



Bay of Plenty Regional Council Representation Review

Council Workshop Discussion Paper - 23 April 2018

1 WHAT IS REQUIRED?

The Local Electoral Act 2002 (LEA) requires all local authorities to undertake a review of its representation arrangements at least every six years. A regional council must determine by resolution the proposed number of constituencies; the proposed name and boundary of each constituency; and the number of councillors proposed to be elected by the electors of each constituency.

The last Bay of Plenty Regional Council Representation Review occurred in 2012 and was in place for the 2013 and 2016 local elections. It is now time to review the current representation.

1.1 Legislative Requirements

FOR REGIONAL COUNCILS		LEA 2002
Membership (including chairperson)	To be not less than six nor more than 14 councillors. <i>Note: Bay of Plenty Regional Council has 14 councillors so the only change possible is to reduce the number.</i>	s19D
Basis of election	The region must be divided into constituencies. Councillors may not be elected partly by the electors of the region and partly by the electors of constituencies. Councillors must be elected by the electors of each constituency of the region. Each constituency must elect at least one councillor.	s19E
Representation	Arrangements must: <ul style="list-style-type: none"> • provide effective representation of communities of interest within the region • ensure electors receive fair representation having regard to the +/-10% population rule provided in section 19V(2) • ensure that constituency boundaries coincide with current statistical mesh block areas • ensure that constituency boundaries, as far as practicable, coincide with the boundaries of one or more territorial authorities or the boundaries of wards Section 19V(3)(b) provides a ground for not complying with	s19U, s19V, s19X

	<p>the +/-10% rule as set out in <i>section 19V(2)</i>. Constituencies may be defined in such a way that does not comply with the +/-10% rule if this is required to ensure effective representation of communities of interest.</p> <p>All exceptions to the +/-10% rule must be approved by the Local Government Commission. The approval of the Commission is required whether or not appeals or objections are lodged against a regional council's decision.</p>	
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Further amendments to the *Local Electoral Act 2002 (LEA)* occurred in June 2013. These are:

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

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

1.2 Legislative Timeline and Requirements

Timeline	Requirement
Between 1 March 2018 and 25 August 2018 (for full 14 day period prior to public notice)	<p>Regional council must determine by resolution:</p> <ul style="list-style-type: none"> • the proposed number of constituencies • the proposed name and boundaries of each constituency • the number of councillors proposed to be elected by the electors of each constituency. <p>Refer to <i>section 19ZH and Schedule 1A</i> with respect to Māori constituencies.</p> <p>As soon as practicable after passing the resolution, the regional council must send a copy to:</p> <ul style="list-style-type: none"> • Local Government Commission • Surveyor-General • Government Statistician • Remuneration Authority • Territorial authorities in region.

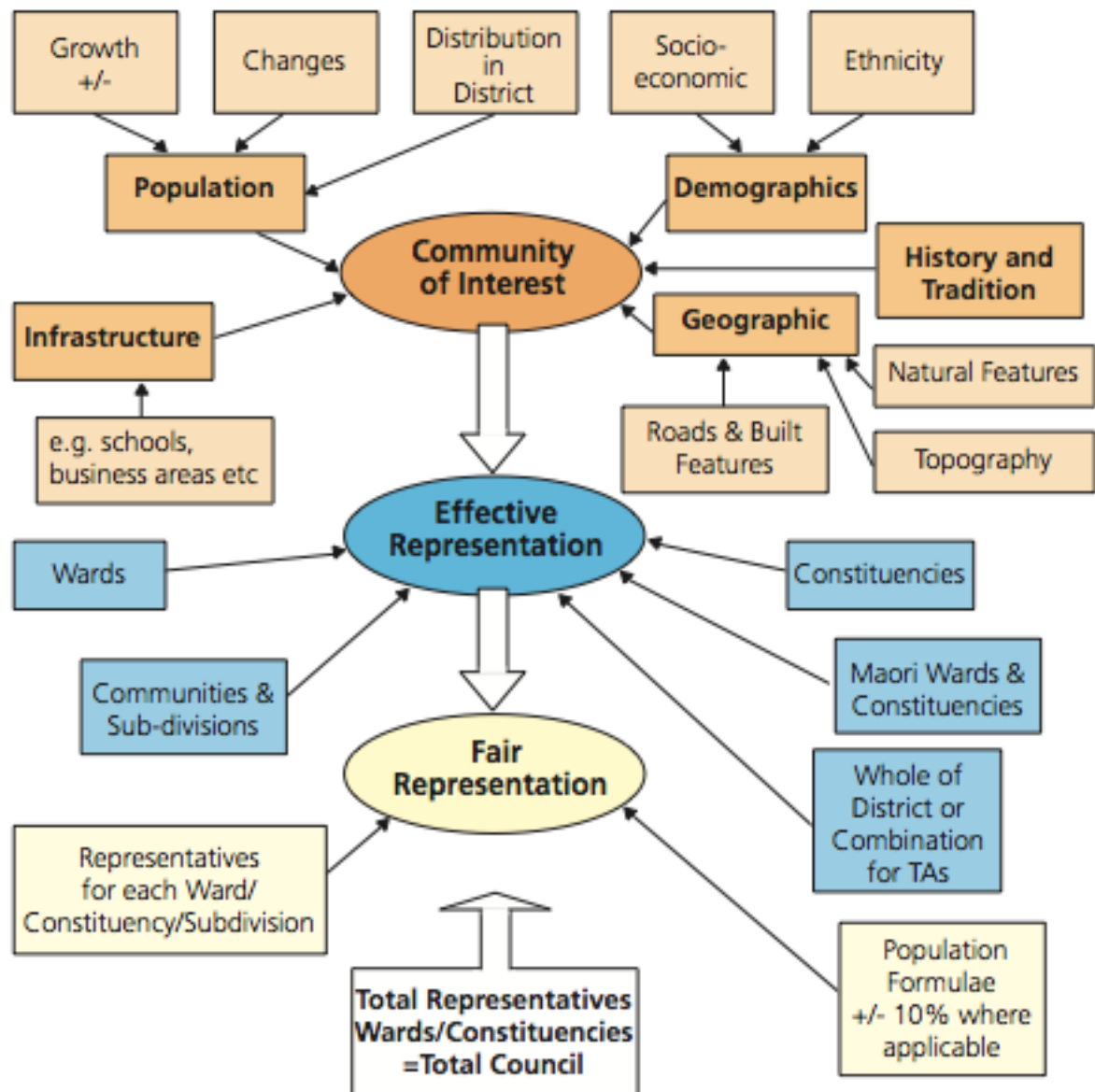
<p>Within 14 days of making the resolution</p> <p>and no later than 8 September 2018</p>	<p>Local authority must give public notice of its initial proposal contained in the resolution including:</p> <ul style="list-style-type: none"> • arrangements for public inspection of full proposal • the communities of interest that were considered by the local authority • population to proposed member ratios for wards, constituencies and subdivisions and the reasons for those proposals in terms of the legislation • closing date for submissions.
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1.3 Bay of Plenty Regional Council Review Timeline

