



The Northern Action Group Incorporated

14 September 2022

Governance and Administration Select Committee
Parliament Buildings
Wellington

Local Government Electoral Legislation Bill

Dear Committee Members,

Please accept the attached submission on this Bill on behalf of the Northern Action Group Inc.

I would like to appear before the Committee to speak to this submission.

Yours sincerely

William Foster
Chairman
Northern Action Group Inc.

Local Government Electoral Legislation Bill

From the Explanatory Note with the Bill:

“The single broad policy and purpose of the Bill is to improve the processes by which individuals and communities are represented through, and can participate in, local government elections. The policy proposals include—

- *providing local authorities (**councils**) with a revised process for deciding their representation arrangements that makes the consideration of specific Māori representation a fundamental step in that process:*
- *changing the current restriction on the number of councillors on Auckland Council:*
- *simplifying the process for unitary authorities to adjust local board boundaries:*
- *updating the processes for when an election result is tied:*
- *enabling all candidates to submit electronic nominations.”*

This submission relates to the third bullet point – changing the process for unitary authorities to adjust local board boundaries.

In short, consistent with the broad policy and purpose of the Bill, we seek to extend the legislation by small changes relating to amending the subdivision boundaries of local board areas, and to include explicit recognition for non-contiguous subdivision groupings based on Stats Nz’s rural/urban mesh block classifications in local board areas with significant but distributed rural populations.

Background

In 2019, the Northern Action Group Inc (NAG) submitted a proposal to the Auckland Council (AC) Governing Body (GB) that it review and resolve changes to the subdivision boundaries of the Rodney Local Board area for the 2022 elections - using the proposal in a background document NAG provided as an initial proposal - to provide fairer representation and ensure those subdivisions are within quota.

The GB declined to resolve any proposed changes for the 2022 elections (on the grounds that it would trigger an extensive overall review of arrangements which was not otherwise supported) and the proposal now goes forward into the 2025 representation review.

As this Bill proposes changes to the Local Government Act (LGA) and Local Electoral Act (LEA) which effectively give AC more flexibility in proposing Maori wards, the number of AC councillors and realignment of Local Board boundaries, this submission is that the changes be extended to also include changes to subdivision boundaries within local board areas.

AC and the Local Government Commission (LGC) have persistently had a problem ensuring compliance with the LEA equal population quota rules [Section 19V] and yet maintaining representation from areas with significant communities of interest and small populations.

The obvious example of this in the Rodney Local Board area is the Wellsford subdivision, which is persistently under quota.

This stems from the traditional way subdivision groupings have been chosen, where it has been assumed all constituents have similar interests and service needs and these are centered around urban or semi-urban “communities” of contiguous population groups¹.

NAG’s proposal for boundary changes is that for areas with significant non-urban communities and populations that have significantly different local government service needs and provision, as between the small urban and rural communities, it is fair and sensible to allow representation to be drawn up recognizing groups with common interests and service needs in the local board area, even if they are not co-located.

NAG’s proposal resolves that issue by allowing non-contiguous areas to form subdivisions and, in areas with significant rural populations, basing them on the Stats NZ SSGA18 classification of rural/urban areas.

The detail of the proposal submitted to the AC GB for the Rodney Local Board area is included as an **Appendix** to this proposal.

Relevance

This proposal has no relevance in urban only areas where the need for, and provision of, local government services is consistent throughout the population.

In Auckland Council, only the local board areas of Franklin and Rodney could support having subdivision boundaries arranged in this way. The Rodney local board area represents 40% of Auckland’s area, but only 4% of its population. While this issue of representation fairness is important to the people of Rodney, it is likely of little or no interest to the other 96% of Auckland Council voters.

We have not researched application to other Unitary Authorities, and consider that, given the outlying nature of Auckland Council as a UA following amalgamation (size and scope) it is unlikely, though possible, that local board areas in other UAs would seek to adopt this approach.

¹ There is nothing under Sections 19T or 19V of the LEA that prevents territorial authorities from defining wards, constituencies or subdivisions in ways that aggregate non-contiguous areas across isolated populations or communities that share common interests, but it has been traditional to assume that population clusters are formed by people with common community interests and accordingly to center electoral groupings around contiguous population clusters.

With modern communications technologies allowing increasing interaction of people sharing common interests across longer distances, alternative non-contiguous groupings of “communities of interest” for electoral purposes may become more broadly applicable than established rural/urban differences. It is therefore appropriate to amend Section 19T to allow for the community of interest concept to include non-contiguous groupings of areas generally.

However, in the event of future amalgamations that bring together urban and rural populations in UAs spread over larger districts, we submit making provision to organize representation in this way means it will then be available to address representation fair and effective representation concerns and quota equality rules that may arise, and recognize differences in local government service needs and provision across those UAs generally.

Analysis

The Bill generally gives Councils and UA's greater flexibility in determining local board representation boundaries and arrangements and alignment between Wards and Local Board Areas. To do this it is bridging an overlap between the LEA (setting electoral representation and review rules) and the LGA (covering reorganisations).

In Auckland, following the implementation of the Local Government (Auckland Council) Act of 2009 (LGACA) local board areas were established by the Local Government Commission and changes currently require using the reorganisation process under the LGA.

Electoral subdivisions are provided for in the LEA and in Auckland they have been established as subdivisions of local board areas. Ward (and subdivision) boundary changes have been reviewed as part of the representation review process (allowed and required) under the LEA. Currently Auckland's Wards do not all align with the Local Board Areas established at amalgamation.

Community led requests or initiatives for reorganisation changes generally are provided for in the LGA, but there is no provision, either in the LGA or the LEA, for community led requests or initiatives for reorganisation or representation reviews of only electoral subdivision boundaries.

Partial Representation Reviews

The representation review process in the LEA provides for the UA to resolve to do that only as part of a comprehensive representation review. (This means, as in the NAG application to AC, that subdivision changes in a single local board area are not seen as significant enough to warrant a full representation review – which they would be obliged to conduct). To allow UAs to address this we propose that partial reviews under 19H be allowed without effecting the timing requirements for full reviews.

Determining Subdivision Boundaries

New LEA section 19JAA allows a UA to propose local board area boundary changes as part of a representation review. This necessarily implies changes to subdivision boundaries.

We propose adding a provision to Section 19T(2) to ensure UAs apply the rural/urban classification system to determine subdivision boundaries when a local board area contains

a significant rural population, and a provision to allow a common community of interest to be represented by groupings across non-contiguous areas.

Why the LGA reorganisation process needs to allow for subdivision changes only.

