



Meeting of the Hawke's Bay Regional Council

LATE ITEMS

Date: 25 Aug 2021
Time: 11.00am
Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Agenda

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17.	HBRC Representation Arrangements Review	3

HAWKE'S BAY REGIONAL COUNCIL

25 August 2021

Subject: HBRC REPRESENTATION ARRANGEMENTS REVIEW

Item 17

Reason for Report

1. This item provides the means for Council to resolve its preferred Representation Arrangements for public notification, as recommended by the Corporate and Strategic Committee.

Officers' Recommendations

2. Council officers recommend that councillors, in accordance with the requirements of the Local Government Act (LGA) and Local Electoral Act (LEA), resolve the Proposed Representation Arrangements for the 2022 and 2025 local elections for public notification and consultation.

Executive Summary

3. Hawke's Bay Regional Council is required to review its Representation Arrangements in accordance with the Local Government Act and Local Electoral Act as a result of the May 2021 resolution:
 - 3.1. Agrees to establish one or more Māori constituencies in accordance with Schedule 1, Part 1, 2(2) of the Local Electoral Act, for voters on the Māori electoral roll to elect councillors on to Hawke's Bay Regional Council in the 2022 and 2025 local elections.
4. A number of options were presented to the Corporate and Strategic Committee on 18 August 2021. The preferred option recommended to Council by the Committee includes:
 - 4.1. increasing the total number of elected representatives from 9 to 11
 - 4.2. the establishment of two Māori constituencies as recommended by tangata whenua representatives of the Māori and Regional Planning committees
 - 4.3. retention of the number and boundaries of the five General constituencies as determined by the Local Government Commission in 2019 and 2013, and changing the names of three of those five constituencies to include the Māori name and
 - 4.4. extending the boundary of the 2019 Wairoa constituency southward into the Ngaruroro Constituency to increase the population to better meet the +/-10% requirement.

Background

5. In conducting the representation review, the key components Council must determine by resolution are:
 - 5.1. The proposed number of constituencies
 - 5.2. The proposed name and the proposed boundaries of each constituency – ensuring, as far as practicable, constituency boundaries coincide with the boundaries of one or more territorial authority districts or the boundaries of wards
 - 5.3. The number of members proposed to be elected by the electors of each constituency.
6. As provided in the Local Government Commission's *Guidelines for local authorities undertaking representation reviews*, designed to assist local authorities to achieve a robust outcome in accordance with the statutory requirements and other relevant

considerations, the best practice steps for representation reviews that staff followed to develop options for Council's consideration are as follows.

Step 1: Identify communities of interest within the Region

7. The term "community of interest" is not defined by statute. Common features of a community of interest are geography and social, economic and cultural connections, all of which contribute to the development of a shared identity.
8. The Commission's *'Guidelines to assist local authorities in undertaking representation reviews'* provides three dimensions for recognising communities of interest, being:
 - 8.1. perceptual: a sense of belonging to an area or locality
 - 8.2. functional: the ability to meet the community's requirements for services
 - 8.3. political: the ability to represent the interests and reconcile conflicts of the community.

Step 2: Determine effective representation for communities of interest

9. Consider what council size, or range in membership, would be appropriate to provide effective representation for the region as a whole, bearing in mind:
 - 9.1. the diversity of the region
 - 9.2. statutory obligations
 - 9.3. the need for efficient and effective governance of the region.
10. Consider whether each identified community of interest needs separate representation in a constituency, or whether some communities of interest can be grouped together to achieve effective representation.
11. As far as practicable, the following further factors need to be considered when determining effective representation for the local authority:
 - 11.1. avoiding arrangements that may create barriers to participation, for example, not recognising residents' familiarity and identity with an area during elections
 - 11.2. not splitting recognised communities of interest
 - 11.3. not grouping together two or more communities of interest that have few common interests
 - 11.4. factor in the accessibility, size, and configuration of the area concerned, including:
 - 11.4.1. the population's reasonable access to its elected members and vice versa
 - 11.4.2. the elected members' ability to effectively represent the views of their electoral area and provide reasonably even representation across the area including activities like attending public meetings and opportunities for face-to-face meetings.
12. Regarding constituencies, determine:
 - 12.1. the number of constituencies based on communities of interest, or groupings of communities of interest
 - 12.2. the boundaries of constituencies including the requirement, as far as practicable, for constituencies to coincide with territorial authority or ward boundaries (as ward boundaries coincide with community boundaries)
 - 12.3. the names of the constituencies.

