

WELLINGTON CITY COUNCIL

Background

- 1 The Wellington City Council (hereafter referred to as the “Council”), in accordance with section 101H of the Local Government Act 1974 (hereafter referred to as “the Act”), carried out a review of its membership and the basis of the election of its members prior to the triennial general election to be held in October 1998.
- 2 The present membership of the Council is a Mayor and 18 members elected from the following wards -

Wards	Members
Tawa	2
Northern	4
Western	4
Eastern	4
Southern	4

- 3 The Council commenced its review through the appointment of a Triennial Review sub-committee whose task was to identify options for the Council's membership and basis of election and prepare a discussion paper identifying those options for consultation purposes. The sub-committee also had carried out on its behalf 350 telephone interviews amongst a representative sample of residents.
- 4 After considering the results of the consultation exercise, the sub-committee recommended that the Council comprise 17 members from the following wards -

Ward	Members
Tawa	2
Northern	2
Onslow	2
Western	2
Central	3
Southern	3
Eastern	3

- 5 The sub-committee's recommendation was considered by the Council's Strategy Committee which resolved to recommend to the Council that the following structure be adopted -

Ward	Members
Tawa/Northern	4
Onslow	2

Western	2
Central	3
Southern	3
Eastern	3

6 The Council in turn resolved to accept the above proposal with the addition of one member to the Eastern Ward bringing the total membership of the Council to 18.

7 The Council received 1460 objections to its proposal, and 2 supporting submissions. The majority of the objections concerned the proposal that Tawa not continue to have a separate ward. After considering these the Council resolved to -

- reinstate a separate Tawa Ward with one member;
- combine the balance of the Tawa/Northern Ward with the Onslow Ward to create a Northern Ward;
- transfer the Mount Cook area from the Lambton Ward to the Southern Ward; and
- increase the number of members to be elected from the Southern Ward from 3 to 4.

8 The resulting system of wards and membership was as follows -

Ward	Members
Tawa	1
Northern	4
Western	2
Central	3
Southern	4
Eastern	4

Appeals

9 Thirteen appeals and 5 counter-objections were lodged in respect of the Council's proposal. Thirteen submissions were also received in support of the Council's decision.

10 The appellants and the nature of their appeals were as follows -

A S Hammond
M A Hammond
W Harcourt
G Patchett
Tawa Community Board
Michael Bott
Hon Peter Dunne MP
Tawa Progressive and Ratepayers Association

Robert Tredger
J F Tweedie
David Watt

who each sought 2 members for the Tawa Ward;

A K Metcalfe, who sought an 11 member council, and other changes outside the scope of the triennial review process;

Johnsonville Residents Association, which sought -

- Tawa having either a community board or a separate ward but not both;
- an at large election system; and
- an 18 member council

The counter-objectors and the nature of their counter-objections were -

Kerry Prendergast; and
Robert Armstrong

who each sought 2 members for the Tawa Ward

David Butler, who sought an alternative 7 ward structure with 17 members

Andy Foster, who sought either a 6 ward structure, with 15 members, or 7 wards with 17 members.

Kilbirnie-Lyall Bay -Rongotai Progressive Association, which sought a 21 member council with 6 or 7 wards

Matter for Preliminary Determination

- 11 The Commission on receiving advice of the appeal, resolved that, before making a determination of this appeal, it would meet with the Council and with the appellants and counter-objectors if they wished to be heard. The date of the meeting was fixed for 28 January 1998.

The Hearing

- 12 The Commission met with representatives of the Council and those of the appellants and counter-objectors who indicated they wished to meet with the Commission. Appearing for the Council were the Mayor, Mr Mark Blumsky, Councillors Kedgeley, Nef and Piper, and the Special Projects Officer, Ross Bly.
- 13 Those appellants and counter-objectors appearing were -

Hon Peter Dunne MP

A K Metcalfe
 Kilbirnie-Lyall Bay -Rongotai Progressive Association
 J F Tweedie
 Robert Armstrong
 David Watt
 Kerry Prendergast
 Andy Foster
 Tawa Progressive and Ratepayers Association (represented by Mr John Cook)
 Tawa Community Board (represented by Mr Bob Banks)
 David Butler.

