



LOCAL GOVERNMENT COMMISSION

Determination

of representation arrangements to apply for
the election of the Rangitikei District Council
to be held on 13 October 2007

Background

1. The Rangitikei District Council (the Council) elected at the 2004 local election comprises the mayor and 11 councillors. The 11 councillors were elected as follows:

Wards	Population*	No. of councillors per ward	Population per councillor	Deviation from district average population per councillor	Percentage deviation from district average population per councillor
Taihape	3,490	3	1,163.33	-164.85	-12.41
Hunterville	1,300	2	650	-678.18	-51.06
Marton	6,170	4	1,542.5	+214.32	+16.14
Bulls	3,650	2	1,825	+496.82	+37.41
TOTALS	14,610	11	1,328.18		

*These figures are rounded 2005 population estimates provided by the Government Statistician

2. There are two community boards, these being:
 - the Rātana Community Board, for the area of Rātana Pā, comprising four elected members and no appointed members; and
 - the Taihape Community Board, for the area of the Taihape Ward, comprising four elected members and two appointed members.
3. On 27 April 2006 the Council agreed on an initial proposal, under sections 19H and 19J of the Local Electoral Act 2001 (the Act), as follows:
 - (a) the Council comprise the mayor and eight councillors elected by wards as follows:

Wards	Population*	No. of councillors per ward	Population per councillor	Deviation from district average population per councillor	Percentage deviation from district average population per councillor
Taihape	3,489	2	1,745	-81	-4.44
Marton-Hunterville	7,470	4	1,868	+42	+2.30
Bulls	3,650	2	1,825	-1	-0.05
TOTALS	14,609	8	1,826		

*These figures are rounded 2005 population estimates provided by the Government Statistician

- (b) the existing arrangements for the Rātana Community Board and the Taihape Community Board be retained, and no further community boards be constituted.
4. The Council received 75 written submissions on its initial proposal. It held a hearing, at which 14 submitters made oral presentations. Submissions sought:
- separate wards for Marton and Hunterville (with both wards to include areas of rural hinterland);
 - the creation of a distinct rural ward;
 - the retention of the existing number of councillors; and
 - recognition that communities of interest within the Taihape Ward and areas of the Turakina Valley are isolated to the extent that their effective representation requires exemption from the requirement to ensure fair representation under section 19V(2) of the Act.
5. Following consideration of these submissions, the Council confirmed its initial proposal.
6. The Council received 70 appeals against its final proposal. The main issues raised in the appeals were the same as those raised in response to the Council's initial proposal.

Hearing

7. The Commission met with the Council, appellants, and submitters who had expressed a desire to be heard by it, on Monday 27 November 2006. The Council was represented by the Mayor, Bob Buchanan, and Chief Executive Officer, Leigh Halstead. The appellants were Maureen Fenton, Jean Signal, and Jean England for the Hunterville Community Committee, Jim Bull, Jim Howard, Ruth Rainey, John Forest, Tim Mathews, J.N. Tripe, Ross Whale, Richard and John Morrison, Mr and Mrs McManaway, David Hammond, Vicky Duncan, Les Rowlands, Warren Plimmer, M.F. Goringe, and Bruce Gordon.

Matters raised in submissions, appeals, and at the hearing

8. The main arguments presented in support of separate wards for the Hunterville/central rural area and Marton were:
- the community of Hunterville and its rural hinterland share few linkages with the Marton community;
 - the Hunterville community of interest has rural and farming interests, which are not shared to the same extent by residents of Marton;
 - Hunterville is a service and social centre for a large rural community;
 - Hunterville shares stronger common interests with Taihape than it does with Marton, including location on State Highway 1 and rural interests;
 - residents of Hunterville and its rural hinterland have more reasons to travel to Feilding or Palmerston North than to Marton when requiring services unavailable in Hunterville;
 - the community of Hunterville and its rural hinterland is sufficiently distinct from other communities in the Rangitikei District to warrant separate councillor representation;

