



## LOCAL GOVERNMENT COMMISSION

### Determination

of the representation arrangements to apply for  
the election of the Waikato Regional Council  
to be held on 13 October 2007

#### Background

1. The Waikato Regional Council (the Council) elected at the 2004 local election comprises 14 councillors. The councillors were elected as follows:

| Constituency       | Population*    | Number of councillors per constituency | Population per councillor | Deviation from the region average population per councillor | Percentage deviation from the region average population per councillor |
|--------------------|----------------|--|---------------------------|---|--|
| Thames-Coromandel  | 26,700         | 1                                      | 26,700                    | -786  | -2.85  |
| North Waikato      | 28,600         | 1                                      | 28,600                    | +1,114  | +4.05  |
| Hauraki            | 16,750         | 1                                      | 16,750                    | -10,736   | -39.05   |
| Central Waikato    | 29,810         | 1                                      | 29,800                    | +2,314  | +8.41  |
| Matamata-Piako     | 30,300         | 1                                      | 30,300                    | +2,817.86   | +10.23   |
| Hamilton           | 131,400        | 4                                      | 32,850                    | +5,364  | +19.51   |
| Waipa              | 42,100         | 1                                      | 42,100                    | +14,614   | +53.16   |
| North King Country | 19,000         | 1                                      | 19,000                    | -8,486  | -30.87   |
| South Waikato      | 23,000         | 1                                      | 23,000                    | -4,486  | -16.32   |
| Taupo              | 37,100         | 2                                      | 18,550                    | -8,936  | -32.51   |
| <b>TOTALS</b>      | <b>384,800</b> | <b>14</b>                              | <b>27,486</b>             |   |  |

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

2. The Council commenced its review of representation arrangements, under section 19I of the Local Electoral Act 2001 (the Act), by holding a series of workshops to consider the review process and develop options. After considering the options and carrying out some informal consultation, the Council resolved its initial proposal on 25 May 2006. The proposal was for seven constituencies electing 12 councillors as follows:

| Constituency              | Population     | Number of councillors per constituency | Population per councillor | Deviation from the region average population per councillor | Percentage deviation from the region average population per councillor |
|---------------------------|----------------|--|---------------------------|---|--|
| Thames-Coromandel/Hauraki | 33,000         | 1                                      | 33,000                    | +934  | +2.91  |
| North Waikato/Hauraki     | 32,000         | 1                                      | 32,000                    | -66   | -0.20  |
| Central Waikato           | 32,500         | 1                                      | 32,500                    | +434  | +1.35  |
| Matamata-Piako            | 30,300         | 1                                      | 30,300                    | -1,766  | -5.50  |
| Hamilton                  | 135,700        | 4                                      | 33,925                    | +1,859  | +5.79  |
| Waipa/ North King Country | 61,200         | 2                                      | 30,600                    | +1,466  | +4.57  |
| South Waikato/ Taupo      | 60,000         | 2                                      | 30,000                    | -2,066  | -6.44  |
| <b>TOTALS</b>             | <b>384,800</b> | <b>12</b>                              | <b>32,066</b>             |   |  |

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

3. The Council received 14 submissions on its initial proposal, these being:
- one submission in favour of the proposal;
  - one submission not opposed to the proposal;
  - one submission sought changes resulting from its own representation review (affecting the proposed North Waikato-Hauraki, Central Waikato and Hamilton Constituencies);
  - two submissions supported the proposed reduction in councillors (from 14 to 12);
  - five submissions supported splitting the proposed South Waikato-Taupo constituency into two separate constituencies;
  - three submissions supported the Thames-Coromandel constituency remaining as a separate constituency;
  - one submission supported the inclusion of Waihi in the Thames-Coromandel constituency; and
  - three submissions opposed the proposed arrangements for the Thames-Coromandel and North Waikato-Hauraki constituencies.
4. Following consideration of the submissions and issues raised, both verbally and in writing, the Council amended its initial proposal. On 12 August 2006 it notified its final proposal, for eight constituencies electing 12 councillors, as follows:

