

Report No.	18-36
<b>Decision Required</b>	

## REPRESENTATION REVIEW 2018

### 1. PURPOSE

- 1.1. This report supports Council's adoption of an 'initial proposal' for consultation, the next stage of Horizons' six-yearly review of its representation arrangements. The representation review is required by the **Local Electoral Act 2001 (LEA)**.

### 2. RECOMMENDATION

It is recommended that Council:

- a. receives the information contained in Report No. 18-36, and
- b. resolves to adopt the existing representation arrangements as the initial proposal for public consultation, and
- c. instructs officers to publicly notify the initial proposal by 10 April 2018.

### 3. FINANCIAL IMPACT

- 3.1. There is no impact on existing budgets as a result of this report.

### 4. COMMUNITY ENGAGEMENT

- 4.1. Community engagement will be undertaken through the consultation process referred to in paragraph 10.1 below. There will be a number of methods used to encourage community engagement with this process, including: public notices and a press release; information and an online submission form in the 'current consultation' section of Horizons' website; radio advertising; and possibly newspaper columns by the Chief Executive and elected members.

### 5. SIGNIFICANT BUSINESS RISK IMPACT

- 5.1. Horizons has a legal obligation to complete a representation review in 2018 prior to a determination by the **Local Government Commission (LGC)** no later than April 2019, under the LEA. There could be a significant business risk if the organisation were found not to comply with the requirements of the LEA.

### 6. BACKGROUND

- 6.1. All local authorities are required to review their representation arrangements every six years. Horizons' current review must be completed and determined by the LGC by 10 April 2019 and will apply to the 2019 and 2022 local body elections. The process for this review is set out in the LEA.
- 6.2. Council has already resolved to retain the first past the post voting system (June 2017 Regional Council meeting) and not to establish Maori constituencies (August 2017 Regional Council meeting) as the first steps in the current review. There was no petition received by 21 February 2018 from the region's voters, demanding a poll to reverse these

decisions. Members will now consider the number of elected members and constituencies and their arrangement, and adopt an initial proposal for public consultation.

#### Local Electoral Act requirements

- 6.3. The LEA requires three factors to be balanced in deciding on the initial proposal: communities of interest; effective representation of communities of interest; and fair representation of electors.
- 6.4. 'Communities of interest' is not defined in the LEA. Guidance from the **Local Government Commission (LGC)** describes the concept of communities of interest as being based on perceptual (belonging to a clearly defined area or locality), functional (ability to meet with reasonable economy the community's requirements for comprehensive physical and human services) and political (the ability of the elected body to represent the interests and reconcile the conflicts of all its members) attributes.
- 6.5. The effective representation requirement provides for regional councils to have between six and fourteen elected members. Arrangements to create barriers to participation must be avoided, as must splitting recognised communities of interest or grouping together those with few common interests. Accessibility, size and configuration of an area must also be considered, to ensure that all residents can access its members and that elected members can effectively represent views and attend meetings.
- 6.6. The fair representation requirement (often referred to as '+/- 10 percent') seeks to ensure each elected member represents a similar number of constituents. It is based on the difference between the average population per councillor across the whole region, and the actual population each councillor represents in their constituency, as a percentage. If the percentage is greater than +/- 10 percent, the arrangement does not meet this criteria and the final decision on the review will be made by the LGC.
- 6.7. The LEA also requires that constituency boundaries coincide with territorial authority district / city or ward boundaries as much as practicable.

## **7. THE CURRENT ARRANGEMENT**

- 7.1. The Horizons Region is currently divided into six constituencies, represented by twelve elected members). This arrangement has been in place since the 2006 review, when significant changes were made by the LGC.
- 7.2. Under the current arrangement, constituency boundaries are generally aligned with the territorial authority boundaries, except that Manawatu District is divided between the Manawatu-Rangitikei and Horowhenua-Kairanga Constituencies. The small areas from Stratford and Waitomo Districts are incorporated into the Ruapehu Constituency, and Taupō District into Manawatu-Rangitikei (refer to the map attached as **ANNEX A**).
- 7.3. The current arrangement has never met the fair representation criteria; in particular, the Ruapehu Constituency has had a considerably greater deviation from average than 10%. However, LGC acknowledged that the large area, the small rural communities that identify with Ruapehu District, and remoteness from Horizons' main offices in Palmerston North mean a separate constituency is desirable to ensure effective representation.
- 7.4. Table 1 shows the current difference from the average population that each member represents (based on Statistics New Zealand June 2017 population estimates) with the difference in 2012 when arrangements were last reviewed.
- 7.5. The proportion of population that the member for Ruapehu represents has continued to decrease. Neither the Wanganui and Tararua Constituencies now meet the fair representation threshold of +/- 10 percent, but are only marginally outside it; Wanganui has come closer since the 2012 review.