- 14 Speaking on behalf of the Council, **Mr Bly** outlined the process the Council had gone through.
- 15 The Mayor, **Mr Blumsky**, stated that the review had been a difficult process. He did not consider that the Council had dealt well with the issue of representation for Tawa. He considered that change should have been signalled to Tawa and talked through over the course of a triennium. He was, however, in favour of the Lambton Ward.
- 16 **Sue Piper** stated that overall the Council's decision resulted in fairer representation than the earlier proposal devised by the Strategy Committee. The one exception she agreed was the Tawa Ward. She considered that having one member was the price Tawa had to pay for separate representation. The solution to this issue she considered was to extend the southern boundary so that the enlarged ward was entitled to more than one member. In respect of this, she noted that the Local Government Act does not guarantee representation for each distinct suburb; it guarantees fair and effective representation for communities.
- 17 **Barbara Nef** stated that population growth in Wellington City was occurring elsewhere than Tawa, and that shifts in population needed to be reflected in the system of representation. She considered that any over-representation of Tawa would be compounded by populations trends. Ms Nef also proposed that any under-representation of Tawa could be dealt with by the appointment of a Northern Ward councillor to the Tawa Community Board. In discussion, however, it was established that this was not permitted by the legislation.
- 18 **Sue Kedgeley** stated that the system had to be seen to be fair and that communities had therefore to be represented equally. She noted that while the total membership of the Council had previously decreased from 21, the representation of Tawa had remained unchanged until the current review. She also considered the fact that Tawa had a community board should be taken into account as a factor in determining Tawa's representation. She argued that the issue had been worked though adequately as part of the process. Ms Kedgeley supported the proposal for a Lambton Ward as there are a distinct set of issues facing the inner city suburbs.

- 19 The Commission asked the council representatives whether there were any parts of the City requiring separate representation. They replied that there were a number of distinct areas such as Makara, Tawa, Kelburn, Aro Valley and Karori, although it was not suggested that each required separate representation. It was also stated that the Triennial review sub-committee had identified approximately 70 separate communities of interest and had decided on what it considered to be the best amalgam.
- 20 The Commission also asked whether the Council had considered any other permutations for Tawa. Mr Blumskey stated that the inclusion of Churton Park had been considered. All other options would have involved increasing the total membership of the Council.
- 21 The Chairman inquired about the degree of community of interest Wadestown has with the remainder of the proposed Lambton Ward. Mr Blumskey replied that inclusion in the Lambton Ward had been the clear wish of the two residents' associations from Wadestown.
- 22 **Hon Peter Dunne** strongly disputed the comment that having one councillor was the price Tawa would have to pay for having a separate ward. He did not consider that this equated to fair or effective representation as this only resulted when people have a choice as to who can represent their interests. He considered that -
- Tawa's case for separate representation is strengthened because it has a clear and distinct separate community of interest, and is physically removed from other suburbs;
 - the process undertaken by the Council was unfair and chaotic and amendments had been made to the proposal without prior consultation;
 - the proposal to review the Tawa Community Board would be unlikely to give the residents of Tawa any comfort.
- 23 **A K Metcalfe** had proposed that there be a total of 11 members and that the member:population ratio applying to Tawa should be applied across the whole City. He considered that 11 would be adequate to carry out the responsibilities of the Council, although in discussion stated that that if this created difficulties then 13 or 14 members would be acceptable. He also considered that the review of membership should be based on the 5-yearly census timetable.
- 24 The **Kilbirnie-Lyall Bay-Rongotai Progressive Association** was represented by Kathy Moi and Betty Webber. Kathy Moi spoke to the Association's written submission. The Association's principle concern was a desire for a 21 member council as a larger number of members meant that a greater number of people can have contact with councillors. It was also concerned about any possible over-representation of the Tawa Ward. It was suggested that the Council's final proposal for membership for the Tawa Ward may have been an over-correction, and it was therefore suggested that Churton Park be included in the ward to justify an entitlement to 2 members.