| Constituency          | Population     | Number of councillors constituency | Population per councillor | Deviation from the district average population per councillor | Percentage deviation from the district average population per councillor |
|-----------------------|----------------|------------------------------------|---------------------------|---|--|
| Thames-Coromandel     | 33,000         | 1                                  | 33,000                    | +934  | +2.91  |
| North Waikato-Hauraki | 32,100         | 1                                  | 32,100                    | +34   | +0.11  |
| Central Waikato       | 33,300         | 1                                  | 33,300                    | +1,234  | +3.85  |
| Matamata-Piako        | 30,300         | 1                                  | 30,300                    | -1,766  | -5.50  |
| Hamilton              | 134,900        | 4                                  | 33,725                    | +1,659  | +5.17  |
| Waipa-King Country    | 61,200         | 2                                  | 30,600                    | -1,466  | -4.57  |
| South Waikato-Rotorua | 26,400         | 1                                  | 26,400                    | -5,666  | -17.66   |
| Taupo                 | 33,600         | 1                                  | 33,600                    | +1,534  | +4.78  |
| <b>TOTALS</b>         | <b>384,800</b> | <b>12</b>                          | <b>32,066</b>             |   |  |

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

5. In notifying its proposal, the Council described the reasons for the changes from its initial proposal as follows:
- the appropriate number of councillors for the region was considered to be 12, and that this number best provides for fair and effective representation as required under the Act;
  - eight constituencies were considered to best provide for effective representation of the communities of interest as required under the Act; and
  - the above decisions would better “future proof” representation with respect to not having to undertake a further representation arrangements review in 3 years’ time, and would provide for the possible addition of two Māori constituencies (if so resolved at a later date).
6. One appeal against the Council’s proposal was received from Hauraki District Council.

## Hearing

7. The Commission met with the Council, the appellant and one submitter in support of the Council’s final proposal, at a hearing held at the Waikato Regional Council Chambers on 8 March 2007. The Council was represented by Jenni Vernon, Chairperson, Andra Neeley, Councillor, Harry Wilson, Chief Executive and Warren Stevens, Electoral Officer. The appellant, Hauraki District Council (HDC), was represented by Mayor John Tregidga, Langley Cavers, Chief Executive, and Legal Adviser Andrew Royle. The submitter was South Waikato District Council, represented by Mayor Neil Sinclair.

## Matters raised in appeal and at the hearing

8. Arguments presented in support of the Council’s proposal included:
- it reflects regional communities of interest based on land use and council functions;

- 12 councillors provides effective and fair representation, taking into account councillor workloads;
- compliance with the +/-10% rule mattered to the Council; other options (such as for 13 councillors) would not comply;
- the Council undertook a thorough consultative process for the review;
- the HDC proposal would not fairly reflect communities of interest, for example, by placing the Tirau Ward of South Waikato District in an enlarged Hauraki Constituency;
- the Council decided to split the southern constituency (Taupo) into two constituencies (Taupo and South Waikato-Rotorua) because:
  - the non-compliance of the proposed South Waikato Constituency would not affect other constituencies; and
  - it reflected full consideration of communities of interest and fair representation;
- the proposal provides “future proofing”, that is, it allows for two additional councillors to be elected should Māori constituencies be established, and to cover future population growth in the region;
- the proposed South Waikato-Rotorua constituency needs separate representation (and its over-representation can be justified);
- moving the Rotorua District portion into the proposed South Waikato-Rotorua Constituency makes sense on community of interest grounds. Rotorua has the strongly rural Reporoa area, which is in the Waikato catchment, and has predominantly rural and farming interests, like South Waikato. Rotorua District residents within the Waikato Region are happy with the proposal;
- residents of Waihi Ward (of Hauraki District) have not made any submissions on being moved into Thames-Coromandel Constituency;
- HDC is only one of the Council’s 12 constituent territorial authorities. It is not unique in having to be divided between constituencies, while other constituent authorities are divided between regions, for example, Franklin, Rotorua and Taupo Districts;
- other district councils (such as Waitomo or Otorohanga) could have objected like HDC on the basis that they need separate representation from a community of interest point of view . But they did not;
- none of the districts that would be affected by HDC’s alternative proposal get the opportunity to comment on how they would be affected (for example, Waipa); and
- HDC does have links with the North Waikato area, for example, it is a member of the Hauraki Gulf Forum. It also has links with Thames-Coromandel Constituency.

