



## LOCAL GOVERNMENT COMMISSION

# Determination

of representation arrangements to apply for the  
election of the North Shore City Council to be held on  
13 October 2007

### BACKGROUND

1. The North Shore City Council ("the Council") elected at the 2004 local election comprised 15 members and the Mayor. The 15 members were elected as follows:

Wards	Population	Members	Population per member	Deviation from the district average population per member	Percentage deviation from the district average population per member
Northern	71700	5	14340	+380	+2.72%
Central	62600	5	12520	-1440	-10.32%
Harbour	75100	5	15020	+1060	+7.59%
TOTALS	209400	15	13960		

Note: These figures are obtained from the 2004 population estimates produced by the Government Statistician.

2. There are also 6 community boards in the City as follows:

Ward	Community	Elected Members	Appointed Members	Population
Northern	Albany	4	2	30,400
	East Coast Bays	4	3	41,300
Central	Takapuna	4	2	44,900
	Devonport	4	3	17,750
Harbour	Glenfield	4	2	33,100
	Birkenhead-Northcote	4	3	41,900

3. In August 2005, the Council undertook a review of the representation arrangements for the Council and community boards under sections 19H and 19J of the Local Electoral Act 2001 ("the Act"). On 24 August 2005 the Council resolved the initial proposed electoral arrangements which are to apply for the 2007 local election.
4. The Council proposed the transfer of two areas from the Harbour Ward to the Central Ward (see Appendix 3). This results in the Central Ward complying

with the +/-10% requirement as required by section 19V(2) of the Act. The overall arrangements under the proposal would be as follows:

Wards	Population	Members	Population per member	Deviation from the district average population per member	Percentage deviation from the district average population per member
Northern	71700	5	14340	+383	+2.72%
Central	64330	5	12866	-1091	-7.81%
Harbour	73320	5	14664	+707	+5.07%
TOTALS	209400	15	13960		

5. With respect to community boards the Council proposed the following changes:
  - An alteration to the boundary between the Glenfield Community and the Takapuna Community to follow the alteration to the ward boundaries described above; and
  - A change to the number of appointed members on community boards so that each board includes two appointed members (a decrease from three in some cases).
  
6. The Council received 31 submissions on its initial proposal. Following consideration of them, the Council confirmed its initial proposal as its final proposal. This was publicly notified in November 2005.
  
7. Thirteen appeals were lodged against the final proposal. The issues raised by the appeals were as follows:

Appellant	Main Issues
Barrie and Fay Mason	<ul style="list-style-type: none"> <li>• Abolish community boards</li> <li>• Increase number of councillors to 18</li> <li>• If community boards are retained there be only 3 with 3 elected members each, and a reduction in the number of councillors to 12 (4 for each ward).</li> </ul>
Auckland Chamber of Commerce	Abolish community boards
Terrance and Clare Dunleavy	Abolish community boards; and either – <ul style="list-style-type: none"> <li>• Retain 3 wards and increase the number of members to 18; or</li> <li>• Constitute 4 wards for a total of 20 members.</li> <li>•</li> </ul>
Dennis Orme	Abolish community boards
Employees' & Manufacturers' Association	Reduce community boards from 6 to 3.
Heather Brown	<ul style="list-style-type: none"> <li>• Retain existing boundary between Harbour Ward and Central Ward.</li> <li>• Reduce number of members representing Central Ward by one.</li> </ul>

