

Representation Review – Discussion Document

What is required?

Local authorities (both regional and territorial) around the country are required to make decisions about their representation arrangements.

A district council must determine by resolution whether to have wards or not, whether to elect some councillors by wards and the rest at large; if wards are decided the proposed number of wards; the proposed name and boundary of each ward; and the number of councillors proposed to be elected by the electors of each ward.

The Local Electoral Act requires all local authorities to undertake a review of its representation arrangements at least every six years. The last time the Horowhenua District Council did this was in 2012. It is now time to repeat the process.

Prior to developing an initial proposal and formally consulting with the community about its representation review, the Council invited comments from constituent territorial authorities. In addition the Council also invited comments from some community groups, including iwi.

Pre-consultation Feedback:

The Horowhenua District Council is commended for seeking the views of neighbouring local authorities and community groups prior to considering representation review matters.

1. *Name of individual or group: Kapiti Coast District Council*

Comment: Expressway

When preparing for the 2015 Representation review Kapiti Coast District Council we were on the brink of significant change with the development of the Expressway. Council took this into account when deciding on the review scale and format. For Horowhenua the planning and development of the Expressway will also make commuting easier and can be expected to grow the population of the district significantly and impact the representation requirements.

Comment: Boundaries

In the last Representation Review carried out for Kāpiti Coast District Council ward boundaries was an important topic for some residents. Council considered the issue in response to some strong submissions and the review resulted in two boundary changes. Of the 10 submissions received 100% related in whole or in part to boundaries. The Commission agreed Waikanae Ward should again mirror the larger area of the Waikanae Community Board. The ward had been reduced in 2004 in order to meet the fair representation requirements of the Local Electoral Act 2001. These required the ratio of population to councillors for wards to be within +/-10% of the ratio for the district as a whole. However with an amendment to the Local Electoral Act in 2013, a more flexible approach to application of the '+/-10% rule' was now possible. The Commission agreed with the Kapiti Coast District Council's proposal that this flexibility should be applied to Waikanae which is clearly one discrete community of interest reflected by the current area of the Waikanae Community Board. The area was further increased with the addition of the Waikanae Downs area to the Waikanae ward and community board area.

This may be of interest in light of your observation that currently the Kere Kere Ward is an electoral subdivision that does not meet the legislative requirements for fair representation because it is not within the + or – 10% tolerance of the average across the district as required by the Local Electoral Act.

Comment: Rural

In the last Representation Review carried out for Kāpiti Coast District Council Federated Farmers sent a letter requesting the introduction of a formal Rural Board to act as a reference group to Council on rural issues. The group, it was suggested, would be comprised of a representative, rural based group to achieve agreed outcomes between and for rural residents, the wider community and Council. It would have agreed and appropriate responsibilities and terms of engagement. Federated Farmers had argued in their Submission that, while farmers are a minority numerically speaking, they are substantial contributors to the social and economic wellbeing of their district. Farmers, they argued, are significant contributors to local authority revenue. Decisions around the allocation of rates can materially impact farming viability, and without specific representation at the Council table, there is an increased risk that decisions will be made without appropriate consideration of the impact on farmers. They argued that resource management and roading functions are vital to farmers and Farmers are significant users of natural resources. Where the majority of residents live in urban suburbs and towns the majority view can overwhelm the views of the minority, irrespective of the relative impact of the Council decision making.

Comment: STV/FPP

We are aware that the Horowhenua District currently uses FPP. We would mention that in a consideration of STV there is an argument that STV, with the inclusion of district wide councillors, provides the most representative option as it potentially achieves broad proportionality.

Comment: Community Boards

Community Boards cover the entire Kapiti Coast District. We would be happy to discuss this.

- 2. Name of individual or group: Sharon Freebairn, President, Waitarere Beach Progressive & Ratepayers Assn*

Comment: Adding meshblocks to Kere Kere Ward to make it comply

When this issue arose at a previous review of the Kere Kere Ward, there was dissatisfaction from ratepayers who were moved to the ward.

It is difficult for those who have been part of a ward for a number of years and have made connections and networks, to then be encompassed into another ward with who they feel no connection. This leaves the Council with a lot of unhappy and disaffected ratepayers.

With the changes to the legislation in 2013 there is the opportunity now to lobby for the “status quo” to remain, as long as it is supported with relevant documentation as to the community’s wants and needs.

With the expected growth in the region in the foreseeable future, the numbers required to be within the +/- 10% would resolve itself naturally.

Comment: Community Boards

With regard to the Community Board – this seems to be quite a contentious issue and would require in depth consultation with all parties involved. The anomaly that the Board does not cover all of the Wards ratepayers came as a surprise to me – I had just presumed it was a voice for all residents/ratepayers in the Ward.