- 25 Betty Weber stated that the Eastern Ward had been too large in the current triennium. She supported the reintroduction of the Lambton Ward as this would result in the Eastern Ward becoming a more manageable size.
- 26 **J F Tweedie** sought the allocation of an additional councillor to the Tawa Ward. He stated that if the ward was only able to elect one member that if that member was absent from any meeting Tawa would not be represented. Although Tawa has a community board that does not equate to additional representation on the Council. If Tawa was included in a larger ward, Tawa people would lose the contact they currently have with their councillors.
- 27 **Robert Armstrong** also sought the allocation of an additional councillor to the Tawa Ward. In addition to discussing the nature of Tawa's community of interest he stated that -
- the suggestion that Churton Park be included in the Tawa Ward was not pursued because the residents of that area considered it to be an extension of Johnsonville;
 - there is little interaction between Tawa and Churton Park;
 - he would expect there to be a greater statistical tolerance in the case of a smaller ward such as Tawa;
 - a number of crucial Council decisions were made on a majority of one;
 - Tawa had been allocated 2 members in the last triennial review and nothing had changed since then; and
 - approvals have been given to 3 large residential subdivisions in the ward which should result in a significant increase in population
- 28 **David Watt** supporting the allocation of 2 members to the Tawa Ward stated that there were a number of options for fairer representation across the City raised in his written appeal. He proposed that Churton Park be included in the Tawa Ward. He considered that Tawa and Churton Park are two communities that are developing on similar lines.
- 29 **Kerry Prendergast** supported the allocation of 2 members to the Tawa Ward. She stated that -
- no other area in Wellington City is as uniquely distinct as Tawa;
 - its identity is confirmed by the existence of a single progressive association for the suburb;
 - Churton Park is also distinct so it would be possible for it to be located in the same ward as Tawa as two distinct communities of interest;
 - in the long term there is potential for the two areas to be joined; and
 - the existence of a Tawa Community Board does not justify a single member for the Tawa Ward as it is not involved enough in the decision-making process.

30 In discussion on boundary issues in other areas of the City, Ms Prendergast stated that -

- there is a need for a Lambton Ward as residents in the central area feel disenfranchised;
- the appropriate location of Wadestown is probably a matter for the Commission to determine as it has more than one focus; and
- Roseneath and Mt Cook are boundary areas.

31 **Andy Foster** had proposed two alternative ward and membership systems involving firstly 15 members and 6 wards, and secondly 17 members and 7 wards. His fundamental belief was in relative equality of representation. He commented that -

- there is currently a feeling that Tawa is over-represented; the current proposal does completely the opposite;
- Karori is not totally dissimilar to Tawa, the only difference being the lack of a secondary school in Karori;
- he does not agree that communities cannot be joined together in wards; what cannot be done is splitting communities;
- no ward is so special that it justifies over-representation;
- it was not correct that all of the amendments considered by the Council were “last minute” (his own for instance); and
- the Council had not given explicit thought as to the most appropriate number of councillors, however, he considered that 15 members would result in a more efficient structure.

32 The **Tawa Progressive and Ratepayers Association** was represented by Mr John Cook. He spoke to a written submission. The Association was concerned about the process the Council had gone through in relation to the Tawa Ward. It was also concerned about the adequacy of representation if Tawa was only able to elect one member to the Council and the fairness of that level of representation compared with other wards.