Firstly, there is no provision for communities to request a change to their subdivision boundaries within a local board area whose boundaries do not change, outside of the timing of representation reviews.

A UA is only required to conduct a review every 6 years (or two election cycles) and if there are no other significant proposed changes the UA may not consider that changes to a single local board area's subdivisions justify applying the full review process (as has been the case in AC). This concern is addressed by allowing partial representation reviews.

Secondly, even in an urban centric UA (as AC is) there is no reason, in principle, to suppose Councillors would not respond to a sense of fairness and support changes that give a fairer representation from rural voters within any local board area (i.e such a change does not affect any Councillors or their Wards).

But, since incumbent local board members affected might have reason to oppose change to their elector base, a majority of AC Councillors might still choose for some reason to decline to resolve proposed changes to the Rodney or Franklin subdivision boundaries.

So to ensure, as a backstop, that the option can be considered by the Local Government Commission if electors support it but the UA opposes it, the legislation needs to provide for 10% of electors in the affected area (being the local board area) to propose an initiative or plan for alteration to the subdivision boundaries of their local board area to the Local Government Commission, based on the proposed rural/urban classification.

The proposed amendments:

Subject to confirmation that these draft amendments would be consistent, we propose:

- 1) To require the use of SSGA18 classifications for determining effective representation in subdivisions in significantly rural local board areas, and to provide for the determination of communities of interest to include groups of population from non-contiguous areas:
 - Amend Clause 20 which amends Section 19T of the LEA to:
 - Include new subclause 20(3) "In Section 19T(2), rename subsection (c) as (d) and insert a new (c) "that the boundaries of subdivisions in local board areas with significant rural populations are based on groupings of meshblocks using the rural/urban classifications of meshblocks in Stats NZ Tatauranga Aotearoa SSGA18 (as amended or replaced), and";

- Include new subclause 20(4) “In Section 19T add new subclause (3) “For the avoidance of doubt in determining boundaries for electoral purposes, a community of interest for a ward or local board or subdivision may be defined to comprise two or more non-contiguous meshblocks or groupings of meshblocks whose electors share common interests.””
- 2) To allow representation reviews between mandatory reviews to deal with only some and not all of the matters available for review in Section 19H;
 - Add to Clause 9 of the Bill (amending Section 19H of the Act) a new subsection (4) to read [After 19H (2) insert “19H(2AA) A determination under subsection (1) may be made at any time for only one or less than all the matters in subsections (a) to (i) of subsection (1) without affecting the timing requirements of subsection (2)(b).”]
 - 3) For the process of a reorganisation initiative, to allow electors in a local board area to propose changes to subdivision boundaries within their local board area:
 - Amend the proposed new Section 24 of the Local Government Act in Clause 35 of the Bill, so that:
 - s24(3) (iv) reads “the alteration of the boundaries of a local board area, or the subdivision boundaries of a local board area;” and
 - in the proposed new s24(4) after the words “boundaries of a local board area” add the words “or of the subdivision boundaries of that local board area”.
 - Amend the definition of “affected area” (b) in the proposed new Schedule 3A, to read “in relation to a reorganisation initiative or plan, means the area comprising the district of the unitary authority to which the initiative or plan relates, and in relation to a reorganisation initiative or plan for subdivision boundary changes within a local board area only, means that local board area.”

Political Support

We have had no indications that this proposal is opposed in principle by any political party.

[Our Ward Councillor Greg Sayers, and Kaipara ki Mahurangi electorate MP Chris Penk personally support this proposal. Local list MP Marja Lubeck has also been approached but not able to respond in the time available.]

Appearance

On behalf of NAG, I would appreciate the opportunity to be heard by the Committee on this submission.

William Foster: Chairman, Northern Action Group Inc.

14 Sept 2022

APPENDIX

Background Document for motion to review Rodney Local Board area subdivision boundary and representation arrangements

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Executive Summary

1. This paper is provided in support of the Motion to revoke clause (g) of Resolution number GB/2020/11 from its 27 February 2020 meeting and to approve a review of subdivision boundaries for the Rodney Local Board area for the 2022 elections [under the Local Electoral Act 2001 (LEA), Clause 19H (1) (g)].
2. The boundaries of the Rodney Local Board area subdivisions can, and should, be amended to meet quota requirements and better and more fairly reflect the balance of communities of interest and common interests across the Local Board area.
3. This paper discusses alternatives and proposes a revised subdivision plan and allocation for the Rodney Local Board area to be used as an initial proposal for consultation.
4. The assessment uses 2019 population estimates from StatsNZ (the last review in 2018 was based on 2017 estimated data).

Background

5. The Local Government Commission (LGC) recognized [in its 2018 representation review determination²] that the Rodney Ward is over-represented in terms of population relative to other Wards in Auckland Council because any change would either split communities of interest or combine areas with little or no community of interest.
6. It also accepted that the representation ratios for the Wellsford subdivision of the Rodney Local Board area should be allowed to be outside quota for the same reason³.
7. In relation to conducting a further review in 3 years' time (before the statutory review every 6 years) the LGC noted, in para 79. "This is decision for the council to make. We would observe, however, that Auckland is experiencing considerable population growth and both physical and social change and that a review after three years would be able to factor in more up to date population statistics."
8. Regarding the representation of the rural population and the non-compliance of the Wellsford subdivision, the LGC said, para 75 "we feel the best solution is to seek support from other local members and to discuss with the council the level of support given to rurally-based local board members." And in para 76. "As far as the non-compliance of the Wellsford Subdivision is concerned, we acknowledge that this something that the council, though its working party grappled with."

² <http://www.lgc.govt.nz/assets/Uploads/Auckland-Council-determination.pdf>

³ Para 76. "We therefore agree that the non-compliance of the Wellsford Subdivision is necessary as compliance would limit effective representation of communities of interest by both dividing communities of interest and uniting communities of interest with few commonalities."

9. The final decision from the 2019 determination (based on 2017 population estimates) shows:

Rodney Local Board Area	Population	Members	Pop per member	Difference from quota	% Diff from quota
Wellsford Subdivision	6,380	1	6,380	-763	-10.68%
Warkworth Subdivision	20,700	3	6,900	-243	-3.40%
Kumeu Subdivision	29,700	4	7,425	282	3.95%
Dairy Flat Subdivision	7,510	1	7,510	367	5.14%
Total	64,290	9	7,143		

10. Representations to the LGC last year on appeal, to improve representation from the mainly rural area of Wellsford by appointing an additional member were declined because the subdivision was already outside the quota. [q.v. footnote 1.]

11. The Governing Body has to review representation arrangements fully for the 2025 elections but can choose to review arrangements in part or in full for the 2022 elections.

