

**Chairperson and Community Board Members**  
WAIKANAE COMMUNITY BOARD

15 SEPTEMBER 2015

Meeting Status: **Public**

Purpose of Report: For Decision

## **COUNCIL'S FINAL PROPOSAL FOR REPRESENTATION ARRANGEMENTS**

### **PURPOSE OF REPORT**

- 1 This report provides to the Board the Council's final proposal for representation arrangements to apply to the 2016 local body elections (see Appendices 1 and 2).

### **DELEGATION**

- 2 The Board may consider this matter under Section D (clauses 10.5 and 10.7) of the Governance Structure and Delegations (11 June 2015 version):

*“Authority to listen, articulate, advise, advocate and make recommendations to Council on any matter of interest or concern to the local community.”*

*“Authority to receive matters referred to the Board by Council or its Standing Committees for consideration and reporting on a local perspective.”*

### **BACKGROUND**

- 3 Every council must review its representation arrangements every six years, as required by the Local Electoral Act (LEA) 2001. Council convened a Working Party in December 2014 to manage a preconsultation phase, and considered the final recommendations of the Working Party on 18 June, deciding on its initial proposal. The initial proposal was widely publicised including through each Community Board, and submissions invited.
- 4 Briefly, Council's initial proposal preserved the main features of the status quo: ten councillors and the mayor, five councillors to be elected on a districtwide basis, five councillors to be elected from four wards, and the retention of four community boards each with four elected members and one member each appointed back with the exception of the Paraparaumu-Raumati Community Board with two members (ie Ward Councillors) appointed back. In addition Council accepted the recommendation of the Working Party to adjust the Waikanae/Ōtaki Ward boundary so that all of Huia Street and Reikorangi would be within the Waikanae Ward/Community Board area.
- 5 The initial proposal was advertised on 25 June and submissions were invited from the community with a deadline of 31 July. Council received ten submissions, all of which were generally supportive of the initial proposal. The Board made a submission, supporting one of the other submitters who requested that the Ward boundary change be adjusted to also include residents on Aston Road/Kebbel Drive (Waikanae Downs) as they identified far more with the Waikanae community of interest than the Paraparaumu one.

- 6 Three submitters were heard on 11 August and Council considered its final proposal in the light of submissions on 27 August.
- 7 Under the LEA Council is required to provide reasons for any amendments to its initial proposal and any amendments can only be made in the light of submissions. Council is also required to indicate the reasons for the rejection of any submission. Council confirmed its initial proposal as its final proposal with only one further change in relation to a submission which requested the inclusion of the Waikanae Downs area within the Waikanae Ward. Council considered this was justified on the same grounds as the boundary change in the initial proposal ie under clause 19V(3)(a)(ii) of the LEA where non-compliance with the 19V '+/- 10% rule' could be relaxed if it meant communities were not divided across ward boundaries. A map of the proposed ward and community board boundaries is at Appendix 3.

## **ISSUES AND OPTIONS**

### **Issues**

- 8 The final decision was publicly notified on 2 September and this opened a period during which appeals or objections to the final proposal may be lodged. An appeal may be made by anyone who put in a submission, on matters related to their original submission. An objection may be lodged by any non-submitter but only if Council altered its initial proposal, which it did in terms of the boundary change. The Board is able if it wished, to lodge an appeal, relating to matters in its submission. The deadline for appeals and objections is Monday 5 October 2015.
- 9 Any appeals or objections received must then be forwarded by Council (together with associated material) to the Local Government Commission (LGC) for final determination. In deciding these matters the LGC's mandate is broad, and may include its own schedule of hearings. All material must be received by the LGC by 15 January 2016 and a final determination must be issued by the LGC by April 2016. This decision will apply to the local body elections in October 2016.

## **CONSIDERATIONS**

### **Policy considerations**

- 10 There are no policy considerations.

### **Legal considerations**

- 11 There are no additional legal considerations.

### **Financial considerations**

- 12 There are no financial considerations.

### **Tāngata whenua considerations**

- 13 There are no tāngata whenua considerations.

## **SIGNIFICANCE AND ENGAGEMENT**

### Degree of significance

14 This matter has a moderate degree of significance under Council policy.

### Consultation already undertaken

15 The initial proposal was circulated through each Community Board. Two Boards chose to make submissions.

### Engagement planning

16 Engagement with the community is stipulated under legislation.

### Publicity

17 The final proposal has been widely publicised, with a statutory public notice, entries on the Council website and Facebook page, and displays at public libraries.