Step 3: Consider fairness of representation for electors of constituencies

13. In relation to the range of options for the total membership of the local authority:
 - 13.1. identify the ratio of population per member for each proposed constituency

- 13.2. compare the constituency ratios calculated with the average population per member for the local authority as a whole.
- 14. Under any of the options for total membership, do the ward/constituency ratios fall within +/-10% of the average population per member?
 - 14.1. If “yes”, which option would provide the optimum local authority size in terms of providing effective and fair representation?
 - 14.2. If “no”, consider altering ward/constituency boundaries or reconfiguring these (to the extent practicable to provide effective representation of communities of interest) so that the ratios fall within +/-10% of the average population per member.
 - 14.3. If the alteration or reconfiguration does not achieve the required ratios, consider whether there are sufficient grounds to not comply with the requirements of *section 19V(2)* – that is, are there sufficient grounds for applying the provisions of *sections 19V(3)(a) or (b)*?
 - 14.4. If sufficient grounds for an exception:
 - 14.4.1. are identified, document these in appropriate detail
 - 14.4.2. cannot be identified, consider altering or reconfiguring the boundaries.
- 15. Steps 2 and 3 may need to be repeated a number of times until a proposal has been identified that best meets both criteria.

Considerations of Tangata Whenua

- 16. Māori representation is premised on Māori being a distinct ‘community of interest’. With the establishment of Māori constituencies, it is intended that Māori on the Māori roll will have guaranteed representation proportional to the percentage of the voting population they make up as determined by LEA clause 4 of Schedule 1A and shown following.

$$nmm = \frac{mepr}{mepr + gepr} \times nm$$

nmm is the number of councillors elected in Māori constituencies

mepr is the number of Māori in the region enrolled on the Māori electoral roll

gepr is the number of voters in the region enrolled on the General electoral roll

nm is the (proposed) total number of elected members (councillors) of the Regional Council

Fractions are rounded up or down to the nearest whole number.

Region	Maori Electoral Population	General Electoral Population	Total Population	Total Members	Maori Constituency Members	Maori Constituency Members (Rounded)
Hawke's Bay Region	29,685	136,680	166,365	9	1.61	2

- 17. Following the Council’s resolution to establish Māori constituencies for Hawke’s Bay, staff set about consulting with tangata whenua to seek feedback on:
 - 17.1. whether there should be one or two Māori constituencies, and
 - 17.2. if two, what the boundaries and names might be.

18. In response to the staff request for feedback the Māori Committee, at its meeting on 11 August 2021, resolved:
 - 18.1. recommends that Hawke's Bay Regional Council considers the following when deciding on the proposed Representation Arrangements for the 2022 and 2025 local elections.
 - 18.1.1. The preference of Taiwhenua representatives on the Māori Committee is for Council to establish two Māori constituencies for the election of one representative of each by voters enrolled on the Māori roll.
 - 18.1.2. The preference of Taiwhenua representatives on the Māori Committee is that the names of the Māori constituencies be determined in consultation with kaumatua.
 - 18.1.3. Supports the Council including the Māori names for Napier, Hastings and Central Hawke's Bay in the names of the General constituencies.
19. In relation to the boundary between the Northern and Southern Māori constituencies, Māori Committee Taiwhenua representatives advised that it would be more culturally appropriate if the boundary was formed by an awa.
20. At a Zoom hui on 11 August, six representatives of the Post Settlement Governance Entities on the RPC considered the same information that was presented to the Māori Committee before resolving their feedback, being:
 - 20.1. The preference of tangata whenua representatives on the Regional Planning Committee is for Council to establish two Māori constituencies for the election of one representative of each by voters enrolled on the Māori roll.
 - 20.2. The preference of tangata whenua representatives on the Regional Planning Committee is that the names of the Māori constituencies be determined in consultation with those kaumatua nominated and agreed by the Māori representatives on the Regional Planning and Māori committees.
 - 20.3. Supports the Council including the Māori names for Napier, Hastings and Central Hawke's Bay in the names of the General constituencies, and if the boundary of the Wairoa constituency is changed, to seek input into what the name of the new constituency is to be from those kaumatua nominated and agreed by the tangata whenua representatives on the Regional Planning and Māori committees.
21. Like the Māori Committee representatives, the RPC representatives expressed their desire for the boundary between the two constituencies to be formed by the naturally occurring geographical boundary of an awa.
22. In accordance with the preference of tangata whenua representatives staff proposed the following two constituency model of representation, which was accepted by the Corporate and Strategic Committee and is now recommended to Council for inclusion in its Initial Proposal.
23. The establishment of two Māori constituencies for the election of one councillor from each, being:
 - 23.1. Māori Constituency 1 (Northern) – name to be determined - the constituency boundary being that area which encompasses the Wairoa District Council and Napier City Council areas, parts of the Hastings District Council area north of the Ngaruroro River, as well as meshblocks within the regional boundary belonging to Taupo District Council.
 - 23.2. Māori Constituency 2 (Southern) – name to be determined - the constituency boundary being that area which encompasses the Central Hawke's Bay District Council area, parts of the Hastings District Council area south of the Ngaruroro River, as well as meshblocks within the regional boundary belonging to Rangitikei District Council.