9. Arguments presented against the Council’s proposal included:

- the proposed constituencies do not reflect any previous or current community of interest with Hauraki;
- the Council inappropriately precluded full consideration of the option of a 14- or 13-councillor Council, by deciding to limit its numbers to 12 in order to “future

- proof” boundaries against population change, and to provide a later opportunity to adopt Māori wards without change to the constituency boundaries;
- the Council created constituencies that would fit within its desired outcome of 12 councillors, rather than starting by analysing communities of interest;
  - the Council unfairly introduced a new test of “effective variation” of fair representation;
  - if the Council could not identify a combination/division of communities of interest that would provide fair and effective representation while meeting fair representation requirements, then it should choose the option with the “least variance” from the +/-10% rule;
  - the Council recognised that South Waikato is a distinct community of interest from Taupo and should have separate representation. This led to the proposed South Waikato-Rotorua Constituency being outside the +/-10% requirement by -17.6%. Is the South Waikato area more deserving than Hauraki in terms of meriting separate representation?
  - the Commission has an ability to depart from the fair representation requirement because population numbers, especially in rural areas, won’t always meet the +/-10% rule. That was the intent of Parliament when passing the Act;
  - the Act is silent on “future proofing” numbers of councillors;
  - community structures and catchment areas would be split by the Council’s final proposal;
  - there would be less effective representation under the Council’s proposal in terms of access to representation. The affected Hauraki Constituency wards would be unlikely to get a representative from their areas; and
  - it would undermine the mana of the Hauraki and Waikato iwi by separating Waihi from the Hauraki Plains and combining the Hauraki plains with North Waikato. The Hauraki Māori Trust Board do not support the Council’s proposal.

### **Matters for determination**

10. The statutory provisions in respect of appeals and objections are contained in sections 19R and 19I of 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).*
- 19I. *Review of representation arrangements for elections of regional councils***
- (1) *A regional council must determine by resolution, and in accordance with this Part,—*
    - (a) *the proposed number of constituencies; and*
    - (b) *the proposed name and the proposed boundaries of each constituency; and*
    - (c) *the number of members proposed to be elected by the electors of each constituency.*
  - (2) *The determination required by section (1) must be made by the regional council,—*
    - (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.*

## **Consideration by the Commission**

### *Effective and fair representation*

- 11. A review of representation arrangements under the Act is to ensure that:
  - the number and boundaries of constituencies will provide effective representation of communities of interest within the region (section 19U); and
  - in determining the number of members to be elected by each constituency, electors of that constituency will receive fair representation (section 19V).
- 12. For the purpose of achieving fair representation, section 19V(2) of the Act requires that the population of each constituency divided by the number of members to be elected by that constituency produces a figure no more than 10% greater or smaller than the population of the region divided by the total number of elected members. The Act does not define 'effective representation' or 'communities of interest'.
- 13. The steps in the process for achieving effective and fair representation are not statutorily prescribed. The Commission believes that the following process for determining representation arrangements will achieve a robust outcome that is in accordance with the statutory criteria:
  - (a) identify the region's communities of interest;
  - (b) determine the best means of providing effective representation of the communities of interest; and
  - (c) determine fair representation of electors for the region.

*Waikato Region*

14. The Council identified the region's communities of interest based on land use as follows:
- coastal/recreational/lifestyle: (Coromandel District, coastal Hauraki);
  - rural/farming, proximity to Auckland for employment and business: north Waikato (part Franklin, Waikato, Hauraki Districts);
  - rural/farming, proximity to Hamilton: central Waikato (part Waikato District);
  - rural/farming/rural town: east Waikato (Matamata Piako District);
  - urban/city, commercial hub of the region: (Hamilton City);
  - rural/farming: west Waikato;
  - rural/farming/rural towns/tourism Waipa/King Country: (Waipa, Otorohanga, Waitomo District) and
  - forestry/tourism/lifestyle/rural towns: (Taupo, Rotorua, South Waikato Districts).
15. Some of these relate directly to territorial authority or constituency areas, but many are common to one or more territorial authority or constituency. Examples of common features include the Waikato and Waipa Rivers and their catchments, the Waihou and Piako River catchments (which are natural geographic boundaries), the roading networks and land transport, access to goods and services, lifestyle areas, forestry and tourism. In defining these communities, the Council also considered Council functions, for example, water quality and allocation, river catchments, transport links, physical features and civil defence. We note that the largest items of the Council's operating expenditure are river and catchment systems, transport and environment protection/biosecurity.
16. Based on this exercise, a comparison of different options, and follow-up consultation, the Council finally proposed:
- a Thames-Coromandel Constituency, comprising Thames-Coromandel District, plus Waihi Ward of Hauraki District;
  - a North Waikato Constituency, including two additional wards (Plains and Paeroa of Hauraki District), but minus Waikato District's Huntly Ward (moves to the Central Waikato constituency);
  - a Central Waikato Constituency, comprising part of Waikato District (changes from the status quo in that it adds Huntly Ward, but loses the Tamahere Ward);
  - a Matamata-Piako Constituency (covering Matamata-Piako District);
  - a Hamilton Constituency, comprising Hamilton City, plus the Tamahere Ward of Waikato District (currently in Central Waikato Constituency);
  - a Waipa-King Country Constituency (covering Waitomo, Otorohanga and Waipa Districts);
  - a South Waikato-Rotorua Constituency (covering South Waikato District and part of Rotorua District); and
  - a Taupo Constituency (covering Taupo District).