3. *Name of individual or group: Federated Farmers*

Comment: General

Federated Farmers recognises the constraints placed on representation as a result of the population basis for representation as set out under the Local Electoral Act 2001. Numerically speaking, farmers as a population are a minority in many districts, yet are substantial contributors to the social and economic wellbeing of their District. Further, the reliance on property value-based rating systems for funding local authorities means that farmers are significant contributors to local authority revenue, and local government costs are often in the top five of a farmer's operating expenses. Decisions around the allocation of rates can materially impact farming viability, and without specific representation at the Council table, there is an increased risk that decisions will be made without appropriate consideration of the impact on farmers specifically.

Furthermore, the Horowhenua District Council's resource management and roading functions are vital to farmers. Section 31 of the Resource Management Act outlines the functions of territorial authorities to be addressed in the District Plan, including the: effects of land use, impacts of land use on natural hazards and the management of hazardous substances, noise, activities on the surfaces of rivers and lakes and impacts of land use on indigenous biological diversity. These are key areas of material interest to farmers.

Horowhenua District Council is also the key provider of the local roading network, a service which farmers and rural residents in general are heavily reliant upon. Farming viability and profitability can be significantly impacted by Council's decisions in these areas, and elected Councillors play an important role in informing Council's functions in respect to resource management and roading. Therefore, local government representation is very important to the Federation and we advocate to both central and local government to ensure fair representation for farmers.

Comment: Rural Representation - Wards and Councillors

Representation as required by the Local Electoral Act based on population, is not ideal for rural areas because low populations dispersed over large geographical areas means that effective representation can be a challenge. Federated Farm feels strongly that councillors must have the ability and knowledge to understand and communicate, the diversity of challenges that farmers face day to day. By seeking to ensure an effective rural voice, the sustainability of the rural community is not compromised or undermined by decisions predicated on the basis of urban ideals. We do however believe that the

existing ward structure provides effective representation for our members, those in the rural community, and we therefore recommend that the status quo is maintained.

Comment: Community Boards

Federated Farmers supports the use of Community Boards as a means of ensuring local representation, and in the Horowhenua District, are particularly effective for representing Foxton residents interests. We are however mindful that Community Boards cannot provide the representation or presence at the council table that a rural councillor could, particularly in the areas of resource management and roading. We therefore recommend that Council retain the current Community Board for Foxton, and continue to utilise the expertise of Councillors located rurally to provide a rural voice, specifically those from the Miranui and Kere Kere Wards.

4. Name of individual or group: Community Hui

Comment: Adding meshblocks to Kere Kere Ward to make it comply

Attendees would like to see included in the report to Council, the number of people who were moved from the Waiopehu Ward mesh block to the Kere Kere Ward in the last review

Note: Three meshblocks with a total population of 75 were transferred from the Waiopehu Ward to the Kere Kere Ward in 2013.

Comment: Community Boards

The two Kere Kere Ward Councillors should both be voting members of the Foxton Community Board as opposed to the current situation where there is only one Kere Kere Ward member on the community board.

That it be taken into account the administration and responsibility of the Foxton Beach Freeholding account.

Consider how the Foxton Community Board is connected to Council.

Could Foxton Beach be removed from the Foxton Community Board area?

A workshop with Foxton Community Board members is to be scheduled in as pre-consultation prior to the draft consultation document going to Council.

Comment: At Large elections

Discussed that if members were elected at large, there could be a scenario where communities are not represented – happy with status quo with wards.

Comment: District Boundary Alterations

Discussed the process for a ward or area of the population to move to another district i.e. Tokomaru into the PNCC area, or part of Foxton / Beach into the Manawatu District.

Note: A Boundary alteration with a neighbouring authority is not part of the Representation Review process.

Comment: Presentation to Council

Requested that the presentation to the Council be provided to the attendees of the Community Hui.

Legislative Amendments:

It should be noted that some amendments occurred to the representation review provisions of the *Local Electoral Act 2001 (LEA)* in June 2013. The main amendments involved:

- providing more flexibility for the application of the +/- 10% rule to territorial authority representation arrangements, subject to consideration by the Local Government Commission where arrangements do not comply with the +/- 10% rule;
- initial representation review proposals are not be able to be resolved by councils until 1 March of the year before the year of an election
- allowing local authorities to make minor boundary alterations to wards, communities, or subdivisions of local board areas or communities without undertaking a full representation review, subject to consideration by the Local Government Commission (applies to the optional three year review only;

The first two of the amendments listed above will apply for the first time to local authorities undertaking representation reviews in 2018 (and which did not undertake a review in 2015).