- the distinctiveness of the Hunterville community is evidenced by:
 - the Hunterville primary school;
 - a successful commercial area;
 - its location on State Highway 1 (which has tourism and infrastructural implications);
 - being a centre for the servicing of farming needs;
 - its own bowling, rugby and golf clubs, a veterinary service and other services;
 - a strong sense of shared identity and community pride amongst residents;
 - the degree of community involvement and contribution made by residents;
 - its own rural water scheme, run by a local committee;
 - its service priorities in respect of roads and access to services; and
 - an employment focus on farming and tourism (Marton residents are employed to a greater extent in service and sales industries);
 - the Hunterville community would become a minority voice within a combined Marton/Hunterville Ward and this would be a barrier to the election of candidates who understand its distinct interests and concerns;
 - specific councillor representation is required to enable a link between the work of the Hunterville community committee and the Council; and
 - combining the Hunterville and Marton areas would likely exacerbate difficulties in access between councillors and residents of the Turakina Valley.
9. The main arguments presented in support of combining the Hunterville and Marton areas to create a Central Ward were:
- in the context of the district, the proposed Central Ward recognises a central community of interest, distinct from the Taihape Ward and the communities of interest located on State Highway 3, including Bulls;
 - it avoids artificial boundaries between rural areas;
 - it is not possible to distribute eight councillors between four wards; and
 - all ward councillors have a good understanding of rural issues.
10. Some appellants suggested that the Commission should consider an exemption from the requirements of section 19V(2) of the Act on the basis of isolation in the Taihape Ward and the Turakina Valley area. The arguments for this were:
- the Turakina Valley is vulnerable to flooding, loss of road access, power and telephone contact. Farmland in the area is on steep hill country, dissected by steep valleys, and roads are prone to damage;
 - the Taihape Ward is one of the largest wards in the North Island; and
 - some residents of the Taihape Ward are two hours away from vital services.

11. The Council proposed to reduce its membership from 11 to eight councillors. This is also a matter of appeal. The main arguments against a reduction were:
- it restricted the way in which the Council developed its proposed ward structure;
 - the district covers a large area, and contains many distinct townships as well as large rural communities;
 - a smaller Council would result in less representation of rural interests and concerns, and less rigorous debate at Council;
 - a smaller Council would not result in savings through councillor salaries because the total remuneration pool is determined by the Remuneration Authority and would remain the same (though divided amongst fewer members); and
 - retaining existing councillor numbers would spread the workload sufficiently to enable councillors to continue with other employment, social, and family commitments.
12. The main arguments in support of reducing the number of councillors were:
- it would result in increased councillor salaries, which would attract a wider range of candidates;
 - the population of the district is decreasing; and
 - a reduced number of councillors would enable each one to speak for a greater length of time at Council meetings.

Matters for Determination

13. The statutory provisions in respect of these appeals and objections are contained in sections 19R, 19H and 19J of the Local Electoral Act 2001 (the Act).

19R. Commission to determine appeals and objections

(1) The Commission must—

- (a) Consider the resolutions, submissions, appeals, objections, and information forwarded to it under section 19Q; and
- (b) Subject to sections 19T and 19V in the case of a territorial authority, and to sections 19U and 19V in the case of a regional council, determine, -
 - (i) In the case of a territorial authority that has made a resolution under section 19H, the matters specified in that section:
 - (ii) In the case of a regional council that has made a resolution under section 19I, the matters specified in that section:
 - (iii) In the case of a territorial authority that has made a resolution under section 19J, the matters specified in that section.

(2) For the purposes of making a determination under subsection (1)(b), the Commission—

- (a) May make any enquiries that it considers appropriate; and
- (b) May hold, but is not obliged to hold, meetings with the territorial authority or regional council or any persons who have lodged an

- appeal or objection and have indicated a desire to be heard by the Commission in relation to that appeal or objection.*
- (3) *The Commission must, before 11 April in the year of a triennial general election, complete the duties it is required to carry out under subsection (1).*

19H. Review of representation arrangements for elections of territorial authorities