Process	Timetable
Council resolution on electoral system (FPP/STV)	17 August 2017
Public notice of right to demand poll on electoral system	12 September 2017
Council may resolve to hold poll on electoral system	By 28 February 2018
Council holds poll if demanded or resolved by 28 February 2018	By 21 May 2018
Preliminary community/stakeholder engagement	Month of February
Council Workshop (representation scenarios)	23 April 2018
Council resolution on 'initial proposal' (preferred representation option) Council Meeting	10 May 2018
Public notice of 'initial proposal', submissions invited	24 May 2018
Submission period (1 month)	24 May – 30 June 2018
If no submissions – give public notice, process completed	6 July 2018
<p>If submissions received, 6 weeks for:</p> <ul style="list-style-type: none"> - analysis of submissions - hold hearings (open) - preferred reviewed option - give public notice 	<p><i>2 July 2018 – 13 August 2018</i></p> <p>Hearings (and preferred option reviewed)</p> <p>1 August 2018 & 3 August 2018 (if required)</p> <p>Public Notice 11 August 2018</p>
Objection/appeal period (1 month)	14 August – 11 September
If no objections/appeals – give public notice, process completed	19 September 2018
If objections/appeals received – forward to LGC	12 October 2018
LGC hearing/decision	By 10 April 2019

2. REPRESENTATION KEY CONSIDERATIONS

Key concepts for communities of interest and fair and effective representation:



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

2.1 Communities of interest

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

In addition under the BOPRC (Māori Empowering) Act 2001, Māori constituencies must have regard to tribal affiliations.

2.2 Bay of Plenty Region Communities of Interest

The Bay of Plenty regional constituencies' communities of interest have been identified as:

- (i) commercial hubs of:
 - Tauranga
 - Rotorua
 - Whakatāne
- (ii) coastal/lifestyle/horticulture
 - coastal (west)
 - coastal (central)
 - coastal (east)
- (iii) forestry/conservation/iwi:
 - central
 - east
- (iv) rural/farming:
 - west
 - central
 - east

It is noted that the general regional communities also need to follow, so far as is practicable, Territorial Authority (TA) or TA ward boundaries.

Māori regional communities of interest are currently identified as:

- western iwi (Mauao)
- central iwi (Okurei)
- eastern iwi (Kohi)

The existing three Māori constituencies generally relate to the geographical boundaries of the predominant tribal affiliations in the region.

2.3 Fair and effective representation

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

When determining fair and effective representation the general and Maori constituencies are dealt with separately.

2.4 Effective representation

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

2.5 Bay of Plenty Regional Council (Māori Constituency Empowering) Act 2001

The Bay of Plenty Regional Council established three Maori constituencies (seats) under the Bay of Plenty Regional Council (Māori Constituency Empowering) Act 2001. As well as having regard to constituencies being similar in councillor per population ratio and tribal affiliations and communities of interest, the Act also requires Māori constituencies to have regard to boundaries of existing Māori electoral districts.

Under the current provision the number of three Māori Elected Members remains unchanged. However, consideration of boundaries between the three Māori constituencies of Mauāo, Ōkurei, and Kōhi, each with one councillor representative, must be considered during this review.

3. LOCAL GOVERNMENT COMMISSION 2012 REPRESENTATION REVIEW DECISION

In its 2012 ruling the Local Government Commission stated that in order to achieve compliance, or nearer compliance, with the +/-10% rule effective representation of the affected communities of interest would be compromised. This was in light of geography and land use in the areas concerned including large areas of forestry separating particular communities.

It was noted that the Bay of Plenty Region's territorial authority boundaries were a good reflection of current sub-regions and natural communities of interest. In particular it concluded that amalgamating Kawerau, Whakatane and Opotiki Districts into one constituency was sensible given the similarities of terrain, settlement patterns and their focus on Whakatane as the main service town. The Commission identified strong commonalities between these areas noting as examples, the collaborative nature of the three sub-regional district councils and the shared business and professional links.

The Commission concluded that the non-compliance of the Rotorua and Eastern Bay of Plenty Constituencies (16.90% and 20.58% respectively) were acceptable variations to the fair representation requirement in the circumstances.

4. CURRENT REPRESENTATION ARRANGEMENT

The Bay of Plenty Regional Council's current representation arrangement consists of 14 Councillors with representation as follows:

General Constituency	Crs
Eastern Bay of Plenty	2
Rotorua	2
Tauranga	5
Western Bay of Plenty	2

Maori Constituency

Kohi	1
Mauao	1
Okurei	1

5. NEW REPRESENTATION CONSIDERATIONS

5.1 Pre-consultation Feedback

While preliminary consultation is not a requirement, an invitation was sent to the territorial authorities in the Bay of Plenty region to provide their views for the Regional Council's consideration in developing the initial proposal prior to formal consultation occurring.

Preliminary feedback was received from the following:

<i>Name</i>	<i>Organisation</i>	<i>Feedback</i>
<i>Mike van der Boom (Attachment 1)</i>	<i>Councillor, Whakatane District Council.</i>	<ul style="list-style-type: none"> • <i>Supports status quo of two representatives for the Eastern Bay of Plenty.</i> • <i>The ratio of representatives should not be based on population alone. Other factors like GDP should be considered.</i>
<i>Gary Poole (Attachment 2)</i>	<i>Chief Executive, Tauranga City Council</i>	<ul style="list-style-type: none"> • <i>Request Tauranga and Māori constituencies representation be based on projected population base* and communities of interest.</i>
<i>Russell George (Attachment 3)</i>	<i>Chief Executive, Kawerau District Council</i>	<ul style="list-style-type: none"> • <i>Supports existing arrangement.</i>
<i>Judy Turner (Attachment 4)</i>	<i>Deputy Mayor, Whakatāne District Council</i>	<ul style="list-style-type: none"> • <i>Supports existing boundary between Kōhī and Mauao Māori Constituencies.</i> • <i>Does not support increased representation for Tauranga Constituency.</i> • <i>Supports status quo of two Eastern Bay of Plenty constituency representatives. Representation needs to reflect communities of interests and geographical/environmental characteristics rather than just overall population.</i>

**In order to comply with Section 19X of the Local Government Act 2001 the Regional Council is obliged to use the latest ordinary resident population as estimated by the Department of Statistics, as at 30 June 2017.*

5.2 What has changed?

5.2.1 Regional growth

Bay of Plenty Regional Council is a partner in SmartGrowth for the Western Bay of Plenty sub-region. SmartGrowth is a partnership between BOPRC, Tauranga City Council and Western Bay of Plenty District Council and Tangata Whenua to manage urban growth in the Western Bay of Plenty sub-region.

There is no specific growth strategy for the entire Bay of Plenty. The Bay of Plenty Regional Council has however led the development of a spatial plan for the Eastern Bay of Plenty along with Kawerau, Whakatāne and Ōpōtiki Councils.

