

HUTT CITY COUNCIL**POLICY AND REGULATORY COMMITTEE**

Report of a meeting held in the Council Chambers, 2nd Floor, 30 Laings Road,
Lower Hutt on

Wednesday 11 July 2018 commencing at 5.30pm

PRESENT:

Cr MJ Cousins (Chair)	Cr C Barry
Deputy Mayor D Bassett	Cr L Bridson
Cr J Briggs	Cr S Edwards (Deputy Chair)
Cr T Lewis	Cr M Lulich
Cr C Milne	Cr L Sutton
Mayor WR Wallace	

APOLOGIES: There were no apologies.

IN ATTENDANCE:

Cr G McDonald (part meeting)
Ms K Kelly, General Manager, City Transformation
Mr B Kibblewhite, General Manager, Corporate Services (part meeting)
Mr B Cato, General Counsel
Ms W Moore, Divisional Manager, Strategy and Planning
Mr J Hoyle, Communications and Marketing Advisor (part meeting)
Ms S Haniel, Committee Advisor

PUBLIC BUSINESS**1. APOLOGIES**

There were no apologies.

2. PUBLIC COMMENT

Comments are recorded under the item to which they relate.

3. CONFLICT OF INTEREST DECLARATIONS

There were no conflict of interest declarations.

4. RECOMMENDATION TO COUNCIL

Representation Review - Draft Proposal for Public Consultation
(18/1160)

Speaking under public comment, **Mr M Shierlaw** said that he supported at large Council representation for the reasons that; some councillors were more effective than others; it encouraged councillors to consider the entire city; and it had the potential to increase diversity. He supported equity in second tier representation. He added that Palmerston North City Council had not put out a draft representation proposal, however, they had put out a list of options for the public to submit on.

In response to questions from members, Mr Shierlaw said that research done by the Citizens' Panel favoured at large representation. He considered that the Peter Glen survey where 55% of respondents favoured the current system, did not give people time to consider the options because it was a phone survey and people were "put on the spot". He further said that there was no evidence that people who could afford to campaign across the whole city were more likely to be elected.

Speaking under public comment, **Mr R Sinnott, Chair, representing Wainuiomata Community Board**, said that the consultation results showed that the majority of respondents in the Public Voice survey preferred second tier representation to remain as the status quo. However, the highest preference in the Peter Glen survey was for a change to Community Boards across the city. He considered that this option should be proposed as an option for consultation.

In response to questions from members, Mr Sinnott said that he did not have enough evidence about the effectiveness of Community Panels to be able to advocate for them. He added that Community Panels would need two electoral terms to prove themselves.

Speaking under public comment, **Mr M Fisher, representing the Petone Community Board (PCB)**, said that he supported the retention of Community Boards because they added value to the city. He agreed with Mr Sinnott that Community Panels needed time to prove themselves. Given the survey results, Community Board representation across the city should be an option in the consultation material. He considered there was a bias against Community Boards in the officer's report.

In response to a question from a member, Mr Fisher said that the PCB had not discussed a possible merger of the two Harbour Wards. He added that the two wards were formed for the historic reason that the two areas were distinct from each other.

Speaking under public comment, **Mr M Branch, representing the Petone Community Board**, said that elected representation was safer than appointed representation because appointments would be open to political motives.

In response to a question from a member, Mr Branch said that he agreed

with either elected Community Boards or elected Community Panels. However, his preference was to have Community Boards.

RESOLVED: (Mayor Wallace/Cr Cousins)

Minute No. PRC 18301(2)

"That Standing Order 15.2 be temporarily suspended in order to allow further public comment on the representation review."

Speaking under public comment, **Ms A Sutherland** said that she supported either Community Boards across the city or the status quo for second tier representation. Furthermore, Community Panels had not been properly tested. Elected Community Panels were a new idea and there was no clear difference between an elected Community Panel and an elected Community Board. The officer's report did not favour Community Boards as an option.

In response to questions from members, Ms Sutherland said that other areas of the city could have more representation so that they had the same degree of representation as the Eastbourne Bays. She added that she did not know the costs of representation because costs were not in the report. Furthermore, she considered that the Eastbourne Community Board (ECB) worked well.

Cr Barry left the meeting at 6.10pm and rejoined the meeting at 6.11pm.

The Chair said that the Eastbourne Bays was privileged with the degree of representation that they had across the city. If Council were to implement fair and equitable representation across the city, the status quo would be changed and Eastbourne Bays affected.

Cr Barry said that Ms Sutherland should not be lectured by members of the Committee.

The Chair advised Cr Barry that if he was to repeat such statements he would have to withdraw the statements and apologise.

Speaking under public comment, **Mr M Gibbons** said that he understood that the Eastbourne Bays was one of the lowest populations to have its own Community Board. However, the ECB did a very good job, supported its community very well, and the cost of the ECB was a relatively small amount of money.

In response to questions from members, Mr Gibbons said that the ECB dealt with issues that did involve distribution of community funding, for example, representing the community about changes to the dog bylaw. He did not believe that Community Panel members would take the time to represent the community on these sorts of issues if they were not paid. Furthermore, he considered that community funding through Community Panels could be subject to Council withdrawing funds over time.