Legislative Requirements:

TERRITORIAL AUTHORITIES LEA2002		
Mayor	To be elected by the electors of the district as a whole.	s19B s 8(2) LG(AC) Act 2009
Membership [Excluding Mayor]	To be not less than five nor more than 29 councillors.	s19A s 8(1) LG(AC) Act
Basis of election	Options of: <ul style="list-style-type: none"> • all councillors elected by wards • some councillors elected by wards and some at large • all councillors elected at large. Each ward must elect at least one councillor, and each councillor representing a ward must be elected by the electors of that ward.	s19C

	If there are no wards, councillors are elected by the electors of the district as a whole.	
Representation	<p>Arrangements must:</p> <ul style="list-style-type: none"> • provide effective representation of communities of interest within the district • if the district is divided into wards, ensure that electors receive fair representation having regard to the +/- 10% population rule provided in <i>section 19V(2)</i> <ul style="list-style-type: none"> • ensure that ward boundaries coincide with current statistical mesh block areas • ensure that ward boundaries, as far as practicable, coincide with community boundaries <p><i>Section 19V(3)(a)</i> provides grounds for not complying with the +/-10% rule as set out in <i>section 19V(2)</i>.</p> <p>For territorial authorities and communities, these relate to:</p> <ul style="list-style-type: none"> • effective representation for island or isolated communities; • where non-compliance would limit effective representation of communities of interest by dividing a community of interest between wards or subdivisions; • where non-compliance would limit effective representation of communities of interest by uniting within a ward or subdivision two or more communities of interest with few commonalities of interest. <p>All exceptions to the +/-10% rule must be approved by the Local Government Commission. The approval of the Commission is required whether or not appeals or objections are lodged against a territorial authority's decision.</p>	<i>s19T, s19V, s19X</i>
COMMUNITY BOARDS		
Membership	<p>To be not less than four nor more than 12 members and:</p> <ul style="list-style-type: none"> • must include at least four elected members • may include appointed members who must be members of, and appointed by, the territorial authority for the district in respect of which the community is constituted. 	<i>s19F</i>

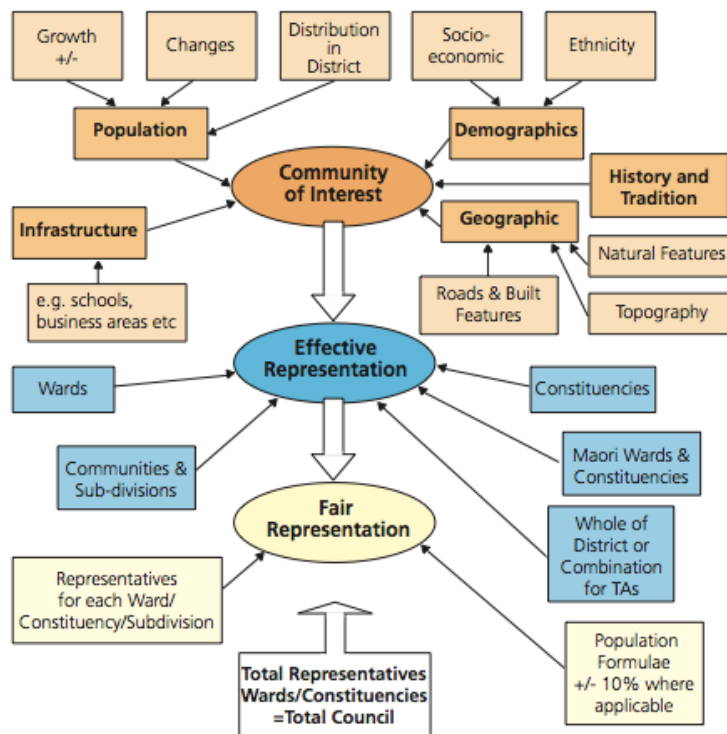
	<p>The number of appointed members must be less than half the total number of members.</p> <p>If the territorial authority is divided into wards, the appointed members must represent a ward in which the community is situated.</p>	
Basis of election	<p>A community may be subdivided for electoral purposes and, if so, each subdivision must elect at least one member.</p> <p>If the community comprises two or more whole wards of the territorial authority, the members may be elected by the electors of each ward.</p> <p>If the community is not subdivided or divided by wards, then the members must be elected by the electors of the community as a whole.</p> <p>If the community is subdivided, members representing a subdivision must be elected by the electors of that subdivision.</p> <p>If the community is divided by wards, members representing each ward must be elected by the electors of that ward.</p>	s19G
Representation	<p>Arrangements must:</p> <ul style="list-style-type: none"> • provide effective representation of communities of interest within the community and fair representation of electors • have regard to such of the criteria as apply to local government reorganisation under the Local Government Act 2002 as are considered appropriate in the circumstances • with respect to any subdivision, ensure the electors of the subdivision receive fair representation having regard to the +/-10% population rule provided in section 19V(2) • ensure the boundaries of every community and of every subdivision of a community coincide with the boundaries of current statistical mesh block areas <p>Section 19V(3)(a) provides grounds for not complying with the +/-10% rule as set out in section 19V(2).</p> <p>For territorial authorities and communities, these relate to:</p> <ul style="list-style-type: none"> • effective representation for island or isolated communities; 	s19V, s19W, s19X