Rotorua Lakes Council has developed a spatial plan for the Rotorua District, with the final version due to be released in June 2018.

The Bay of Plenty Regional Council is working with the Tauranga and Rotorua councils to implement the National Policy Statement on Urban Development Capacity, with a Future Development Strategy for the Tauranga Urban Area to be produced by December 2018 and for the Rotorua Urban Area by December 2019.

Reference has been made to current growth documents in the region and the Statistics NZ population projections which indicate continued high growth, in the shorter term, in the Western Bay of Plenty, medium growth in Rotorua and a static population in the Eastern Bay of Plenty with some areas of decline.

5.3 Māori constituencies

Using the Department of Statistics information, as at 30 June 2017 the estimated resident Māori electoral population in the region was 56,650 and the estimated resident general electoral population was 243,400 with a total of 300,050. In accordance with the Bay of Plenty Regional Council (Māori Constituency Empowering) Act 2001, the number of Māori Elected Members calculated in accordance with the legislation is 2.64 (rounded to 3 members).

Using the population estimates as at 30 June 2017 as required, the representation ratios are:

Māori Constituencies	Māori electoral population	Number of crs per constituency	Population per cr	Deviation from region average population per cr	% deviation from region average population per cr
Mauāo	19,850	1	19,850	967	5.12
Ōkurei	18,300	1	18,300	-583	-3.09
Kōhi	18,500	1	18,500	-383	-2.03
Total	56,650	3	18,883		

The three Māori constituencies considered boundary changes in 2012 resulting in a minor boundary change between the Mauāo and Kōhi constituencies and all three constituencies still comply with the +/- 10% rule with relatively similar ratio of members per population.

The boundaries of the three Māori constituencies are well understood by the Māori electors and the community and are aligned with predominant iwi geographical areas.

5.4 General constituencies

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

General Constituencies	General electoral population	Number of crs per constituency	Population per cr	Deviation from region average population per cr	% deviation from region average population per cr
Western Bay of Plenty	43,000	2	21,500	-627	-2.83
Tauranga	117,700	5	23,540	1,413	6.39
Rotorua	49,700	2	24,850	2,723	12.31
Eastern Bay of Plenty	33,000	2	16,500	-5,627	-25.43
Total	243,400	11	22,127		

Both Rotorua and Eastern Bay of Plenty constituencies fail to comply with the +/- 10% rule.

In regard to the General constituencies while growth in population has occurred in some areas in the region there has also been slower growth in other parts of the region resulting in two constituencies falling outside the +/- 10% rule.

Both Western Bay of Plenty and Tauranga constituencies are within the +/-10% rule with a percentage difference of -2.83% and 6.38% respectively.

The Rotorua constituency has reduced its deviation from the +/-10% rule from 16.9% (2012) to 12.3% which is likely to be a more acceptable deviation to the LGC.

The static population growth in the Eastern Bay of Plenty constituency has resulted in an increased deviation from the +/-10% rule from -20.58% (2012) to -25.45%.

This poses the following questions:

- At what point will the Local Government Commission consider the deviation from the +/- 10% rule to be unacceptable in regard to non-complying constituencies?
- Is the over representation in the Eastern Bay of Plenty (relative to the other constituencies in the Bay of Plenty) significant enough to warrant a change in boundaries and communities of interest?
- Has anything changed regarding communities of interest, geography and land use that makes the status quo no longer a viable option?
- Can current constituency boundaries be realigned in a way that will not alienate communities of interest or create unnatural geographical boundaries yet increase this constituency's population?
- If the population trends across the region continue then at what point may a correction be made?

With the growth patterns trends predicted for the region, the variance in the Eastern Bay of Plenty population ratio will continue to increase and may need to be addressed at some point.

6. SUMMARY OF OPTIONS

6.1 Māori Constituencies

Option 1: *Status Quo*

Option 2: *Modify boundaries*

6.2 General Constituencies

Scenario 1: *Status Quo*

Option 1: *No change to the boundaries or number of councillors*

Scenario 2: *Reduce General Constituencies from four to three by combining two constituencies into one constituency with four councillors, either:*

Option 2A: *Combine Eastern and Western Bay of Plenty constituencies into one.*

Option 2B: *Combine Rotorua and Eastern Bay of Plenty constituencies into one.*

Scenario 3: *Change the boundary to reduce the size of and population in the Eastern Bay of Plenty constituency.*

Option 3A: *Change the boundary between Rotorua and Eastern Bay of Plenty to increase Rotorua constituency and councillor representation to three and reduce Eastern Bay of Plenty constituency councillor representation to one.*

Scenario 4: *Change the boundary to increase the size of and population in the Eastern Bay of Plenty constituency (retaining two councillors).*

Option 4A: *Change the Rotorua and Western Bay of Plenty constituency boundaries to transfer some of Western Bay of Plenty and Rotorua population to the Eastern Bay of Plenty constituency.*

Option 4B: *Change the Western Bay of Plenty constituency boundary to transfer some of Western Bay of Plenty population to the Eastern Bay of Plenty constituency.*

Option 4C: *Change the Rotorua constituency boundary to transfer some of Rotorua population to the Eastern Bay of Plenty constituency.*

Option 4D: *Move the whole of the Maketu-Te Puke Ward of Western Bay of Plenty District from Western Bay of Plenty constituency to Eastern Bay of Plenty constituency.*

Scenario 5: *Retain the current constituency boundaries and reduce the number representatives in the Eastern Bay of Plenty constituency from two to one.*

Option 5A: *Reduce the number of Eastern Bay of Plenty representatives from two councillors to one councillor.*

7. CONSIDERATION OF EACH OPTION

7.1 Māori Constituencies

Māori Constituencies	Māori electoral population	Number of crs per constituency	Population per cr	Deviation from region average population per cr	% deviation from region average population per cr
Mauāo	19,850	1	19,850	967	5.12
Ōkurei	18,300	1	18,300	-583	-3.09
Kōhi	18,500	1	18,500	-383	-2.03
Total	56,650	3	18,883		

The three Maori constituencies all comply with the +/- 10% rule with relatively similar ratio of members per population. The current ratio of members per Māori population is three and cannot be reduced or increased. However changes to boundaries may occur if there is justifiable reason to do so.

Q. Given there was a minor boundary change between Mauao and Ōkurei in 2012 do the Maori constituencies continue to provide effective representation for the distinct communities of interest within the current boundaries?

If no what changes to boundaries would be appropriate and what are the reasons?

Option 1: Retain Status Quo

Option 2: Change constituency boundaries

Reasons For	Reasons Against

7.2 General Constituencies

Scenario 1: Status Quo

Retain two constituencies that do not comply with the +/- 10% rule with Eastern Bay of Plenty constituency over represented and the Rotorua constituency under represented within the region.

