

## Options considered

The councillors considered two options, including a boundary adjustment and a change in the number of councillors.

**Option 1** (status quo) is for retention of nine councillors representing the five constituencies of:

**Central Hawke's Bay, Hastings, Napier; Ngaruroro and Wairoa, plus** the boundaries of the current Hastings and Ngaruroro constituencies altered to align with Hastings District Council ward boundary changes (meshblocks (Iona) 1465506, 1465601 and (Te Mata Hills) 1466710 out of the Ngaruroro Constituency into the Hastings Constituency) in accordance with LEA s.19U(b).

Table 1. Option 1 Constituency Population Statistics

Constituency	Population	Reps	Population per Rep	Difference from average	Percentage difference
<b>Central Hawke's Bay</b>	13,850	1	13,850	-4,380	<b>-24.03%</b>
<b>Hastings</b>	59,150	3	19,700	+1,470	+8.06%
<b>Napier</b>	62,000	3	20,700	+2,470	<b>+13.37%</b>
<b>Ngaruroro</b>	20,850	1	20,850	+2,620	<b>+14.4%</b>
<b>Wairoa</b>	8,220	1	8,220	-10,010	<b>-54.91%</b>
<b>Total</b>	<b>164,070</b>	9	18,230		

\* The populations used are the estimated resident population as at 30 June 2017 provided by Statistics NZ.

The % difference column shows the calculation applied when determining whether an area complies with the +/-10% rule in section 19V(2) of the LEA. Where this difference falls outside the +/-10% range it is shown in **bold**.

**Option 2** is for eleven councillors representing Hawke's Bay's five identified communities of interest; those being the constituencies (*same as for Option 1*) of:

**Central Hawke's Bay, Hastings, Napier; Ngaruroro and Wairoa, plus** the boundaries of the current Hastings and Ngaruroro constituencies altered to align with Hastings District Council ward boundary changes (meshblocks (Iona) 1465506, 1465601 and (Te Mata Hills) 1466710 out of the Ngaruroro Constituency into the Hastings Constituency) in accordance with LEA s.19U(b).

The calculation for an increased total number of councillors to 11 does achieve compliance with LEA s19V(2) +/- 10% to the greatest extent possible, and "fair representation" as defined in the legislation, with exemption required for only 2 constituencies.

Table 2. Option 2 Constituency Population Statistics

Constituency	Population	Reps	Population per Rep	Difference from average	Percentage difference
<b>Central Hawke's Bay</b>	13,850	1	13,850	-1,066	-7.15%
<b>Hastings</b>	59,150	4	14,788	-128	-0.86%
<b>Napier</b>	62,000	4	15,500	584	+3.92%
<b>Ngaruroro</b>	20,850	1	20,850	+5,934	<b>+39.78%</b>
<b>Wairoa</b>	8,220	1	8,220	-6,696	<b>-44.89%</b>
<b>Total</b>	<b>164,070</b>	11	14,916		

\* The populations used are the estimated resident population as at 30 June 2017 provided by Statistics NZ. The % difference column shows the calculation applied when determining whether an area complies with the +/-10% rule in section 19V(2) of the LEA. Where this difference falls outside the +/-10% range it is shown in **bold**.

## Communities of Interest for Constituencies not Compliant with LEA s19V(2)

The Guidelines identify three dimensions for recognising communities of interest, being:

- ◆ Perceptual – a sense of belonging to an area or locality
- ◆ Functional – the ability to meet the community’s requirements for services
- ◆ Political – the ability to represent the interests and reconcile conflicts of the community.

**Previous LGC determinations accepting ‘community of interest’ exemptions for Ngaruroro and Wairoa as required for Option 2 are outlined following.**

### **Ngaruroro**

The constituency was created to recognise the distinct communities of interest within Hastings District as subdivided into urban, and plains and rural, and aligned with the Hastings District Rural Community Board boundaries, to provide more effective representation for these communities. The Commission’s (2013) determination ruled:

*“...we have decided to adopt the urban-rural split proposed by the Hastings District Council. This also entails the addition of some meshblocks around the three urban wards which the Council identified as having commonalities in community of interest with the proposed Hastings Urban Constituency, such as Whakatu with its large industrial focus. We note the Hastings Rural Constituency (now **Ngaruroro**) does not comply with the ‘+/-10% rule’ but, as argued above, we believe this to be necessary for achievement of effective representation for the community of interest in this constituency.”*

