

Report No.	21-99
<b>Decision Required</b>	

## REPRESENTATION REVIEW 2021

### 1. PURPOSE

This report supports Council's adoption of an 'initial proposal' for formal consultation on the current review of its representation arrangements, in accordance with the requirements of the **Local Electoral Act 2001 (LEA)**.

### 2. EXECUTIVE SUMMARY

2.1. Council is required to conduct a full representation review following its decision on 19 May 2021, to establish a Māori constituency or constituencies for the 2022 and 2025 local elections. This review must determine the region's representation arrangements, including:

- how many elected members and constituencies there should be;
- the boundaries and names of the constituencies; and
- the number of members to be elected from each constituency.

If the arrangement includes between 11 and 14 members in total, 2 must be elected from the Māori constituency or constituencies and the remainder from general constituencies.

2.2. The review process is prescribed by the LEA. Before adopting an initial proposal for formal consultation (which must occur no later than 31 August 2021), Council must:

- identify the region's communities of interest;
- consider how best to provide fair and effective representation for those communities of interest; and
- align the boundaries of proposed constituencies with territorial authority boundaries as much as practicable.

2.3. Following discussion of a wide range of potential arrangements over two workshops, Council has requested that four options be presented for consideration. These options all use the existing constituency boundaries for 6 general constituencies electing either 10 or 12 general councillors; and either 1 Māori constituency electing 2 councillors, or 2 Māori constituencies each electing 1 councillor.

2.4. After adopting its initial proposal, public notice of the proposal and the submission process must be given, no later than 8 September 2021. The final proposal and any appeals or objections must be referred no later than 15 January 2022 to the **Local Government Commission (LGC)** to make its determination.

### 3. RECOMMENDATION

It is recommended that Council:

- a. receives the information contained in Report No. 21-99; and
- b. adopts ONE of the following four options as Council's initial proposal for public consultation, as required by section 19I of the Local Electoral Act 2001 (LEA):

i. **Option 1A**

14 regional councillors elected from the following general and Māori constituencies (with boundaries shown on **Map 1** and **Map 2** in **ANNEX A** respectively):

Constituency name	Number of councillors
Ruapehu	1
Whanganui	2
Manawatū-Rangitīkei	2
Palmerston North	4
Horowhenua	2
Tararua	1
Māori Constituency (Placeholder Name)	2

**OR**

ii. **Option 1B**

14 regional councillors elected from the following general and Māori constituencies (with boundaries shown on **Map 1** and **Map 3** in **ANNEX A** respectively):

Constituency name	Number of councillors
Ruapehu	1
Whanganui	2
Manawatū-Rangitīkei	2
Palmerston North	4
Horowhenua	2
Tararua	1
Raki Māori (Placeholder Name)	1
Tonga Māori (Placeholder Name)	1

**OR**

iii. **Option 2A**

12 regional councillors elected from the following general and Māori constituencies (with boundaries shown on **Map 1** and **Map 2** in **ANNEX A** respectively):

Constituency name	Number of councillors
Ruapehu	1
Whanganui	2
Manawatū-Rangitīkei	2
Palmerston North	3
Horowhenua	1
Tararua	1
Māori Constituency (Placeholder Name)	2

**OR**iv. **Option 2B**

12 regional councillors elected from the following general and Māori constituencies (with boundaries shown on **Map 1** and **Map 3** in **ANNEX A** respectively):

Constituency name	Number of councillors
Ruapehu	1
Whanganui	2
Manawatū-Rangitīkei	2
Palmerston North	3
Horowhenua	1
Tararua	1
Raki Māori (Placeholder Name)	1
Tonga Māori (Placeholder Name)	1

**AND**

c. directs the Chief Executive to publicly notify the initial proposal no later than 8 September 2021, as required by section 19M LEA.

**4. FINANCIAL IMPACT**

4.1. There are no additional financial impacts on budgets anticipated as a direct result of the decision to adopt an initial proposal.

**5. COMMUNITY ENGAGEMENT**

5.1. Community engagement associated with this decision will be associated with the formal consultation process requirements set out in the Consultation and Timeline / Next Steps sections below. Public information about the review and how to engage in the consultation process will be made available on Horizons' 'have your say' webpage as well as through the formal notification requirements prescribed in the LEA.

5.2. Prior to resolving to establish a Māori constituency or constituencies in May, Horizons conducted a short survey which targeted voters enrolled on the Māori roll (as the group most affected by the decision), and was open to the public on the website. This survey included two questions related to the constituency arrangements should Māori representation be adopted. The responses to these questions have informed the discussion in section 10 below regarding the options for a Māori constituency or constituencies.