	<ul style="list-style-type: none"> <li>• Reduce number of community boards from 6 to 3.</li> </ul>
Gavin Fletcher	<ul style="list-style-type: none"> <li>• Reduce number of community boards from 6 to 3; and</li> <li>• Increase number of elected members on community boards from 4 to 7.</li> </ul>
Kenneth Armishaw	<ul style="list-style-type: none"> <li>• Reduce number of community boards from 6 to 3:</li> <li>• Reconsider number of councillors</li> </ul>
John Shears	<ul style="list-style-type: none"> <li>• The boundary alteration between wards should involve only the minimum numbers to comply with the +/-10% requirement.</li> <li>• A more balanced representation between wards would be achieved by the following membership – <ul style="list-style-type: none"> <li>○ Central Ward – 4</li> <li>○ Harbour Ward – 6</li> <li>○ Northern Ward - 5</li> </ul> </li> <li>• The appointment of councillors to community boards should be reconsidered.</li> <li>• The proposals for wards do not comply with the requirement in the Local Electoral Act for fair and effective representation for communities of interest (with the implication that the Harbour Ward is under-represented).</li> </ul>
Castor Bay Residents' & Ratepayers' Association	<ul style="list-style-type: none"> <li>• Reduce number of members from 15 to 12:</li> <li>• Reduce number of community board members by 25%</li> </ul>
Glenfield Ratepayers' & Residents' Association	<ul style="list-style-type: none"> <li>• The Council acted unlawfully by carrying out the review in 2005 and should have carried it out in 2006.</li> <li>• The Council did not consider communities of interest within the City.</li> <li>• The change to boundaries between the Harbour and Glenfield Wards splits the Glenfield community of interest.</li> <li>• The Council's proposals will result in the Central Ward being over-represented before the next election, because of higher growth in the other wards.</li> </ul>
Glenfield Community Board	<ul style="list-style-type: none"> <li>• Opposes the boundary change between the Harbour Ward and Central Ward.</li> <li>• Seeks two wards for the city with</li> </ul>

	<p>the motorway as the boundary and 7 members elected from each ward.</p> <ul style="list-style-type: none"> <li>• The retention of 6 community boards.</li> </ul>
Birkenhead-Northcote Community Board	<ul style="list-style-type: none"> <li>• Seeks two wards for the city with the motorway as the boundary and 7 members elected from each ward.</li> <li>• Retention of 6 community boards.</li> </ul>

## HEARING

8. The Commission met with the Council and the eight appellants who had expressed a desire to be heard by it, in Takapuna on 9 May 2006. The Commission also invited those persons who had made submissions in support of the Council's initial proposal to appear before it, three of whom wished to do so.
9. The Council was represented by the Deputy Mayor, Dianne Hale, Councillors Gary Holmes and Kevin Schwass, and the City Secretary, Peter McArthur. The appellants appearing before the Commission were -
- Glenfield Community Board
  - Birkenhead-Northcote Community Board
  - Glenfield Ratepayers' and Residents' Association (David Thornton)
  - Barrie and Fay Mason
  - Gavin Fletcher
  - Heather Brown
  - John Shears
  - Castor Bay Residents' and Ratepayers' Association (Ken McKay)

Submitters appearing in support of the Council's initial proposal were –

- Andrew Williams
- Clyde Scott
- Martin Lawes

## MATTERS RAISED IN APPEALS AND AT THE HEARING

10. The main arguments presented by in support of the Council's proposal were that:
- the existing three ward system provides an effective system of representation;
  - a 15 member council works well;
  - a two ward system was not considered appropriate for effective representation;
  - the areas proposed to be transferred to the Central Ward have a community of interest with the Takapuna area;
  - the community boards are an integral part of the City's governance, have extensive delegations and allow the Council to focus on strategic issues;

- the community boards represent distinct communities of interest;
  - the Wairau Road industrial area should be located within the jurisdiction of one community board; and
  - the suggestion that the abolition of community boards would result in savings of \$2 million is incorrect as the majority of this is either overheads or fixed costs.
11. The main arguments presented by appellants in support of their appeals were that:
- there had been inadequate consultation on the Council's proposal;
  - the areas proposed to be transferred to the Central Ward do not have a community of interest with the Takapuna area;
  - the rapid but uneven population growth in the City requires radical change to the ward system;
  - a two ward system would be a robust option that would take into account future growth;
  - the Northern Motorway is a clear and unambiguous boundary;
  - the Central Ward is over-represented;
  - the boundary changes proposed by the Council are more extensive than required to comply with +/-10% requirement; and
  - under the current system, the Harbour Ward misses out in the allocation of resources by the Council.

## MATTERS FOR DETERMINATION

12. The statutory provisions setting out the scope of the Commission's determination of North Shore City's representation arrangements are contained in sections 19R, 19H and 19J of the Act.