### **Wairoa**

The Wairoa constituency was previously accepted by the Local Government Commission in 2007 and 2013 as a ‘community of interest’, with the size and diversity of the constituency and reasonable access to representation having been proved. In releasing their 2012 decision, the Commission specifically ruled:

*“We first addressed the issue of the proposed Wairoa Constituency and its non-compliance with the +/-10% rule. After carefully considering the points raised by the Council and also those made by the Mayor of Wairoa and the Wairoa Constituency Councillors, as set out earlier in this determination, we agree that a separate Wairoa Constituency is necessary to ensure effective representation of this community of interest. In summary we agree that:*

*Wairoa has a community of interest distinct from the rest of the region, both physically and socio-economically, and this presents particular challenges for community consultation and provision of services;*

*The physical realities of the area give rise to particular issues not experienced elsewhere including hill country erosion, pressure on coastal development, pest management, transport infrastructure, biodiversity protection, wetland enhancement, flooding and other natural hazards;*

*Effective representation is most unlikely to be achieved by merging Wairoa into another constituency in order to comply with the +/- 10% rule as this would result in a very large area (70% of the land area of the region) with few commonalities of interest and still eligible for only one councillor;*

*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 an enlarged area would be unreasonable.”*

**Previous LGC determinations accepting 'community of interest' exemptions for Central Hawke's Bay and Napier as required in addition to those for Ngaruroro and Wairoa for Option 1 are outlined following.**

### **Central Hawke's Bay**

The Central Hawke's Bay constituency was previously accepted by the Local Government Commission in 2012 as a 'community of interest', as opposed to the 2007 decision which determined that "*the arguments were not strong for an exception to the +/-10% rule*" and accordingly added some areas of Hastings District to the Central Hawke's Bay Constituency to ensure compliance with the '+/-10% rule'.

In releasing their 2012 decision, however, the Commission considered:

*"that the addition of areas of Hastings District to the Central Hawke's Bay Constituency had caused confusion for residents living relatively close to the Hastings urban area but voting within Central Hawke's Bay Constituency. Those within Hastings District identified with Hastings District Councillors, and had no significant connections with Central Hawke's Bay; as demonstrated by a Council consultation process on potential off-river water storage for the Ngaruroro River.*

*The area of Central Hawke's Bay Constituency, based on Central Hawke's Bay District, is already a significantly large area for one councillor to service, and given the long distances having to be travelled to have face to face meetings with constituents, or to attend public meetings throughout the area.*

*The physical realities of the area give rise to particular issues of concern like hill country erosion, pressure on coastal development, biodiversity protection, flooding and other natural hazards."*

Specifically, the Commission ruled:

*"We were satisfied, on the basis of the arguments put to us by the Council and supported by all of the objectors, that there was a case for reducing the size of Central Hawke's Bay Constituency to coincide with Central Hawke's Bay District, consistent with section 19U(c), notwithstanding it would not comply with the section 19V(2) fair representation requirement. We endorse the Council proposal in this respect accordingly."*

### **Napier**

The Napier constituency was also previously accepted by the Local Government Commission in 2007 and 2012 as a 'community of interest', with the 2012 Commission commenting that:

*Given the numbers involved and the predominantly urban nature of the Napier Constituency, we note that a large segment of the outlying area of Napier City would have to be transferred to the adjoining Hastings Constituency. We also note that the neighbouring parts of the Hastings Community are primarily rural or semi-rural in nature. While it is guided by the principle of fair representation defined in the Act by the +/-10% rule, the Commission considers it is also appropriate to be guided by the requirement to ensure, so far as is practicable, constituency boundaries coincide with territorial authority boundaries."*

Accordingly, the 2012 Commission specifically ruled:

*The situation remained very similar at this review in terms of the numbers needing to be transferred out of Napier Constituency in order to comply with section 19(V)(2) although the variation at +11.64% is less than in 2007 and even more marginal. Accordingly we also endorse the Council proposal in relation to this constituency.*