**6. SIGNIFICANT BUSINESS RISK IMPACT**

6.1. Horizons has a legal obligation, set out in the LEA, to complete a representation review in 2021, prior to a determination by the LGC no later than April 2022. There could be a significant business risk if the organisation does not comply with the requirements of the LEA.

**7. CLIMATE IMPACT STATEMENT**

7.1. Changes to the number of arrangement of elected members or constituencies could alter the volume of emissions resulting from members' travel arrangements in relation to

representation. This will depend on other decisions related to, for example, attendance of meetings in person or remotely and mode of travel.

## 8. BACKGROUND

### Process to date

- 8.1. On 19 May 2021, Council resolved to establish a Māori constituency or constituencies for the 2022 and 2025 local elections. Consequently, the LEA (Schedule 1A clause 3(1)) requires that Horizons completes a full representation review this year. This requirement recognises that the transfer of voters on the Māori electoral roll from voting in general constituencies to Māori constituencies will alter the distribution of the general electoral population across the region.
- 8.2. The decision to establish a Māori constituency or constituencies followed a change to the LEA in late February, which extended the opportunity for councils to consider whether to establish Māori wards or constituencies in time for the 2022 election, to 20 May 2021. At the same time, all requirements for binding polls associated with this decision were removed. Council, at its meeting on 23 March 2021, resolved to direct
- the Chief Executive to explore the desire from Māori for Māori constituencies to be established for the 2022 council election, with input from iwi and hapū within the time available, and report back to Council at an extraordinary meeting prior to 21 May 2021.*
- 8.3. The targeted community engagement is described in paragraph 5.2; results of this and communication from iwi and hapū is discussed in paragraphs 10.5-10.9.
- 8.4. Council has also already resolved to retain the first past the post voting system for the next two elections, at its meeting on 23 June 2020. Members will now consider how many elected members and constituencies there should be, the boundaries and names of the constituencies, and the number of members to be elected from each constituency. An initial proposal must be adopted for notification no later than 31 August 2021.
- 8.5. Councillors have held two workshops (on 21 June and 3 August), led by consultant Darryl Griffin of electionz.com, to assist their understanding of both the review process and the potential implications of an extensive range of representation arrangements. The two discussion documents prepared by Mr Griffin for the workshops are attached as **ANNEX B and C** respectively.

### Local Electoral Act requirements

- 8.6. The LEA requires Council to balance three factors when deciding its representation arrangements: communities of interest; effective representation of communities of interest; and fair representation of electors.
- 8.7. 'Communities of interest' is not defined in the LEA. LGC *Guidelines for local authorities undertaking representation review* (<http://lgc.govt.nz/assets/Uploads/Representation-Review-Guidelines-2021.pdf>) describe the concept of communities of interest as being based on the following attributes:
- perceptual (belonging to a clearly defined area or locality);
  - functional (ability to meet with reasonable economy the community's requirements for physical and human services); and
  - political (the ability of the elected body to represent the interests and reconcile the conflicts of all its members).
- 8.8. The effective representation requirement provides for regional councils to have between 6 and 14 elected members. Arrangements must avoid creating barriers to participation, 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 elected members can effectively represent views and attend meetings.

- 8.9. The fair representation requirement (often referred to as ‘+/- 10 percent’) seeks to ensure each elected member represents a similar number of constituents. It is a calculation of the difference between the average population per councillor across the whole region and the actual population each councillor represents in their constituency, presented as a percentage. Where the percentage is greater than +/- 10 percent, the arrangement does not meet the requirement and the final decision on the arrangements must be referred to the LGC to determine.
- 8.10. It should be noted that when a council has both general and Māori constituencies, the calculation is made separately for general and Māori councillors rather than the region’s total population – that is, the percentage for general councillors is calculated based on the general electoral population across the region while for Māori councillors it is calculated based on the Māori electoral population.
- 8.11. The LEA also requires constituency boundaries to coincide with territorial authority boundaries (both city / district or wards) as much as practicable.

#### Population statistics

- 8.12. This report and its attachments all use population estimates prepared by Statistics NZ in May 2021 for the LGC. Any discrepancy between totals are likely to be the result of rounding, or where populations have been apportioned because Māori and general electoral populations were not available at small enough scale. This is unlikely to result in any material difference in the fair representation ratio; populations will be confirmed by Statistics NZ when the final arrangement is determined.