In discussion the Commission asked how widely the “Churton Park” issue has been considered. Mr Cook did not consider there to be any difficulty over such a possibility. He was also asked whether, in his view, an additional councillor for the Tawa Ward should mean that another ward should lose a councillor.

33 The **Tawa Community Board** was represented by Mr Bob Banks. He considered that -

- if the Tawa Ward had only one councillor it would be disempowered; the Tawa Ward councillor would only be in a position to propose motions, but not second them;

- Tawa often gets overlooked in the decision-making process. It was not true, as had been stated during the review process, that Tawa gets more funding per capita than the remainder of the City;
- the existence of the Tawa Community Board had been unfairly used as an argument to reduce the membership of the Tawa Ward;
- Tawa is a unique community of interest within Wellington City;
- if statistical equality is so important Churton Park should be included in the ward; and
- there were a number of instances where Tawa residents had not been consulted and the intervention of councillors or community board members from Tawa had been instrumental in ensuring poor decisions were not carried through.

34 **David Butler** had proposed an alternative 7 ward structure with 17 members which he outlined to the Commission. In respect of specific issues, he -

- questioned whether Wadestown should be included in the Lambton Ward, and noted that Ngaio and Wadestown residents had been co-operating in improvements to the gully separating the two areas;
- considered that community boards are not a substitute for membership on the Council;
- considered examples of the good citizenship claimed by Tawa residents could be seen elsewhere in the City, there being a strong network of residents associations in almost every suburb;
- suggested that both Makara and Ohariu should be included in the Northern Ward; and
- questioned whether “Northern” was the appropriate name for that ward if there was to continue to be a Tawa Ward.

35 In the right of reply, the Council representatives stated that -

- the public consultation process had raised the option of including Tawa in a ward with Johnsonville, but had not dealt with the possibility of a single member Tawa Ward;
- the status of the Tawa Community Board is largely as an advisory body, with speaking rights at committees and the Council on issues specifically affecting Tawa, and the power to decide on some grants;
- the inclusion of Churton Park in the Tawa Ward had been raised in the discussion document issued by the Triennial review sub-committee but responses, including one from the Churton Park Community Association, opposed its inclusion;
- the Wadestown and Highland Park residents’ associations had expressed a clear preference for inclusion of Wadestown in the Lambton Ward; and
- in respect of Hataitai, responses to the discussion document had expressed a clear preference (87%) for inclusion of that area in the Eastern Ward.

Matters for Determination

36 The statutory provisions in respect of these appeals are contained in sections 101K and 101L of the Act. Section 101K(1) states -

- "(1) The Commission shall before the 29th day of March of the year of each triennial election -*
- (a) Consider the resolutions, objections, appeals, counter-objections, and information forwarded to it under section 101J of this Act; and*
 - (b) Subject to section 101L of this Act, determine the number of wards or constituencies and their names and boundaries, and the number of members to be elected by the electors of each ward or constituency or, as the case may be, by the electors of the district as a whole."*

The relevant provisions of section 101L are subsections (2) and (3) which state:

- "(2) In determining whether the council is to be elected by the electors of the district as a whole or by the electors of two or more wards and in determining (where necessary) the number and boundaries of wards, the territorial authority and, where appropriate, the Commission shall ensure -*
- (a) that the election of members of the council by the electors of the district as a whole or by the electors of the two or more wards whose number and boundaries are determined will provide effective representation of communities of interest within the district; and*
 - (b) that ward boundaries coincide with the boundaries of current statistical meshblock areas determined by the Department of Statistics and used for Parliamentary electoral purposes; and*
 - (c) that, so far as is practicable, ward boundaries coincide with community boundaries.*
- (3) In determining the number of members to be elected by the electors of any constituency or ward, the council and, where appropriate, the Commission shall ensure that the electors of the constituency or ward receive fair representation having regard to the population of every constituency or ward within the region or district and, if the circumstances so require, the rateable values, areas, or other relevant characteristics of the various constituencies or wards."*

Consideration by the Commission

37 The Commission considers when deciding:

- (a) whether the election of the members of a council (other than the Mayor) be by the electors of the whole district or on a ward basis; and

(b) if on a ward basis, the number and boundaries of the wards,

that the only criterion to be met within the terms of section 101L(2) is the provision of effective representation of the various communities of interest within the district. This can be achieved by any ward encompassing one or more communities of interest. What the Commission has to do then is determine which communities of interest require separate representation or what groupings of communities of interest are appropriate to be combined into wards.