17. The Council's final proposal does not comply with the fair representation requirement (+/-10% rule) in respect of the South Waikato-Rotorua Constituency.
18. Subsection 19V(3)(b) of the Act provides that where a regional council or the Commission considers that effective representation of communities of interest so requires, constituencies may be defined and members distributed between them in a way that does not comply with the +/-10% rule. Subsection 19V(4) provides that in these circumstances the regional council must refer the matter to the Commission for determination.

*Hauraki District Council appeal*

19. We first considered HDC's appeal and alternate proposal (or proposals). We note that the effect of retaining a separate constituency for Hauraki under current boundaries leads to over-representation for that constituency of 39%. This was acknowledged by HDC.
20. The essence of HDC's argument was that it does not have sufficient links with the North Waikato or Thames Coromandel areas to have its district wards divided among these two altered constituencies. Under the Council's final proposal, the Waihi Ward of Hauraki District would shift to an expanded Thames-Coromandel Constituency, and the Hauraki District's Plains and Paeroa Wards would shift to a new North Waikato-Hauraki Constituency. We acknowledge the many links Hauraki District has with Matamata-Piako District, such as roading networks, emergency management, recreation and shared services. We believe these can and will continue.
21. We were not convinced Hauraki District has insufficient commonalities with the North Waikato-Franklin area to form part of that proposed constituency. It was pointed out that HDC is involved in river and catchment schemes for the Waihou River, that it has an interest in state highways and flood protection/drainage which are closely linked between Waikato, Franklin and Hauraki Districts, and that it forms part of the Hauraki Gulf Forum (along with other territorial authorities in the Waikato Region). HDC also has an interest in Firth of Thames environmental issues including coastal erosion, coastal flooding and protection of the Miranda foreshore and shellbank (in common with Franklin District Council). In terms of Waihi Ward's commonalities with Thames-Coromandel, in addition to the coastal connection, we think that some of the many links pointed out by HDC with the Thames-Coromandel area must be shared by Waihi Ward. For example, the State Highway 25 roading link, Waihou river catchment scheme, civil defence schemes and regional economic development.
22. HDC tabled at the hearing a letter of support from the Hauraki Māori Trust Board, which argued the Council's proposal would lead to Hauraki Māori being disadvantaged in terms of local constituency representation on the Council. We note the Council's constituencies at this time have to represent all communities, both Māori and general, and that iwi links with Thames-Coromandel will not be affected. The Council has made clear, by naming the proposed constituency North Waikato-Hauraki, that it is intended to encompass Hauraki communities of interest. We further note the commitment of the Council, as expressed at the hearing, to looking at processes to enhance Māori representation – which could include Māori constituencies in due course.
23. We note the concerns of HDC that a representative for the combined area would most likely come from the Franklin area, and would not understand Hauraki issues.

While this might occur, there are many variables in successful local candidacies including incumbency, name recognition and the calibre of the candidate. A good representative will also ensure that he/she quickly becomes familiar with regional council work in all parts of the constituency. Travel times across the constituency are not major; for example, driving from Port Waikato to Paeroa takes 1¼ hours. We also note that Hauraki District is not unique with respect to travel times or split constituencies but other districts have not raised such concerns.

24. In its submission on the Council's initial proposal, HDC presented a 14-member, six-constituency option which combined Hauraki District with Matamata-Piako District, and the Tirau Ward (northernmost ward) of South Waikato District. This would not meet the fair representation criteria in that combined constituency (-10.47%) or in the proposed Waipa-North King Country Constituency (+11.28%). We note that this option was the subject of HDC's contention that the Council unfairly introduced a new test of fair representation by noting "effective variation" between the extent to which that proposal exceeded or fell short of the +/-10% rule. We note that this was the option addressed by the Council during the hearing, and also that of the various combinations suggested by HDC, this one would be the least in breach of the +/-10% rule.
25. However, HDC's most preferred option, and that which was addressed in its appeal, both in writing and verbally at the hearing, was for a 14-member, seven-constituency option. We note that option would: combine Hauraki District with Matamata-Piako District alone, combine Waitomo, Otorohanga and Waipa Districts into a Waipa-North King Country Constituency (as the Council's proposal would), leave Taupo District as one constituency and combine South Waikato District with the Rotorua portion of Rotorua District. That would result in over-representation for the proposed Taupo Constituency of 22%, under-representation for the proposed Waipa-North King Country Constituency of 11% and over-representation for the Hauraki/Matamata-Piako Constituency of 14%.
26. HDC had two other combinations of constituencies, but like the others, none met the fair representation criteria. We note that territorial authorities affected by HDC's most preferred proposal, such as Waipa District Council, have not had the opportunity to comment on the proposal.
27. Given our view that HDC's community of interest and other arguments are not sufficiently robust, and that its proposal (and alternatives) do not meet the fair representation criteria, we find that a separate Hauraki Constituency should not be retained and the appeal is declined.