Little change has occurred to alter the distinct communities of interest, geographical boundaries or other territorial authorities' boundaries as per the Local Government Commission's 2012 Representation Review decision.

Reasons For	Reasons Against

Scenario 2: Reduce general constituencies from four to three by combining two constituencies into one constituency with four councillors.

Option 2A: Combine the Eastern and Western Bay of Plenty constituencies into one constituency.

General Constituencies	General electoral population	Number of crs per constituency	Population per cr	Deviation from region average population per cr	% deviation from region average population per cr
Eastern/Western Bay of Plenty	76,000	4	19,000	-3,127	-14.13
Tauranga	117,700	5	23,540	1,413	6.39
Rotorua	49,700	2	24,850	2,723	12.31
Total	243,400	11	22,127		

- Eastern/Western Bay and Rotorua constituencies would not comply with the +/- 10% rule.

While the Eastern Bay of Plenty constituency deviation from the +/-10 rule is reduced, combining both Eastern and Western Bay of Plenty into one constituency still results in non-compliance with the + or – 10% rule, however the Local Government Commission may consider this be acceptable.

Creating a combined constituency will result in a very large geographical area for councillors to represent and may result in an over or under representation depending on where the Councillors are domiciled.

The election of four councillors for the whole area may provide opportunity for fair and effective representation. The growth patterns predicted for the region would indicate that self-correction over time is probable given a higher growth in population in the Western Bay and a static population growth rate in the Eastern Bay.

The constituency boundaries, as far as practicable, coincide with the boundaries of one or more of the territorial authorities or the boundaries of wards.

Reasons For	Reasons Against

Option 2B: Combine Rotorua and Eastern Bay of Plenty constituencies into one.

General Constituencies	General electoral population	Number of crs per constituency	Population per cr	Deviation from region average population per cr	% deviation from region average population per cr
Western Bay of Plenty	43,000	2	21,500	-627	-2.83
Tauranga	117,700	5	23,540	1,413	6.39
Rotorua/Eastern Bay of Plenty	82,700	4	20,675	-1,452	-6.56
Total	243,400	11	22,127		

- All three General constituencies comply with the +/- 10% rule.

Q. Is there a case for the whole of Eastern Bay of Plenty having sufficient affinity regarding communities of interest with Rotorua to warrant a single constituency?

The election of four councillors for the whole area may provide opportunity for fair and effective representation however creating a combined constituency will result in a very large geographical area for councillors to represent and may result in an over or under representation within the constituency depending on where the councillors are domiciled.

The growth patterns predicted for the region would indicate that some self correction over time is probable given a higher growth in population in the Rotorua constituency and a static population growth rate in the Eastern Bay population.

Full amalgamation would have more longevity in complying with the +/- 10% rule over time.

The constituency boundaries, as far as practicable, coincide with the boundaries of one or more of the territorial authorities or the boundaries of wards.

Reasons For	Reasons Against

Scenario 3: Change the boundary between the Rotorua constituency and the Eastern Bay of Plenty constituency to reduce the size of and population in the Eastern Bay of Plenty constituency.

Option 3A: Change the boundary between Rotorua and Eastern Bay of Plenty to increase Rotorua constituency and councillor representation to three and reduce the Eastern Bay of Plenty councillor representation to one. (Refer to Map 1).

General Constituencies	General electoral population	Number of crs per constituency	Population per cr	Deviation from region average population per cr	% deviation from region average population per cr
Western Bay of Plenty	43,000	2	21,500	-627	-2.83
Tauranga	117,700	5	23,540	1,413	6.39
Rotorua	60,100	3	20,033	-2,094	-9.46
Eastern Bay of Plenty	22,600	1	22,600	473	2.14
Total	243,400	11	22,127		

- All constituencies would comply with the + or – 10% rule.

Changing the boundary between Rotorua and Eastern Bay of Plenty to increase the size and population of Rotorua constituency would result in an increase in Rotorua councillor representation to three and would reduce the Eastern Bay of Plenty constituency size and population resulting in a reduction of Eastern Bay of Plenty councillor representation to one.

This option would require the movement of at least 10,400 people from the Eastern Bay constituency into the Rotorua constituency to ensure fair representation and compliance with the legislation and may compromise communities of interest.

The boundaries may not be fully compliant as full compliance requires constituency boundaries, as far as practicable, to coincide with the boundaries of one or more of the territorial authorities or the boundaries of wards.

Reasons For	Reasons Against

Scenario 4: Change the boundary to increase the size of and population in the Eastern Bay of Plenty (retaining two Councillors).

Option 4A: Change the Rotorua and Western Bay of Plenty constituency boundaries to transfer some of Western Bay of Plenty and Rotorua population to the Eastern Bay of Plenty constituency. (Refer to Map 2).

General Constituencies	General Electoral Population	Number of crs per constituency	Population per cr	Deviation from region average population per cr	% deviation from region average population per cr
Western Bay of Plenty	39,959	2	19,980	-2,147	-9.70
Tauranga	117,700	5	23,540	1,413	6.39
Rotorua	47,711	2	23,856	1,729	7.81
Eastern Bay of Plenty	38,030	2	19,015	-3,112	-14.06
Total	243,400	11	22,127		

- Eastern Bay of Plenty would not comply with the + or – 10% rule.

With this option 5,030 people would be required to move from the Western Bay of Plenty and Rotorua constituencies into the Eastern Bay of Plenty however would still be insufficient for the Eastern Bay of Plenty to comply with the + or – 10% rule. It would reduce the Eastern Bay of Plenty's large deviation from -25.43% to – 14.06% which may be a more acceptable deviation to the Local Government Commission. This option also results in the Rotorua constituency complying.

Effective representation may be compromised due to people in the proposed affected areas are within either the Western Bay of Plenty District or the Rotorua District and the constituency boundaries, as far as practicable, will not coincide with the boundaries of one or more of the territorial authorities. Communities of interest may be potentially compromised as these people align more appropriately with either Te Puke and Western Bay of Plenty or Rotorua and the Rotorua District.

It is noted too that growth strategies in the region indicate that the population in the Eastern Bay of Plenty is at best static and therefore future representation reviews are likely to require further boundary changes to achieve compliance or near-compliance with the + or – 10% rule.

Reasons For	Reasons Against

Option 4B: Change the Western Bay of Plenty constituency boundary to transfer some of Western Bay of Plenty population to the Eastern Bay of Plenty constituency. (Refer to Map 3).

General Constituencies	General electoral population	Number of crs per constituency	Population per cr	Deviation from region average population per cr	% deviation from region average population per cr
Western Bay of Plenty	40,888	2	20,444	-1,683	-7.61
Tauranga	117,700	5	23,540	1,413	6.39
Rotorua	49,700	2	24,850	2,723	12.31
Eastern Bay of Plenty	35,112	2	17,556	-4,571	-20.66
Total	243,400	11	22,127		

- Two constituencies would not comply with the +/- 10% rule.