- 38 The Commission further considers that when deciding on the number of councillors to be elected by the electors of any ward, the sole criterion to be met under section 101L(3) is the provision of fair representation of the electors of the various wards within the district. In deciding this fairness of representation, the Commission must have regard primarily to population, but if this factor alone does not, in the opinion of the Commission, achieve fairness then regard should be given to rateable value and area or other relevant characteristics of the various wards. In the opinion of the Commission, population must constitute the predominant factor, but different weightings or even no weighting can be applied to all factors as are appropriate in any given circumstances. The Commission does not consider that any particular formula must be applied and consequently, any mathematical calculation should be seen only as a guide to a level of fairness which can be achieved on the basis of the factors required to be taken into account under the provisions of the Act. In the end though, the final decision must be that which the Commission considers will, after having regard to the various factors set out in the Act, provide the fairest representation on balance for the electors of each ward.
- 39 In the Commission's opinion, its first responsibility, which also applied to the Council, was to decide whether or not the district should be divided into wards, and if so the number and boundaries of those wards to provide effective representation of communities of interest within the district.
- 40 When the Commission considered the membership and basis of election for Wellington City in 1992 and 1995, it found that the nature of Wellington City, its geography, size, and the variety of communities of interest were such that it was necessary to divide the City into wards in order to ensure effective representation of those communities of interest. The Commission did not consider that this situation had changed and therefore determines that Wellington City shall continue to be divided into wards.
- 41 The next question is "which communities of interest or groupings of communities of interest require separate representation to ensure effective representation?"
- 42 The Commission believes that inherent in the concept of effective representation for communities of interest is the ability for communities to receive fair representation. In a predominantly urban district such as

Wellington City, this would normally be determined solely on the basis of population. The following table analyses the current distribution of membership between wards.

Ward	Population	%	Statistical entitlement to members	Actual members
Eastern	39181	24.85	4.47	4
Southern	31347	19.88	3.58	4
Western	37120	23.55	4.24	4
Northern	37233	23.62	4.25	4
Tawa	12765	8.10	1.46	2
Total	157646	100	18	18

43 The most important issues that arise out of the current system are that -

- the Eastern Ward is significantly under-represented; and
- the Tawa and Southern wards are significantly over-represented.

44 The Commission further considered the current ward system and concluded that if it was to be used as a starting point -

- the Tawa Ward would be under-represented if allocated 1 member; and
- for the Eastern and Southern wards to have fair representation on population terms the most likely scenario would be for Mount Victoria to be transferred from the Eastern Ward to the Southern Ward. In the Commission's view if this was to be done it would be merely a mathematical exercise. The latter ward would cease to be a "Southern" Ward and would not have a good fit with community of interest.

45 Turning to the Council's final proposal, the following table analyses the distribution under that scenario.

Ward	Population	%	Members	Proposed
Eastern	31359	19.89	3.58	4
Southern	30606	19.41	3.49	4
Lambton	26419	16.76	3.02	3
Western	19264	12.22	2.20	2
Northern	37233	23.62	4.25	4
Tawa	12765	8.10	1.46	1
Total	157646	100.00	18	18

46 The Council's proposal results in over-representation for the Eastern and Southern wards, collectively by nearly one member. It also results in the under-representation of the Tawa Ward by nearly half a member.