	<ul style="list-style-type: none"> • where non-compliance would limit effective representation of communities of interest by dividing a community of interest between wards or subdivisions; • where non-compliance would limit effective representation of communities of interest by uniting within a ward or subdivision two or more communities of interest with few commonalities of interest. <p>All exceptions to the +/-10% rule must be approved by the Local Government Commission. The approval of the Commission is required whether or not appeals or objections are lodged against a territorial authority's decision.</p>	
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Communities of interest?

The term “communities of interest” is used in the Local Electoral Act to describe in general terms the sense of community or belonging reinforced by the geography of the area, the commonality of places to which people go for their employment, the location of their schools, marae, banks, where they do their shopping and the location of their religious, recreational and major transport facilities etc.

Diagram of key concepts for communities of interest and fair and effective representation:



Accreditation: New Zealand Society of Local Government Managers, Code of Good Practice for the Management of Local Authority Elections and Polls 2019, Part 5.

Fair and Effective Representation

The Local Electoral Act also requires “fair and effective representation for individuals and communities”. In carrying out a representation review, local authorities need to be guided by the principle in the *LEA* of “fair and effective representation for individuals and communities”. Fair representation relates to the number of persons represented per member. The ratio of persons per member in each ward or constituency is required to be within +/-10% of the ratio for the district or region as a whole. This is designed to ensure approximate equality in representation i.e. votes of equal value.

When determining fair and effective representation the general and Maori constituencies are dealt with separately. The Horowhenua District Council does not have any Maori Wards.

Effective representation relates to representation for identified communities of interest. This needs to take account of the nature and locality of those communities of interest and the size, nature and diversity of the district or region as a whole.

Maori Seats

The Horowhenua District Council has not established any Maori Wards

Initial Proposal

The Council is required to make a decision on its initial proposal by April 2018 and will then advertise it and call for submissions on it at that time. If no submissions are received that is the end of the process and public notice is given. Submissions received must be heard by the Council and after the hearings the Council will consider them and then determine its final proposal. Public notice is given and any appeals received are forwarded to the Local Government Commission who will then hold its own hearings and decide the final details for representation in the region.

Appointment of Independent Panel or Consultants

The Local Government Commission’s guidelines note other considerations in relation to decision-making on representation arrangements. These include the principles of administrative law requiring local authorities to act in accordance with the law, reasonably and fairly. The guidelines also note that local authorities may wish to consider the option of appointing an independent panel or consultants to recommend appropriate representation arrangements for the district or region.

The benefit of appointing an independent panel or consultants is to avoid concerns about the self-interest of elected members determining the representation arrangements under which they are to be elected. Independent panellists may have specialist knowledge or skills on representation issues or be appointed as representatives of a cross-section of the community. The local authority should carefully consider an appropriate balance of such skills and interests in making appointments.

It is important that the local authority, if it appoints such a panel or consultants, makes a commitment to seriously consider their recommendations and, if varying any of these, clearly

records the reasons for these variations. The local authority will need to consider reputational risks arising from variations, other than of a minor nature, given its original decision to appoint an independent panel or consultants.

Regional Coordination:

Another factor which may be considered in relation to the timing of reviews is the desirability of a degree of regional coordination in representation reviews. This is in light of the requirement that, so far as is practicable, regional constituency boundaries coincide with the boundaries of territorial authorities or territorial authority wards. As the Local Government Commission notes in its guidelines, there may also be scope for regional coordination in consultation exercises. This may save costs and also enhance public understanding of the review process. A mechanism to consider regional coordination of reviews is the triennial agreement between local authorities in each region.

Further Legislative Requirements:

Date by	Action	Commentary	Statutory ref
<p>2017 to early 2018</p> <p>Between 1 March 2018 and 25 August 2018 (for full 14 day period prior to public notice)</p>	<p>Obtain the most up-to-date population estimates. Identify a range of possible representation models. Undertake preliminary consultation with the public on options.</p> <p>Territorial authority must determine by resolution:</p> <ul style="list-style-type: none"> • whether councillors are to be elected by the electors of the district as a whole, the electors of two or more wards, or a mixture of both options • if councillors are to be elected by the district as a whole, the proposed number of councillors to be elected • if councillors are to be elected by a mix of wards/at large, the proposed number to be elected by the district as a whole and the proposed number to be elected by two or more wards • if councillors are to be elected by wards, the proposed name and boundaries of each ward, and the number of councillors proposed to be elected by the electors of each ward <p>In making this resolution, territorial authorities must comply with requirements for effective representation of communities of interest and fair representation for electors.</p>	<p>Not legal requirements but recommended as good practice.</p> <p><i>Section 19H</i> is to be read in conjunction with <i>section 19ZH</i> and <i>Schedule 1A</i> in relation to the establishment of Māori wards.</p> <p>Resolutions cannot be passed any earlier than 1 March 2018 (a new legislative requirement) to ensure the use of most up-to-date population estimates and for receipt of poll demands on the electoral system or Māori wards. If a valid poll demand is received, the resolution will have to follow the holding of the poll i.e. after 21 May 2018.</p> <p>Refer to <i>sections 19T, 19V, 19W</i> and the Local Government Commission's guidelines concerning communities of interest and fair and effective representation.</p>	<p><i>s19H,</i> <i>s19J,</i> <i>s19K,</i> <i>s19T,</i> <i>s19V,</i> <i>s19W</i> <i>s19ZH</i> <i>Schedule 1A: cls 1, 2, 5, 6, 7</i></p>

	<p>Territorial authority must also determine by resolution:</p> <ul style="list-style-type: none"> • whether there should be communities and community boards and, if so, the nature of those communities and the structure of community boards including: • how many communities should be constituted • details of any existing communities that should be abolished or united with others • any boundary alterations that may be necessary • whether any communities should be subdivided for electoral purposes or continue to be subdivided • any alterations to existing subdivisions • the number of members of the boards, including those elected and those appointed • whether the members who are to be elected will be elected by: <ul style="list-style-type: none"> - the community as a whole - subdivisions - wards • where there are subdivisions: <ul style="list-style-type: none"> - the names and boundaries of those subdivisions - the number of members for each subdivision. <p>In making this resolution, territorial authorities must comply with requirements for effective representation of communities of interest and fair representation for electors.</p>	<p>Refer to <i>section 19J(1)</i>.</p> <p>The community board review process applies to all territorial authorities carrying out reviews, not just those that have community boards. Each territorial authority must, as a part of its representation review, consider whether community boards are necessary to provide fair and effective representation for individuals and communities in its district.</p>	
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	<p>If local boards have been established for the territorial authority district, the territorial authority must determine by resolution:</p> <ul style="list-style-type: none"> • the proposed number of elected members • if provided for by an Order in Council under s 25 of the <i>Local Government Act 2002</i>, the proposed number of appointed members • whether the elected members will be elected by: <ul style="list-style-type: none"> - the electors of the local board area as a whole - subdivisions of the local board area - wards • where there are subdivisions; <ul style="list-style-type: none"> - the names and boundaries of those subdivisions <p>The number of members for each subdivision</p> • where there are wards, the number of members for each ward • the proposed name of any local board <p>Refer to <i>section 19ZH and Schedule 1A</i> with respect to Māori wards.</p> <p>As soon as practicable after passing the resolution, the territorial authority must send a copy to:</p> <ul style="list-style-type: none"> • Local Government Commission • Surveyor-General • Government Statistician 	<p>Refer to <i>section 19H</i></p> <p>The following matters can only be dealt with through the reorganisation process under <i>Schedule 3</i> of the <i>Local Government Act 2002</i>:</p> <ul style="list-style-type: none"> • the establishment, union or abolition of local boards • alteration of the external boundaries of the local board area • whether or not a local board has a chairperson elected by the electors of local board area • whether or not the local board has appointed members. 	<p><i>s19L</i></p>
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	<ul style="list-style-type: none"> • Remuneration Authority • Regional council. 		
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Current Position and Possible Changes:

The current representation arrangements for Horowhenua District, calculated using the population estimates as at 30 June 2017 as required, are as follows:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	5,780	2	2,890	-356	-10.96
Miranui	3,080	1	3,080	-166	-5.11
Levin	16,950	5	3,390	144	4.44
Waiopahu	6,650	2	3,325	79	2.43
Total	32,460	10	3,246		

The Kere Kere Ward does not comply with the legislation. In 2012, 3 meshblocks (with a population of 75) were transferred from Waiopahu to Kere Kere to enable full compliance with the “+ or – 10%” rule. A minimum of 64 people are required to be added to the Kere Kere Ward again this review to reduce the % deviation below the 10% threshold. Can any more meshblocks be transferred without impacting the communities of interest? Is -10.96% close enough that a sound argument can be made that a distinct community of interests exists and the LGC should grant a dispensation from full compliance? The change in legislation in 2013 certainly gives the Local Government Commission more flexibility to do so. The Council has been advised that the people moved from Waiopahu to Kere Kere in 2013 were not happy with that decision. This indicates that the community of interest was stronger with the Ward they were in rather than the Ward they were moved to.

What do the current wards look like with an increase to 11 councillors?