## RECOMMENDATIONS

18 That the Waikanae Community Board notes the Council's final proposal for representation arrangements for the 2016 local body elections, as at Appendix 1 of report Corp-15-1703 and notes the deadline for appeals or objections of Monday 5 October 2015.

<b>Report prepared by</b>	<b>Approved for submission</b>	<b>Approved for submission</b>
Vyvien Starbuck- Maffey	Sean Mallon	Wayne Maxwell
<b>Democracy Services Manager</b>	<b>Group Manager Infrastructure Services</b>	<b>Group Manager Corporate Services</b>

## ATTACHMENTS

- Appendix 1 Copy of Council's resolutions on the initial and final proposals
- Appendix 2 Copy of Council's report (Corp-15-1671) on the consideration of submissions and final proposal (minus appendices)
- Appendix 3 Map of proposed ward and community board boundaries (final proposal)

## APPENDIX 1

**RESOLUTION FROM COUNCIL MEETING THURSDAY 18 JUNE 2015  
REGARDING COUNCIL'S INITIAL PROPOSAL FOR REPRESENTATION  
ARRANGEMENTS FOR THE KAPITI COAST DISTRICT COUNCIL**

**MOVED (Welsh/M Scott)**

That the Council receives the recommendations of the Representation Review Working Party and thanks the Working Party for its efforts, and notes that the preliminary decisions made today will be subject to a formal consultation process in accordance with the Local Electoral Act 2001.

**CARRIED**

**MOVED (Welsh/M Scott)**

That the Council identifies the distinct geographic communities of interest for the Kapiti Coast District are as follows, together with respective reasons:

<b>Community</b>	<b>Descriptor/Reasons</b>
<b>Ōtaki</b>	<b>Separate township/s with associated rural areas, a major river and its own water supply</b>
<b>Waikanae</b>	<b>Separate geographic community of interest, with major river</b>
<b>Paraparaumu</b>	<b>Paraparaumu is the largest central community and therefore warrants separate recognition</b>
<b>Raumati</b>	<b>Although closely linked geographically with Paraparaumu it identifies itself as a distinct community</b>
<b>Paekākāriki</b>	<b>Separate village with a strong community of interest with a natural boundary at Queen Elizabeth Park in the north, and its own water supply</b>

**MOVED (Welsh/M Scott)**

That the Council shall comprise a Mayor who shall be elected at large and ten (10) Councillors as the most appropriate number of members.

The reasons for this decision include:

- There has been no call from the community to alter the number of members
- This number of members has been working well to provide representation across a District of this size.

**CARRIED**

**MOVED (Welsh/M Scott)**

**That the ten (10) Council members shall be elected as follows:**

**A mixed system of representation, with 5 members elected from the Wards as follows:**

- 1 member from the Ōtaki Ward
- 1 member from the Waikanae Ward
- 2 members from the Paraparaumu Ward (current boundary)
- 1 member from the Paekākāriki-Raumati Ward (current boundary)
- 5 members elected Districtwide

The reasons for this decision include:

- There has been no signal from the community for arrangements to be changed
- The current mixed system is a familiar one for the community
- The balance of Districtwide and Ward Councillors provide multiple points of access of representation for communities
- Having both Districtwide Councillors and Ward Councillors caters to the dual nature of the Kapiti Coast District. The inclusion of Districtwide Councillors reflects the fact that many council services are funded on a districtwide basis and that the District is developing, while the inclusion of Ward Councillors provides representation for geographically distinct communities of interest and manifests the value the community continues to put on local democracy.

**A division was requested:**

**For the motion: the Mayor, Cr Bell, Cr Cardiff, Cr Gurnathan, Cr D Scott, Cr Elliott, Cr Holborow, Cr Welsh, Cr M Scott**

**Against the motion: Cr Ammundsen, Cr Gaylor**

**CARRIED**

**MOVED (M Scott/Cardiff)**

**That, pursuant to clause 19V(3)(ii) of the Local Electoral Act 2001, the Council agrees that the boundaries of the Ōtaki Ward and the Waikanae Ward be changed, to match those of the Ōtaki and Waikanae Community Boards, which will involve the addition of the following meshblocks to the existing Waikanae Ward (and removal of same from the Ōtaki Ward): 1883500, 1883600, 1883701, 1883703, 1883807, 1883808, 1883901, 1883902, 1883903, 1883904, 1884801, 1998502, 1998600, 1998700.**

The reasons for this decision include:

- There have been repeated and strong requests from affected residents over a number of triennia for Council to address the anomaly
- A change in legislation since the previous review in 2009 allows Council to address the issue and therefore prevent a community from being divided artificially across ward boundaries
- It enhances representation for affected residents by helping them affect political change in their community of interest