In this option while the delineation of boundaries along State Highways 2 and 33 provide a geographical boundary for consideration, the population of 2112 inside that area is not sufficient to make the Eastern Bay of Plenty constituency compliant with the legislation. It does however reduce the % deviation from the region average from -25.43 to - 20.66 (a deviation of 20.58 was acceptable to the Local Government Commission in 2012).

Effective representation is compromised because the people in the affected area are within the Western Bay of Plenty District Council wards and shifting them will not ensure that constituency boundaries, as far as practicable, coincide with the boundaries of one or more territorial authorities. In addition, the communities of interest are compromised as these are naturally aligned with Te Puke and the Western Bay of Plenty.

The Rotorua constituency remains non-compliant being outside the 10% deviation and a dispensation from the Local Government Commission will need to be sought.

Reasons For	Reasons Against

Option 4C: Change the Rotorua constituency boundary to transfer some of Rotorua population to the Eastern Bay of Plenty constituency. Refer Map 4.

Eastern Rotorua area only:

General Constituencies	General electoral population	Number of crs per constituency	Population per cr	Deviation from region average population per cr	% deviation from region average population per cr
Western Bay of Plenty	43,000	2	21,500	-627	-2.83
Tauranga	117,700	5	23,540	1,413	6.39
Rotorua	47,711	2	23,856	1,729	7.81
Eastern Bay of Plenty	34,989	2	17,495	-4,632	-20.93
Total	243,400	11	22,127		

Include Eastern and Southern Rotorua area:

General Constituencies	General electoral population	Number of crs per constituency	Population per cr	Deviation from region average population per cr	% deviation from region average population per cr
Western Bay of Plenty	43,000	2	21,500	-627	-2.83
Tauranga	117,700	5	23,540	1,413	6.39
Rotorua	47,578	2	23,789	1,662	7.51
Eastern Bay of Plenty	35,124	2	17,562	-4,565	-20.63
Total	243,400	11	22,127		

- The Eastern Bay of Plenty constituency would not comply with the +/- 10% rule.

There are two parts to this option. The eastern section delineates a geographical boundary along the Lakes (Rotoehu, Rotoiti, Okataina and Tarawera) and State Highway 30 with a population of 1,989.

The southern section which is currently separated by the Eastern Bay of Plenty boundary only has a population of 135. The combined population of 2124 is not sufficient to make the Eastern Bay of Plenty constituency compliant with the legislation and does not provide a significant reduction in the % deviation. It creates an even larger geographical area for Eastern Bay representation.

Effective representation may be compromised as the people in the northern affected area are within the Rotorua District Council wards and the communities naturally align with Rotorua. The southern area is in the Taupō District and a large distance away from Eastern Bay of Plenty urban areas or associated communities of interest. The northern boundaries may not be fully compliant as full compliance requires constituency boundaries, as far as practicable, to coincide with the boundaries of one or more of the territorial authorities or the boundaries of wards.

Reasons For	Reasons Against

Option 4D: Move the whole of the Maketu-Te Puke Ward of Western Bay of Plenty District Council from Western Bay of Plenty constituency to Eastern Bay of Plenty constituency (Refer to Map 5)

General Constituencies	General electoral population	Number of crs per constituency	Population per cr	Deviation from region average population per cr	% deviation from region average population per cr
Western Bay of Plenty	28,950	1	28,950	4,610	18.94
Tauranga	117,700	5	23,540	800	3.29
Rotorua	49,700	2	24,850	510	2.10
Eastern Bay of Plenty	47,050	2	23,525	-815	-3.35
Total	243,400	10	24,340		

- While the Eastern Bay of Plenty constituency now complies the Western Bay of Plenty constituency is non-compliant with the +/-10% rule.

In this option a whole Western Bay of Plenty District Council Ward is transferred to the Eastern Bay of Plenty constituency increasing the Eastern Bay of Plenty population by 14,050.

This will also result in a decrease in the total number of general constituency councillors from 11 to 10.

In regard to compliance with constituency boundaries, the boundaries will be fully compliant, as far as practicable; to coincide with the boundaries of one or more of the territorial authorities or the boundaries of wards however will create a difference in the territorial authority and regional council's boundaries.

Moving the WBOPDC Ward to be part of the EBOP constituency meets the compliance requirement in that, as far as practicable, the constituency boundaries coincide with the boundaries of one or more of the territorial authorities or the boundaries of wards. However this option create some conflict for those in the affected community in that those in the Maketu-Te Puke Ward of Western Bay of Plenty District Council will be required to elect a regional councillor representing the Eastern Bay of Plenty.

The population affected is some 14,050. A shift of this magnitude also requires a reduction in the number of councillors to 1 as the population of the Western Bay of Plenty is no longer large enough to sustain two members. With increased growth predicted for the Western Bay of Plenty this may change over time.

Reasons For	Reasons Against

Scenario 5: **Retain the current constituency boundaries and reduce the number of representatives in the Eastern Bay of Plenty constituency from two to one.**

Option 5A: Reduce the number of Eastern Bay of Plenty representatives from two councillors to one councillor.

General Constituencies	General electoral population	Number of crs per constituency	Population per cr	Deviation from region average population per cr	% deviation from region average population per cr
Western Bay of Plenty	43,000	2	21,500	-2,840	-11.67
Tauranga	117,700	5	23,540	-800	-3.29
Rotorua	49,700	2	24,850	510	2.10
Eastern Bay of Plenty	33,000	1	33,000	8,660	35.56
Total	243,400	10	24,340		

- Both the Eastern Bay of Plenty and the Western Bay of Plenty constituencies are non-compliant with the +/-10% rule.

In this option the total number of councillors is reduced from 14 to 13 by reducing the number of general constituency councillors to 10. Representation in the Eastern Bay of Plenty constituency is reduced from two councillors to one.

With no boundary changes all constituencies meet the compliance requirement that, as far as practicable, the constituency boundaries coincide with the boundaries of one or more of the territorial authorities or the boundaries of wards.

However, both the Eastern Bay of Plenty and the Western Bay of Plenty constituencies are non-compliant with the +/-10% rule. The percentage deviation in the Eastern Bay of Plenty has a 35.56% deviation which will gradually reduce over time with the low to static growth in that part of the region. Conversely, with the growth predicted in the Western Bay of Plenty it is expected that the percentage deviation in that constituency will come below the 10% band in a short time.

Reasons For	Reasons Against

8. CONCLUSION

The growth trends occurring in the Bay of Plenty indicate that while the Western Bay of Plenty and Tauranga will continue to have population increases, the population growth particularly in the Eastern Bay of Plenty may remain static. It may well be that at the next review further boundary adjustments may be required across more constituencies to accommodate such growth enabling a far greater comprehensive review and repositioning of boundaries and representation ratios based on population changes and communities of interests.