#### *Proposed South Waikato-Rotorua Constituency*

28. We next addressed the issue of the proposed exception to the fair representation requirements, as per section 19V(4) of the Act. This is in respect of the Council's proposal to create a separate South Waikato-Rotorua Constituency, adding all those parts of Rotorua District which are within Waikato Region.
29. We note the Council, in making its decision, did consider other options, but these were rejected on community of interest grounds such as an alternative which would have combined the Mangakino-Pouakani Ward (northernmost ward) of Taupo District with an expanded South Waikato-Rotorua Constituency. This was rejected on the basis that Mangakino-Pouakani Ward has been part of the Taupo Constituency for some years now and would be detrimental to the relationship which Taupo District Council has built up with those communities. Another option

considered was to remove the Tirau Ward from the proposed constituency; however this course of action was also strongly opposed.

30. We heard and considered evidence presented at the hearing which persuaded us that South Waikato-Rotorua is sufficiently distinctive from Taupo District to warrant separate representation. Reasons include:
- the differing terrain, geography and land use of the two areas;
  - the distinct economies and environmental issues between the South Waikato-Rotorua and Taupo areas, with South Waikato being dominated by farming, forestry and industrial activities (giving rise to significant urban air quality issues, which are not shared with Taupo) and including the head waters of the Waihou river system. The priorities of Taupo District centre on tourism and lake water quality, noting the major efforts underway to protect the lake water quality (via the Lake Taupo catchment variation);
  - the South Waikato-Rotorua area has significant emerging environmental issues with changes in land use from farming to forestry (the dairying industry is intensifying). The impact of pine-pasture conversion is predicted to result in a 32% increased nitrogen load to the Waikato River, with serious environmental effects;
  - the South Waikato area makes a significant economic contribution in its own right, with 1,100 dairy farms. The Council considers that to deal effectively with the nitrogen-loading issue it would need to control land use (in much the same way as at Taupo) by way of a policy variation. This would make the present economics of dairying marginal and will impact on the region's GDP by approximately 10%;
  - the two districts see themselves as quite distinct communities of interest;
  - moving the remaining portion of Rotorua District which is within Waikato Region into the proposed South Waikato-Rotorua Constituency (a small part is already included with South Waikato District) is logical from a community of interest perspective. There are clear geographic and land use commonalities between the southern Rotorua areas, such as Reporoa and South Waikato, in that they share rural and farming interests and are also in the same Waikato catchment area. Links with the Taupo area, by contrast, are far smaller;
  - there appears to be general acceptance of the proposal among South Waikato and Taupo residents and residents of the affected Rotorua area.
31. The effect of the Council's proposal, as already noted, is over-representation for the combined South Waikato-Rotorua Constituency of 17.6%. While this is not desirable and does not comply with the +/-10% rule, we note there are strong reasons for separate representation (as noted above) and that granting an exception to the +/-10% rule would have little consequential effect on other constituencies, in terms of fair representation. We therefore uphold the Council's proposal to create a separate South Waikato-Rotorua Constituency.

#### *Other constituencies*

32. Given our decision to make an exception to the +/-10% rule in respect of the proposed South Waikato-Rotorua Constituency, we are then required to address requirements for effective representation of communities of interest and fair representation of electors, for the balance of the region. We have already noted

that the criterion of fair representation would be met, with no other constituency in the region falling outside the +/- 10% rule.