- 23.3. A map showing the “Māori Constituencies” is attached and the corresponding population statistics are provided (using Statistics NZ GIS statistical areas data) following.

Table 1: Māori Constituencies’ Populations

Constituency	Māori Electoral Population	Reps	Population per Rep	Difference from Average	% Difference from Average
1 – Northern	12,519	1	12,519	-1,494	-10.66%
2 – Southern	15,507	1	15,507	1,494	10.66%
Totals	28,026	2	Av = 14,013		

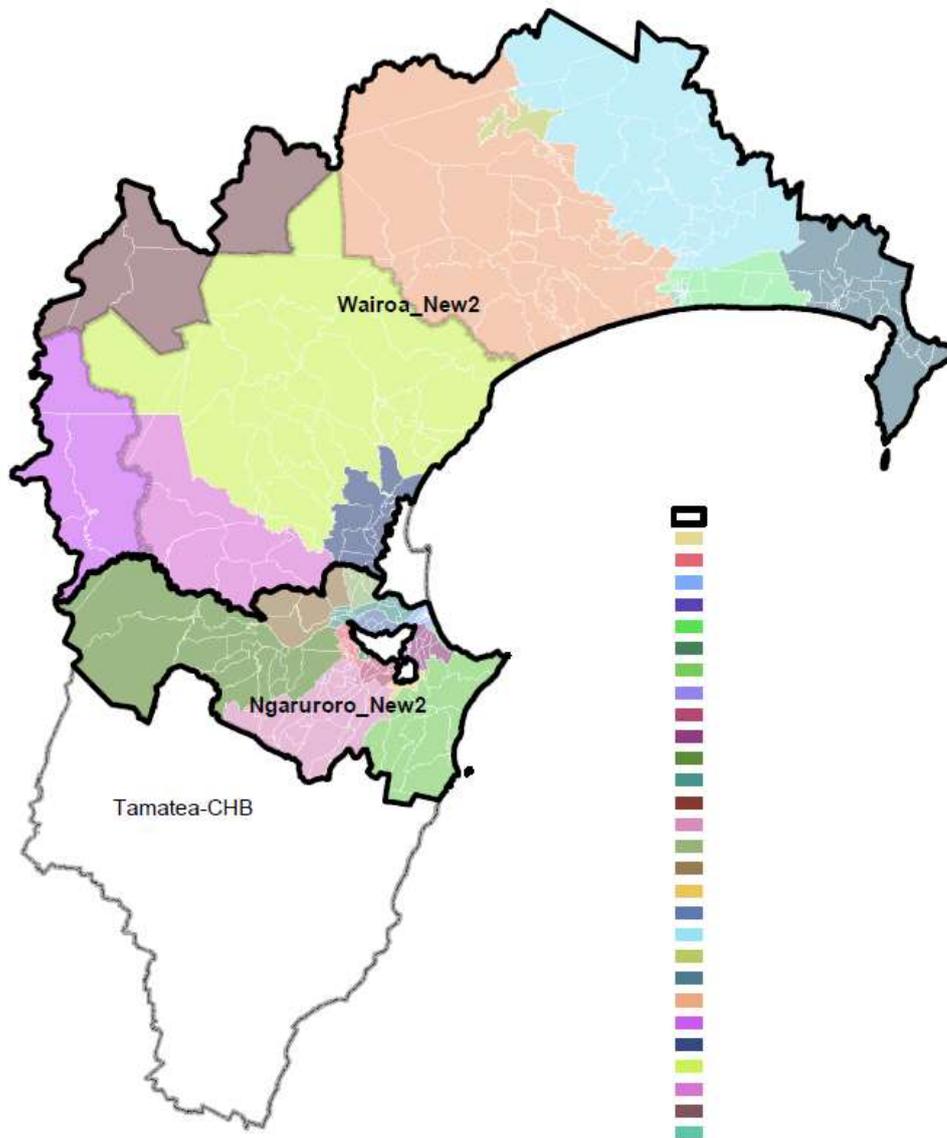
24. Although, strictly speaking, this proposal does not meet the +/-10% threshold staff believe that the Local Government Commission will consider that:
- 24.1. the boundary set by Ngaruroro Awa is one that tangata whenua have requested as being more relevant to Māori and the way iwi have traditionally established boundaries
- 24.2. the +/-10% threshold exceedance is less than 1%.