47 The Commission has therefore decided to design a ward system that reflects communities of interest, ensures their effective representation, and enables fair representation to be achieved. The system the Commission has devised is broadly as follows -

- **Northern Ward**, comprising Tawa, Grenada, Ohariu Valley, Churton Park Newlands, Paparangi, Johnsonville, and Raroa;
- **Onslow Ward**, comprising Broadmeadows, Khandallah, Ngaio, Crofton Downs and Kaiwharawhara;
- **Western Ward**, comprising Makara, Karori, Northland and Wilton;
- **Lambton Ward**, comprising Wadestown, Thorndon, Kelburn, Highbury, Aro Valley, Te Aro, Mt Cook, Mt Victoria and Oriental Bay;
- **Eastern Ward**, comprising Roseneath, Hataitai, Kilbirnie, Miramar, Seatoun and bays, Lyall Bay, East Melrose and Houghton Bay; and
- **Southern Ward**, comprising Brooklyn, Kingston, Vogeltown, Happy Valley, Island Bay, Berhampore, Newtown, West Melrose.

48 The Commission looked at a number of options prior to deciding on this particular option. The Commission also had available to it a large volume of material forwarded by the Council, including all the various submissions it had received during the review. In devising this system, the Commission has achieved what it considers to be a reasonable equity of population between wards. It has not however done this as purely a mathematical exercise. In any large urban area determining precisely where communities of interest begin and end is a difficult and rather subjective task, the Commission has gone to some lengths to ensure that the boundaries of these wards do not split communities of interest.

49 The issues the Commission considered in the course of its deliberations are discussed below.

50 In the case of Tawa it is likely that a separate Tawa Ward will be either under-represented with one member or over-represented with two members unless the total membership of the Council was to be decreased to 12 members or increased to 25 members. The Commission had to consider whether there are any circumstances requiring Tawa to be over-represented (in statistical terms), and whether the community requires separate representation.

51 The Commission does not consider it appropriate for there to be either under or over-representation for Tawa. Under-representation is markedly unfair to Tawa. If Tawa is over-represented it will be at the expense of other communities.

52 Any large City will most likely consist of many communities and separate representation for each is not practicable. An entirely discrete community isolated by considerable distance from other parts of a district may well require separate representation. This is more likely in a geographically larger district

with a mix of rural and urban committees. In such situations, a ward may be entitled to a higher proportion of members than a statistical entitlement would suggest. However, the Commission is not satisfied that this situation exists in respect of Tawa.

- 53 It is true that a rural area separates Tawa from the nearest significant urban area. Apart from the situation of the small settlements of Makara and Makara Beach, this probably makes Tawa unique among communities in Wellington City. However, this does not equate to isolation. The travelling time between Tawa and Johnsonville is a matter of minutes.
- 54 A number of appellants and counter-objectors referred to the distinctive nature of Tawa and the degree of self-containment in terms of community facilities. The Commission does not consider that these make Tawa so different as to warrant continued separate representation.
- 55 The Commission has, therefore, concluded that a case does not exist for a separate ward for Tawa.
- 56 The next question to be addressed by the Commission was “what configuration of ward should Tawa be included in?” Three options were identified by the Commission.
- 57 The first option which had been discussed at the hearing, was a ward comprising the existing Tawa Ward and Churton Park. This had been identified as a means of justifying, on a statistical basis, 2 members for a ward including Tawa. Other evidence, however, suggested that it would result in a splitting of Churton Park’s community of interest with Johnsonville. This view was supported by submissions made to the Triennial Review sub-committee. In any case perusal of maps of the area indicate that severing Churton Park from Johnsonville would be an artificial device designed purely to create a ward that justified having two members, ignoring completely the concept of community of interest.
- 58 The second option considered was the joining together of the existing Tawa and Northern wards. This would be a large ward both in terms of area and population. On an 18 member council, such a ward would be entitled to 6 members. The Commission does not consider that this would result in effective representation for the communities situated in the ward. Nor does it consider it desirable, at least in the case of Wellington City, for one ward to have such a proportion of the members of the Council compared to the other wards.
- 59 The Commission has therefore decided to constitute two wards to cover this area - a Northern Ward, comprising Tawa, Grenada, Ohariu Valley, Churton Park Newlands, Paparangi, Johnsonville, and Raroa; and an Onslow Ward to the south.