12. It is not proposed that the Governing Body review the Rodney Ward boundaries, the number of local board members (9) or the method of election (how members are elected by voters in each subdivision) until the next review required for the 2025 elections.

13. However, within the Local Board area subdivision boundaries and board members should be chosen so as to provide representation ratios within quota if this meets the criteria for representation arrangements⁴.

14. We propose that this can, and therefore should, be remedied for the 2022 elections.

Procedure

15. The process for representation review requires the Auckland Council to make an initial proposal, undertake consultation and make a final proposal, which must be reviewed and considered by the Local Government Commission. [LEA Sections 19M to 19S]

16. As the changes proposed are limited to subdivision boundary changes in the Rodney Local Board area, we suggest the Governing Body make the boundary and associated Local Board member representation changes suggested in this paper the initial proposal, and proceed to consultation, with the opportunity to consider feedback and responses before making a final decision.

⁴ that is: effective representation of communities of interest (as specified in Section 19T), and fair representation of electors (as specified in Section 19V).

Early review

17. Mounting rates increases and regulation are having huge impacts on the financial and social wellbeing of Rodney's rural communities. Three years can be a long time in politics if you are adversely affected. These effects have seen a huge spike in interest on social media regarding local governance and spending. Local Government taxes have increased dramatically in three years and the subsequent financial pressure has seen growing concern around equality of return for rates for rural communities. Financial pressure has accelerated community engagement and participation levels around governance. Growing concerns about misrepresentation and inequality are being expressed - as in **Appendix A**. This heightened sense of community concern argues strongly for a review earlier than the law requires.
18. Also change was not proposed at the last review, as, despite the concerns of the LGC referred to in paras 7 and 8 above, no-one had thought through the problem and solutions in a way to provide fair rural representation within Rodney within the prevailing quota limits.
19. Now that a solution is to hand, there is a real opportunity to move swiftly to resolve the outside quota status of Rodney LBA subdivisions and improve the fairness of representation at the same time. Waiting a further 3 years will have a depressing effect on morale, volunteering and engagement throughout the local board area.

The Rural Urban Split: Consequences of groupings.

20. The Rodney Ward is unique. It is Auckland Council's largest by area (46% of the whole of AC) and has the lowest population density. While its population is expanding with the growth from the south-west and eastern coastal communities, Rodney communities are still of low density and it is still predominately rural. Population of the Ward in the decade to 2018 has grown from 49,359 to 66,417 (34.6%, or about 3% a year). Using the latest NZ Stats. 2019 population estimates, the Rodney Local Board area has a population of 71,200 and 9 board members, giving a quota ratio of 7,911 people per board member.
21. The NZ Statistics Dept. provides a national classification [SSGA18] of mesh blocks in the country into 4 categories of urban and two categories of rural areas. The 2019 population estimates show 64% of Rodney's population live in Rural Settlement (RS) or Rural Other (RO) areas and 36% live in Small Urban Areas (SUA). 46% of Auckland's RO people live in the one local Board Area - Rodney. Rodney has no larger urban areas or cities⁵. (**Appendix B**)
22. However, the current subdivisions in Rodney (Wellsford, Warkworth, Kumeu and Dairy Flat) are constructed principally around the SUAs of Warkworth and Kumeu, extending their boundaries to encompass proximate areas having links to the SUAs used as centres

⁵ Cities have a population of 50,000 or more. Villages and Towns have no statutory meaning in New Zealand.

for the subdivision. Dairy Flat does not even have a population centre, relying for its separate classification as a subdivision area on the links people in the area have in shopping and work with the larger centres of Albany and Orewa (outside the Local Board area). These links (expressed mainly by shopping convenience and places of work) are regarded as identifying “communities of interest” to justify a subdivision grouping. Traditionally all subdivisions have been contiguous areas – i.e. within the Local Board area no subdivision is split into 2 or more areas separated by another subdivision⁶.

23. This approach reflects a primacy of urban focus and proximity in the definition which is more relevant in a built up, metropolitan or Urban area, but less so in a Local Board area which is predominately rural. By fragmenting the rural population into minority components across an urban-centric based classification of subdivisions, the interests in local government matters of rural voters in Rodney, who actually constitute a majority, are made secondary to the interests of the people in the towns.

24. The result is an elected Local Board whose membership represents mainly urban or peri-urban interests. Not only is this important for the allocation of the funding for which the Local Board has discretion, but it means the representation and advocacy role of the Local Board to the governing body does not fairly and reasonably reflect the interests of the rural majority of the Local Board area. To date recognition of this concern has been reflected only in the special (outside quota) status given to a Wellsford based subdivision – thus unfairly underrepresenting the interests of the rural population in other areas across Rodney.

25. Accordingly, priority in the Local Board area is being given to things people in small urban areas want – footpaths, footbridges, cycleways, public transport, recreation and town centre community facilities and services. The wants and needs of rural voters, like road maintenance and sealing – Rodney has 670Km of unsealed roads - and drainage, receive proportionately less attention.

26. The utility services of communications and power are not provided by local government. Rural people are generally self-contained for water and waste services (in Rodney the waste disposal services are privately run anyway). The consequence is that they are rated for the provision of assets, facilities and services that few, if any, receive. Rural ratepayers, who travel longer distances in their own vehicles by road to population centres, contribute disproportionately to the Regional Fuel Tax (RFT) funding to fix public transport needs in Auckland’s city.

27. Wellsford in the north has been traditionally recognized as the centre of the most rural group, but the population in the area has always been too small to permit representation by more than one board member. The rural areas around Wellsford are

⁶ We mention later that it has been traditional to have contiguous areas containing communities of interest, but with the growing use of communications it is becoming more common for people in different areas to have common interests which they may or may not come together to share – e.g. social media groups, art, cultural and ethnic groups, and even now workgroups with more people working from home. It may thus be timely to consider non-contiguous groups of common interests as a valid basis for representative voting groupings.

just like any other rural areas in Rodney and treating all other rural areas as peripheral to, and thus by association having, urban needs, does not reflect the character of the population across the Local Board area or its differing needs for local government services and facilities.

28. The current population-based representation system for choosing subdivision areas within the Local Board area, was not designed to recognize that the needs of the rural and urban populations for basic local government services are fundamentally different. Member(s) chosen from each area naturally must have regard for the main population groups in their subdivision and the facilities and services sought after by their SUA and village and town communities.
29. In Rodney, this leaves only 1 member (from Wellsford) to represent the interests of the rural 64% of the population. By contrast the Ward Councilor must more fairly reflect the interests of the Ward population as a whole and must thus better reflect the balance of rural and urban community across the Local Board area. This can, and has, produced a “disconnect” between the communications and separate representation of the Councilor and the RLB.