Extended Wairoa Constituency Options

25. Councillors requested that staff investigate the potential for increasing the number of General electors in the Wairoa constituency by extending the boundary with Ngaruroro Constituency southward, to achieve a ratio closer to the LEA Schedule 1A clause 4 threshold of +/-10%.
26. An option to extend the boundary of the Wairoa Constituency as far as necessary to increase the population to 10,000 was investigated but discounted due to the extent to which the boundary had to move. The area of land required, due to the way the population is spread, extended to the northern boundary of the Hastings Constituency, which is further than what could reasonably be considered to retain a semblance of ‘community of interest’.
27. The most densely populated areas of the Ngaruroro Constituency are closer to and South of Hastings, e.g. Flaxmere, Twyford, Clive.
28. The map following shows the extent to which the boundary between the Ngaruroro and Wairoa constituencies would need to shift in order to increase the population of the Wairoa Constituency (taking it from the Ngaruroro Constituency) to the same level as the 2019 election as shown in Table 2.

Table 2: Population changes for Wairoa to achieve 2019 population

Proposed GE Boundary 2	General Electoral Population
Ngaruroro_New2	14,316
Wairoa_New2	8,535
Grand Total	22,851



29. While it is guided by the principle of fair representation defined in the Act by the +/-10% rule, the Local Government Principle 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. The Commission sees this as important as territorial authorities reflect communities of interest based on the delivery of a wide range of day-to-day services. Territorial authority districts are also areas that electors closely identify with which in turn encourages participation in local government such as by voting or standing as a candidate at local elections.

Proposed new Mohaka-Wairoa General Constituency

30. This proposal moves the Wairoa boundary southward to include meshblocks in the Tūtira and Esk Valley areas in order to increase the 'Wairoa' population to bring the representation ratio closer to the +/-10% threshold while attempting to retain a semblance of community of interest identity.
31. This is the proposal recommended to Council by the Corporate and Strategic Committee, with the addition of meshblocks to encompass the whole of the Esk Valley rather than just the areas North of the Esk River.

**Table 3: Extended Wairoa Constituency for election of 9 councillors
(9 General + 2 Māori = 11 total)**

Constituency	General Electoral Population	Reps	Population per Rep	Difference from Average	% Difference from Average
Tamatea-Central Hawke's Bay	11,955	1	11,955	-3,241	-21.33%
Ahuriri - Napier	53,940	3	17,980	2,784	18.32%
Mohaka-Wairoa	5,691	1	5,691	-9,505	-62.55%
Heretaunga-Hastings	47,928	3	15,976	780	5.14%
Ngaruroro	17,271	1	17,271	2,075	13.65%
Total GEP	136,761	9	Av: 15,196		

32. Although this proposal does not meet the +/-10% threshold for four of the General constituencies (highlighted), the Local Government Commission may consider an application from Council for exemptions based on:
- 32.1. the increased total number of councillors (11) more closely meets the +/-10% threshold for the General constituencies
 - 32.2. the size, nature, and diversity of the constituencies and the geographical separation between population centres and land area (distance) in terms of "access to representation"
 - 32.3. the extended Wairoa Constituency brings the population per representative for that constituency closer to compliance with the +/-10% threshold without significantly diminishing its identity as a community of interest.

