7 The Council received 303 submissions on its initial proposal. Of these, almost three-quarters were from Wānaka-Upper Clutha area, with about 16% from Arrowtown and the remainder from residents in Queenstown-Wakatipu or out of town.
- 8 The majority of submissions from Wānaka-Upper Clutha sought retention of the Wānaka Community Board, pointing to the belief that the area is a separate community of interest, meriting this level of representation. Many submissions also questioned the Council's initial proposal, having interpreted it as an option of either keeping the Wānaka Community and only having three Councillors, or losing the board and gaining an additional Councillor. Several submissions pointed out that on population numbers alone, Wānaka-Upper Clutha merited an additional Councillor.
- 9 Most of the submissions from Arrowtown sought retention of the ward and the single Councillor representative, many expressing concern that Arrowtown's unique qualities would be lost if amalgamated into a much larger ward.
- 10 There was some acknowledgement from several Arrowtown-based submitters that the ward could be extended into neighbouring areas (e.g. Speargrass Flat, Arrow Junction, Crown Terrace and Gibbston Valley) that were also seen to be part of its community of interest, specifically extending the ward boundaries to match that of the Arrowtown School catchment or encompassing all communities east of the Shotover River.
- 11 There were a number of submissions in opposition to retaining the single member Arrowtown Ward, particularly from submitters based in Wānaka-Upper Clutha. These submissions pointed out that there were other similarly sized smaller communities within the district that could also be considered as a separate ward if the Arrowtown Ward was retained. Principally highlighted amongst these comments were suggestions that Hāwea/Hāwea Flat could qualify as a separate ward. Statistically, there were more submissions from Wānaka-Upper Clutha raising this point than submissions made urging retention of the single-member Arrowtown Ward. There were also some comments from

Arrowtown-based submitters that they wanted to be able to vote for more than one member, highlighting that the seat is rarely contested.

- 12 Other points of note raised during submissions were that the district should have more community boards (to address the perceived inequity of there only being a community board in Wānaka) and that the Wānaka Community Board should only have one appointed member.

Hearing of submissions and deliberations

- 13 The Council, meeting as a committee of the whole, held two hearings of submissions on 26 and 27 August 2021 and 31 speakers spoke to their written submissions. The Council conducted deliberations following the hearing.

- 14 In late August 2021 the Local Government Commission provided Council with updated estimated resident population for Queenstown Lakes District as at 30 June 2020 on the 2022 proposed meshblock geography. This new data was used to guide deliberations and to assess various representation models that were raised during the hearings.

- 15 Most importantly, modelling using the new data showed that the Arrowtown Ward as presented in the original proposal would not meet S19V(2) (the +/-10% benchmark), coming out at +14%. A test extending the Arrowtown Ward to encompass the Arrowtown School Zone resulted in both the (proposed) Arrowtown and Kawarau Wards becoming non-compliant with results of -15% and +12% respectively.

- 16 The Council had regard to a suggestion raised during the hearing of submissions that the Arrowtown Ward be included within a new ward that would include all the communities east of the Shotover River (including all of Arthurs Point; both east and west of the Shotover River) to create a different Kawarau Ward. Jacks Point, Kelvin Peninsula and Kingston would be included in the proposed Whakatipu Ward and there would be three wards in total. This submission suggested that this proposed Kawarau Ward represented a community of interest: *“Arrowtown draws families from all over the eastern side of the Shotover for work, shopping, sport, community gatherings, education and recreation. The communities on the east side of the Shotover River are Communities of Interest.”*

- 17 This option was prepared using the June 2020 data set and was shown to be a compliant model provided that there were three Councillors elected in the Kawarau Ward, rather than the originally proposed four. The workings were as follows:

	Population	Members	Ratio	Diff	%age diff
Whakatipu	18,450	4	4,613	-314	-7%
Kawarau (East of Shotover)	13,000	3	4,333	-35	-1%
Wānaka-Hāwea	15,830	4	3,958	341	+8%
	47,280	11	4,298		

