



REVIEW OF REPRESENTATION ARRANGEMENTS UNDER SECTION 19 OF THE LOCAL ELECTORAL ACT 2001 – REPORT FOR THE LOCAL GOVERNMENT COMMISSION

1. INTRODUCTION

- 1.1. Horizons Regional Council (Horizons) has completed its review of representation arrangements, as required by the Local Electoral Act 2001 (LEA). Horizons has resolved to retain its existing representation arrangements for the 2013 local authority elections, incorporating the territorial authority boundary change between Manawatu District and Palmerston North City.
- 1.2. The proposed arrangement does not meet the requirements of s 19V(2) of the LEA and Horizons is therefore required to refer the proposal to the Local Government Commission (LGC) to determine the final arrangement for the regional council. This report outlines the process carried out by Horizons in undertaking this review and the rationale for the adoption of the proposal.

2. HORIZONS' FINAL PROPOSAL

Boundaries

- 2.1. The final proposal adopted by Council on 28 August 2012 would retain the existing representation arrangements, except for a minor change in the boundary between the Manawatu-Rangitikei and Palmerston North constituencies. This alteration, which was sought by the Manawatu and Palmerston North territorial authorities, will incorporate the change in the boundary between Manawatu District and Palmerston North City that will come into effect prior to the 2013 election. A map showing the boundaries of the region's constituencies is attached in Annex A.

Representation

- 2.2. The following table sets out the number of representatives and population¹ for each constituency, and uses the formula set out in section 19V(2) LEA to calculate whether the proposal meets the 'fair representation' criteria required by the LEA. Four of the six constituencies meet this fair representation requirement.

<i>Constituency</i>	<i>Population</i>	<i>No. of Crs per constituency</i>	<i>Population per Cr²</i>	<i>Deviation from region avge population per Cr</i>	<i>Percentage deviation from region avge population per Cr</i>
Ruapehu	13650	1	13650	-5700	-29.5%
Wanganui	43500	2	21750	+2400	+12.4%
Manawatu-Rangitikei	35000 ³	2	17500	-1850	-9.6%
Palmerston North	84400 ²	4	21100	+1750	+9%
Horowhenua-Kairanga	38100	2	19050	-300	-1.6%
Tararua	17700	1	17700	-1650	-8.5%
REGION (using Stats NZ est)	232400 ⁴	12	[19366.67] 19350 ⁵		

3. THE REVIEW PROCESS

- 3.1. The representation review began in July 2011 when Council resolved to retain 'first past the post' as the preferred electoral system for the 2013 election, and not to introduce Māori constituencies. These resolutions were publicly notified in accordance with the requirements of section 28(1) LEA. A copy of the resolution is attached as Annex B. Electors in the region could demand a poll to overturn this resolution up to 28 February 2012; no demand was received.
- 3.2. Horizons sought submissions on the existing constituencies and number of representatives when it notified the Draft Long-term Plan 2012-22 in March 2012.

¹ Based on the Statistics New Zealand's estimate of population at 30 June 2011.

² +10% is 21,285; -10% is 17,415

³ The population of these constituencies is based on an estimate obtained from Statistics NZ in June 2012.

⁴ This figure is slightly more than the sum of the estimate population for each constituency, as it has been rounded to the nearest 100 by Statistics NZ.

⁵ Rounded to the nearest 50, consistent with the convention used by Statistics NZ for figures in the range 10,000-19,999.

The submission period closed on 4 May 2012 and five submissions were received:

- one sought an increase in the number of representatives for the Wanganui constituency;
- one sought a decrease in the total number of representatives to ten, by removing two representatives in the Palmerston North constituency;
- one sought the retention of the existing constituency boundary for Ruapehu;
- two addressed Māori representation.

3.3. On 13 December 2011, Council's Strategy and Policy Committee resolved that Horizons should carry out the required consultation process for the representation review, in response to a report seeking this decision. A copy of the report (11-205) and resolution is attached as Annex C.

3.4. A workshop was held for Councillors on 12 June 2012, to ensure their understanding of the purpose of the review and the implications of a number of scenarios. The PowerPoint presentation, including the presenter's notes, is attached as Annex D.

