



REVIEW OF REPRESENTATION ARRANGEMENTS FOR THE 2019 LOCAL BODY ELECTION UNDER PART 1A 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 Part 1A of the Local Electoral Act 2001 (LEA). Horizons has resolved to retain its existing representation arrangement of six constituencies represented by twelve councillors with no change to constituency boundaries for the 2019 local authority elections.
- 1.2 Two appeals of Horizons' final proposal have been received. Horizons is required to forward these appeals and supporting material to the Local Government Commission (LGC) for a determination.
- 1.3 Horizons' final proposal does not meet the 'fair representation' limits set out in section 19V(2) LEA. This circumstance would also have required Horizons to forward its final proposal to the Commission for a determination.

2. HORIZONS' FINAL PROPOSAL

- 2.1 The final proposal adopted by Council on 20 June 2018 would retain the existing arrangements. A map showing the existing constituency boundaries is attached at **Annex A**. Table 1 below confirms the distribution of twelve elected members across six constituencies.
- 2.2 Horizons' existing arrangements have been in place since 2007, when the LGC determination made extensive changes to Council's proposal. It is Horizons' view that the basis for the current arrangement is sound and that LGC's reasoning remains valid.
- 2.3 Table 1 is based on population estimates for 30 June 2017, supplied by Statistics NZ, and shows each constituency's compliance with section 19V(2) LEA 2001 fair representation criteria. Three constituencies meet the requirement for the difference between the average population councillors represent across the region and the population each councillor represents within individual constituencies to be less than 10%; three do not.

Table 1: Population averages and fair representation

Constituency	Population	No. of Crs per constituency	Population per Cr ¹	Deviation from region average population per Cr	Percentage deviation from region average population per Cr
Ruapehu	12900	1	12900	-7125	-36%
Wanganui	44500	2	22250	+2225	+11%
Manawatu-Rangitikei	37400	2	18700	-1325	-7%
Palmerston North	87300	4	21825	+1800	+9%
Horowhenua-Kairanga	40300	2	20150	+125	-1%
Tararua	17800	1	17800	-2225	-11%
REGION (using Stats NZ est)	240300 ²	12	20025 ³		

3. THE REVIEW PROCESS

3.1 Table 2 below sets out the representation review process carried out between May 2017 and August 2018.

Table 2: Horizons' representation review process

Date	Process step	Description	Documentation
31 May 2017 – 21 Feb 2018	Workshops and Council meetings	Council received information about the representation review process generally, and resolved to retain the 'first past the post' voting system and not to establish Māori constituencies. No demand for a poll to overturn these resolutions was received by the 21 February 2018 deadline	
28 Feb 2018	Council workshop	Councillors examined 10 scenarios for constituency boundaries, including variations for different numbers of elected members, in the context of communities of interest, effective representation, and fair representation criteria	PowerPoint presentation(attached as ANNEX B); package of supporting information (ANNEX C)

¹ +10% is 22,028; -10% is 18,022

² 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.

³ Rounded to the nearest 50, consistent with the convention used by Statistics NZ for figures in the range 10,000-19,999.

Date	Process step	Description	Documentation
27 Mar 2018	Adoption of initial proposal - Council meeting		Report 18-36 (attached as ANNEX D) and resolution 18-208 (forwarded to LGC 10 May 2018)
	Public notice of initial proposal		Public notice (forwarded to LGC 10 May 2018)
14 May 2018	Close of submissions	Four submissions were received: one submitter supported the proposal and three sought different arrangements	Four submissions (annexed to agenda report 18-73, attached as ANNEX E)
30 May 2018	Hearing of submissions & deliberation by Strategy & Policy committee	The committee considered and fully discussed the issues raised by submitters, and recommended that Council adopt the status quo as its final proposal	Submissions hearing agenda report 18-73 (attached as ANNEX E); recommendations to Council SP RR 18-2 to 18-4 (attached as ANNEX F)
20 June 2018	Adoption of final proposal – Council meeting	Council resolved to adopt the status quo as its final proposal for the 2018 representation review	Council resolution 18-335 (attached as ANNEX F)
	Public notice of final proposal		Public notice (forwarded to LGC 13 July 2018)
23 July 2018	Close of appeal period	Two appeals received	Two appeals (attached as ANNEXES G and H)
28 Aug 2018	Referral to LGC – Strategy & Policy committee	The committee recommended that Council instruct officers to refer the appeals and all relevant material to LGC for their consideration and determination	Report 18-143 (attached as ANNEX I); resolution 18-346 (ANNEX J)

4. EFFECTIVE AND FAIR 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 electors.

Communities of interest

- 4.2 The Horizons Region is geographically extensive (22,200 km², over 8% of New Zealand’s land area) with a relatively small population (5% of New Zealand’s June 2017 estimated population). It fully encompasses the Ruapehu, Rangitikei, Whanganui, Manawatu, Horowhenua and Palmerston North territorial authority areas,

most of Tararua District and part of Taupō, Waitomo and Stratford Districts' area. There are two cities, Palmerston North and Whanganui, two secondary urban areas (Feilding and Levin) and numerous small communities, many of them remote and isolated.