Community of interest considerations

30. There is no fixed definition of a “community of interest”. The LGC guidelines suggest consideration of a range of factors – perceptual, functional and political⁷.
31. Factors of Geography, Land-use, Demographics, Local Economy, Core Infrastructure and public services are different for rural and urban areas. Rural areas are more isolated and independent, yet all have similar needs for the same kind of local government services. The provision of roading, drainage, waste services, country education, health and emergency services are similar in rural communities even though they are not closely linked.
32. The rural areas around the Kaipara harbor all share a “sense” of common identification with the Kaipara. Helensville and Wellsford are both farm service towns and have similar interests and needs, even though their nearest peri-urban centres are different. The flow of goods and services, culture, community and sport, and interest group factors favour village or town based groupings where numbers of people are more relevant and relationships and associations develop with propinquity, yet the rural areas of Rodney all share a commonality of interest in the provision of rural services.

Opportunity for Recognition of Maori land values and guardianship

33. The LGC’s 2017 “Communities of Interest study – Rodney” reported that *“Iwi in Auckland have large rohe (territories) that stretch across different local areas and into neighbouring regions. For example, there do not appear to be any iwi that are located*

⁷ <http://www.lgc.govt.nz/assets/Uploads/The-Concept-of-Community-of-Interest-Discussion-Paper.pdf> ; a S.A. Department of Local Government 1991 Discussion paper by Helen Fulcher. See also the LGC “Communities of interest study – Rodney”; Nov 2017; the Diagram of factors considered is shown here in **APPENDIX C**.

solely within the Wellsford and Kaipara areas or are located solely within the Rodney area.⁸

34. The iwi listed below have rohe that include both Rodney and areas of wider Auckland. As noted some iwi also extend into Northland. Many also have connections to Kaipara Harbour and/or the Hauraki Gulf.

- Ngāti Whātua (plus much of Kaipara District)
- Ngāti Whātua o Kaipara
- Ngāti Manuhiri (includes Mangawhai in Kaipara District)
- Te Kawerau o Maki (includes Mangawhai in Kaipara District)
- Ngāti Tamaoho
- Te Ākitai Waiohua
- Ngāti Maru
- Ngāti Paoa
- Ngāti Tai Ki Tamaki
- Ngāti Tamaterā
- Ngāti Whanaunga
- Ngāti Te Ata “

35. As the study says, “Politically, many iwi groups in Rodney tend to span across all of Auckland (and even wider in some cases)”, but collectively they represent the exercise of kaitiakitanga⁹ over the Kaipara and rural Rodney areas.

36. In this respect, the interests of rural Rodney resident and ratepayers and those of the Rodney based Iwi are closely aligned. In their submission to the Electoral Commission last year, the Nga Maunga Whakahii o Kaipara Development Trust, representing Nga Maunga Whakahii o Kaipara, noted “[As history recalls, Ngāti Whātua o Kaipara continues to welcome people living amongst them upholding our manaakitanga approach to, “work together to develop, according to our tikanga (customs), the land we share so that we may all benefit and provide a future for all our generations to come.”]”

37. Engaging local iwi in the governance and management of the RLB area reflects this manaakitanga approach and can be achieved within this proposal by having local Iwi either nominate one candidate for the rural subdivision seats, or to publicly support one of the candidates for those seats.

38. From 2018 Statistics, Maori make up around 12% of the Rodney Ward population. One of 9 members on the RLB represents 11% of the members. There is no formal provision in the legislation for separate Maori and General voting for Local Board member positions, so it is not possible to designate a position solely for Maori (or any other race), but having an elected member on the RLB who is supported by local Iwi would be a natural fit to the process of engagement of Maori in the guardianship of the land.

⁸Footnote 6 second reference.

⁹ **Kaitiakitanga:** the exercise of guardianship. In relation to a resource, kaitiakitanga includes the ethic of stewardship based on the nature of the resource itself.

Cross Cultural Community Harmony

39. The impact that our Maori have within Rodney's rural communities forms an interweaving thread that binds rural communities together. Rural children - often from smaller schools - are growing up with a beautiful close understanding of Maori culture, brought about not by songs off a song sheet but by truly experiencing local cultural practices of hunting and fishing, food gathering and cultural respect. This cross-cultural exposure from a young age paves the way for greater respect and understanding of the importance of the environment along with a natural sense of acceptance and respect for diversity amongst unity.
40. The closeness can be seen in the rural unity that has formed between local Iwi and rural communities against the Dome Valley Landfill proposal. This intercultural bonding and value sharing within Rodney's rural communities needs a common approach to address a range of environmental and social issues that our communities face now and into the future. Recognition and engagement with Maori through the candidate nomination process will facilitate this.

What this proposal can't do

41. Changing the subdivision boundaries in Rodney to recognise the dominant Rural Other and Rural Settlement nature of the Local Board area will not correct any unfairness in the treatment of the Local Board area by Auckland Council. It will not necessarily ensure that the Local Board will comprise only wise and competent members, or that it will only make decisions that are fair and just, but it will ensure that the representation is balanced and fair in reflection of the groupings of common interests that lie across the widely distributed Local Board area. It will help improve (currently negative) attitudes towards AC and the RLB performance and will better align the Councilor and RLB's and Iwi representation of the area's interests to the Governing Body.

Alternative solutions

42. Without wishing to preempt the formal review process, we advocate an alternative structure of subdivisions in the Rodney Local Board area as an initial proposal which better represents the common character and interests of ratepayers and residents across the area.
43. Starting from the NZ Stats classifications, it would be consistent to group subdivisions strictly on the URI¹⁰ classification. In this alternative it is noted that the SUA's (36%) do

¹⁰ Urban Rural Indicator – Stats NZ indicator for the status of each mesh block according to SSGA18 <http://archive.stats.govt.nz/~media/Statistics/surveys-and-methods/methods/class-stnd/geographic-hierarchy/statistical-standard-for-geographic-areas-2018.pdf>

not conveniently fall into equal population sized groups, and the RS areas (10%) are widely distributed across the Local Board area and hence not contiguous¹¹.

However, if non-contiguous groupings are considered, this would suggest, from **Appendix B**, 3 subdivisions:

- Rural Settlements (1 member);
- Small Urban Areas (3 Member); and
- Rural Other (5 members).

But the Rural Settlement subdivision would be outside quota.