The Divisional Manager, Strategy and Planning elaborated on the report. She said that there were the following errors in her report; page 12,

paragraph 24. a, should read “fair and effective representation; and page 22, the bullet pointed list at the bottom of the page proposing to make changes to the current arrangements should be removed.

Mr Peter Glen, from Peter Glen Research, said that survey respondents were given explanations of the survey prior to giving their responses, therefore, participants made considered replies to the questions. Community Boards were elected by the public, and this was the given reason that they were favoured over Community Panels. Community Boards across the city was the preferred option and a lot of comments were received about having a fair and consistent process across the city.

Mr Jared Bothwell, from Public Voice Limited, said that the survey was written for ease of understanding, given its technical and abstract content.

Mr Steven Peter, from Public Voice Limited, said that the survey revealed that respondents considered the process important and favoured a fair, consistent election process. He added that there was a known status quo bias in survey results, and when the bias was taken into account, the data supported a change in representation from Community Boards to Community Panels.

The General Counsel said that Community Panels were not explicitly provided for in the legislation. However, Council had the ability to determine its own rules for panel bodies outside of the Local Electoral Act 2001.

Mayor Wallace and Cr Briggs left the meeting at 7.20pm and rejoined the meeting at 7.21pm.

The meeting adjourned at 7.24pm and reconvened at 7.30pm.

MOVED: (Cr Cousins/Cr Sutton)

“That the Committee recommends that Council:

- (i) agrees that the status quo be retained for Council elections; and
- (ii) agrees with the status quo for second tier representation, but that it be reviewed starting March 2021 when Council has more information about how the Community Panels are working.”

Cr Sutton said that she supported first tier ward representation. At large representation risks were electioneering on a party political ticket and that it would favour those who could afford to stand.

Cr Milne said that he did not support the motion. Community Boards had been established for historical reasons in 1989, and Council now had an opportunity to change the inequity across the city. Furthermore, more value could be delivered to local communities with Community Panels as opposed to paying Community Board salaries.

Deputy Mayor Bassett supported the status quo for first tier representation. He said that there were historical reasons dating back to 1989 for the establishment of the Community Boards, and Council should review the long term representation in the city. He considered that Community Panels were more cost effective than Community Boards, but they needed more time to function before Council made a decision. Furthermore, there needed to be consistency over the city.

Cr Edwards supported the motion. He did not support at large first tier representation because it favoured people with sufficient wealth and time that could afford to stand. For second tier representation, he considered the Community Panels had not had enough time to prove themselves.

Cr Bridson said that the issue of fair community representation could not be resolved in deciding between Community Panels or Community Boards. Furthermore, funding for community purposes was a separate issue to representation. She considered that elected representation was preferable, the disadvantage being that it would cost more than appointing members. However, elections were important and they were the price of democracy.

Cr Barry said that local communities wanted to be represented at Council. The right way to look at the issue was to determine what was best for representation. He added that improvements could be made to Community Boards, and he supported having Community Boards across the city.

Mayor Wallace said that he supported the motion. He considered that it was too soon to determine the correct second tier representation structure. The community saw value in Community Boards. However, Community Panels needed more time. Furthermore, there needed to be equity across the city.

Cr Lewis said that she agreed with Cr Bridson's comments. She considered that DLA Piper's legal opinion had not been given enough regard. She supported Community Boards across the city.

Cr Briggs said that he supported having two councillors per ward. He supported local representation by way of Community Boards across the city, and added that the research results also supported this.

Cr Lulich said that he supported the status quo for first and second tier representation. He supported keeping Eastbourne Community Board and Petone Community Board as separate entities.

The Chair said that Community Panels needed more time and that a decision should not be made without more information about how they were working. She further said that it was important the representation process involved the principles of equity, fairness and election across the city. The principles would have implications for representation in the Harbour Ward.

The Chair put the motion to the vote in its separate parts. Both parts were declared CARRIED on a show of hands by division.

<u>RECOMMENDED: (BY DIVISION)</u>	Minute No. PRC 18302(2)
<i>"That the Committee recommends that Council agrees that the status quo be retained for Council elections."</i>	
<u>For</u>	<u>Against</u>
Cr Bridson Cr Barry Deputy Mayor Bassett Cr Briggs Cr Cousins Cr Edwards Cr Lewis Cr Lulich Cr Milne Cr Sutton Mayor Wallace	
Total: 11	
<u>RECOMMENDED: (BY DIVISION)</u>	Minute No. PRC 18303(2)
<i>"That the Committee recommends that Council agrees with the status quo for second tier representation, but that it be reviewed starting March 2021 when Council has more information about how the Community Panels are working."</i>	
<u>For</u>	<u>Against</u>
Cr Barry Deputy Mayor Bassett Cr Cousins Cr Edwards Cr Lulich Cr Sutton Mayor Wallace	Cr Bridson Cr Briggs Cr Lewis Cr Milne
Total: 7	Total: 4

For the reason that Council is required to consult on a final Draft Representation Proposal no later than 8 September 2018.

4. **QUESTIONS**

There were no questions.

There being no further business the Chair declared the meeting closed at 8.15 pm.

Cr MJ Cousins
CHAIR

**CONFIRMED as a true and correct record
Dated this 24th day of July 2018**