- (1) *A territorial authority must determine by resolution, and in accordance with this Part, -*
- (a) *Whether the members of the territorial authority (other than the mayor) are proposed to be elected -*
 - (i) *By the electors of the district as a whole; or*
 - (ii) *By the electors of 2 or more wards; or*
 - (iii) *In some cases by the electors of the district as a whole and in the other cases by the electors of each ward of the district; and*
 - (b) *In any case to which paragraph (a)(i) applies, the proposed number of members to be elected by the electors of the district as a whole; and*
 - (c) *In any case to which paragraph (a)(iii) applies, -*
 - (i) *The proposed number of members to be elected by the electors of the district as a whole; and*
 - (ii) *The proposed number of members to be elected by the wards of the district; and*
 - (d) *In any case to which paragraph (a)(ii) or paragraph (a)(iii) applies, -*
 - (i) *The proposed name and the proposed boundaries of each ward; and*
 - (ii) *The number of members proposed to be elected by the electors of each ward.*
- (2) *The determination required by subsection (1) must be made by a territorial authority -*
- (a) *On the first occasion, either in 2003 or in 2006; and*
 - (b) *Subsequently, at least once in every period of 6 years after the first determination.*
- (3) *This section must be read in conjunction with section 19ZH and Schedule 1A.*

19J. Review of community boards

- (1) *A territorial authority must, on every occasion on which it passes a resolution under section 19H, determine by that resolution, and in accordance with this Part, not only the matters referred to in that section but also whether, in light of the principle set out in section 4(1)(a) (which relates to fair and effective representation for individuals and communities) -*
- (a) *There should be communities and community boards; and*
 - (b) *If so resolved, the nature of any community and the structure of any community board.*
- (2) *The resolution referred to in subsection (1) must, in particular, determine -*
- (a) *Whether 1 or more communities should be constituted;*
 - (b) *Whether any community should be abolished or united with another community;*
 - (c) *Whether the boundaries of a community should be altered:*

- (d) *Whether a community should be subdivided for electoral purposes or whether it should continue to be subdivided for electoral purposes, as the case may require:*
 - (e) *Whether the boundaries of any subdivision should be altered:*
 - (f) *The number of members of any community board:*
 - (g) *The number of members of a community board who should be elected and the number of members of a community board who should be appointed:*
 - (h) *Whether the members of a community board who are proposed to be elected are to be elected -*
 - (i) *By the electors of the community as a whole; or*
 - (ii) *By the electors of 2 or more subdivisions; or*
 - (iii) *If the community comprises 2 or more whole wards, by the electors of each ward:*
 - (i) *in any case to which paragraph (h)(ii) applies, -*
 - (i) *The proposed name and the proposed boundaries of each subdivision; and*
 - (ii) *The number of members proposed to be elected by the electors of each subdivision.*
- (3) *Nothing in this section limits the provisions of section 19F.*

Consideration by the Commission

Effective representation of communities of interest and fair representation of electors

14. A review of representation arrangements under the Act is to ensure that:
- the method adopted for the election of members (i.e. at large, wards, or a combination of both) will provide effective representation of communities of interest within the district (section 19T); and
 - in determining the number of members to be elected by each ward, electors of that ward will receive fair representation (section 19V).
15. For the purpose of achieving fair representation, section 19V(2) requires that the population of each ward divided by the number of members to be elected by that ward produces a figure no more than 10% greater or smaller than the population of the district divided by the total number of elected members. The Act, however, does not define 'effective representation' or 'communities of interest'.
16. The steps in the process for achieving effective and fair representation are not statutorily prescribed. The Commission believes, however, that the following approach to determining representation arrangements will achieve a robust outcome that is in accordance with statutory criteria:
- (a) identify communities of interest;
 - (b) determine the best means of providing effective representation for identified communities of interest; and
 - (c) determine fair representation for the electors of the district.

Rangitikei District

16. The Council has identified communities of interest based on the communities of Taihape, Hunterville, Marton and Bulls. The Commission agrees with the Council, and appellants, that wards are necessary to ensure effective representation of these distinct communities of interest in the district. The

issues raised in appeals relate to the appropriate grouping of these communities of interest into wards, in particular, the Council's decision to combine the existing Marton and Hunterville Wards.