Other options

33. At the Corporate and Strategic Committee meeting, a suggestion was made that a single 'rural' constituency encompassing Wairoa, Ngaruroro and Central Hawke's Bay for election of 3 councillors should be considered as a potential solution to 'balance' the ratio of constituents per member. This option has been explored but was not proposed as an option for consideration as the risks associated with this model are considered greater than potential benefits. As raised in discussions at the 18 August Committee meeting, risks might include disproportionate representation by the area within the constituency with the highest population concentration, e.g. all 3 elected from what is now Ngaruroro, as well as a diminished sense of distinct community representation because of the wide geographical spread of smaller communities. Staff also suggest that the 'practicalities' of representing such a large constituency, such as travel times, would need to be considered.
34. Staff did go to the extent of running the numbers to see whether this would be a viable option for Council, provided in the following table.
35. **Table 4: Option for 1 rural constituency based on 11 councillors total**

Constituency	General Electoral Population	Reps	pop-rep	dif from average	% diff from average
CHB	11,955	1	11,955	-3,241	-21.33%
Wairoa	4,320	1	4,320	-10,876	-71.57%
Ngaruroro	18,618	1	18,618	3,422	22.52%
Combined	34,893	3	11,631	--3,565	-30.65%
			Av: 15,196		

Council Considerations

36. The Local Electoral Act 2001 (LEA), together with the Local Government Act 2002 (LGA), specify the requirements for representation arrangements, including:
 - 36.1. LEA Part 1A states “... *the paramount consideration that local authorities, elected officers and other electoral officials must, in making decisions under the Act, adhere to is “fair and effective representation for individuals and communities”.*”
 - 36.2. LGA Section 3 states “*The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities...*”
37. The key requirement for fair representation is to comply with the basic principle of population equality unless there are good reasons not to. A Regional Council can decide to not comply with Section 19(v)(ii) if it considers that effective representation of communities of interest so requires. Such a decision then requires referral of the proposal to the LGC for determination specifically stating the reasons for that decision.
38. In the case of regional councils, constituencies may be defined in such a way that does not comply with *section 19V(2)* if it is considered that this is required to achieve effective representation of communities of interest (*s19V(3)(b)*).
39. A decision not to comply with *section 19V(2)* must be referred to the Commission for determination. Referral to the Commission is required whether or not appeals or objections have been lodged against the Council’s proposal. That referral is treated by the Commission as an appeal under the *Local Electoral Act 2001*.
40. In determining the Council’s Representation Arrangements, councillors need to balance the population ratios with ‘community of interest’ considerations and the practicalities associated with constituency size and geography.

Previous Local Government Commission Determinations

41. The Hawke’s Bay constituency boundaries have previously been agreed by the Local Government Commission through Determination as representing the region’s communities of interest for the last two review cycles. Staff believe the reasons for ‘community of interest’ exemptions remain relevant and will be considered favourably by the LGC, in line with the following.
42. “*The **Ngaruroro** 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.*”
43. The Wairoa constituency was accepted by the Local Government Commission in 2007, 2013 and 2019 as a ‘community of interest’, with the size and diversity of the constituency and reasonable access to representation having been proved.
 - 43.1. “*In relation to the Wairoa Constituency, we (LGC) note this constituency has been well outside the ‘+/-10% rule’ since the introduction of this requirement in 2004 and has twice been endorsed by the Commission. In its most recent determination in 2013, the Commission agreed that a separate Wairoa Constituency is necessary to ensure effective representation of this community of interest. This was based on arguments that:*
 - 43.1.1. *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*
 - 43.1.2. *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*