**19R. Commission to determine appeals and objections**

(1) *The Commission must—*

- (a) *Consider the resolutions, submissions, appeals, objections, and information forwarded to it under section 19Q; and*
- (b) *Subject to sections 19T and 19V in the case of a territorial authority, and to sections 19U and 19V in the case of a regional council, determine, —*

- (i) *In the case of a territorial authority that has made a resolution under section 19H, the matters specified in that section:*
- (ii) *In the case of a regional council that has made a resolution under section 19I, the matters specified in that section:*
- (iii) *In the case of a territorial authority that has made a resolution under section 19J, the matters specified in that section.*

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

- (a) *May make any enquiries that it considers appropriate; and*
- (b) *May hold, but is not obliged to hold, meetings with the territorial authority or regional council or any persons who have lodged an appeal or objection and have indicated a desire to be heard by the Commission in relation to that appeal or objection.*

- (3) *The Commission must, before 11 April in the year of a triennial general election, complete the duties it is required to carry out under subsection (1).*

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

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

**19J. Review of community boards**

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

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

13. When applying the provisions detailed above, the principles of the Act (set out in section 4 of the Act) need to be taken into account, particularly the principle of fair and effective representation for individuals and communities.

## **PROCEDURAL ISSUES**

14. The Glenfield Ratepayers' and Residents' Association argued that the Council acted unlawfully in carrying out its review in 2005 because the Local Electoral Act requires the review to be carried out in either 2003 or 2006. Section 19H(2) of the Act provides that a determination made under that section must be made a territorial authority "on the first occasion, either in 2003 or in 2006". The North Shore City Council did not make a determination in 2003 and the Association argues that it should have done so in 2006. It further argues that the Commission should refer the review back to the Council for it to redo its review.
15. The Commission has noted the Association's concerns. In dealing with this issue, two questions are relevant, namely -
- (a) whether the timing of the Council's determination under section 19H is a relevant matter for consideration by the Commission as part of the consideration of appeals; and
  - (b) if so, what is the Commission's ability to deal with such an issue.
16. Section 19R(1) of the Local Electoral Act states that the Commission must –
- (a) *consider the resolutions, submissions, appeals, objections, and information forwarded to it under section 19Q; and*
  - (b) *subject to sections 19T and 19V in the case of a territorial authority ... determine, -*

(i) *in the case of a territorial authority that has made a resolution under section 19H, the matters specified in that section ...*

17. The appellant's point appears to be that that section 19R(1) does not limit the Commission's determination to the matters specified in section 19H(1) and that the Commission can determine matters specified in subsection (2) of that section. There is, however, nothing in subsection (2) that the Commission has the ability to make a determination on. Subsection (2) deals with process, not the substance of representation reviews.
18. In any case, the Local Electoral Act provides no process or power for the Commission to refer a decision back to a local authority. If an ability for the Commission to do so had been contemplated by Parliament it would have been explicitly provided for in the Act. If the Commission considered that it could take into account the timing of the review, without a power to refer back it would be left in the position it is now – that of making a determination about the City's representation arrangements. The timing of the Council's review is not a relevant matter for the Commission to take into account in determining those arrangements. However even if it were, the Commission's decision about those arrangements would inevitably be the same.
19. The Commission's has therefore decided not to deal further with this matter.

## **CONSIDERATION BY THE COMMISISON**

### **The Council**

20. The broad issues raised in appeals relating to the representation arrangements for the Council are set out below.

#### *The boundary between the Harbour Ward and the Central Ward:*

21. The Council's proposal involves the transfer of two areas from the Central Ward to the Harbour Ward. The effect of this change is that the member/population ratio for the Harbour Ward would comply with the +/-10% requirement of section 19V(3). In deciding on this boundary alteration the Council stated that it is of the view "that residents in the area ...have a greater affinity with, and relate more to, the Takapuna community rather than Glenfield".
22. The Council's view is disputed by some of the appellants on the grounds that the boundary alteration splits a community of interest. One argument put forward was that the Northern Motorway forms a natural boundary for communities of interest, with the boundary alteration proposed by the Council crossing that boundary. It should be noted, however, that a significant area west of the motorway already forms part of the Central Ward, and has done so since the current wards were established in 1998.