60 The Commission considered it logical for an Onslow ward to include Broadmeadows, Khandallah, Ngaio, Crofton Downs and Kaiwharawhara. Consideration was then given to the appropriate location of Wadestown. The Council's original proposal for an Onslow Ward included Wadestown in that ward. Submissions from residents' associations in Wadestown expressed a clear preference for inclusion in the Lambton Ward. A further option would be inclusion in the Western Ward, however the Commission notes that there is a clear linkage between, in particular, the Highland Park area and the area around the actual township of Wadestown, towards the Lambton Ward. The Commission has therefore decided that Wadestown should be included in the Lambton Ward. The resulting population of the Onslow Ward is 14962, which on an 18 member Council is entitled to 1.71 members.

61 The next issue addressed by the Commission was that of the Lambton Ward. When this question was addressed by a committee of the Commission in 1995 the committee stated that -

“Although having a reasonable population, [the Lambton Ward] had boundaries which did not give full recognition to the overall community of interest of some areas”: and

“In the case of Lambton Ward, the Committee saw parts of this ward having communities of interest with adjacent areas in other wards. For example, the Roseneath-Mt Victoria area was seen to have a community of interest more with Hataitai, and consequently the Eastern Ward, than it did with the western part of the existing Lambton Ward. Similarly, the Thorndon, Kelburn, and western areas of the Lambton Ward were seen to have a community of interest more with the adjacent Western Ward than with the eastern part of the existing Lambton Ward.”

62 The Commission has re-examined the issue of the Lambton Ward in the light of the evidence presented to the Commission in the course of this review about the common issues facing a number of communities in the area of the now proposed Lambton Ward. It has also noted the significant residential development in the central City area and the increase in population in that area as determined at the 1996 census over that of the 1991 census. Consequently the Commission has decided that there shall be a Lambton Ward at the 1998 elections.

63 Lastly the Commission considered the question of fairness of representation in the remainder of Wellington City - the areas of the Lambton, Eastern and Southern wards. The statistical entitlement and actual membership contained in the Council's final proposal for these 3 wards was as follows:

Ward	Population	%	Statistical entitlement	Proposed members
Eastern	31359	19.89	3.58	4

Southern	30606	19.41	3.49	4
Lambton	26419	16.76	3.02	3

- 64 As has already been noted, the Act does not require mathematical equality between wards. The starting point specified in the Act is the requirement to achieve effective representation for communities of interest. As also noted, however, the Commission believes that inherent in the concept of effective representation for communities is the ability to receive fair representation. Under-representation of a ward is unfair to the community concerned. Over-representation of a ward is unfair to communities outside that ward. The Commission considers that where boundaries can be drawn so that communities are not split, or where communities that are of a like nature can be grouped together, fairness of representation should be sought.
- 65 The Commission does not consider that the boundaries and membership allocated to the Eastern and Southern wards result in fair representation. The Commission has, therefore, made the following adjustments to the boundaries of those wards and the proposed Lambton Ward -
- the transfer of the Mt Cook-Adelaide Road area from the Southern Ward to the Lambton Ward;
 - the transfer of Houghton Bay from the Southern Ward to the Eastern Ward; and
 - the transferring of Roseneath from the Lambton Ward to the Eastern Ward.
- 66 In considering the communities of interest of those areas the Commission took into account the following considerations -
- although the Mt Cook-Adelaide Road has associations with Newtown, it also has a focus towards the central city;
 - Houghton Bay would appear, on the existing boundaries, to be split between the Southern and Eastern wards (by way of that boundary being drawn along Hungerford Road) and inclusion of the entire area in the one ward would appear to re-unite a community of interest; and
 - although Roseneath has some focus towards the central city, the boundary between Roseneath and Hataitai is less distinct than that with Oriental Bay.
- 67 The Commission is satisfied that the boundary adjustments to these wards are compatible with actual communities of interest.
- 68 On an 18 member Council, the membership entitlement of these wards would be Lambton Ward (3.11, or 3), Southern Ward (3.16, or 3), and Eastern (3.84, or 4).
- 69 Before making a final decision, the Commission considered the further option of a 17 member council with 5 members for a larger Northern Ward comprising all of the current Tawa and Northern wards, as follows -