33. We note that the requirement for effective representation of communities of interest and other factors, as set out in section 19U of the Act, still apply. These provide, among other things, that the Commission must ensure that the number and boundaries of constituencies will provide effective representation of communities of interest and, so far as is practicable, constituency boundaries coincide with the boundaries of one or more territorial authority districts, or the boundaries of wards.
34. We agree that the Council has generally taken an appropriate approach to identifying regional communities of interest. We consider that the number and boundaries of constituencies proposed are a sensible reflection of these communities of interest and also of the Council's roles and responsibilities. We note the inevitability that some of these communities cross territorial and constituency boundaries. We consider that the boundaries accord with the effective representation requirement to reflect territorial authority or ward boundaries "so far as is practicable", noting that no individual wards have been split.
35. In terms of the total number of councillors, we note the argument in appeal that the legislation does not support the Council's stated rationale of "future proofing", that is, reducing total numbers to 12 in order to allow for two additional councillors to be elected should Māori constituencies be established, and to cover future population growth in the region. We agree that the Act is silent on this point and note that it is therefore a matter that is outside the Commission's jurisdiction.
36. However, we are satisfied from the evidence presented that 12 councillors will be sufficient to provide effective representation for Waikato Region's communities of interest. Twelve councillors in the configuration proposed by the Council meets fair representation criteria (other than in one constituency, which we have addressed) and fits with the Council's obligations to identify the number of councillors which will best represent communities of interest (given the nature of the region, the Council's functions, its governance requirements and other factors).
37. We acknowledge that some councillors have busier, more engaged communities than others and that some have a greater driving distance. But we also note that the Council shares its workload, including with the Chair, and that the Council has good mechanisms through its use of standing committees, subcommittees and workshops to distribute that workload. The Council was able to indicate the advantages to councillors of efficiencies such as a shortening of meeting days (it anticipates this would decrease from three to two days, including workshops). We therefore tend to agree that individual councillor workload should not substantially increase.
38. In conclusion, we note the Council presented the Commission with a sound, sustainable proposal, which was only challenged by one appellant. We believe that our decisions, which essentially uphold the Council's proposal, will provide effective representation of the communities of interest of the Waikato Region. They also provide fair representation of electors, to the extent that this does not compromise effective representation of communities.

### Commission's Determination

39. Under section 19R of the Local Electoral Act 2001, the Commission determines that for the election of the Waikato Regional Council to be held on 13 October 2007, the following representation arrangements will apply -
- (1) the Waikato Region as delineated on SO Plan 60945 deposited with Land Information New Zealand, shall be divided into eight constituencies;
  - (2) those constituencies shall be -
    - (a) the Thames-Coromandel Constituency, comprising the area delineated on SO Plan 386630 deposited with Land Information New Zealand;
    - (b) the North Waikato-Hauraki Constituency, comprising the area delineated on SO Plan 386628 deposited with Land Information New Zealand;
    - (c) the Central Waikato Constituency, comprising the area delineated on SO Plan 60889 deposited with Land Information New Zealand;
    - (d) the Matamata-Piako Constituency, comprising the area delineated on SO Plan 60983 deposited with Land Information New Zealand;
    - (e) the Hamilton Constituency, comprising the area delineated on SO Plan 386627 deposited with Land Information New Zealand;
    - (f) the Waipa-King Country Constituency, comprising the area delineated on SO Plan 386631 deposited with Land Information New Zealand;
    - (g) the South Waikato-Rotorua Constituency, comprising the area delineated on SO Plan 386629 deposited with Land Information New Zealand; and
    - (h) the Taupo Constituency, comprising the area delineated on SO Plan 58095 deposited with Land Information New Zealand;
  - (3) the Council shall comprise 12 councillors who shall be elected as follows –
    - (a) one councillor shall be elected by the electors of the Thames-Coromandel Constituency;
    - (b) one councillor shall be elected by the electors of the North Waikato-Hauraki Constituency;
    - (c) one councillor shall be elected by the electors of the Central Waikato Constituency;
    - (d) one councillor shall be elected by the electors of the Matamata-Piako Constituency;
    - (e) four councillors shall be elected by the electors of the Hamilton Constituency;
    - (f) two councillors shall be elected by the electors of the Waipa-King Country Constituency;
    - (g) one councillor shall be elected by the electors of the South Waikato-Rotorua Constituency; and
    - (h) one councillor shall be elected by the electors of the Taupo Constituency.

40. As required by section 19U(b) of the Local Electoral Act 2001, the boundaries of the above constituencies comply with the boundaries of current statistical meshblock areas determined by Statistics New Zealand and used for Parliamentary electoral purposes.

**FOR THE LOCAL GOVERNMENT COMMISSION**

Gwen Bull (Commissioner)

Colin Dale (Temporary Commissioner)

10 April 2007