## **9. DISCUSSION**

- 9.1. As noted in paragraph 8.4 above, Council discussed an extensive range of potential arrangements for the general constituencies over two workshops. Close attention was paid to the requirement for constituencies to be based on groupings of communities of interest that do not split or create unnatural groupings, and whether effective representation could be provided to residents. The ability of the arrangements to meet the fair representation requirement was calculated and the implications discussed. All potential arrangements used territorial authority external or ward boundaries as their basis; those that met or were very close to meeting the fair representation requirement across all constituencies were considered to be an unnatural grouping of communities of interest or unlikely to provide for effective representation.
- 9.2. The Horizons Region is extensive and varied in terms of its geography, and its communities and their distribution, history, and economic and social characteristics. Council is required to adopt an arrangement that reflects and recognises local identity and interests; however, consideration of communities of interest at a regional scale can be challenging given the significant areas and variation in communities of interest involved. The LEA requirement to align constituency boundaries with territorial authority boundaries acknowledges that these smaller local authority areas are deemed to already recognise and group together communities of interest. This is reinforced by analysis of current constituencies’ representation of communities of interest, based on the factors described in the LGC Guidelines, and attached as **ANNEX D**.
- 9.3. The LEA (section 19V(3)(b)) states that

*If the regional council or the Commission considers that effective representation of communities so requires, constituencies may be defined and membership distributed between them in a way that does not comply with subsection (2) [i.e., the fair representation requirement].*

- 9.4. The previous provision, which sets out the circumstances where territorial authorities may seek an arrangement that does not comply, provides an indication of what may be found to be acceptable reasons by the LGC. These are:
- To ensure effective representation within island communities or isolated communities; and
  - Where compliance would limit effective representation by dividing a community of interest, or uniting two or more communities of interest with few commonalities.
- 9.5. While parts of the region have a significant population concentrated in a relatively small area – notably Palmerston North, with approximately 36 percent of the region’s population – other parts have a much smaller proportion of the region’s population spread over extensive areas. Most notably, Ruapehu has approximately 5 percent of region’s population. The very uneven distribution of population has made meeting the fair representation requirement while providing for effective representation challenging in previous reviews. This is compounded in the current review by the uneven distribution of the Māori electoral population across the region – approximately 30 percent of the Ruapehu total population compared to 11 percent in Palmerston North – and uneven rates of population growth.
- 9.6. In addition to the remote or isolated nature of parts of the region (particularly the areas within the current Ruapehu Constituency and the Tararua Constituency), a significant factor that influences effective representation in this region is the size of constituencies. The latter has the potential to limit constituents’ access to elected members, and members’ ability to meet face to face with constituents. LGC has recognised these factors during previous reviews, notably in relation to successive determinations that Ruapehu should remain a separate constituency despite significant (and increasing) levels of over-representation. It is noteworthy that, while the population numbers have altered, the situation for constituents and elected members in the existing general constituencies is essentially unchanged with regard to effective representation. Members will need to consider how best to address the same issue for Māori constituents, given that their options are limited by the LEA so that the Māori constituency or constituencies will have to include considerably larger areas.

## 10. REPRESENTATION ARRANGEMENT OPTIONS

### General Constituency arrangement options

- 10.1. The two options for general constituencies both use the existing constituency boundaries and names, as follows:

Ruapehu Constituency	All of Ruapehu District and those parts of Stratford District and Waitomo District located within the region
Whanganui Constituency	All of Whanganui District
Manawatū-Rangitīkei Constituency	All of Manawatū District, and all of Rangitīkei District except the part located in the Hawkes Bay Region
Palmerston North Constituency	All of Palmerston North City
Horowhenua Constituency	All of Horowhenua District
Tararua Constituency	All of Tararua District except the part located in the Greater Wellington Region

10.2. The number of general councillors in the two options are 12 and 10, as Council has expressed a desire to explore the implications of reducing the number of general members (so that the total number of councillors would remain at 12, including 2 Māori councillors). The following tables present the number of councillors, the approximate population figures, and the fair representation ratio for each of the general constituencies. Note that the Māori electoral population (35,840) is not included in these two tables – the total population for the region is approximately 254,170.