Attachments:

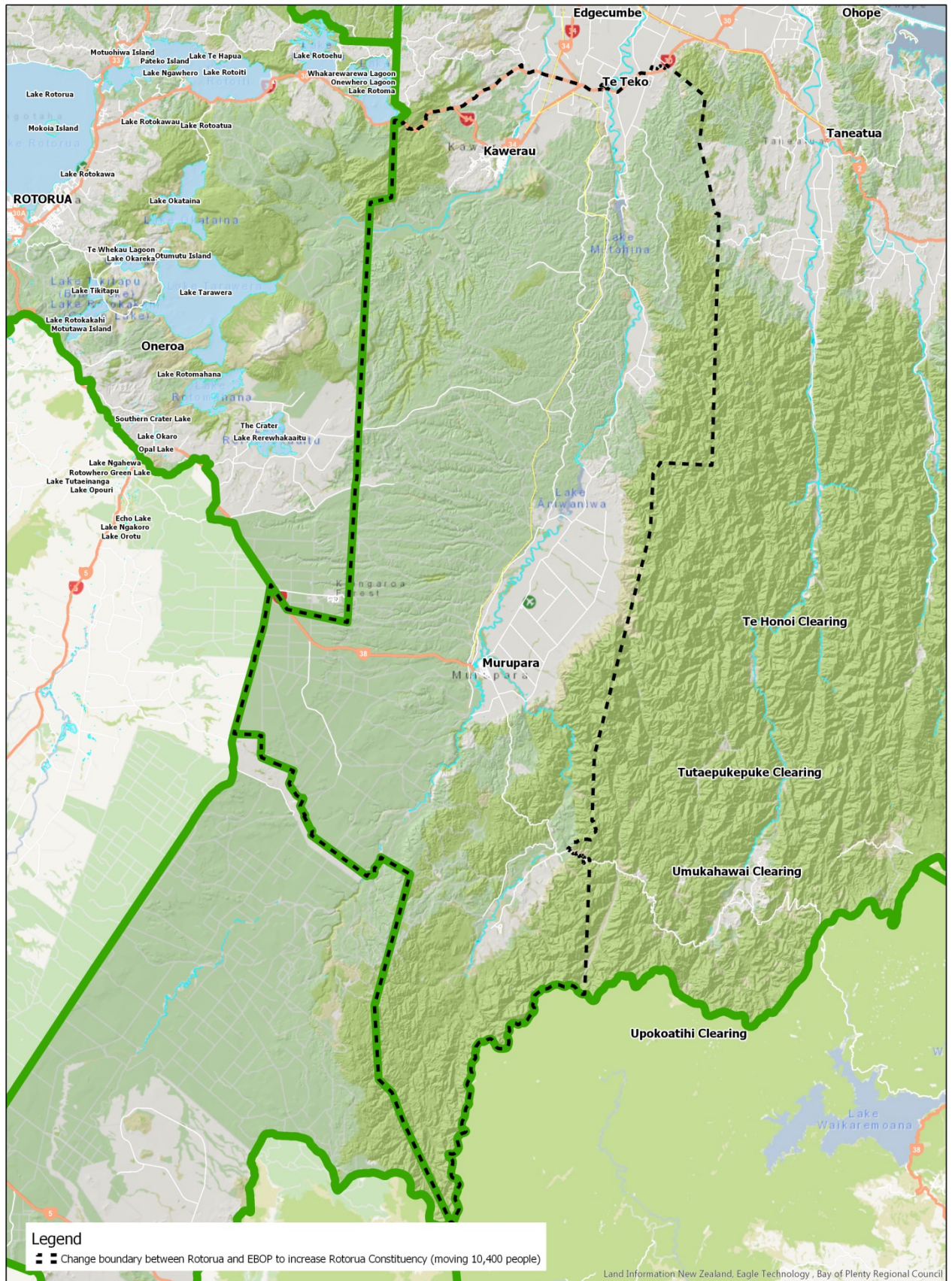
Map 1 - Option 3A	Change boundary between Rotorua and EBOP to increase Rotorua constituency
Map 2 – Option 4A	Change the Rotorua and WBOP constituency boundaries to transfer some of WBOP and Rotorua population to the EBOP constituency
Map 3 - Option 4B	Change the Western Bay of Plenty constituency boundary to transfer some of Western Bay of Plenty population to the Eastern Bay of Plenty constituency.
Map 4 - Option 4C	Change the Rotorua constituency boundary to transfer some of Rotorua population to the Eastern Bay of Plenty constituency.
Map 5 - Option 4D	Transfer the Western Bay of Plenty District Council Maketu-Te Puke Ward from Western Bay of Plenty constituency to Eastern Bay of Plenty constituency

Attachment 1: Mike Van Der Boom, Whakatāne District Councillor

Attachment 2: Garry Poole, Tauranga City Council

Attachment 3: Russell George, Kawerau District Council

Attachment 4: Judy Turner, Whakatāne District Council



Governance Representation Review - Map 1 - Option 3A



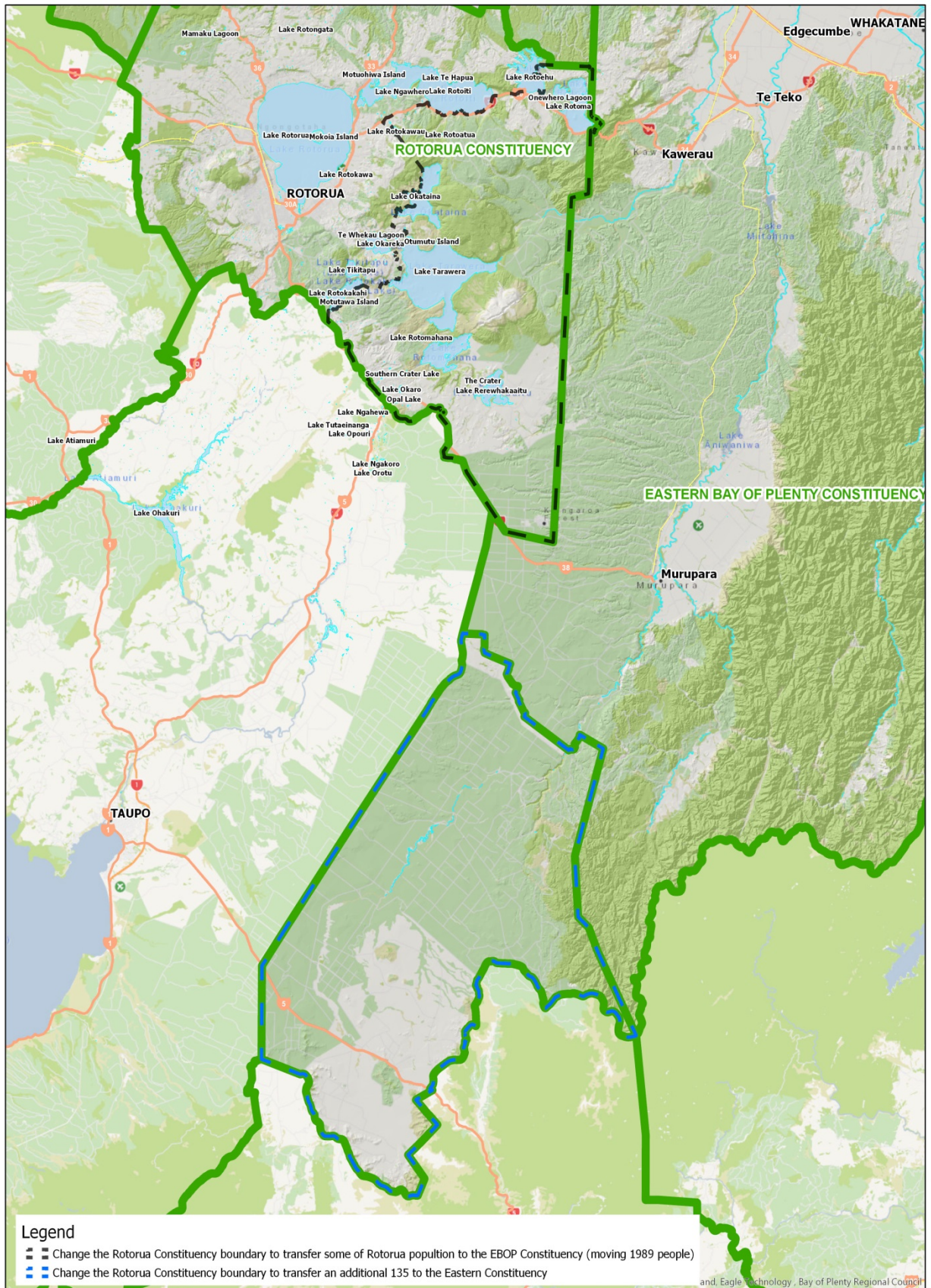
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New Zealand Geodetic Datum 2000 (NZGD2000)
For practical purposes, NZGD2000 equates to WGS84
VERTICAL DATUM:
Motuiki
PROJECTION:
New Zealand Transverse Mercator 2000 (NZTM2000)