44. If groupings must be contiguous and the larger SUAs are taken to represent natural centres of communities of interest, three groupings of population are suggested based on the SUA classification and current subdivision groupings:

- Warkworth - and its associated coastal communities of the Mahurangi;
- Kumeu - the South West grouping from Muriwai to the east though Riverhead; and
- Rural - the rest.

Communities around the SUAs of Wellsford and Helensville/Parakai retain their rural and rural service town character and are better represented as part of the rural communities.

To retain association with historical and current governance arrangements, the boundaries for this grouping are drawn using current subdivision boundaries as much as possible.

This alternative with only 3 subdivisions is just the same as the final proposal (as shown in **APPENDIX E**) but with Dairy Flat numbers and 1 Board member added to Rural¹².

However, the community of interest study undertaken by the LGC in Rodney (footnote 6) shows that the community of interest of Dairy Flat people is more with Albany and Whangaparoa than with the rest of Rodney, so a reasonable case exists for retaining that subdivision as at present and keeping it separate from rural representation "at large"¹³.

¹¹ While non-contiguous areas may have a strong community of interest, or strong common interests in terms of local Government service provision, the traditional way to allocate subdivision boundaries has been to have contiguous areas.

¹² The rural population numbers included in the mesh block areas moved between groupings of relevant RUI classified areas are estimated from available NZ Stats data and subject to confirmation. (Mesh block data for blocks with small populations is not disclosed publicly for privacy reasons.)

¹³ The Dairy Flat subdivision population in the 2019 estimates is 7,510, i.e. within the 5% variation limit for one member at 7,911. Dairy Flat combines a mix of rural and rural lifestyle population. No area within Dairy flat qualifies for a rural settlement classification, so the area may equally well be regarded as part of the rural subdivision grouping, or not. Because it is close to quota, there is no effect on the rest of the review to either leave it in or out.

More subdivisions or less?

45. Currently Rodney has four subdivisions and 9 Board members. It would be possible to have further groupings of areas within the general rural subdivision proposed, e.g. based on the rural centres like Helensville or Wellsford, each with their own members. We would oppose that approach as it perpetuates for Rodney the focus on an urban/town centric approach that fragments and subsumes into an urban perspective the rural representation needed for a balance of interests in the Local Board area.
46. On the other hand reducing the number of subdivision to say two (e.g. reflecting the North Rodney(NR)/South West Rodney (SWR) split for which the LGC considered two separate Local Boards for Rodney) would again divide and marginalize the rural community interests in both areas. As it has a slightly higher combined population, a SWR grouping would likely have 5 members to NR's 4 which might well encourage block decision-making along urban-to-city vs rural-to-north lines within the Rodney Local Board and make adopting a more proportionate fairness approach to allocation and development across the Local Board area more difficult and problematic.

The proposal

47. To minimise representation changes, the LGC gives weight to the historical and current governance arrangements for the Local Board area and how boundaries have been assessed and communities of interest determined in the past.
48. We therefore propose 4 subdivisions for the Rodney Local Board area:
- The Warkworth subdivision reduced to the Warkworth SUA and areas to the East within current boundaries (2 members);
 - Areas to the West combined with the current Wellsford area through Helensville to the coast and including Muriwai, and called Rural (4 members, with Iwi nominating or supporting a candidate for one position);
 - The current Kumeu subdivision reduced by moving the western coastal area to become part of Rural.(2 members); and
 - The Dairy Flat subdivision retained with its current boundaries (1 member)

49. Quota compliance (estimated as at 2019) would be:

Rodney Local Board Area	Population (2019 est)	Members	Pop per member	Difference from quota	% Diff from quota
Rural Subdivision	30,188	4	7,547	-364	-4.6%
Warkworth Subdivision	16,965	2	8,483	571	7.2%
Kumeu Subdivision	16,537	2	8,269	357	4.5%
Dairy Flat Subdivision	7,510	1	7,510	-401	-5.1%
Total	71,200	9	7,911		

50. Draft Maps for these areas and associated population numbers are as shown in **Appendix E**.

51. We argue that this would constitute a representation that is “fair and effective” in terms of the LEA and that this justifies a decision to review the subdivision representation of the Rodney Local Board area for the 2022 elections.

Climate impact statement

52. The proposal has no climate impacts.

Council group impacts and views

53. There are no impacts on Council groups as the changes proposed only affect the representation on the Rodney local board and do not affect roles or responsibilities.

Local impacts and local board views

54. The changes proposed will improve representation within the local board area. It is hoped this will improve participation in elections, increase local Iwi engagement, improve community support for the Rodney Local Board and Council, and result in greater community involvement in activities.

55. The Rodney Local Board has been given a copy of this background document. However, as members representing the Rodney Local Board subdivision status quo in relation to their election they are personally affected by, and financially interested in, the proposed changes and thus clearly conflicted. Under Standing Order 1.3.7 they are not able to take part in any discussion on the proposal.

Maori impact statement

56. The IMSB and local Iwi (Ngāti Whātua o Kaipara and Ngāti Manuhiri) have been given copies of this background document. They are unable to provide a formal response in time for the presentation of the Motion this paper supports, and have requested to give their feedback in due course. However, initial responses to the proposal from individuals have been strongly positive.

Financial implications

57. We understand from staff the likely cost of a full review is somewhere between \$70,000 and \$100,000.

Risks and mitigations

58. Council staff have advised in discussions that they consider a partial review will open Council to judicial review if it does not conduct a full review and that their internal legal advice supports that view.
59. If the GB considers a full review for the 2022 elections is necessary to achieve the improvements in Rodney Local Board subdivision representation from this proposal before 2025, we would support a full review being undertaken, with modification of the Motion before the GB accordingly.
60. In that case, the GB could resolve to retain the status quo on all arrangements other than the Rodney Local Board subdivision boundaries. AC would still be required to publicly notify all of the proposed arrangements for the 2022 elections for submission. If the only change proposed was to the Rodney Local Board subdivision boundaries, submitters could still submit on any aspect of the proposed arrangements for the 2022 elections and, on any appeal, the Local Government Commission would consider the totality of the arrangements.
61. In support of a full review, we note the whole country has experienced a major upheaval with the Covid-19 pandemic and the responses to it and has recently held national elections. Auckland Council has been significantly affected by the lockdowns and responded by passing an emergency budget that effects material reallocations and reductions. Auckland's population is changing every year. On these grounds alone, the dynamic of Auckland's situation and development opportunities has changed sufficiently to warrant a full representation review now, rather than wait another 3 years.
62. Given the relatively modest cost involved for a pro-active exercise of ratepayers' democratic rights to such a review, we consider the initiative would be generally received positively. It would be seen as being taken to position AC democratically before the next local authority elections, so it can move forward with confidence in the post Covid-19 environment we are facing.