- 18 The new June 2020 data set produced a compliant model with four Councillors in each ward, however the proposed Kawarau Ward had a result of -10% which is at the fullest extent of the variance allowed under S19V(2) of LEA. The Council noted that this position would change with population growth, with that growth likely to occur quite soon.
- 19 In deliberations, the Council had regard to these figures and concluded that it was better to consider an eleven Councillor model over three wards (3+4+4), as this would result in compliance over the medium-term, in particular, until the next date a representation review would be required in 2027.
- 20 Most submissions favoured the continuation of a ward structure and the Council supported this approach.
- 21 Some comment was made in submissions about the proposed names of the wards and only slightly more than half were fully in support of the originally proposed names which were based on significant geographic features in each proposed ward. The Council considered that retention of the 'Arrowtown' name was important, especially if the current ward would be absorbed into a larger area. To address this, the name proposed is 'Arrowtown-Kawarau'.
- 22 The Council considers it appropriate to retain the name 'Queenstown-Whakatipu' as the name of the principal settlement and also to adopt the Ngāi Tahu spelling of 'Whakatipu'.
- 23 The frequent use of 'Upper Clutha' was noted in regard to the names of many groups within the current Wānaka Ward and the Council considers that an appropriate name could be either 'Wānaka-Upper Clutha' or Wānaka-Mata-au'. The view is that whichever ward name is adopted, it should also apply to the Wānaka Community Board.
- 24 The Council praised the eloquence of the many submissions made in support of retaining the Wānaka Community Board. It acknowledged the arguments that Wānaka is a distinct community of interest that requires the additional representation provided by the Board. It also acknowledged the arguments that the Board should only have one Councillor representative, with Council to agree the appointment from the proposed four Councillors.
- 25 The Council did not consider the small number of submissions that suggested there should be more community boards in the district warranted further consideration at this time. It accepted the submission that pointed out it was not uncommon to have community boards in only part of a district and noted furthermore, that there are strong community associations in many parts of the district, which advocate for local interests.
- 26 In summary, the conclusions of the deliberations were as follows:
 - a. A ward structure would remain in place.
 - b. There would be three wards in total. Four Councillors elected by the Wānaka-Mata-au/Wānaka-Upper Clutha Ward; four Councillors elected by the Queenstown-Whakatipu Ward; three Councillors elected by the Arrowtown-Kawarau Ward.
 - c. The names of the wards would be Queenstown-Whakatipu, Arrowtown-Kawarau and Wānaka-Upper Clutha or Wānaka-Mata-au.

- d. The boundaries of the new wards would be:
- Wānaka-Mata-au/Wānaka-Upper Clutha Ward boundary as at present.
 - Arrowtown-Kawarau Ward – The division between this and the neighbouring Queenstown Ward to largely follow the line of the Shotover River, with the external boundary to be the same as the present Queenstown-Wakatipu Ward. The communities within this proposed ward would be Arrowtown, Gibbston Valley, Shotover Country, Lake Hayes Estate, Dalefield and Arthurs Point.
 - Queenstown-Whakatipu – This would take in Jacks Point, Hanley’s Farm, Kingston, Frankton, Quail Rise, Kelvin Peninsula, Glenorchy, central Queenstown and Fernhill.
- e. There would be one community board in the district called either the Wānaka-Mata-au or Wānaka-Upper Clutha Community Board. The membership would be four elected members and one appointed member, being one of the Wānaka-Mata-au or Wānaka-Upper Clutha Councillors appointed by the Council.

Next steps

- 27 The Council must give public notice of the final proposal and must note any changes from the original proposal. The proposal has changed between the initial and final meaning that 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.
- 28 The period of appeals/objections must be open for at least one month. It is proposed that the period close at 5.00pm on 22 October 2021.
- 29 The Council is obliged by S19Q of LEA to forward any appeals and objections to the Local Government Commission.
- 30 As part of its desire to begin the representation review with ‘blue sky’ thinking, the Council decided in late 2020 to form an informal advisory group. Chaired by Bruce Robertson, the Representation Review Advisory Group met on four occasions and developed the proposal presented in the 30 June Council report. It is appropriate at this point in the project to thank the members for their contribution and it is recommended that the Council acknowledge this group’s work through a formal resolution.

Options

- 31 This report does not assess options, 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.

CONSULTATION PROCESS | HĀTEPE MATAPAKI:

> SIGNIFICANCE AND ENGAGEMENT | TE WHAKAMAHI I KĀ WHAKAARO HIRAKA

32 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 since it will impact upon the way they vote for the Council and the Wānaka Community Board.

33 The persons who are affected by or interested in this matter are the voters of the district.

> MĀORI CONSULTATION | IWI RŪNANGA

34 No specific consultation has been undertaken on this matter, noting that the existence of any Māori Wards within the district is not a consideration within the Representation Review process. An Iwi perspective was included as part of the discretionary Representation Review Advisory Group with Dean Whaanaga in attendance on behalf of Te Ao Marama Inc.

RISK AND MITIGATIONS | NGĀ RARU TŪPONO ME NGĀ WHAKAMAURUTANGA

35 This matter relates to the Strategic/Political/Reputation It is associated with RISK00038. This risk has been assessed as having a moderate inherent risk rating.

36 The approval of the recommended option will support the Council by ensuring compliance with the provisions of the Local Electoral Act 2001.

FINANCIAL IMPLICATIONS | NGĀ RITENGA Ā-PŪTEA

37 The cost of undertaking the representation review is covered by operational budgets. There is budget in place for the 2022 triennial election.

COUNCIL EFFECTS AND VIEWS | NGĀ WHAKAAWEAWE ME NGĀ TIROHANGA A TE KAUNIHERA

38 The following Council policies, strategies and bylaws were considered:

- Significance and Engagement Policy
- Local Electoral Act 2001

39 The recommended option is consistent with the principles set out in the named policy/policies.

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KĀWANATAKA Ā-KĀIKA

40 The recommended option:

- Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of,

communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. The representation review seeks to ensure fair and effective representation for individuals and communities and is therefore in line with the purpose of local government which is to enable local democratic decision-making.

- 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.

ATTACHMENTS | NGĀ TĀPIRIHANGA

A	Minutes, hearing of submissions, 26/27 August 2021
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