Ward	Population	%	Statistical Entitlement	Actual Members
Eastern	33,628	21.33	3.63	4
Southern	27,663	17.55	2.98	3
Lambton	27,218	17.27	2.94	3
Western	19,139	12.14	2.06	2
Northern	49998	31.72	5.40	5
Total	157646	100.00	17.00	17

- 70 However, this results in poor statistical fits for Eastern (3.63) and Northern Wards (5.40) and therefore displays a lack of fairness overall.
- 71 The Commission has, therefore, concluded that the configuration of 6 wards described above and a total council comprising 18 members, will result in the system that will best provide for effective representation of communities of interest and the fairest representation between wards.

Ward	Population	%	Statistical Entitlement	Actual Members
Eastern	33,628	21.33	3.84	4
Southern	27,663	17.55	3.16	3
Lambton	27,218	17.27	3.11	3
Western	19,139	12.14	2.198	2
Onslow	14,964	9.49	1.71	2
Northern	35,034	22.22	4.00	4
Total	157646	100.00	18.00	18

Determination

- 72 Pursuant to s 101K of the Act, the Commission hereby determines that for the triennial general election in 1998:
- (1) Wellington City, as delineated on SO Plan No 35959 deposited with the Chief Surveyor of the Wellington Land District, shall be divided into 6 wards:
 - (2) those 6 wards shall be:
 - (a) the Northern Ward as delineated on S.O. Plan No 37883 deposited with the Chief Surveyor of the Wellington Land District;
 - (b) the Onslow Ward as delineated on S.O. Plan No 37884 deposited with the Chief Surveyor of the Wellington Land District;

- (c) the Western Ward as delineated on S.O. Plan No 37885 deposited with the Chief Surveyor of the Wellington Land District;
- (d) the Lambton Ward as delineated on S.O. Plan No 37886 deposited with the Chief Surveyor of the Wellington Land District;
- (e) the Eastern Ward as delineated on S.O. Plan No 37887 deposited with the Chief Surveyor of the Wellington Land District; and
- (f) the Southern Ward as delineated on S.O. Plan No 37888 deposited with the Chief Surveyor of the Wellington Land District.

(3) The Council shall comprise 18 members of whom:

- (a) Four members shall be elected by the electors of the Northern Ward; and
- (b) Two members shall be elected by the electors of the Onslow Ward;
- (c) Two members shall be elected by the electors of the Western Ward; and
- (d) Three members shall be elected by the electors of the Lambton Ward; and
- (e) Four members shall be elected by the electors of the Eastern Ward; and
- (f) Three members shall be elected by the electors of the Southern Ward.

73 As required by section 101L of the Act, the boundaries of the above wards coincide with the boundaries of current statistical meshblock areas determined by Statistics New Zealand and used for Parliamentary electoral purposes.

74 As required by section 101M(93) of the Act, plans have been sent to the Chief Surveyor of the Wellington Land District, and the Chief Surveyor has certified the plans are sufficient to render the boundaries of each ward capable of identification.

The Local Government Commission

Ian Lawrence (Chairman)
Barbara Durbin (Commissioner)
Robin Wilkins (Commissioner)

27 March 1998