**Option 1A and 1B (12 general councillors)**

Constituencies	Population	Number of councillors per constituency	Population per councillor	Deviation from region average population per councillor	% deviation from region average population per councillor
Ruapehu	9,130	1	9,130	-9,064	-49.82
Whanganui	39,700	2	19,850	1,656	9.10
Manawatū-Rangitīkei	41,800	2	20,900	2,706	14.87
Palmerston North	80,700	4	20,175	1,981	10.89
Horowhenua	31,000	2	15,500	-2,694	-14.81
Tararua	16,000	1	16,000	-2,194	-12.06
<b>Total General</b>	<b>218,330</b>	<b>12</b>	<b>18,194</b>		

### Option 2A and 2B (10 general councillors)

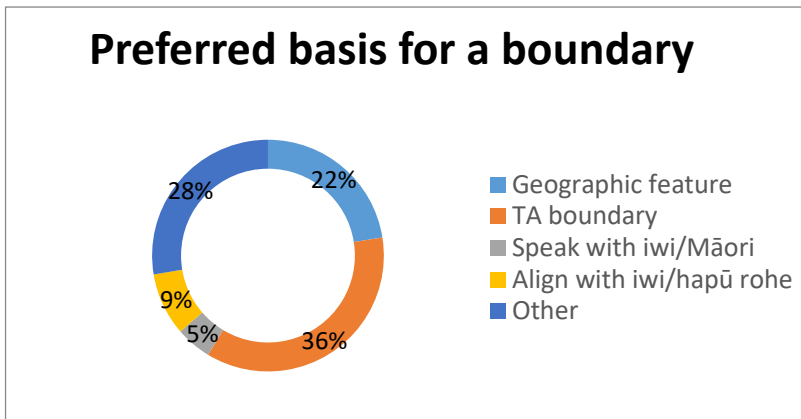
Constituencies	Population	Number of councillors per constituency	Population per councillor	Deviation from region average population per councillor	% deviation from region average population per councillor
Ruapehu	9,130	1	9,130	-12,703	-58.18
Whanganui	39,700	2	19,850	-1,983	-9.08
Manawatū-Rangitikei	41,800	2	20,900	-933	-4.27
Palmerston North	80,700	3	26,900	5,067	23.21
Horowhenua	31,000	1	31,000	9,167	41.99
Tararua	16,000	1	16,000	-5,833	-26.72
<b>Total General</b>	<b>218,330</b>	<b>10</b>	<b>21,833</b>		

- 10.3. Although in Options 1A and 1B only the Whanganui Constituency would be within the fair representation threshold, all constituencies except Ruapehu deviate less than 15 percent from the average. Ruapehu would be significantly over represented.
- 10.4. In Option 2A and 2B, both Whanganui and Manawatū-Rangitikei would meet the threshold while the other constituencies would be considerably outside. Of particular note are the under-representation of Palmerston North (23.21 percent) and Horowhenua (41.99 percent), and very high level of over-representation in Ruapehu.

#### Māori Constituency arrangement options

- 10.5. Because the general constituency arrangements presented in this paper both include more than 11 members in total, there must be 2 councillors elected from either 1 or 2 Māori constituencies.
- 10.6. As noted in section 5.2, the survey conducted in March-April this year included two questions about potential arrangements for Māori constituency or constituencies, if established. They were:
- i. Would you prefer 1 constituency covering the whole region, electing 2 Māori representatives OR 2 constituencies each covering part of the region and each electing 1 Māori representative?
  - ii. If there were 2 Māori constituencies, where do you think the boundary should be?
- 10.7. The survey indicated just over 54 percent of all respondents, and just under 54 percent of Māori respondents favoured a single constituency. The following graph shows the levels of support for factors a 2 constituency arrangement could be based on, by those who responded to the question.





- 10.8. Iwi and hapū leaders were contacted at the same time as the survey was conducted, providing information about Council’s intention to consider whether to establish a Māori constituency or constituencies and conduct the survey. Iwi and hapū were asked whether they had any views they might wish to share at that time; those that responded focused on their support for Māori constituencies in general rather than commenting on the form they might take in the region.
- 10.9. The survey results indicate a small preference for a single Māori constituency covering the entire region (as included in Options 1A and 2A). Options 1B and 2B use the most favoured basis for a two Māori constituency arrangement, territorial authority boundaries:

Raki Māori ('northern')	All of Ruapehu District, Whanganui District and Manawatū District; , all of Rangitīkei District except the part located in the Hawkes Bay Region; and those parts of Stratford District and Waitomo District located within the region
Tonga Māori ('southern')	Palmerston North City, all of Horowhenua District, and all of Tararua District except the part located in the Greater Wellington Region

- 10.10. In this arrangement, the Māori electoral population is evenly distributed and meets the fair representation requirement.