0 5 10 20 Kilometers

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Governance Representation Review - Map 4 - Option 4C



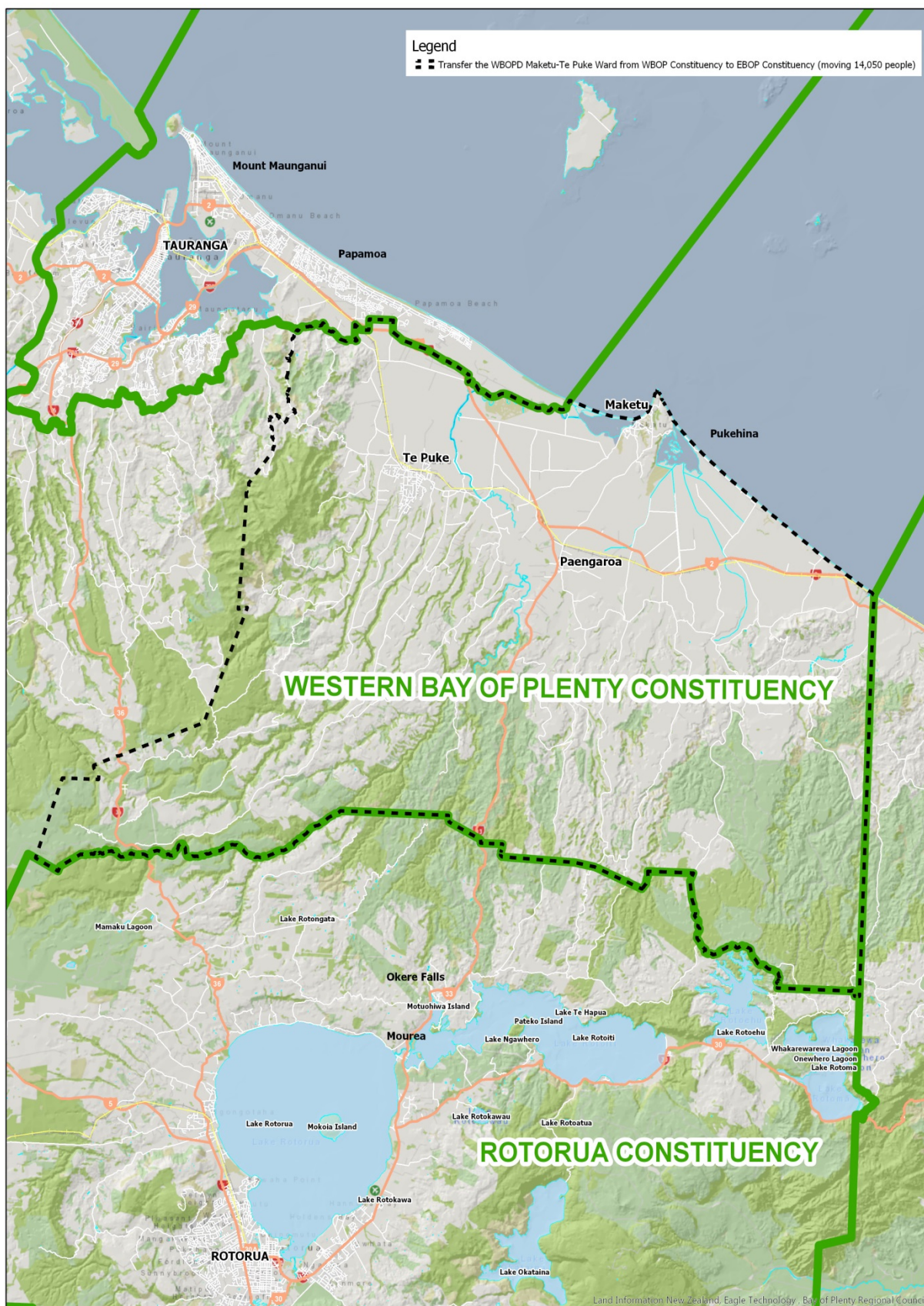
HORIZONTAL DATUM:
New Zealand Geodetic Datum 2000 (NZGD2000)
For practical purposes, NZGD2000 equates to WGS84
VERTICAL DATUM:
Motuiki
PROJECTION:
New Zealand Transverse Mercator 2000 (NZTM2000)

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Governance Representation Review - Map 5 - Option 4D



HORIZONTAL DATUM:
New Zealand Geodetic Datum 2000 (NZGD2000)
For practical purposes, NZGD2000 equates to WGS84
VERTICAL DATUM:
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PROJECTION:
New Zealand Transverse Mercator 2000 (NZTM2000)



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Attachment 1

From: Mike Van Der Boom [mailto:Mike.VanDerBoom@whakatane.govt.nz]
Sent: Monday, 12 March 2018 10:40 a.m.
To: Mike Van Der Boom; Yvonne Tatton
Subject: RC LTPRepresentation Review

Name: Mike van der Boom Organisation: Whakatane District Council

Comments:

I would like to express my concern about the representation review in regards to the Eastern Bay of Plenty. I am against any change to the status quo of two representatives for the Eastern Bay of Plenty. The ratio of representatives should not be based on population alone. Other factors like GDP should be considered.