#### *Broader issues about the ward structure:*

23. Some appeals sought broader changes to the ward structure of the City. The underlying issue is the difference in population growth between wards, in particular the significantly higher population growth of the Northern Ward. The Birkenhead-Northcote Community Board proposed dealing with this issue by

way of a two-ward system with the boundary between the wards being the motorway. This would result in each of the two wards having a population of approximately 100,000.

24. Other appeals proposed changes to the allocation of members between wards, involving a reduction in the number of members representing the Central Ward.
25. When considering representation arrangements, the Commission is required to apply the criteria contained in sections 19T and 19V of the Act – effective representation of communities of interest, and fair representation of the electors of each ward.
26. The provision of effective representation of communities of interest must be applied when deciding whether the Council should be elected at large, or by wards, or partly at large and partly from wards. If wards are considered appropriate the Commission must determine which communities of interest or groupings of communities of interest require separate representation.
27. The Commission’s first task is to decide whether or not the City should be divided into wards. If wards are to apply it then has to determine the number and boundaries of wards so as to best provide for effective representation of the communities of interest within the City.
28. One appellant made reference to comments made in the representation review determination for North Shore City issued by the then Local Government Commission in 2001. It stated that -  
  

*“ ... if the rapid growth of the City continues in the period leading up to the next statutory review, the Council will need to consider whether the distinction between communities has blurred to such a degree that elections at large is an appropriate electoral option.”<sup>1</sup>*

*“In making its determination taking into account population, rateable value and area, the Commission acknowledges that the population of the Northern Ward is increasing at a faster rate than for the Central and Harbour wards. If this trend continues into the future, the Council may need to consider other models for achieving effective and fair representation when undertaking its next statutory review.”<sup>2</sup>*
29. The current Commission has reviewed these comments. While, ideally, the approach taken by different Commissions over time would be consistent, the reality is that -
  - each decision must be self-contained based on the evidence and issues presented to the Commission; and
  - decisions must reflect the changing requirements of legislation and the principles underpinning the legislation, and the prevailing view as to what constitutes good local government and good representation.
30. From the information presented to it, and its own knowledge of the City, the Commission is satisfied that the division of the City into wards is necessary for

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<sup>1</sup> p.9, Local Government Commission, North Shore City representation review determination, 2001

<sup>2</sup> p.2, Ibid

the effective representation of communities of interest. The size of the City and its population, and the diversity of its communities of interest, mean that an at-large system would not achieve effective representation to the same degree as a ward system.

31. The City Council has proposed that the City continue to be divided into three wards. Subject to two boundary alterations these are the same as the existing wards. As noted above, one appellant proposed a two-ward system with the boundary between the two being the Northern Motorway. The Commission has concerns about this proposal. These two wards would have large populations. They would contain a disparate range of communities of interest and their elongated shape would not result in cohesive geographic units. The Commission does not believe they would provide effective representation of the communities of interest situated in those wards in the City.
32. After taking into account all the information presented to it, the Commission has decided that the continued division of North Shore City into three wards would best reflect the various communities of interest in the City and would provide effective representation for those communities. It has determined that those three wards should be based on the boundaries of the three existing wards. The existing ward structure results in areas containing grouping of communities of interest that are broadly similar or have reasonable linkages and commonalities of interest.
33. The next issue to be dealt with is the specific boundaries between the wards. Generally the existing boundaries appear to the Commission to appropriately demarcate communities of interest. As noted above the Council has proposed the transfer of two areas from the Harbour Ward to the Central Ward. These areas are -
  - an area between Sunnybrae Road and A F Thomas Park; and
  - an area between Wairau Road and Archers Road.

Some submitters argued that these areas have a greater community of interest with Glenfield and the Harbour Ward than with Takapuna and the Central Ward.