William Foster
Chair, Northern Action Group
November 2020

APPENDIX A: Inequity Concerns in Rural Rodney

As our governors you must not allow the well-worn bureaucratic words of “positive”, “quality”, “development”, “outcomes” and “wellbeing”¹⁴ to become unobtainable in your most unique and largest rural community - within the Rodney Local Board area. You have a great opportunity within your grasp to turn these well-worn terms into real outcomes, initially by way of recognition of the unique nature of your rural communities; geographically, culturally, historically. Although perhaps well-intentioned, Auckland Council’s urban centric narrative¹⁵ has facilitated poor and regressive outcomes for community wellbeing within the rural communities of Rodney. Recognition of diversity and uniqueness forms a pivotal anchor in a harmonic society. The systemic failure to recognise these qualities within Rodney has contributed largely to its rampant inequality and to what is now bordering on “hard core” dissatisfaction¹⁶. The creation of a “rural subdivision” within Rodney will be instrumental in restoring respect and faith in the Governing Body which has historically been seen by these communities as an impediment to their equality and social justice. The creation of a rural subdivision for the currently splintered and marginalized rural communities in Rodney will bring about the greatest unity of the commons ultimately enabling real progress towards the “positive outcomes” or “quality of life” of which you all speak .

Community belonging, the environment, and sense of place

If our governors truly wish to create a strong culture supporting the environment and climate change then it is imperative we start with localism. A genuine sense of connection to the community brings about a heightened sense of environmental awareness and a greater willingness to care for the immediate habitat with natural flow on effects. Rising instances of transiency within communities arise when people feel that they have no immediate connection to their community or environment. Transiency has far reaching financial and social implications for individuals, families and communities. It contributes to material poverty and negative social wellbeing. An umbrella term for the area people inhabit gives the dweller a subconscious feeling of belonging, connection, and pride, much in the same way as allegiance to a team does. A sense of place underpins an individual’s desire to set firm roots in their community and a natural desire to create better community and environmental outcomes.

Community Wellbeing and poverty

The fractured nature of our rural communities has silently contributed to some of the continuing poverty cycles within the rural community. Without genuine rural

¹⁴ In the Auckland 2050 Plan for example, positive appears on (29) pages, quality (82), development(181), outcomes(61), wellbeing/well-being(44)

¹⁵ Urban appears 192 times across (123) pages, city(146), rural(53), town(35), village(10).

¹⁶ Traditionally low satisfaction in CIM surveys, and negative community social media (Rodney Community Voices e.ratepayers.group on Facebook)

representation at a local level the urban centric strong-arm vote has diverted funds for rural infrastructure that could ease the burden for our most financially vulnerable¹⁷. Whilst many may choose to live rural, a proportion have been pushed to the remote peripherals to seek cheaper housing. Disproportionate fuel taxes and the extreme cost of vehicle maintenance on our undermaintained roading network slowly erode any savings made from the cost of housing and eventually contribute to material poverty. Stronger united representation with a manaakitanga approach to development of rural Rodney would bring more voices to the table for fairer funding distribution towards rural infrastructure at a local level and greater lobbying power at the governing level to help mitigate this geographical poverty.

Real positive outcomes

If it is the genuine intent of our Governing Body to seek realistic and genuine “positive outcomes” for our communities wellbeing and environment then it has a conscious duty of care to entertain the idea of allowing an early boundary review for the Rodney rural community. Our governors must identify with our cultural and geographical diversity to help combat the inequality we currently suffer. We must allow community identity to form the strong foundation for our connection to, and Kaitiakitanga of, the land, environment, and our indigenous culture. This is the only way forwards for the outcomes we all seek.

Julie Cotton

¹⁷ Concerns expressed by people like Christine Rose 5 years ago are still relevant and real (<https://briefingpapers.co.nz/living-on-the-edge-rural-views-of-the-supercity/>)

APPENDIX B: Rodney Population by URI [SSGA18]¹⁸

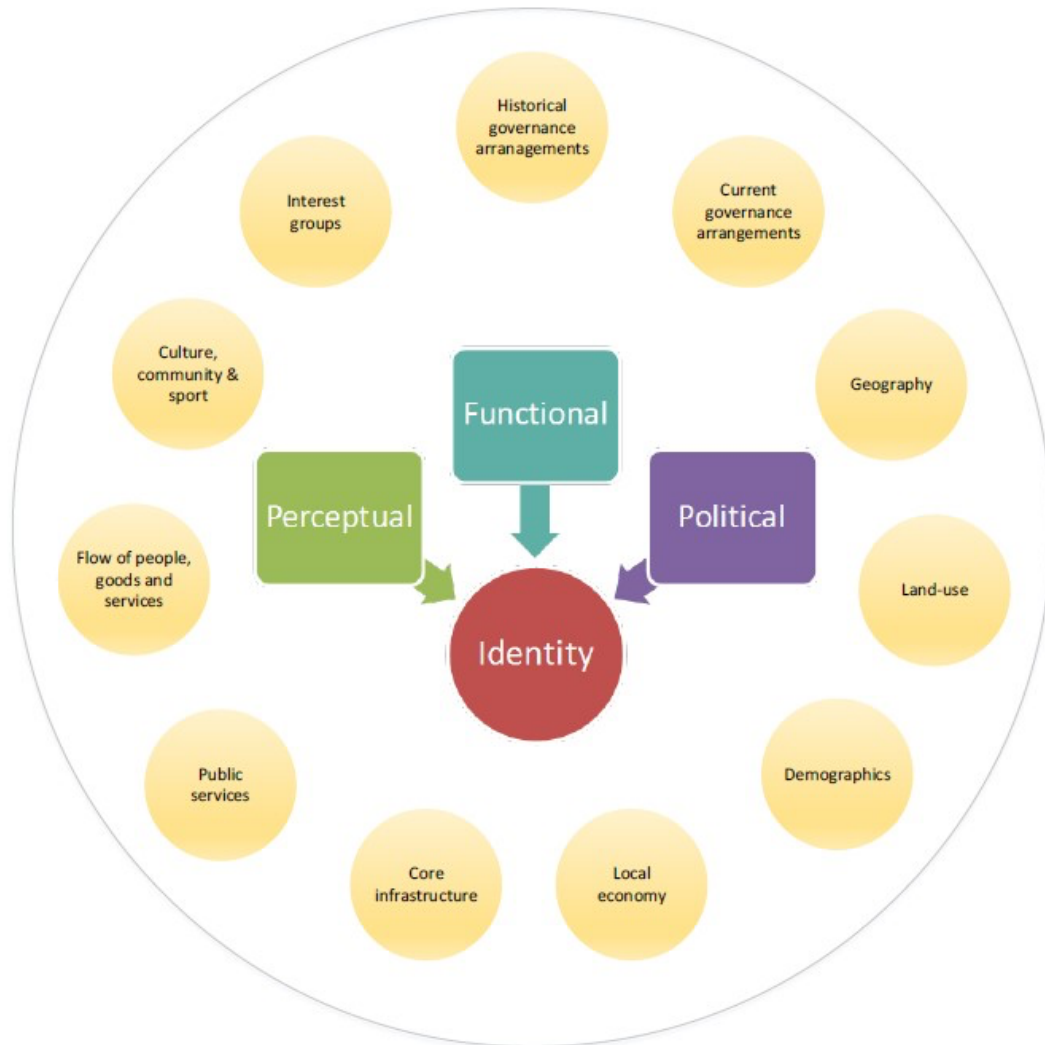
Rodney 2019 Population by URI (with representation if non-contiguous subdivisions allowed)