3.5. On 26 June 2012, Council adopted the proposal to retain its existing arrangement of 12 members representing six constituencies. This proposal included a minor adjustment to the boundaries of the Manawatu-Rangitikei and Palmerston North constituencies, to incorporate the changed territorial authority boundary between Manawatu District Council and Palmerston North City Council. The report to Council (12-87) and the subsequent resolution are attached as Annex E.

3.6. Horizons publicly notified this proposal in accordance with section 19M(2)(d) LEA, with the submission period closing on Monday 13 August 2012. A copy of the public notice is attached as Annex F. One submission was received, from Wanganui District Council, which resolved:

That the Wanganui District Council supports the status quo proposal for Horizons Regional Council's representation review of the 2013 Local Government Elections"

3.7. The District wished to speak to its submission and a hearing was arranged for 28 August 2012. A copy of the Agenda, minutes and subsequent Council resolution endorsing and adopting the minutes, is attached at Annex G. An apology was received from Mayor Annette Main as no representative from Wanganui was able to attend. The Hearing Panel recommended that the notified proposal be adopted by Council as the final proposal, which Council subsequently resolved to do at the Council meeting immediately following the hearing. A copy of the report (12-136) and resolution is attached in Annex H, with a copy of the public notice of the final proposal required by section 19N(2) LEA. There was no appeal of Council's decision.

- 3.8. Council instructed officers to forward all relevant documentation to the LGC for its consideration and final determination, at a Council meeting on 27 November 2012. A copy of the report (12-187) and subsequent resolution are attached in Annex I.

4. EFFECTIVE REPRESENTATION OF COMMUNITIES OF INTEREST

- 4.1. The LEA requires councils to consider three factors when reviewing their representation arrangements:
- communities of interest
 - effective representation of the region's communities of interest
 - fair representation of electors⁶.
- 4.2. While all three factors are considered important, where a regional council's proposal cannot meet the fair representation requirements it must be referred to the LGC to be determined. The onus is then on the council to demonstrate that the proposal is the most appropriate way to effectively represent the region's communities of interest.
- 4.3. Horizons' final proposal meets the fair representation requirements of the LEA for the Horowhenua-Kairanga, Palmerston North, Tararua and Manawatu-Rangitikei Constituencies. While the Wanganui and Ruapehu Constituencies do not meet these requirements, Horizons considers that the proposal is the one most likely to result in the effective representation of the region's communities of interest.
- 4.4. As part of the review process, a range of different scenarios were explored. The boundary maps and fair representation analysis tables for each scenario are included in the annexes to Report No. 12-187, dated 26 June 2012, which is attached as Annex I. The analysis tables in particular demonstrate the difficulty in arriving at any proposal that will comply with section 19(V)(2); the reasons for not adopting Scenario 4, which would comply by creating a single constituency for Ruapehu-Wanganui, are discussed below at paragraphs 4.8.3 and 4.10.3.
- 4.5. The Horizons region is geographically extensive with a relatively small population – over 8% of New Zealand's land area but only approximately 5% of its population. Wanganui and Palmerston North are the only two significant cities. Parts of the region are home to very isolated small communities, in areas characterised, for example, by forestry, hill country farming or national parks. These factors have led to a tension between the obvious communities of interest that arise from residents' identification with their local service centre or territorial authority and the need to create constituencies that provide fair representation for the electors of the region.

⁶ Local Government Commission (2011). Guidelines to assist local authorities in undertaking representation reviews (4th ed.) Wellington: LGC, p. 20.

- 4.6. The following comments relate to specific constituencies and their communities of interest, in support of the final proposed representation arrangements.