**Table 1: 'fair representation' under the current constituency arrangements.**

Constituency	No. of Crs (12)	2012	2017
Ruapehu	1	-29.50%	-35.58%
Wanganui	2	12.40%	11.11%
Manawatu-Rangitikei	2	-9.60%	-6.62%
Palmerston North	4	9%	8.99%
Horowhenua-Kairanga	2	-1.60%	0.62%
Tararua	1	-8.50%	-11.11%

## 8. DISCUSSION

- 8.1. At a workshop on 28 February, Council considered the region's communities of interest. It is acknowledged that, in practice, the attributes described in paragraph 6.4 above are very difficult to apply meaningfully on a regional scale.
- 8.2. Officers presented ten scenarios (including the existing arrangement) with different constituency boundaries, including variations based on altering the number of elected members, for Council to consider. These scenarios used either the current constituency boundaries or territorial authority boundaries as their starting point. None of the scenarios complied fully with the fair representation criteria; this is unsurprising given that the region is a large area and parts of it are sparsely populated.
- 8.3. Of the ten scenarios, the following alternatives to the current arrangements were given the most attention:
- i. Seven constituencies, based on the seven territorial authorities (incorporating the areas from Stratford and Waitomo Districts into Ruapehu, and Taupō District into Rangitikei);
  - ii. Changes to the arrangements for Manawatu-Rangitikei and Horowhenua-Kairanga, to avoid separating Manawatu District's area;
  - iii. Changes to the arrangements for Ruapehu and Wanganui Constituencies, merging part or all of Whanganui District's area with the existing Ruapehu Constituency.
- 8.4. While each of these scenarios may improve an aspect of the current arrangements, there were also significant difficulties associated with them. The first two would have addressed the awkwardness associated with the dividing Manawatu District between two constituencies. However, they increased the number of and/or degree to which constituencies could not meet the +/- 10 percent fair representation criteria.
- 8.5. Alternative arrangements for Ruapehu and Wanganui Constituencies included:
- a. combining Whanganui District's three rural subdivisions with the existing Ruapehu Constituency (one elected representative), with Whanganui City as a separate constituency (two elected representatives);
  - b. combining the Wanganui and Ruapehu Constituencies into a single constituency, with three elected representatives.
- 8.6. While both of these arrangements would meet the fair representation criteria, they could be viewed as an unnatural grouping of communities of interest and would have serious implications for effective representation. The partial merger would create a constituency of approximately 10,000 square kilometres with only one representative, which is unreasonable. While combining all of Wanganui and Ruapehu into one constituency with three representatives would address this difficulty, the risk of all the representatives coming

from, for example, Whanganui City, would compromise the representation of other areas and disadvantage the other communities of interest.

## **9. COUNCIL'S PREFERRED OPTION**

- 9.1. At the conclusion of the workshop, Members indicated that on balance they generally preferred to retain the existing electoral arrangements. It is considered that this option recognises the region's communities of interest, and generally provides a balance between fair and effective representation. Accordingly, members requested that this report focus primarily on the existing arrangements.

## **10. CONSULTATION**

- 10.1. Formal consultation will be carried out as required by the LEA. This will include a one month submission period (10 April to 10 May) and a hearing if any submitter wishes to be heard (scheduled for 30 or 31 May).

## **11. TIMELINE / NEXT STEPS**

- 11.1. Following Council's adoption of an initial proposal, the proposal must be publicly notified within 14 working days (by 10 April). This opens the consultation process. After Council has deliberated and adopted a final decision, submitters will have the opportunity to appeal; any person can object if there is a change to the initial proposal. The final decision will be made by the Local Government Commission, regardless of whether we receive any appeals or objections, because it is unlikely the final proposal will be able to meet the LEA 'fair representation' requirement.

## **12. SIGNIFICANCE**

- 12.1. While this may be regarded as a significant decision, it is not considered in the context of the Council's Policy on Significance and Engagement because the community engagement process is prescribed by legislation other than the Local Government Act 2002.

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## **ANNEXES**

- A Map of Horizons' existing constituencies