17. The majority of appellants to the Council's proposal were residents of Hunterville township or rural residents living in the central area of the district. These appellants defined their immediate community of interest as Hunterville township and its rural hinterland, and demonstrated a strong sense of community identity with and belonging to this community of interest. The Commission was presented with many examples of residents' voluntary contributions to their community. It believes that the wellbeing of this community will continue to depend on the contributions made by individuals, community groups, including the Hunterville Community Committee, and the Council.
18. The Commission believes that the shared sense of community between the residents of Hunterville township and many rural and outlying areas is evidenced by the existence of the Hunterville Veterinary Clinic, a farming supplies store, the local supermarket's delivery service to rural residents, and the Hunterville Primary School. The Commission heard that over 60% of the school's pupils travel from rural areas to school by bus.
19. The Commission believes that the number of businesses and services available in Hunterville township are sufficient to sustain many of the day-to-day requirements of the residents of the township and its rural hinterland. These include a supermarket, a range of tradespeople, a pub, a service station, a postal outlet, sports, recreation and tourist facilities, voluntary emergency services, and a range of businesses and voluntary organisations. The township clearly provides a social focus point for the residents of Hunterville and its rural hinterland, and has developed a distinctly rural identity. This identity is evidenced by such events as the Hunterville Huntaway Festival, the Hunterville Primary School Lamb and Calf Day, and the township's bronze statue of a huntaway dog. Tourism also contributes to the viability and character of Hunterville township, which, like other Rangitikei District townships such as Bulls, Mangaweka, and Taihape, is located on State Highway 1.
20. The residents of Hunterville and its rural hinterland are required, on occasion, to travel to larger urban areas. The location of sale and stock yards in the township of Feilding provides many farmers in the Manawatu-Wanganui Region, including those within the central rural area of the Rangitikei District, with reason to travel there. The Commission heard that residents of Hunterville and the central rural area of the district choose, on occasion, to travel to all the larger Rangitikei District urban areas of Marton, Bulls, and Taihape. Where they choose to travel to may depend on their particular location and proximity to any one of these urban areas, as well as their preferences and needs at the time. Some residents of the central rural area of the district are almost as close to Wanganui as they are to Marton or Hunterville. Some appellants also told the Commission that they found it increasingly convenient to travel to Palmerston North or Wanganui for social or business reasons.
21. The Commission is satisfied that, in the context of the Rangitikei District, Hunterville and its rural hinterland comprise a distinct community of interest. It remains unconvinced of the commonalities of interest between this community of interest and those focused on the Marton urban area.

22. The Commission notes that the Marton urban area accounts for approximately 32% of the total population of the district, and approximately 64% of the total population of the Council's proposed Central Ward (which combines the existing Hunterville and Marton Wards). It is concerned that the success of candidates standing in the proposed Central Ward may depend on the extent to which their election campaign impacted on residents of Marton township. This could jeopardise the Council's ability to understand and respond to the distinct interests and concerns of the residents of the Hunterville community, and vice versa. It could also pose a risk of a greater degree of physical separation between councillors and some rural residents. In the Commission's view, these factors risk compromising the principle of effective representation of communities of interest. This principle, however, must also be balanced against the requirement for fair representation of electors, as set out in section 19V of the Act.
23. The Act allows non-compliance with section 19V(2) only if this is necessary to provide for effective representation of communities of interest within isolated communities. In response to appeals on the issue, the Commission considered the nature of potentially isolated areas within the Taihape Ward and the central rural area of the district, particularly the Turakina Valley area.
24. Taihape township is located approximately 60 minutes from Marton via State Highway 1. The location of a Council service centre in Taihape township enables residents to access Council services. Approximately half of the residents of the Taihape Ward reside in Taihape township. Most of the remaining population of the ward is located within 30 minutes of the township via main roads or sealed rural roads. The risk of isolation is most significant for residents of the areas of the ward furthest removed from Taihape township such as Papanui Junction, Pohonui, and rural areas to the west and northwest of Taihape township. These areas can only be accessed via unsealed rural roads. Travel time between these areas and Taihape township can be up to 90 minutes. The Commission heard that some rural roads in the district are prone to closure due to slips and weather. However, such events are infrequent, and likely to affect only a small number of people within geographically specific areas of the ward.
25. The Commission agrees that the Taihape Ward reflects a distinct community of interest. It is not persuaded, however, that the requirements for effective representation of the community of interest need result in the setting aside of the requirements, under section 19V(2), for fair representation of electors.
26. In respect of the Turakina Valley area, the Commission notes that, while prone to occasional slips and floods, the Turakina Valley Road can be accessed from many roads connecting to urban areas in the Rangitikei District. The Commission is of the view that these conditions, in themselves, do not warrant exemption from the requirements of section 19V(2).
27. The Commission examined the extent to which the Turakina and Rātana Pā areas comprise distinct communities of interest requiring specific councillor representation. While these areas are currently located in the Bulls Ward, the Commission believes that many residents of these areas would generally access services available in Turakina, Marton, and Wanganui, rather than services available in Bulls township.