34. After considering the evidence presented to it and visiting the areas concerned, the Commission has concluded that the Sunnybrae Road area has a reasonable community of interest with Takapuna. It was not convinced, however, that the Wairau Road area's predominant community of interest lay with Takapuna. The Commission has, therefore, decided that the Sunnybrae Road boundary alteration should proceed but the Wairau Road boundary alteration should not<sup>3</sup>.
35. In considering the boundaries of the wards, the Commission noted a small but anomalous issue. Tenbless Court is a cul-de-sac, which is situated partly in the Northern Ward and partly in the Central Ward. The end of the cul-de-sac is in the Northern Ward but its exit on to external roads is located in the Central Ward as are its immediate accessible environs. This situation has presumably arisen through subdivision occurring since the ward boundaries were last defined. The Commission concludes that Tenbless Court's

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<sup>3</sup> The Sunnybrae Road area includes Meshblocks 0202600, 0204100, 0204300 and 0204500.

immediate community of interest must lie within the Central Ward and has determined that it will be included in that ward<sup>4</sup>.

36. Based on the current number of members of the Council, the ward boundaries amended as above would result in the following arrangements –

Wards	Population	Members	Population per member	Deviation from the district average population per member	Percentage deviation from the district average population per member
Northern	71500	5	14300	+340	+2.44%
Central	63300	5	12660	-1300	-9.31%
Harbour	74600	5	14920	+960	+6.88%
TOTALS	209400	15	13960		

37. The Council's final proposal is for 15 members. This conforms to the requirements of section 19A of the Act, which sets lower and upper limits of 6 and 30 members. One appeal sought a reduction in the number of members to 12, while two sought an increase in members to 18. Either would meet the +/-10% requirement on the basis of the ward boundaries proposed by the Council. Some appellants also sought a decrease in the number of members representing the Central Ward.
38. The Commission did not receive any evidence that lead it to believe that either an increase or a decrease in the total members of the Council is warranted.
39. The modified proposal conforms to the requirements of section 19V(2). The population of each ward, divided by the number of members to be elected by that ward, produces a figure no more than 10% greater or smaller than the population of the district divided by the total number of elected members. While the population/member ratio for the Central Ward is at the lower end of the tolerance, the Commission does not consider that this warrants any change to the number of members allocated to that Ward.

### **Communities**

40. The Council has proposed that the existing system of six community boards be continued, with each ward comprising two community boards. The changes proposed by the Council to the boundary between the Central and Harbour Wards would also be reflected in the boundary between the Takapuna Community and the Glenfield Community.
41. Two main issues were raised in appeals in relation to community boards – whether community boards should be reduced in number, or abolished, and how many members there should be.
42. Appeals relating to the community board structure proposed that -
- Community boards be abolished; or
  - The number of community boards be reduced from 6 to 3.

<sup>4</sup> This relates to Meshblock 0180847.

43. Appeals relating to community board membership proposed that –
- Councillors not be appointed to community boards:
  - The number of members be decreased by 25%:
  - If the number of community boards was reduced to 3, the number of elected members of community boards be increased from 4 to 7.
44. In reviewing community boards the Commission is first required to consider whether there should be community boards within the City. In doing so, section 19W(a) requires it to have regard to any of the criteria for considering reorganisation schemes, contained in subpart 2 of Schedule 3 of the Local Government Act 2002 (“the LGA”), as it considers appropriate. These are:
- Will the proposal promote the good local government of the parent district and the community concerned?
  - Would the district and the community have the resources necessary to enable them to carry out their respective responsibilities, duties and powers?
  - Would the district and the community encompass an area that is appropriate for the efficient and effective exercise of their responsibilities, duties and powers?
  - Would the district and the community contain a sufficiently distinct community of interest or sufficiently distinct communities of interest?
  - Would the district and the community be able to meet the decision-making requirements of section 76 of the LGA, to the extent that they are applicable?
45. In considering this matter, the Commission has been mindful of the overriding principle, contained in section 4(1)(a) of the Act, of fair and effective representation for individuals and communities.
46. While “good local government” is not defined in the Act or the LGA, the Commission believes that the purposes of local government, as contained in section 3 of the LGA, and the principles relating to local authorities, as contained in section 14, should be taken into consideration. The Commission has also had regard to the provisions of the LGA dealing with community boards, these being Schedule 7, and Subpart 2 of Part 4.
47. After taking all the evidence presented to it into account, the Commission concluded that a system of community boards covering the City would promote good local government in North Shore City and that the present system of six community boards is an effective means of achieving this. The present system appears to result in community boards with areas that effectively encompass community level issues. The boards appear to be well integrated into the City’s governance structure. The Commission has, therefore, determined that there should continue to be six communities defined by their existing boundaries, except where change is required to reflect the changes to ward boundaries identified above.
48. A community board member argued that the proposed boundaries for the central ward were essential so that adjoining residents of the Wairau Valley commercial area could be considered in any resource consent applications. The Commission is concerned that North Shore City community boards’

delegations and practices may not reinforce the regulatory role of resource consent and other hearings. The Commission believes that the Council should review the delegations and resource consent appointment practices to ensure that the differences between regulatory and policy roles are clear.