**CARRIED**

**MOVED (Welsh/M Scott)**

**That for the 2016 triennial elections the communities of the Kapiti Coast District will be represented by:**

<b>Ōtaki Community Board</b>	<b>4 elected members and 1 Ward Councillors</b>
<b>Waikanae Community Board</b>	<b>4 elected members and 1 Ward Councillors</b>
<b>Paraparaumu-Raumati Community Board</b>	<b>4 elected members and 2 Ward Councillors</b>
<b>Paekākāriki Community Board</b>	<b>4 elected members and 1 Ward Councillors</b>

The reasons for this decision include:

- There has been no request for change from the community
- The four Community Boards have been working well and have a positive relationship with Council
- The Council and community have previously signalled their support for structures that support local democratic decision-making such as Wards and Community Boards
- Having Community Boards provides a choice of elected representatives for the respective communities to approach

**CARRIED**

**COUNCIL MEETING 27 AUGUST 2015 – 2015 REPRESENTATION REVIEW –  
CONSIDERATION OF SUBMISSIONS AND FINAL PROPOSAL  
(CORP-15-1671) RESOLUTIONS**

**MOVED (Bell/Welsh)**

That the Council receives Submissions 1 to 10 to the Council's initial proposal for representation arrangements, as adopted on 18 June 2015 and notes that these submissions are considered as part of the Council's deliberation and final proposal on representation arrangements for the 2016 local authority elections.

**CARRIED**

Communities of interest

**MOVED (Bell/Welsh)**

That after considering the submissions the Council confirms its initial proposal and identifies that the distinct geographic communities of interest for the Kapiti Coast District are as follows, and notes that these will form the basis for consequent decisions regarding fair and effective representation:

<b>Community</b>	<b>Descriptor/Reasons</b>
<b>Ōtaki</b>	<b>Separate township/s with associated rural areas, a major river and its own water supply</b>
<b>Waikanae</b>	<b>Separate geographic community of interest, with major river</b>
<b>Paraparaumu</b>	<b>Paraparaumu is the largest central community and therefore warrants separate recognition</b>
<b>Raumati</b>	<b>Although closely linked geographically with Paraparaumu it identifies itself as a distinct community</b>
<b>Paekākāriki</b>	<b>Separate village with a strong community of interest with a natural boundary at Queen Elizabeth Park in the north, and its own water supply</b>

Number of Councillors

**MOVED (Bell/D Scott)**

That after considering submissions Council confirms its initial proposal that for the 2016 local authority elections the Kapiti Coast District Council shall comprise a Mayor elected at large and ten Councillors, for the reasons that there has been no call for change, and that the number of members has been working well to provide representation for a District of this size.

**CARRIED**

Ward system and basis of election

**MOVED (Welsh/Gaylor)**

**That after considering submissions Council confirms its initial proposal that for the 2016 local authority elections the Kapiti Coast District Council shall be divided into four wards to provide the various geographically distinct communities of interest with effective representation. The four wards will be:**

**Ōtaki Ward**

**Waikanae Ward**

**Paraparaumu Ward**

**Paekākāriki-Raumati Ward**

**CARRIED**

**MOVED (Welsh/Mayor)**

**That after considering submissions Council confirms its initial proposal that for the 2016 local authority elections the Kapiti Coast District Council shall comprise a mixed system of representation and that the ten Councillors shall be elected as follows:**

- 1 member from the Ōtaki Ward
- 1 member from the Waikanae Ward
- 2 members from the Paraparaumu Ward
- 1 member from the Paekākāriki-Raumati Ward (current boundary)
- 5 members elected Districtwide

**CARRIED**

Reasons for decision:

- There has been no signal from the community for arrangements to be changed;
- The current mixed system is familiar to the community;
- The balance of Districtwide and Ward Councillors provides multiple points of access for representation for communities;
- Having both Districtwide and Ward Councillors caters to the dual nature of the Kapiti coast District. The inclusion of Districtwide Councillors reflects the fact that many council services are funded on a districtwide basis and that the District is developing, while the inclusion of Ward Councillors provides representation for geographically distinct communities of interest and manifests the value the community continues to put on local democracy.