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	5,780	2	2,890	-61	-2.07
Miranui	3,080	1	3,080	129	4.37
Levin	16,950	6	2,825	-126	-4.27
Waiopahu	6,650	2	3,325	374	12.67
Total	32,460	11	2,951		

Changing the numbers of elected members from 10 to 11 shifts the area of non-compliance from Kere Kere to Waiopahu. Is 12.67% close enough that a community of interests argument may convince the LGC to allow it? For Waiopahu to comply, at least 158 people would need to be moved out of this Ward (to Kere Kere again?).

Changing the number of councillors from 10 to 11 shifts non-compliance from Kere Kere to Waiopahu – is either ward able to have an adjustment to boundaries in order to comply and still meet local assessment of community of interest?

There were 12 Elected Members from 1989 to 1992, 11 for the 1995 elections and 10 since 1998.

What about reducing Horowhenua District to 3 Wards – combining Kere Kere and Miranui? Is there a community of interest to support this? It complies this time but will it last? In 2012 the Council concluded “that the existing Ward structure is well understood by the electors and the Council is satisfied that the Ward structure will continue to provide effective representation for distinct communities of interest”.

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere/Miranui	8,860	3	2,953	-293	-9.03
Levin	16,950	5	3,390	144	4.44
Waiopahu	6,650	2	3,325	79	2.43
Total	32,460	10	3,246		

All three Wards comply with the legislation. The three Ward model using projected population increases from the Draft Growth Strategy would look like this for 2020:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere/Miranui	9,212	3	3,071	-289	-8.60
Levin	17,552	5	3,510	150	4.46
Waiopahu	6,832	2	3,416	56	1.67
Total	33,596	10	3,360		

The three Wards will still comply with the legislation in 2020 and the % deviation is trending down. This suggests that following the predictions in the Growth Strategy, a three Ward structure would have some longevity.

Election of all councillors at large is an option but some councillors elected at large and some by wards will not solve the % deviation for the current 4 ward model for either 10 or 11 councillors to ensure compliance with the legislation.

A 2 Ward model – Levin and ‘the rest’ would work, would provide for the larger urban area and the rural hinterland with the various rural support townships. This might be worth considering and would present a good argument of urban and rural divide.

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Rural Horowhenua	15,510	5	3,102	-144	-4.44
Levin	16,950	5	3,390	144	4.44
Total	32,460	10	3,246		

Request:

Comment on the option of 11 councillors but with 3 in the Waiopahu ward and 5 in Levin, reducing Kere Kere back to previous boundaries and also considering boundary changes for Levin and Miranui to make the population fit for Waiopahu. Would this give a stronger rural voice?

Community Boards

There is currently one community board for the Foxton Community.

The LGC considered in 2012 that as part of the 2018 review the Council should consult and further consider the appropriateness of the boundaries of Foxton Community to ensure their relevance for the future and that any changes are identified in time for any necessary changes to the boundaries to be discussed with Statistics New Zealand. The Local Government Commission noted in 2012 that while it might be beneficial for the urban related facilities to be located with the Foxton Community, the requirement of the legislation to follow mesh block boundaries would result in some unwieldy boundaries if the community were to be extended. A workshop with the Foxton Community Board will consider this and other matters relating to community boards and will provide feedback to the Council for consideration.

Should there be other community boards. Is the Foxton Community Board still relevant in the governance of the district?

Other matters to be considered include the number of members to be elected to the Foxton Community Board (currently 5) and the number to be appointed (currently 1 of the 2 Kere Kere Ward Councillors)

2012 Decision

The Council considered its representation arrangements in a workshop (on 16 May 2012) and at a meeting on 13 July 2012. At this meeting the Council, under sections 19H and 19J of the Act, resolved its initial representation proposal to apply for the October 2013 elections. The proposal was to –

- retain the status quo in relation to wards and the number of councillors
- transfer three meshblocks (with a population of 75) from Waiopahu Ward to Kere Kere Ward (so that the latter ward complied with the +/-10% rule in section

- 19V(2) of the Act)
- abolish the Foxton Community Board.

The resulting ward and membership arrangements were as follows:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	5,560	2	2,780	-283	-9.24
Miranui	2,980	1	2,980	-83	-2.71
Levin	15,950	5	3,190	127	4.15
Waiopahu	6,140	2	3,070	7	0.23
Total	30,630	10	3,063		

In notifying its proposal, the Council recorded its reasons for its proposals as follows:

- the size of the council is appropriate for the conduct of the council's business
- the existing ward structure is well understood by electors and council is satisfied that the ward structure will continue to provide effective representation for distinct communities of interest
- the amended boundary of Kere Kere Ward, by incorporating three meshblocks from Waiopahu Ward, will continue to provide commonality of interest within those communities
- there needed to be public debate about the retention or otherwise of the Foxton Community Board, and community boards in general. For this reason the Council resolved to move away from the status quo.