UR2018_V1_00	UR2018_V1_00_NAME	2018	2019 (est)	URI Status	% of 2019 population	Board members	% Diff from quota
1067	Te Hana	110	110	RS			
1069	Kaipara Flats	170	170	RS			
1070	Shelly Beach	260	260	RS			
1072	Matakana	500	520	RS			
1073	Whangateau	130	130	RS			
1074	Point Wells	530	550	RS			
1075	Leigh	620	630	RS			
1076	Ti Point	140	140	RS			
1077	Rainbows End	110	110	RS			
1078	Omaha	770	780	RS			
1079	Sandspit	540	540	RS			
1080	Baddeleys Beach-Campbells Beach	90	90	RS			
1081	Parakai			RS	(RS prior to 2020)		
1083	Kaukapakapa	900	920	RS			
1084	Puhoi	370	390	RS			
1086	Scotts Landing-Mahurangi East	180	180	RS			
1087	Algies Bay	1040	1040	RS			
1088	Mahurangi West	90	100	RS			
1090	Kawau Island	80	80	RS			
Total		6630	6740		9.47%	1	-14.80%
1068	Wellsford	2030	2090	SUA			
1071	Warkworth	5820	6040	SUA			
1081	Parakai	1150	1150	SUA	(SUA since 2020)		
1082	Snells Beach	3540	3630	SUA			
1085	Helensville	2910	2960	SUA			
1091	Waimauku	1380	1380	SUA			
1092	Muriwai	1300	1310	SUA			
1094	Kumeu-Huapai	3580	4080	SUA			
1097	Riverhead	2920	3150	SUA			
Total		24630	25790		36.22%	3	8.67%
7601	Rodney Ward	69100	71200				
7601	Rodney Local Board Area	69100	71200				
Total	Rural Other	37840	38670	RO	54.31%	5	-2.24%

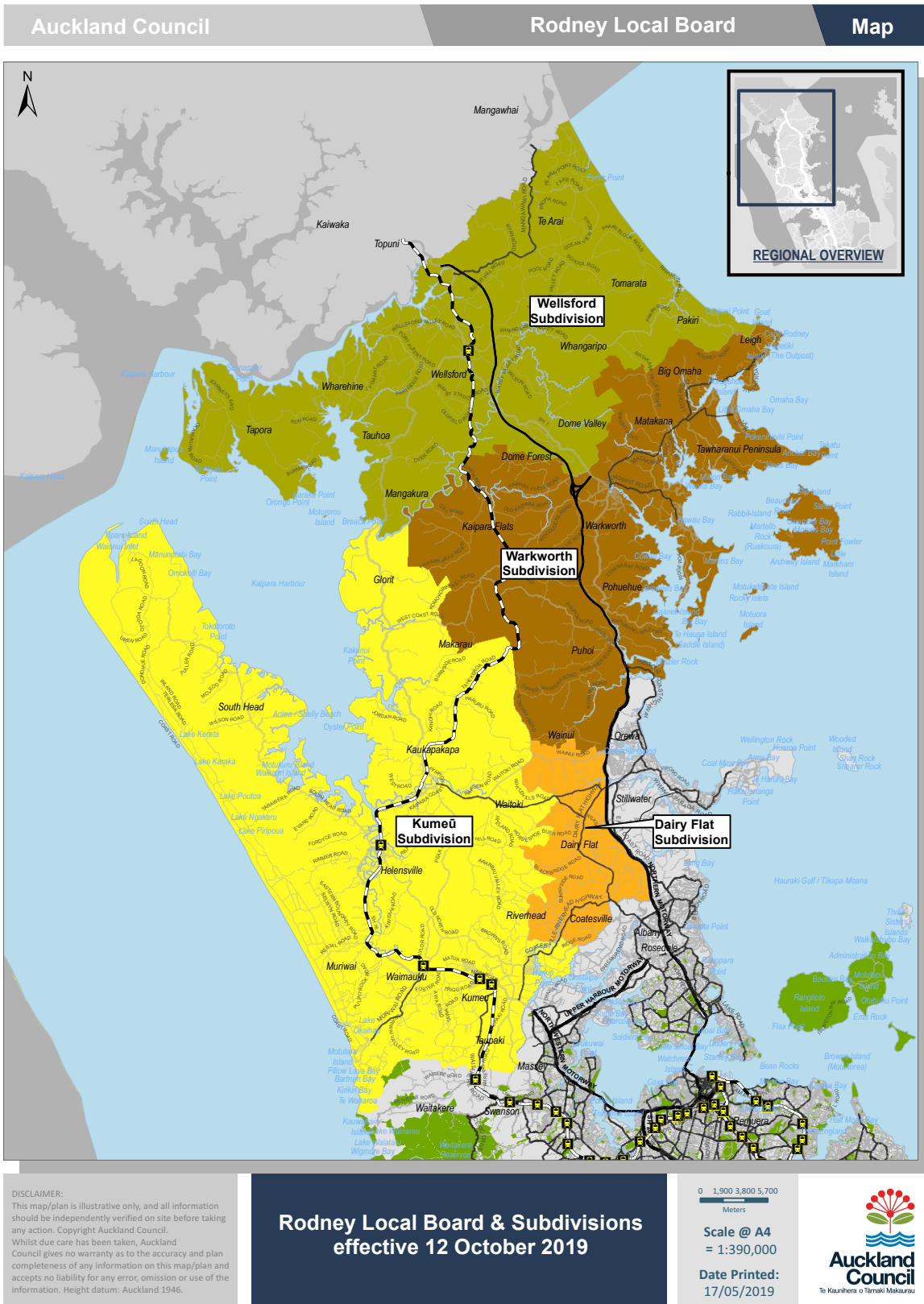
¹⁸ NZ Stats Dept.