**MOVED (M Scott/Bell)**

That Council considers, in the light of submissions, to amend its initial proposal in respect of a change to ward boundaries:

Pursuant to clause 19V(3)(a)(ii) of the Local Electoral Act 2001, and in order to avoid splitting communities of interest across ward boundaries, the Council agrees:

- (a) that the boundaries of the Ōtaki Ward and the Waikanae Ward be changed, to match those of the Ōtaki and Waikanae Community Boards, which will involve the addition of the following meshblocks to the existing Waikanae Ward (and removal of same from the Ōtaki Ward): 1883500, 1883600, 1883701, 1883703, 1883807, 1883808, 1883901, 1883902, 1883903, 1883904, 1884801, 1998502, 1998600, 1998700; and
- (b) that the additional meshblock 1998404 be removed from the current Paraparaumu Ward and Paraparaumu-Raumati Community Board areas and added to the Waikanae Ward and Waikanae Community Board areas.

**CARRIED**Reason for decision

Both these boundary adjustments are made in response to requests from the community and are made to avoid splitting a community of interest across ward boundaries, as enabled by clause 19V(3)(a)(ii).

Community Boards**MOVED (Gurunathan/Bell)**

That, for the 2016 local authority elections the communities of the Kapiti Coast District will be represented by:

Ōtaki Community Board	4 elected members and 1 Ward Councillors
Waikanae Community Board	4 elected members and 1 Ward Councillors
Paraparaumu-Raumati Community Board	<u>5</u> elected members and 2 Ward Councillors
Paekākāriki Community Board	4 elected members and 1 Ward Councillors

A division was requested:

For the motion: Cr Gurunathan, Cr D Scott, Cr Elliott

Against the motion: the Mayor, Cr Ammundsen, Cr Bell, Cr Gaylor, Cr M Scott, Cr Welsh, Cr Holborow

**LOST**

**MOVED (Gaylor/Ammundsen)**

That, for the 2016 local authority elections the communities of the Kapiti Coast District will be represented by:

<b>Ōtaki Community Board</b>	<b>4 elected members and 1 Ward Councillors</b>
<b>Waikanae Community Board</b>	<b><u>4</u> elected members and 1 Ward Councillors</b>
<b>Paraparaumu-Raumati Community Board</b>	<b>4 elected members and 2 Ward Councillors</b>
<b>Paekākāriki Community Board</b>	<b>4 elected members and 1 Ward Councillors</b>

**CARRIED**Reasons for the decision

In coming to its decision the Council expressed confidence that four elected members, together with the two Ward Councillors, on the Paraparaumu-Raumati Community Board are sufficient to deal with the workload of that Board.

**MOVED (Mayor/D Scott)**

That the reasons for the amendment to the Council's initial proposal was pursuant to a new clause in the Local Electoral Act 2001 under 19V(3)(a)(ii) which would allow non-compliance with clause 19V(2) if compliance meant that communities would be divided across ward boundaries.

**CARRIED****MOVED (Mayor/Welsh)**

Pursuant to section 19N (2)(b) of the Local Electoral Act 2001, Council indicates that the submissions as listed at Appendix 3 of report Corp-15-1671 are accepted or rejected for the following reasons:

<b>SUB</b>	<b>NAME</b>	<b>Accepted/Rejected because...</b>
<b>1</b>	<b>Lynette Wharfe</b>	<b>Accepted - endorses the Council's initial proposal including the proposed boundary change</b>
<b>2</b>	<b>Federated Farmers of New Zealand</b>	<b>Rejected - the request for a Rural Advisory body is outside the scope of the Review</b>

<b>3</b>	<b>Waikanae Community Board</b>	<b>Accepted - s19V(3)(a)(ii) (not dividing a community of interest across ward boundaries)</b>
<b>4</b>	<b>Paraparaumu-Raumati Community Board</b>	<b>Rejected - four elected members and two Ward Councillors were deemed sufficient to carry out the Board's work</b>
<b>5</b>	<b>ART Forum</b>	<b>Accepted - endorsing the Council's initial proposal</b>
<b>6</b>	<b>Chrissie and John Greenhough</b>	<b>Accepted - s19V(3)(a)(ii) (not dividing a community of interest across ward boundaries)</b>
<b>7</b>	<b>Gwynn Compton</b>	<b>Accepted - supporting the Council's initial proposal</b>
<b>8</b>	<b>Kapiti Grey Power</b>	<b>Accepted - supporting the Council's initial proposal</b>
<b>9</b>	<b>Neil Woodbury</b>	<b>Accepted - supporting the Council's initial proposal</b>
<b>10</b>	<b>Murray Ballinger</b>	<b>Accepted - supporting the Council's initial proposal</b>

**CARRIED**

**APPENDIX 2**

**COPY OF COUNCIL REPORT (CORP-15-1671) ON  
CONSIDERATION OF SUBMISSIONS AND FINAL PROPOSAL**

**APPENDIX 3**

**PROPOSED WARD AND COMMUNITY BOARD BOUNDARIES  
AS PER FINAL PROPOSAL**