A total of 127 submissions (and a petition with 461 signatures) were received and the Council summarised these as follows:

- 124 submissions (and the petition) opposed the abolition of the Foxton Community Board
- 3 submissions supported the abolition of the community board
- 2 submissions proposed that, instead of the boundary alteration between the Kere Kere and Waiopahu Wards, the council adopt a three ward structure involving the merging of the Kere Kere and Miranui Wards
- 2 submissions proposed a community board for the Levin area
- 1 submission proposed a community board for the Shannon area
- 3 submissions proposed an expansion of the Foxton Community's boundaries
- 2 submissions proposed that the number of appointed members on the Foxton Community Board be reduced from two to one.

At its meeting on 19 September 2012 the Council resolved to amend its initial proposal by –

- retaining the Foxton Community Board
- maintaining the number of elected members on the board at five
- reducing from two to one, the number of appointed members on the board.

Seven appeals and objections against the Council's final proposal were received by the deadline of 26 October 2012.

The LGC in 2012 decided to retain the existing boundaries of Foxton Community.

They did consider, however, that as part of the 2018 review the Council should further consider the appropriateness of the boundaries of Foxton Community to ensure their relevance for the future and that any changes be identified in time for any necessary changes to the boundaries to be discussed with Statistics New Zealand.

In 2012 the LGC considered that one appointed member to the Foxton Community Board is adequate.

The LGC decided to uphold the Council's proposals in respect of community boards.

The LGC decided that the Council would comprise the mayor and 10 councillors elected as follows:

- (a) 2 councillors elected by the electors of Kere Kere Ward
- (b) 1 councillor elected by the electors of Miranui Ward
- (c) 5 councillors elected by the electors of Levin Ward.
- (d) 2 councillors elected by the electors of the Waiopahu Ward.

The LGC decided that the Foxton Community Board would comprise five elected members and one member appointed to the community board by the Council representing the Kere Kere Ward.

What has changed since 2012?

The district has not undergone any major transformation that would indicate the communities of interest have changed so significantly that substantial boundary changes should occur to the current constituencies.

Draft Growth Strategy:

Population growth has been greater in some Wards than others but there is one Ward that falls outside the "+ or – 10%" rule. The legislation was changed in 2013 to permit the LGC greater flexibility in the application of the "+ or – 10%" rule.

How far will the Local Government Commission go in approving non-complying wards? Can the boundaries be changed in any way that will not detract from the communities of interest yet change either Kere Kere or Waiopahu Wards population so they comply with the "+ or – 10%" rule? If no change is made how long can this continue without some change – the next review in 3 or 6 years time? If the population growth occurs as predicted in the Horowhenua draft Growth Strategy then the area of least growth (Miranui) will have a % deviation beyond the allowable limits about the middle of the next decade.

- The area of least growth will be Miranui
- Growth is expected to be steady over the next 20 years
- Using expected growth predictions and the current Ward system this is what may happen:

The current representation arrangements for Horowhenua District, calculated using the population estimates as at 30 June 2017 as required, are as follows:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	5,780	2	2,890	-356	-10.96
Miranui	3,080	1	3,080	-166	-5.11
Levin	16,950	5	3,390	144	4.44
Waiopahu	6,650	2	3,325	79	2.43
Total	32,460	10	3,246		

The representation arrangements for the current wards of Horowhenua District, calculated using the population estimates in the growth strategy for 2020 are as follows:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	6,098	2	3,049	-311	-9.26
Miranui	3,114	1	3,114	-246	-7.32
Levin	17,552	5	3,510	150	4.46
Waiopahu	6,832	2	3,416	56	1.67
Total	33,596	10	3,360		

The representation arrangements for the current wards of Horowhenua District, calculated using the population estimates in the growth strategy for 2030 are as follows:

Wards	General Electoral Population	Number of councillors per Ward	Population per councillor	Deviation from District average population per councillor	% deviation from District average population per councillor
Kere Kere	7,258	2	3,629	-145	-3.84
Miranui	3,238	1	3,238	-536	-14.20
Levin	19,747	5	3,949	175	4.64
Waiopahu	7,495	2	3,748	-26	-0.69
Total	37,738	10	3,774		

The representation arrangements for the current wards of Horowhenua District, calculated using the population estimates in the growth strategy for 2040 are as follows:

Wards	General Electoral	Number of councillors	Population per councillor	Deviation from	% deviation from District
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	Population	per Ward		District average population per councillor	average population per councillor
Kere Kere	8,437	2	4,219	24	0.57
Miranui	3,364	1	3,364	-831	-19.81
Levin	21,980	5	4,396	201	4.79
Waiopahu	8,169	2	4,085	-110	-2.62
Total	41,950	10	4,195		

Options:

Option 1: Status Quo and seek Local Government Commission dispensation from the “+ or – 10%” rule

- Considerations:
 - The ratio is only just outside the allowable limits so is any change justified?
 - Consider that transfer of further meshblocks in to Kere Kere Ward cannot be made without impacting the community of interest of this area.
 - Kere Kere’s non-compliance self corrects in the near future if growth occurs as predicted.
 - Miranui becomes an issue in future years.