- 43.1.3. *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 per cent of the land area of the region) with few commonalities of interest and still eligible for only one councillor*
- 43.1.4. *effective representation would be compromised in terms of both access to a councillor and representation of the diversity of the constituency*
- 43.1.5. *the demands on a councillor servicing an enlarged area would be unreasonable.”*
44. *“In 2013 the Commission also determined that the Central Hawke’s Bay Constituency would not comply with the ‘+/-10% rule’. It noted that in 2007 the Commission had heard from the council that “the arguments were not strong for an exception to the +/-10% rule” and as a result it added some areas of Hastings District to this constituency in order that it did comply. In 2013, however, the Commission heard that this adjustment had caused confusion for residents living relatively close to the Hastings urban area but who were now located in the Central Hawke’s Bay Constituency - an area with which they had few connections. The Commission was also advised that the area of the proposed constituency, based solely on Central Hawke’s Bay District, was already a significantly large area for one councillor to service with its own issues of concern.*
- 44.1. *As a result, the then Commission was satisfied, on the basis of the arguments put to it, 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 ‘+/-10% rule’.”*
45. *“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 (now Ngaruroro). We also note that the neighbouring parts of ... (this constituency) 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.”*
46. *“In summary, we consider the circumstances of the Wairoa, Ngaruroro, Napier and Central Hawke’s Bay constituencies can be seen to be very similar to those applying at the time of the council’s last review in 2013, subject only to some small boundary adjustments between the Hastings and Ngaruroro constituencies.*
47. *We note that the council did consider the option of increasing the number of councillors from nine to eleven. This resulted in the Napier and Central Hawke’s Bay constituencies complying with the ‘+/-10% rule’ but the large Ngaruroro Constituency would then be significantly under-represented.*
48. *In conclusion, we consider existing arrangements do provide an appropriate balance between the requirements for both fair and effective representation. On this basis we have decided to uphold the decision of the council for the four identified constituencies not to comply with the ‘+/-10% rule’.”*

Consultation

49. To date, consultation has been undertaken through the *Māori Constituencies* public consultation process and directly with tangata whenua representatives of the Māori and Regional Planning committees on the question of whether there should be one or two Māori constituencies.
50. Following a Council resolution of its “Initial Proposed Representation Arrangements” there will be a public consultation period of one month, during which people will have the opportunity to submit on the proposal. If submitters wish to speak to their submissions these will be “heard” by the Council at an Extraordinary Meeting scheduled for that purpose, on 13 October.

51. To meet the statutory timeframes, the timelines for consultation and decision making are provided in the following table, with Council/Committee dates highlighted.

Milestone	Date	Description
1. Corporate & Strategic Committee meeting	18 August 2021	Present options for recommendation to Regional Council
2. Regional Council	25 August 2021	Council selects and resolves preferred option as Initial Proposal for public notification
3. Public Notice	1 September 2021	Public notification of Council's initial proposal and submissions open
4. Submissions Close	8am, Monday 4 October 2021	Close of submissions on Council's Initial Proposal
5. Extraordinary Regional Council meeting	13 October 2021	Council to consider/hear submissions within 6 weeks of submissions closing
6. Regional Council meeting	27 October 2021	Final proposal (as amended from submissions if appropriate) to be resolved
7. Public Notice of Final Proposal	30 October 2021	Public notice of Council's final proposed representation arrangements
8. Appeals/Objections period	30 November 2021	Appeals and objections period closes
9. Regional Council meeting	15 December 2021	If no appeals/objections received by 30 November, Council confirms proposed representation arrangements as Final, by resolution
10. Lodge Final Proposal with LGC	17 December 2021	Staff forward all documentation, including any appeals/objections, to LGC for determination
11. LGC Determination	By 15 Jan 2022	LGC to advise Determination to Council by 10 April 2022

Decision Making Process

52. Council and its committees are required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
- 52.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
 - 52.2. The use of the special consultative procedure is not prescribed by legislation, and public consultation will be undertaken in accordance with the consultation procedures required for Representation Reviews under the Local Electoral Act (sections 19M and 19N).
 - 52.3. The persons affected by this decision are the residents of Hawke's Bay, particularly those enrolled to vote.

Recommendations

The Corporate and Strategic Committee recommends that Hawke's Bay Regional Council:

1. Agrees that the decisions to be made are significant, and acknowledges the consultation procedures required for Representation Reviews under the Local Electoral Act (sections 19M and 19N).
2. In accordance with sections 19H and 19J of the Local Electoral Act 2001, adopts the following as its initial proposal for consultation on the review of representation arrangements.