- 4.3 An analysis of the Region's communities of interest, based on the existing constituency arrangements and the definitions set out in the LGC *Guidelines for local authorities undertaking representation reviews* 6th edition, June 2017, is attached as page 3 of **Annex C**. The analysis demonstrates the difficulties in applying these factors in a meaningful way at a regional scale, particularly a region as large and diverse as Horizons.
- 4.4 The most consistent factors are political (the alignment with territorial authority areas) and identification with distinctive physical and topographical features. Secondary factors are functional, based on shared services centred in the Region's cities, towns and settlements and infrastructure such as flood management and drainage schemes.

Effective and fair representation

- 4.5 Effective representation is achieved through the requirement to have between six and fourteen elected members, by avoiding arrangements that create barriers, or split or unnaturally join communities of interest. Constituency arrangements need to take into account the impact of size and configuration of the area on physical accessibility, including opportunities to meet face to face. The population needs reasonable access to their elected members and vice versa.
- 4.6 Fair representation is the most precisely defined factor. Inability to comply with the fair representation threshold results in the transfer of decision-making power on representation arrangements from the local authority to the LGC. While effective and fair representation need to be balanced, the consequences of not meeting the threshold ensure that the fair representation factor is given a great deal of attention in the consideration of representation proposals.
- 4.7 At the same time, section 19U(c) gives strong direction that constituency boundaries must coincide with our territorial authorities' (or their wards') boundaries as far as practicable.
- 4.8 In 2013, LGC noted:

*"We consider that the current constituency boundaries continue to provide an appropriate basis for identifying communities of interest in the Manawatu-Wanganui Region. The constituencies appear to reflect communities of interest and be of such a size that permits reasonable access to elected members."*⁴

⁴ Local Government Commission (2013). Determination of representation arrangements to apply for the election of the Manawatu-Wanganui Regional Council to be held on 12 October 2013. Page 5 paragraph 19 ("LGC 2013")

- 4.9 In Horizons' case, efforts to devise an arrangement that achieves effective representation within the fair representation threshold has been unsuccessful. In a workshop on 28 February 2018, councillors considered ten different arrangements based on either the existing constituency arrangements or territorial authority boundaries as their starting point. The impact of altering the number of representatives within these was also considered. None of the scenarios complied fully with the fair representation criteria.
- 4.10 Officers also showed that they had considered whether Horizons' Freshwater Management Units (FMU – catchment-based areas established as part of the implementation of the National Policy Statement for Freshwater Management) could provide a sensible base for constituency arrangements. They concluded that the widespread misalignment between FMU and meshblock boundaries made such an approach impractical.
- 4.11 Consequently, three of our six constituencies – Manawatu-Rangitikei, Palmerston North and Horowhenua-Kairanga – comply. The other three – Ruapehu, Wanganui and Tararua – do not comply with the '+/- 10%' rule, with Wanganui and Tararua deviating from the regional average by 11%. Ruapehu is significantly overrepresented at 36%.

Ruapehu

- 4.12 Ruapehu is the largest constituency in the Region at 7606 km²⁵, encompassing the entire Ruapehu District as well as the parts of Waitomo and Stratford Districts that lie within the Region. Its one elected member now represents 36% fewer than the regional average (an increase in non-compliance from 29.5% in 2007).
- 4.13 In order to reduce this over-representation to within 10%, the constituency would need to become significantly larger, as the neighbouring parts of Whanganui and Rangitikei Districts are also quite sparsely populated. Horizons considers that any increase in the size of this constituency will have a significant impact on the effective representation of the population, including constituents' ability to access their elected member and the member's ability to meet face to face with constituents.
- 4.14 Horizons considers it essential that this constituency continue to be retained for the reasons identified in paragraphs 4.8.1 – 4.8.3 of its January 2013 report to the LGC (appended as **ANNEX K**). These reasons include communities of interest that identify with Mount Ruapehu and Tongariro National Park, and physical communities that are predominantly smaller and independent, with a rural or farming focus. Merging the Ruapehu constituency with another (for example, by creating a single Ruapehu-Whanganui constituency with three elected members) carries the risk of all the representatives coming from, for example, Whanganui City, which would compromise the representation of other areas and disadvantage other communities of interest.