Ruapehu

- 4.7. The Ruapehu constituency is significantly outside the fair representation criteria. The member for Ruapehu represents 19.5% fewer people than the requirement set out in section 19V(2), approximately 3,765 people less than the average population per member -10%. Compliance with the fair representation criteria could be achieved by increasing the land area within the constituency (by including an area from the Wanganui District or Rangitikei District), or by merging the Ruapehu Constituency with the Wanganui Constituency to create a larger area represented by three members. Horizons does not consider that these options would provide effective representation of its communities of interest; this matter is discussed in greater detail below (para. 4.8.3).
- 4.8. Notwithstanding this non-compliance, Horizons considers that it is essential that this constituency be retained:
- 4.8.1. As required by section 19U(c) LEA, most of the area of this constituency coincides Ruapehu District Council's territory, with parts of the Stratford and Waitomo Districts included where they fall within the region. This anomaly is the result of the original formation of the regional councils, which used river catchments to define regional boundaries.
- 4.8.2. The communities of interest in this constituency identify with Mount Ruapehu and the Tongariro National Park. The physical communities themselves are mainly smaller, independent communities with a rural or farming base that collectively identify with the Ruapehu District. Their residents are more likely to travel north for access to services not available within the District, while other parts of the region would be more likely to travel south.
- 4.8.3. The constituency's small population is spread over a large area: 6,730 square kilometres. The LGC's Guidelines⁷ note that effective representation will result in the population having reasonable access to its elected member, and vice versa, and that members will be able to attend public and face-to-face meetings throughout their constituency. There would be difficulties in achieving this if the member representing the residents of the proposed Ruapehu constituency were required to represent an even larger area, for example if part of the Rangitikei or Wanganui District was combined with Ruapehu. Similarly, a merged Ruapehu-Wanganui constituency could result in the area being represented by three members who live in, and whose interests are principally aligned with, the Wanganui District. Such a situation would neither serve the distinct interests of Ruapehu nor solve the difficulties associated with representing its isolated residents.

⁷ Ibid., p. 23

- 4.8.4. Ruapehu District Council, in its submission to the Draft Long-term Plan 2012-22, supported the retention of the Ruapehu Constituency:

“RDC seeks to maintain its constituency boundary and be independently represented by a member on the Horizons Regional Council. Although the population of RDC is the lowest within the Region, we have an extensive land area to manage.”

Wanganui

- 4.9. Wanganui’s two members represent 2.4% more people than the requirement allows, or approximately 465 people each member more than the average +10%. Note that the level of under-representation of this constituency has almost halved since the 2006 representation review, when the percentage deviation from the regional average +10% was 4.9%.
- 4.10. Horizons continues to support the retention of the Wanganui Constituency for the following reasons:
- 4.10.1. As required by section 19U(c), the boundaries of this constituency completely coincide with the boundaries of the Wanganui District.
- 4.10.2. Communities in the constituency identify strongly with Wanganui City and the Whanganui River; this is common to both rural and urban communities.
- 4.10.3. Combining this constituency with Ruapehu (as discussed above in paragraph 4.8.3) or altering the boundaries between constituencies in order to comply with section 19V(2) would result in unnatural groupings or splitting of communities of interest and, potentially, increased isolation of communities from their representatives, reducing the effective representation of these communities.
- 4.10.4. Wanganui District, in its submission on the representation review, supported Horizons’ proposal (refer above, paragraph 3.4).

Manawatu-Rangitikei

- 4.11. The Manawatu-Rangitikei Constituency complies with section 19V(2), and with section 19U(c) as far as practicable. As with the Ruapehu Constituency, the boundaries coincide with territorial authority or ward boundaries except where the regional boundaries are aligned with catchments rather than districts. The boundary has been adjusted to reflect the recent boundary change between Manawatu District and Palmerston North City. It includes:
- all of the Rangitikei District that lies within the region;
 - a small part of the Taupo District;
 - all of the Manawatu District except the Kairanga Ward.

- 4.12. The combined area has many similarities and connections. It is predominantly rural, with a few distinct larger towns and many smaller, often geographically remote, communities. The boundary between the two Districts is the Rangitikei River, a significant geographic feature. Horizons is an organisation founded on river catchments; from our perspective, the constituency enables the effective representation of this significant community of interest. The area is also connected by the Ruahine Ranges on the eastern boundary of the constituency.
- 4.13. While the two District Councils remain separate, they share a number of services. They are connected by state highways and the many smaller roads throughout the area. Other organisations, such as Federated Farmers of New Zealand, also group the two districts together as a single community of interest. The proposed arrangement for this area, with two members representing the scattered population, enables both fair and effective representation of the communities of interest in this area.
- 4.14. The reasons for including the Kairanga Ward in the Horowhenua-Kairanga Constituency are discussed below, at paragraph 4.18.