3. Hawke's Bay Regional Council comprising **eleven** councillors elected:
 - 3.1. One (1) member elected by the Māori Constituency 1 - Northern (name to be determined)
 - 3.2. One (1) member elected by the Māori Constituency 2 - Southern (name to be determined)
 - 3.3. One (1) member elected by the Tamatea-Central Hawke's Bay Constituency
 - 3.4. Two (3) members elected by the Heretaunga-Hastings Constituency
 - 3.5. Two (3) members elected by the Ahuriri-Napier Constituency
 - 3.6. One (1) member elected by the Ngaruroro Constituency
 - 3.7. One (1) member elected by the new Mohaka-Wairoa (name to be determined) Constituency.
4. Two Māori constituencies, as shown on the attached "Māori Constituencies" map, the proposed names and boundaries of each being:
 - 4.1. Māori Constituency 1 (Northern) – name to be determined - the constituency boundary being that area which encompasses the Wairoa District Council and Napier City Council areas, parts of the Hastings District Council area north of the Ngaruroro River, as well as meshblocks within the Regional boundary belonging to Taupō District council.
 - 4.2. Māori Constituency 2 (Southern) – name to be determined - the constituency boundary being that area which encompasses the Central Hawke's Bay District Council area, parts of the Hastings District Council area south of the Ngaruroro River, as well as meshblocks within the Regional boundary belonging to Rangitikei District Council.

Table 1: Proposed Māori Constituencies' Populations

Constituency	Māori Electoral Population	Reps	Population per Rep	Difference from Average	% Difference from Average
Māori Constituency 1 (Northern)	12,519	1	12,519	-1,494	-10.66%
Māori Constituency 2 (Southern)	15,507	1	15,507	1,494	10.66%
Totals	28,026	2	Av = 14,013		

5. Notes that the proposal for the Māori Constituencies does not fully comply with the *Local Electoral Act 2001* section 19V(2), but that the proposal is considered the most appropriate solution for Hawke's Bay, and applies to the Local Government Commission, clearly identifying the grounds for the proposed non-compliance as being:
 - 5.1. the boundary between the two constituencies is formed by Ngaruroro Awa as requested by tangata whenua due to its cultural relevance and being how iwi and hapū traditionally set boundaries
 - 5.2. the +/-10% threshold exceedance is less than 1%.
6. Five General constituencies, as shown on the attached "General Constituencies" map, the proposed names and boundaries of each of the five to be:
 - 6.1. **Tamatea-Central Hawke's Bay**; the constituency boundary being the same as that for the Central Hawke's Bay District Council area.
 - 6.2. **Heretaunga-Hastings**; the constituency boundary being that area which encompasses the wards of Flaxmere, Hastings-Havelock North and most of Heretaunga within the Hastings District Council area.

- 6.3. **Ahuriri-Napier**; the constituency boundary being the same as that for the Napier City Council area.
- 6.4. **Ngaruroro**; the constituency boundary being that area which encompasses the Kahuranaki ward and parts of Heretaunga within the Hastings District Council area as well as meshblocks within the Regional boundary belonging to Rangitikei District Council.
- 6.5. **Mohaka-Wairoa**; the constituency boundary being the same as that for the Wairoa District Council area as well as meshblocks within the Regional boundary belonging to Rangitikei District and Taupō District councils and meshblocks in the Hastings District Council areas of Tūtira, Puketitiri and Esk Valley and the Mohaka ward.

Table 2: Proposed General Constituencies' Populations

Constituency	General Electoral Population	Reps	Population per Rep	Difference from Average	% Difference from Average
Tamatea – Central Hawke’s Bay	11,955	1	11,955	-3,241	-21.33%
Ahuriri - Napier	53,940	3	17,980	2,784	18.32%
Mohaka- Wairoa	5,691	1	5,691	-9,505	-62.55%
Heretaunga- Hastings	47,928	3	15,976	780	5.14%
Ngaruroro	17,271	1	17,271	2,075	13.65%
Total	136,761	9	Av: 15,196		

7. Notes that the proposal for General Constituencies does not fully comply with the *Local Electoral Act 2001* section 19V(2), but that the proposal is considered the most appropriate solution for Hawke’s Bay, and applies to the Local Government Commission, clearly identifying the grounds for the proposed non-compliance.

Authored by:

Leeanne Hooper
TEAM LEADER GOVERNANCE

Desiree Cull
STRATEGY & GOVERNANCE MANAGER

Approved by:

James Palmer
CHIEF EXECUTIVE

Attachment/s

- 1** [↓](#) Proposed HBRC Maori Constituencies
- 2** [↓](#) Proposed HBRC General Constituencies