28. The Council's decision to retain the Rātana Community Board recognises the distinctiveness of this community. The Commission also notes that, in 2005, the Council established the Turakina Community Committee. More than 10 nominations were received for membership of the committee and this required that elections be held. All electors registered on the Rangitikei District electoral roll and present at the inaugural meeting of the committee were entitled to vote. The Council appoints to its community committees a councillor elected from the ward in which the committee area is situated. Currently this councillor is elected from the Bulls Ward. The boundaries of the Turakina Community Committee's area of responsibility are not formally determined.
29. The Commission believes these factors provide a reasonable case, based on the principle of ensuring effective representation of distinct communities of interest, for specific representation of the Turakina and Rātana Pā areas. The case, however, must also be balanced against the requirements for fair representation under section 19V(2) of the Act.
30. In considering the appropriate number of councillors, the Commission took into account the following matters, which relate to the ability of residents and elected members to have access to each other:
- the population of the district decreased between 1996 and 2006;
 - the district covers a large rural area;
 - the district comprises many communities with distinct interests affected by location, topography, and access to community services;
 - many communities of interest have connections with areas outside of the district, and regularly access services in these areas;
 - councillors are required to travel long distances (both between wards, and within wards) in order to undertake their responsibilities;
 - it is likely that most councillors will continue to have other jobs; and
 - engagement between councillors and residents occurs in the context of everyday encounters, and residents expect this sort of access to their elected members.
31. Based on consideration of these factors, the Commission believes a reduced number of eight councillors would be insufficient to represent the diversity of communities within the district to an appropriate level. While the population of the district has declined, the Commission does not believe this has affected the distinctiveness of communities of interest to a level that justifies a reduction in the number of councillors at this time. It finds that the Council should continue to comprise 11 councillors.
32. The Commission notes that all existing ward boundaries require alterations in order to comply with the requirements of section 19V(2) of the Act. It does not believe these alterations will impact significantly on the effective representation of distinct communities of interest. As noted, the Commission also examined the desirability of specific representation for the Rātana Pā and Turakina settlement areas. It notes that each of the following options would comply with the requirements for fair representation under section 19V(2):
- the inclusion of the Rātana Pā and Turakina settlement areas, and an area of the Turakina Valley, in the Marton Ward, represented by five councillors; or