⁵ Statistics New Zealand (2017). Constituency GIS area shapefiles

4.15 LGC acknowledged these issues in its 2007 determination:

“compliance with the 10% rule would require merging large areas of the Wanganui and/or Rangitikei Constituencies with the Ruapehu District. This would split distinct communities of interest in the Wanganui and Rangitikei Constituencies and create unreasonable pressures on one councillor to effectively represent this extended area.”⁶

This section was repeated in the 2013 determination with the further comment “The situation relating to the Ruapehu Constituency described by the Commission in 2007 has not changed and we believe remains valid.”⁷ Horizons considers this to be the case in 2018.

Tararua

4.16 The Tararua Constituency is marginally over-represented by 11% (increased from 8.5% in 2007) and is therefore outside the fair representation threshold. The retention of Tararua as a separate constituency (encompassing all of the Tararua District’s area that is within the Region) remains vital given its distinct communities of interest and geographic separation from the rest of the Region.

4.17 LGC agreed in its 2007 determination that effective representation of the Tararua’s community of interest:

- *“...is most unlikely to be achieved by merging Tararua into another constituency... as this would combine areas on both sides of the Ruahine and Tararua Ranges;*
- *effective representation would be compromised in terms of both access to a councillor and representation of the diversity of the constituency; and*
- *the demands on a councillor servicing such a large area would be unreasonable.”⁸*

Horizons considers that nothing has changed in this regard.

Whanganui

4.18 The Wanganui Constituency equates to the Whanganui District and is marginally under-represented by 11% (decreased from 12.4% in 2007). LGC recognised it as a distinct community of interest in 2007, noting

⁶ Local Government Commission (2007). Determination of the representation arrangements to apply for the election of the Manawatu-Wanganui Regional Council to be held on 13 October 2007. Page 5 paragraph 5 (“LGC 2007”)

⁷ LGC 2013. Page 6 paragraph 26

⁸ LGC 2007. Page 5 paragraph 15. LGC 2013 did not discuss the Tararua Constituency in detail as it met the fair representation criteria at that time.

- “while large, the majority of the population of the district is within 15 minutes of the Wanganui urban area;
- the Whanganui River is a major defining feature of the district, both for rural and urban residents;...
- the Wanganui urban area comprises urban communities that would have different interests and concerns (in particular, those pertaining to regional functions) to those of residents of the Ruapehu or Rangitikei Constituencies.”

It also considered that including large rural areas of Ruapehu or Rangitikei would compromise the effective representation of those areas; merging parts of the Marton or Bulls urban areas “would unduly compromise effective representation of distinct communities of interest.”

- 4.19 Horizons considers that the Wanganui Constituency remains the most appropriate arrangement to represent the Whanganui community of interest.

Manawatu

- 4.20 The Manawatu District is currently divided between the Manawatu-Rangitikei and Horowhenua-Kairanga Constituencies; the boundary coincides with Manawatu District’s ward boundaries. Both these constituencies currently meet the fair representation criteria.
- 4.21 Council is aware that, subsequent to Horizons’ adoption of its final proposal in June, Manawatu District Council has adopted as its initial proposal an urban and rural ward arrangement. If this becomes the District’s arrangement, Horizons’ constituency boundary would no longer align with a territorial authority ward boundary.
- 4.22 Horizons recognises that LGC will likely consider the implications of any such change for our final proposal. At the Regional Council meeting on 28 August⁹, Council resolved:

“to support the Manawatu District Council’s initial representation review proposal and to include in the material submitted to the Local Government Commission a statement supporting further changes to Horizons/Horowhenua-Kairanga and Manawatu/Rangitikei boundaries should Manawatu District Council adopt these changes through its final proposal.”

5. APPEALS

- 5.1 Two appeals have been received and are attached for LGC’s determination (**ANNEXES G and H**).

⁹ Minutes of this meeting will be confirmed at Council’s 25 September 2018 meeting; they will then be available on Horizons’ website at <http://www.horizons.govt.nz/calendar/regional-council-meeting-2018-28-08.aspx>.

CONCLUSION

- 5.2 Horizons' representation review has included robust consideration of the merits of existing and alternative arrangements within the context of the LEA's requirements for fair and effective representation of the Region's communities of interest. As a result of this process, Council has concluded that the existing arrangement will continue to appropriately balance these requirements.



Bruce Gordon
CHAIRMAN
HORIZONS REGIONAL COUNCIL

11 October 2018

Annexes:

- A: Map of Horizons Regional Council constituencies
- B: Powerpoint presentation to Councillor workshop 28 February 2018
- C: Supporting information package for Councillor workshop 28 February 2018
- D: Report to Council on initial proposal & annex (18-36) 27 March 2018
- E: Report to submissions hearing & annexes (18-73) 30 May 2018
- F: Council resolution re final proposal (18-335) 20 June 2018
- G: Mark Chilcott appeal to Horizons' representation review
- H: Adam Canning appeal to Horizons' representation review
- I: Report to Council - referral to LGC (18-143) 28 August 2018
- J: Council resolution re referral (18-346) 28 August 2018
- K: Horizons' 2012 report to LGC