Mike van der Boom

District Councillor

Whakatane District Council



12 March 2018

Mary-Anne Macleod
Chief Executive
Bay of Plenty Regional Council
PO Box 364
WHAKATANE 3158

Dear Mary-Anne

Bay of Plenty Regional Council Representation Review

Thank you for your letter dated 23rd February asking for Tauranga City Council's views on representation. We would like to thank you for this opportunity. We acknowledge that at this stage it is simply to give input as you draft your proposal that will come out for formal consultation.

Our feedback relates to the Tauranga City boundaries.

While the first set of 2018 Census data is due to be released October 2018, we note your deadlines will not take advantage of this latest information. For that reason we draw your attention to the data we are able to provide from Statistics NZ.

Tauranga's population was estimated to be 117,500 people (ie: 5 x 23,500) at 2016 under the "General seats" table. The adopted population projections for Tauranga City as at 30 June 2016 was 128,200 people (25,640 people per Councillor). This population estimate is consistent with the latest Statistics NZ Estimated Resident Population (ERP). The adopted population projections for Tauranga City are as follows:

Year (at 30 June)	Resident Population
2013	119,800
2018	134,600
2023	145,800
2028	154,900
2033	164,084
2038	173,949
2043	181,293
2048	186,693
2053	190,623
2058	194,769
2063	198,373

Sourced from the Tauranga City Population and Household Review 2017 (Growth Allocations 2013-2063) Report, City Planning and Growth, Tauranga City Council, 22 March 2017

Tauranga City Council

91 Willow Street, Private Bag 12022, Tauranga 3143, New Zealand

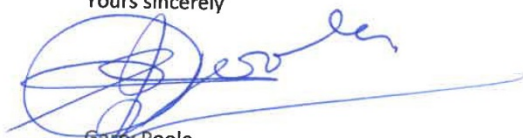
Phone 07 577 7000 Fax 07 577 7193 Email info@tauranga.govt.nz www.tauranga.govt.nz

We encourage the Regional Council to ensure the proposed General Constituency representation numbers adequately represent the communities of interest and projected population base. Currently there are five at large representatives based on 23,500 per Councillor. This representative figure needs revision given the projected Tauranga residential population increase.

In regards to Māori representation, Tauranga City Council also recommend the Regional Council review its representation figures. The Regional Council is in a better position to break this down by constituency and iwi/hapu base.

Thank you again for this opportunity and we look forward to the draft proposal.

Yours sincerely



Garry Poole
Chief Executive



Ranfurly Court
Private Bag 1004
KAWERAU 3169
Phone: (07) 306 9009
Fax: (07) 323 8072
Email: kaweraudc@kaweraudc.govt.nz
Website: www.kaweraudc.govt.nz

File Reference: 102030

16 March 2018

Mary-Anne Macleod
Chief Executive
Bay of Plenty Regional Council
PO Box 364
WHAKATANE 3158

Dear Mary-Anne

Bay of Plenty Regional Council Representation Review

Thank you for the opportunity for early engagement in the Regional Council's representation review.

Council supports retention of the existing arrangements. Although the electoral subdivisions are not being within the + or – 10% tolerance of the average across the region. The outcomes of past reviews have demonstrated that there is some flexibility for the regional council to go outside this rule when determining the number of members for a constituency. At the 2009 representation review, the Local Government Commission determined that the Eastern BOP constituency should have two members to give adequate coverage of the large geographical area, although this number did not strictly reflect the population. The Tauranga constituency is a small geographical area which this Council considers is well represented by the current number of elected members. This is particularly true when considering that the current member for Mauāo could be regarded as a de-facto 5th Tauranga member, and that the close proximity of the Western BOP to Tauranga city means the Western BOP members are also likely to be very familiar with Tauranga issues. We consider that because there is proven scope to consider geography and not just population, the regional council should retain the current arrangements.

Yours sincerely


Russell George CA, MBA
Chief Executive Officer
Z:\2018\01\CEO\18.03.16 L-BOPRC Representation Review.docx



Monday, 19 March 2018

Yvonne Tatton
Governance Manager
Bay of Plenty Regional Council Toi Moana
PO Box 364
Whakatāne 3158

Tēnā koe Yvonne,

BAY OF PLENTY REGIONAL COUNCIL REPRESENTATION REVIEW: INITIAL OPINION

The Whakatāne District Council (the Council) would like to thank the Bay of Plenty Regional Council (BOPRC) for the opportunity to provide an initial opinion regarding its 2018 Representation Review.

The Council would like to make the following three points:

1. The Council supports retaining the 2012 boundary adjustment between Kōhī and Mauāo Māori Constituencies

Currently, the Kōhī and Mauāo Constituency boundary aligns with the Whakatāne District/Western Bay of Plenty boundary. Prior to this, the boundary sat further south, resulting in communities of interest in the Matatā area being split between Kōhī and Mauāo Constituencies. The Council supports retaining the current boundary alignment in order to retain the effective representation of communities of interest in that area. It is also recognised that the Māori Constituencies comply with the +/-10% fair representation requirement, which is supported in this instance.

2. Representation needs to reflect the needs and characteristics of the environment, rather than just overall population

The Council continues to support representation reflective of the needs and characteristics of the community, rather than aligned to overall population. The Council will not support any proposal that seeks greater representation for the Tauranga Constituency, particularly to the detriment of other Constituencies. The focus of Bay of Plenty Regional Council representation should be weighted towards communities of interest in particular, geographic and environmental characteristics.

OBJECTIVE: DATE: 19 Mar 18. REF: A1269775

3. The Council supports the retention of two members to represent the Eastern Bay of Plenty

Further building on point 2, the Eastern Bay of Plenty Constituency represents the largest geographical area in the Bay of Plenty Region. The Constituency is comprised of a number of communities of interest including a commercial hub in Whakatāne, and significant isolated rural, coastal, and forestry communities. In this instance, it is not practicable to apply the +/- 10% fair representation rule, as to do so would unfairly impact on the effective representation of the Eastern Bay of Plenty. Given the numerous and varied communities of interest in the area, at least two members are required. The Electoral Commission previously approved this arrangement in 2012. The Council strongly supports the retention of at least two members to represent the Eastern Bay of Plenty Constituency.

Whakatāne District Council reserves the right to make a formal submission on the Bay of Plenty Regional Council Representation Review Initial Proposal when available.

If there are any questions or comments regarding the points expressed above, please contact:

Ashleigh Pihema
Strategic Policy Analyst
Ashleigh.Pihema@whakatane.govt.nz

Naku noa, na



Judy Turner

Deputy Mayor, Whakatāne District Council

OBJECTIVE: DATE: 19 Mar 18. REF: A1269775