- the inclusion of the Rātana Pā and Turakina settlement areas, and an area of the Turakina Valley up to Mangatipona Road, in the Bulls Ward, represented by three councillors; or
 - the creation of a separate Turakina Ward, including the areas of Rātana Pā, Turakina, Turakina Beach, and Turakina Valley to Mangatipona Road, represented by one councillor.
33. The following factors – relating to the effective representation of distinct communities of interest - were important to the Commission’s consideration of these options:
- the Turakina and Rātana Pā settlement areas have been included in the Bulls Ward since 1989;
 - both the Bulls and Marton townships (and the Wanganui urban area) are easily accessed from the settlements of Turakina and Rātana Pā;
 - while Bulls is approximately equidistant from Palmerston North and Wanganui, Turakina and Rātana Pā are closer to Wanganui;
 - in order to achieve compliance with section 19V(2), the Bulls Ward would have to include significant areas of the Turakina Valley. As previously noted, the Commission believes that residents of this area would tend to access services available in Turakina, Marton, and Wanganui, rather than services available in Bulls;
 - the exclusion of the Turakina and Rātana Pā settlements, and an area of the Turakina Valley, from the Bulls Ward would enable the election of two councillors from an area comprising Bulls township, Lake Alice, Santoft, and a small rural area; and
 - the establishment of the Turakina Community Committee and the Council’s decision to retain the Rātana Community Board.
34. Based on consideration of these factors, the Commission believes that, of the options identified, the creation of a Turakina Ward will best provide for the effective representation of distinct communities of interest. It determines accordingly.
35. The relationship between the Commission’s decision on ward boundaries, the number of councillors, and the requirements of section 19V(2), is illustrated in the following table:

Wards	Population*	No. of councillors per ward	Population per councillor	Deviation from district average population per councillor	Percentage deviation from district average population per councillor
Taihape	3,540	3	1,180	-124.55	-9.55
Hunterville	1,400	1	1,400	+95.45	+7.32
Marton	5,590	4	1,397.5	+92.95	+7.13
Bulls	2,510	2	1,255	-49.55	-3.80
Turakina	1,290	1	1,290	-14.55	-1.12
TOTALS	14,350	11	1,304.55		

*These figures are rounded 2006 population estimates, the most up-to-date available, provided by the Government Statistician

Communities and community boards

36. The Council proposes to retain the existing boundaries and membership of the Taihape Community Board and the Rātana Community Board. These matters were not raised in appeals, and no reasons were provided in support of disestablishing or altering either board at this time. On this basis the Commission believes it is appropriate to uphold these parts of the Council's proposal.

Commission's Determination

37. Under section 19R of the Local Electoral Act 2001, the Commission determines that for the general election of the Rangitikei District Council to be held on 13 October 2007, the following representation arrangements shall apply –
- (1) Rangitikei District as delineated on SO Plan 386183 deposited with Land Information New Zealand, shall be divided into five wards;
 - (2) Those five wards shall be -
 - (a) the Taihape Ward, comprising the area delineated on SO Plan 386181 deposited with Land Information New Zealand;
 - (b) the Hunterville Ward, comprising the area delineated on SO Plan 386180 deposited with Land Information New Zealand;
 - (c) the Marton Ward, comprising the area delineated on SO Plan 36044 deposited with Land Information New Zealand;
 - (d) the Bulls Ward, comprising the area delineated on SO Plan 36043 deposited with Land Information New Zealand; and
 - (e) the Turakina Ward, comprising the area delineated on SO Plan 386178 deposited with Land Information New Zealand;
 - (3) The Council shall comprise a mayor and 11 councillors, elected as follows -
 - (a) three councillors elected by the electors of the Taihape Ward;
 - (b) one councillor elected by the electors of the Hunterville Ward;
 - (c) four councillors elected by the electors of the Marton Ward;
 - (d) two councillors elected by the electors of the Bulls Ward; and
 - (e) one councillor elected by the electors of the Turakina Ward;
 - (4) There shall be an Rātana Community, comprising the area delineated on SO Plan 36060 deposited with Land Information New Zealand;
 - (5) The Rātana Community Board shall comprise four elected members;
 - (6) There shall be an Taihape Community, comprising the area of the Taihape Ward; and
 - (7) The Taihape Community Board shall comprise four elected members and two councillors elected by the electors of the Taihape Ward and appointed to the Community Board by the Council.

38. As required by sections 19T(b) and 19W(c) of the Local Electoral Act 2001, the boundaries of the above wards coincide with the boundaries of current statistical meshblock areas determined by Statistics New Zealand and used for Parliamentary electoral purposes.

FOR THE LOCAL GOVERNMENT COMMISSION

Sue Piper (Chair)

Gwen Bull (Commissioner)

28 March 2007