Constituencies	Population	Number of councillors per constituency	Population per councillor	Deviation from region average population per councillor	% deviation from region average population per councillor
Raki Māori Constituency	18,280	1	18,280	360	2.01
Tonga Māori Constituency	17,560	1	17,560	-360	-2.01
<b>Total Māori electoral population</b>	<b>35,840</b>	<b>2</b>	<b>17,920</b>		

10.11. With regard to the naming of the Māori constituency or constituencies, it is suggested that any name used for a single Māori constituency (Option 1A and 2A) should be general. Some preliminary suggestions from Senior Policy Advisor – Iwi Hapū Relationships Jerald Twomey are:

- Ngā Pae – Pae means horizon, ngā pluralises a noun, so the meaning is Horizons, the unofficial Māori name for Council.
- Ngā Hiwirau – similar to above however describes a ridge, rather than a peak.
- Ngā Hāpuarau – a double meaning whereupon hāpua can mean a pool of water, or a grove of trees of the same species. So it would be the many stands of trees, the many pools of water where people meet.
- Ngā Kāingarau – kāinga means home, village, or settlement; so this speaks to the many communities.

10.12. For Options 1B and 2B, Raki Māori and Tonga Māori for the two constituencies have been used to date as placeholders. Mr Twomey advises that, if either of these options is adopted as the initial proposal, the names should be amended to better reflect the grammar and conventions of te reo Māori. Building on the potential names set out in paragraph 10.11, ki te Raki and ki te Tonga, or ki Raro and ki Runga could be attached to one of the list above to mean North and South respectively. Rau could either be left, to mean hundred, or removed so that the plural remains but it is an indeterminate number. This would give, as examples, the following:

- Ngā Pae ki Raro, Ngā Pae ki Runga. Ngā Pae ki te Raki, Ngā Pae ki te Tonga
- Ngā Hiwirau ki Raro, Ngā Hiwirau ki Runga. Ngā Hiwi ki te Raki, Ngā Hiwi ki te Tonga.

## 11. CONSULTATION

11.1. Representation reviews must include the formal consultation process prescribed by sections 19M-19N of the LEA, as described in section 12 below.

## 12. TIMELINE / NEXT STEPS

12.1. Following Council's adoption of an initial proposal today, public notice of the proposal and the submission process must be given within 14 days (no later than 8 September). Anyone with an interest in the proposal may make a submission; submissions must be open for at least a month. Council will then consider the submissions (including providing an opportunity for submitters to be heard) and adopt its final proposal.

12.2. There is an opportunity for submitters to appeal the final decision; anyone may object if Council resolves to alter the initial proposal. Appeals and objections must be forwarded to the LGC no later than 15 January 2022. The final proposal must also be referred to the LGC to determine the arrangements if they do not meet the fair representation requirement.

The following table shows the proposed timeline to complete the review (and LEA timeframes), subject to confirmation of Council meeting and hearing dates.

2021	
Council decision – Initial proposal	24 August (Tues) – Council meeting
2 weeks later	
Public Notice – Submissions open	By 8 September (Wed)
Allow 1 calendar month at least	
Submissions Close	10 October (Sun)
No more than 6 weeks from submissions closing	
Hearing to consider Submissions, and amend Proposal if necessary	27 October (Tues) – Council meeting
Public Notice – Final Proposal	By 5 November (Fri)
Allow 1 calendar month at least for Appeals / Objections	
Appeals / Objections close	5 December (Sun)
Agenda paper to Regional Council (to report to Council on appeals / objections and for resolution to send final proposal to LGC)	21 December (Tues)
2022	
Forward Appeals / Objections to LGC. Final Proposal also to be forwarded as it will not meet the +/- 10 % criteria	By 15 January (Sat)
Public notification by LGC of their decision	By 10 April

- 12.3. The next representation review is scheduled following the 2025 local election. Council cannot reconsider the decision to have a Māori constituency or constituencies before this review.
- 12.4. It should be noted that Government is progressing the second phase of reform of the representation review process, which will focus on the alignment and sequencing of review and decision making for both general and Māori constituencies and wards. It is expected that amendments to the LEA will be introduced during 2022 and the Parliamentary process will include referral to select committee for public consultation. The outcome of any reform is unlikely to further impact the current representation review or the 2022 local election.

### 13. SIGNIFICANCE

- 13.1. This is not a significant decision according to the Council's Policy on Significance and Engagement, because is made as part of a process carried out in accordance with the requirements of the LEA.

Craig Grant  
ELECTORAL OFFICER

Pen Tucker  
SENIOR POLICY ANALYST

**ANNEXES**

- A Maps 1-3
- B Workshop 1 (22 June 2021) Discussion Paper
- C Workshop 2 (3 August 2021) Discussion Paper
- D Communities of Interest Analysis