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	Kere Kere	5,780	2	2,890	-356	-10.96
	Miranui	3,080	1	3,080	-166	-5.11
	Levin	16,950	5	3,390	144	4.44
	Waiopahu	6,650	2	3,325	79	2.43
	Total	32,460	10	3,246		

Option 2: Amend the boundary of the Kere Kere Ward now so that it complies

- Considerations:
 - Can two wards be joined together? Can a change like that be justified in terms of community of interest?
 - The ratio is only just outside the allowable limits so is any change justified?
 - Can further meshblocks be transferred in to Kere Kere Ward (from Waiopahu again, or perhaps from Miranui) without impacting the community of interest of this area? If so, what meshblocks should be transferred (64 minimum population required to be transferred in)?

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	Kere Kere Ward	5,780 (5,844)	2	2,890 (2,922)	-356 (-324)	-10.96 (-9.98)
	Miranui Ward	3,080 (3,016)	1	3,080 (3,016)	-166 (-230)	-5.11 (-7.09)
	Levin Ward	16,950	5	3,390	144	4.44
	Waiopahu Ward	6,650 (6,586)	2	3,325 (3,293)	79 (47)	2.43 (1.45)
	Total	32,460	10	3,246		

Option 3: Increase the number of Councillors from 10 to 11

- Considerations:
 - Is this considered good governance for the District?
 - Increasing the number of Councillors to 11 shifts the non-compliance from Kere Kere Ward to Waiopahu Ward. Can meshblocks be transferred out of Waiopahu Ward without impacting the community of interest of this area?

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	Kere Kere Ward	5,780	2	2,890	-61	-2.07
	Miranui Ward	3,080	1	3,080	129	4.37
	Levin Ward	16,950	6	2,825	-126	4.27
	Waiopahu Ward	6,650	2	3,325	374	12.67
	Total	32,460	11	2,951		

Option 4: Reduce the number of Wards from 4 to 3 by combining the Kere Kere and Miranui Wards.

- Considerations:
 - Is this considered good governance for the District?
 - Does combining these two Wards impact on the community of interest of either area?

- This is perhaps a longer term solution?

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	Kere Kere/Miranui Ward	8,860	3	2,953	-293	-9.03
	Levin Ward	16,950	5	3,390	144	4.44
	Waiopahu Ward	6,650	2	3,345	79	2.43
	Total	32,460	10	3,246		

Option 5: Reduce the number of Wards from 4 to 2 by combining the Kere Kere, Miranui and Waiopahu Wards into a single rural ward.

- Considerations:
 - Is this considered good governance for the District?
 - Does combining these three 'rural' Wards impact on the community of interest of any of these areas? Does a single rural ward support a good argument for a simple urban/rural divide?
 - The population for each would be similar and would support 5 Councillors each.
 - This is also a longer term solution.

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	Rural Horowhenua Ward	15,510	5	3,102	-144	-4.44
	Levin Ward	16,950	5	3,390	144	4.44
	Total	32,460	10	3,246		

What about elections at large or a mix of at large and Wards?

Option 6: Elections at large:

- Considerations:
 - Is this considered good governance for the District?
 - Do elections at large meet the fair and effective representation requirements?
 - No issues with the “+ or – 10%” rule.
 - Mayor and all Councillors elected by the electors of the whole District.
 - Can still retain community boards.

	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	32,460	10	3,246	n/a	n/a

Option 7: Mix of Elections at large and Wards:

- Considerations:
 - Is this considered good governance for the District?
 - Does having some elections at large and some by way of Wards meet the fair and effective representation requirements?
 - The same issues still occur with the “+ or – 10%” rule. Both Miranui and Waiopēhu are non-compliant and by quite a large margin.
 - Mayor and some Councillors elected by the electors of the whole District whilst others are elected by Wards.
 - Can still retain community boards.

Example: 4 Members elected ‘at large’ and 6 members elected by Wards

	WARD	Population	Members	Population-Member Ratio	Difference from Quota	% Difference from Quota
Council	Kere Kere	5,780	1	5,780	370	6.84
	Miranui	3,080	1	3,080	-2,330	-43.07
	Levin	16,950	3	5,650	240	4.44
	Waiopēhu	6,650	1	6,650	1,240	22.91
	Quota	32,460	6	5,410	n/a	n/a
	‘At Large’	(32,460)	4	n/a	n/a	n/a
	Total	32,460	10			

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