49. Comment was made by some appellants about the differences in the populations between communities. There is a population range of 17,750 to 44,900. The suggestion was that this situation is unfair and that a community with a lower population is over-represented. The Commission does not consider that this argument has any validity. When considering what area communities should cover, the primary considerations should be whether the area reflects communities of interest and whether the areas are appropriate for the exercise of the board's functions. Requiring conformity of population risks creating arbitrary and inappropriate areas that do not reflect the diversity of communities within the City. Clearly this is not what the Local Electoral Act nor the Local Government Act envisage.
50. The Commission has also decided that the membership arrangements for community boards proposed by the Council should be confirmed. These appear to the Commission to achieve effective representation of the communities of interest encompassed by the communities.

## **DETERMINATION**

51. Under section 19R of the Local Electoral Act 2001, the Commission determines that for the general election of the North Shore City Council to be held on 13 October 2007, the following representation arrangements shall apply –
- (1) North Shore City as delineated on S.O. Plan 63497 deposited with Land Information New Zealand, shall be divided into three wards;
  - (2) Those three wards shall be:
    - (a) The Northern Ward, comprising the area delineated on S.O. Plan No. 69284 deposited with Land Information New Zealand;
    - (b) The Central Ward, comprising the area delineated on S.O. Plan No. 69283 deposited with Land Information New Zealand; and
    - (c) The Harbour Ward, comprising the area delineated on S.O. Plan No. 69282 deposited with Land Information New Zealand;
  - (3) The Council shall comprise the Mayor and 15 members, elected as follows:
    - (a) Five members shall be elected by the electors of the Northern Ward;
    - (b) Five members shall be elected by the electors of the Central Ward; and
    - (c) Five members shall be elected by the electors of the Harbour Ward;
  - (4) There shall be six communities as follows:

- (a) The Albany Community, comprising the area delineated on SO Plan 372754 deposited with Land Information New Zealand;
- (b) The East Coast Bays Community, comprising the area delineated on SO Plan 372755 deposited with Land Information New Zealand;
- (c) The Takapuna Community, comprising the area delineated on SO Plan 372757 deposited with Land Information New Zealand;
- (d) The Devonport Community, comprising the area delineated on SO Plan 372759 deposited with Land Information New Zealand;
- (e) The Glenfield Community, comprising the area delineated on SO Plan 372760 deposited with Land Information New Zealand;
- (f) The Birkenhead-Northcote Community, comprising the area delineated on SO Plan 372761 deposited with Land Information New Zealand; and

(5) The membership of each community board shall be as follows:

- (a) The Albany Community Board shall comprise four elected members and two of the members of the Council representing the Northern Ward and appointed to the community board by the Council;
- (b) The East Coast Bays Community Board shall comprise four elected members and two of the members of the Council representing the Northern Ward and appointed to the community board by the Council;
- (c) The Takapuna Community Board shall comprise four elected members and two of the members of the Council representing the Central Ward and appointed to the community board by the Council;
- (d) The Devonport Community Board shall comprise four elected members and two of the members of the Council representing the Central Ward and appointed to the community board by the Council;
- (e) The Glenfield Community Board shall comprise four elected members and two of the members of the Council representing the Harbour Ward and appointed to the community board by the Council; and
- (f) The Birkenhead-Northcote Community Board shall comprise four elected members and two of the members of the Council representing the Harbour Ward and appointed to the community board by the Council.

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

**FOR THE LOCAL GOVERNMENT COMMISSION**

Sue Piper (Chair)  
Wynne Raymond (Commissioner)

14 July 2006