APPENDIX C: LGC Graphic of Community of Interest Factors.

From the LGC Communities of interest Study: November 2017.



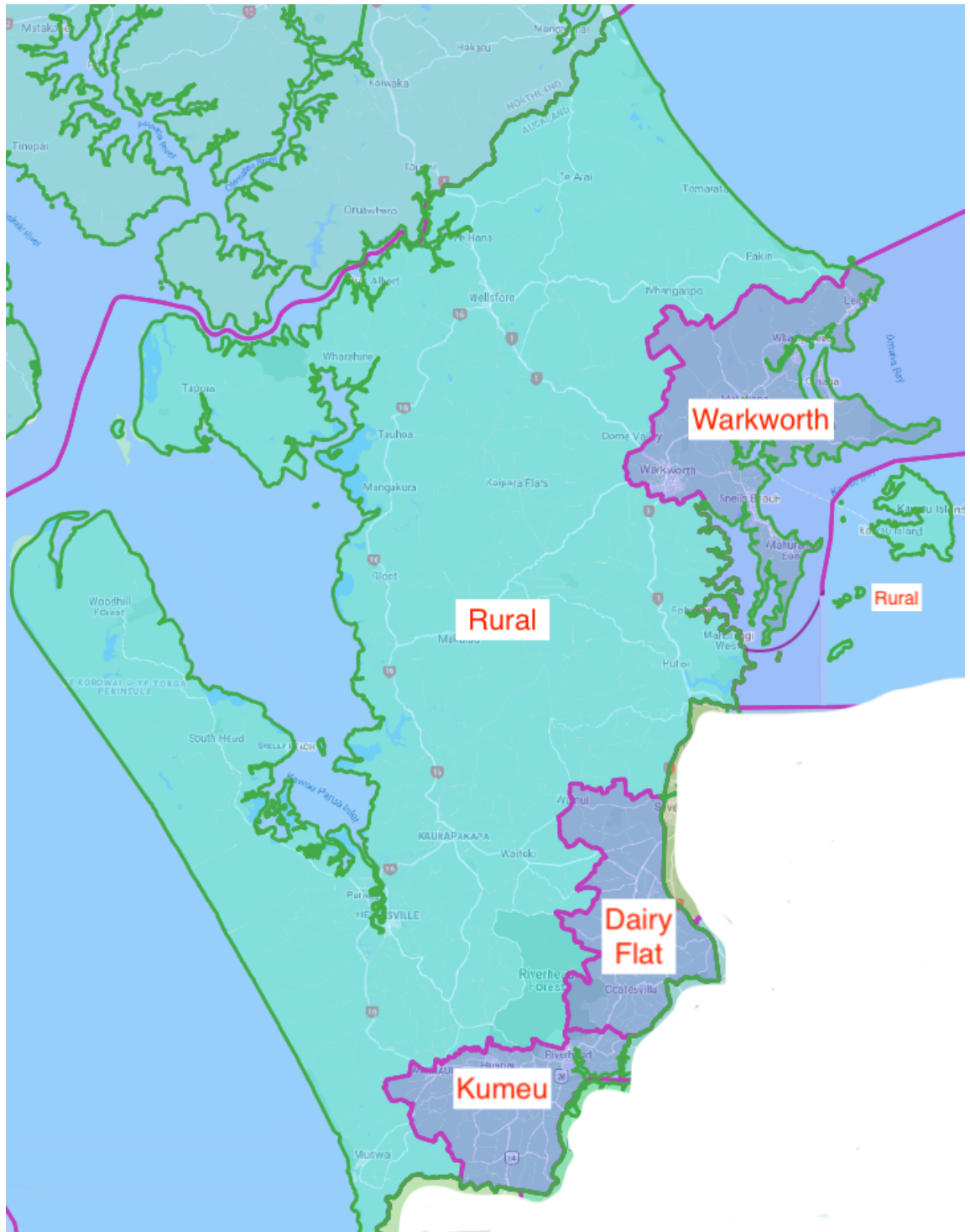
APPENDIX D: Current Rodney Subdivisions



APPENDIX E: Proposed Rodney subdivisions

RLBA Proposal: Four Subdivisions (based on 2019 ERP estimates)

UR2018_V1_00	UR2018_V1_00_NAME	2018	2019 (est)	URI Status	% of 2019 population	Board members	% Diff from quota
WARKWORTH							
1072	Matakana	500	520	RS			
1073	Whangateau	130	130	RS			
1074	Point Wells	530	550	RS			
1075	Leigh	620	630	RS			
1076	Ti Point	140	140	RS			
1077	Rainbows End	110	110	RS			
1078	Omaha	770	780	RS			
1079	Sandspit	540	540	RS			
1080	Baddeleys Beach-Campbells Beach	90	90	RS			
1086	Scotts Landing-Mahurangi East	180	180	RS			
1087	Algies Bay	1040	1040	RS			
1088	Mahurangi West	90	100	RS			
1071	Warkworth	5820	6040	SUA			
1082	Snells Beach	3540	3630	SUA			
various	Associated rural (est)	2420	2485	RO			
Total		16520	16965		23.83%	2	7.2%
KUMEU							
1091	Waimauku	1380	1380	SUA			
1094	Kumeu-Huapai	3580	4080	SUA			
1097	Riverhead	2920	3150	SUA			
various	Associated rural (est)	7255	7927	RO			
Total		15135	16537		23.23%	2	4.5%
DAIRY FLAT							
various	Associated rural (est)	7440	7510	RO	10.55%	1	-5.1%
RURAL							
1067	Te Hana	110	110	RS			
1069	Kaipara Flats	170	170	RS			
1070	Shelly Beach	260	260	RS			
1068	Wellsford	2030	2090	SUA			
1081	Parakai	1150	1150	SUA			
1083	Kaukapakapa	900	920	RS			
1084	Puhi	370	390	RS			
1085	Helensville	2910	2960	SUA			
1092	Muriwai	1300	1310	SUA			
various	Rural Other (est)	18122	20828	RO			
Total		27322	30188		42.40%	4	-4.6%
7601	Rodney Ward	66417	71200				
7601	Rodney Local Board Area	66417	71200				



[N.B The map is accurate to mesh block level. The proposed boundary for the Warkworth subdivision would be drawn around the end of the Mahurangi peninsular, so that Kawau Island would be part of a contiguous Rural subdivision]

APPENDIX F: Map showing current and proposed subdivisions and urban/rural areas

Proposed Subdivisions