Palmerston North

- 4.15. The Palmerston North constituency complies with section 19V(2), and with section 19U(c) as the boundary is the same as the City's territorial boundary, adjusted to reflect the recent boundary change between Manawatu District and the City.
- 4.16. Palmerston North is a strong urban community of interest. The residents in this constituency, whether they live in the city or the surrounding rural areas and townships, identify with the city, which provides a wide range of services including government offices, education, health, cultural and recreational facilities, and retail areas. Residents also identify with the Manawatu River and the flood scheme which protects the city and the Ashhurst community.

Horowhenua-Kairanga

- 4.17. The Horowhenua-Kairanga Constituency complies with section 19U(c) and 19V(2). The constituency includes all of the Horowhenua District and the Kairanga Ward of the Manawatu District.
- 4.18. The combined area is largely rural with a single major town, Levin, and a scattering of smaller communities, notably small coastal communities. Including the Kairanga Ward in this constituency integrates this coastal community of interest as members represent all the west coast communities between Tangimoana and Waikawa Beach. Residents are likely to go to Palmerston North for services that are not available in the area.

Tararua

- 4.19. The Tararua Constituency complies with section 19V(2), and with section 19U(c) as far as practicable. The constituency boundary coincides with the Tararua District boundary except for a small area in the south which lies within the Greater Wellington Region.
- 4.20. Tararua is geographically separated from the rest of the region by the Tararua and Ruahine Ranges, and has a strong community of interest based on the Manawatu River catchment above the Gorge. There is no dominant service centre in the area; Pahiatua and Dannevirke are the largest towns with Woodville and Eketahuna also located on the state highways and numerous smaller rural communities in more remote parts of the District. Communities of interest tend to be associated with these towns, although residents do identify with the District. Residents access many of those services unavailable in the District from Palmerston North.

5. CONCLUSION

- 5.1. Horizons has undertaken a careful review of its representation arrangements and concludes that the existing arrangement, amended to include the recent boundary change between Manawatu District and Palmerston North City, provides the region's electors and communities with fair and effective representation. The proposal adopted by Council appropriately balances the requirements of the LEA, including the fair representation criteria, the need to align constituency boundaries with territorial authority boundaries as far as practicable, and the need to effectively represent the region's communities of interest.
- 5.2. Amending the arrangements to fully comply with section 19V(2)'s fair representation requirements would result in the unnatural combining or separation of communities of interest. It could also, potentially, lead to some of the isolated parts of the region not having access to effective representation.

- 5.3. The proposed arrangements are supported by the Ruapehu District Council and the Wanganui District Council; none of the region's other constituent territorial authorities made any submission to the representation review. Horizons is confident that this support reflects the effectiveness of the current constituencies in providing effective representation for our communities.



Bruce Gordon
CHAIRMAN
HORIZONS REGIONAL COUNCIL

Annexes:

- A: Map of constituencies of Horizons Regional Council
- B: Council resolution relating to Maori constituencies
- C: Report No. 11-205 to Strategy and Policy Committee meeting, 13 December 2011; recommendation of Strategy and Policy Committee; Minute from Council meeting of 20 December 2011
- D: Powerpoint presentation, including presenter's notes, to a Councillors' workshop held on 12 June 2012
- E: Report No. 12-87 to Council meeting, 26 June 2012; resolution from Council meeting
- F: Copy public notice of initial proposal
- G: Hearings Panel Agenda for 28 August 2012; Hearing Panel minutes; resolution from Council meeting
- H: Report No. 12-136 to Council meeting, 28 August 2012; resolution from Council meeting; copy public notice of final proposal
- I: Report No. 12-187 to Council meeting, 27 November 2012; resolution from Council meeting