



Determination

of representation arrangements to apply for the election of the
Kapiti Coast District Council to be held on 8 October 2022

Background

1. All territorial authorities are required under sections 19H and 19J of the Local Electoral Act 2001 (the Act) to review their representation arrangements at least every six years. Representation reviews are to determine the number of councillors to be elected, the basis of election for councillors and, if this includes wards, the boundaries and names of those wards. Reviews also include whether there are to be community boards and, if so, arrangements for those boards. Representation arrangements are to be determined so as to provide fair and effective representation for individuals and communities.
2. The Kapiti Coast District Council (the Council) last reviewed its representation arrangements prior to the 2016 local authority elections. Accordingly, it was required to undertake a review prior to the next elections in October 2022.
3. The Commission last made a determination in relation to Kapiti Coast District Council's representation in 2016. The council's current representation arrangements comprise a mayor and 10 councillors elected as follows:

| Ward | 2020 electoral population estimate* | Number of councillors | Population per councillor | Deviation from district average population per councillor | % deviation from district average population per councillor |
|-------------------------------|-------------------------------------|-----------------------|---------------------------|---|---|
| Ōtaki | 9,870 | 1 | 9,870 | -1,544 | -13.53 |
| Waikanae | 14,450 | 1 | 14,450 | 3,036 | +26.60 |
| Paraparaumu | 21,800 | 2 | 10,900 | -514 | -4.50 |
| Paekākāriki-Raumati | 10,950 | 1 | 10,950 | -464 | -4.07 |
| Total ward councillors | 57,070 | 5 | 11,414 | | |
| At large councillors | | 5 | | | |
| Total District | | 10 | | | |

*Based on Tatauranga Aotearoa Stats NZ 2020 electoral population estimates

4. The current arrangements include four community boards: Ōtaki, Waikanae, Paraparaumu-Raumati, and Paekākāriki.

Current review: Council process and proposal

Preliminary consultation

5. For the current review, the Council undertook preliminary engagement with the community comprising street intercept interviews (28), market pop-ups (80 people/engagements), an online survey (19 responses), community workshops (20 people), and long semi-structured interviews (18). The Council also engaged with stakeholder groups and community boards. Key outcomes of the preliminary engagement were:
 - a. People believe the district has many communities of interest, distinct suburbs, and particularly distinct Ōtaki, Paekākāriki, and rural communities
 - b. Many people use the whole district
 - c. Geographic communities of interest run west to east and north to south (rural, urban, coastal)
 - d. People believe a diverse elected council is very important, and want councillors to come from across the district
 - e. Councillors need to know the people and issues of the district
 - f. It's currently hard to hear from the diverse range of voices; community boards might only amplify voices already heard
 - g. Councillors should do what's best for Kapiti as a whole and councillor capability is very important

The Council's initial proposal

6. On 26 August 2021 the Council resolved as its initial representation proposal a council comprising the mayor plus 10 members; five elected at large and five elected by three wards. The Council also resolved not to establish community boards.
7. The initial proposed ward arrangements were as follows:

| Ward | Electoral population estimate* | Number of councillors | Population per councillor | Deviation from district average pop ⁿ per councillor | % deviation from district average pop ⁿ per councillor |
|-------------------------------|--------------------------------|-----------------------|---------------------------|---|---|
| Kapiti ki te Raki/Northern | 10,050 | 1 | 10,050 | -1,364 | -11.95 |
| Kapiti ki Waenga/Central | 35,500 | 3 | 11,833 | 419 | +3.67 |
| Kapiti ki te Tonga/Southern | 11,500 | 1 | 11,500 | 86 | +0.75 |
| Total ward councillors | 57,070 | 5 | 11,414 | | |
| At large councillors | | 5 | | | |
| Total councillors | | 10 | | | |

*Based on Tatauranga Aotearoa Stats NZ 2020 electoral population estimates

8. The Council notified its proposal on 1 September 2021 and received 532 submissions by the deadline of 4 October 2021. The Council heard 59 submitters on 19 and 20 October 2021.
9. Key themes in the submissions were:
 - a. Retaining 10 councillors and a mayor: 66% agree, 19% disagree, 15% neutral or don't know
 - b. Five ward councillors and five district-wide councillors: 61% agree, 28% disagree, 11% neutral or don't know
 - c. Combining most of the current Paraparaumu and Waikanae wards: 19% agree, 67% disagree, 14% neutral or don't know
 - d. Removal of community boards: 25% agree, 69% disagree, 6% neutral
 - e. Proposed boundary lines: 19% agree, 53% disagree, 27% neutral or don't know
10. A Council briefing on 28 October 2021 provided direction to Council officers for a final proposal. The Council's officers' report on the final proposal set out the following options:
 - a. Option A: Seven councillors elected from six wards, three elected at large. Four community boards. All wards comply with the '+/- 10% rule'
 - b. Option B: As per Option A but with subdivisions for two of the community boards. All wards comply
 - c. Option C (modified status quo): Five councillors elected from four wards, five elected at large. Five community boards. Two non-compliant wards
 - d. Option D (modified status quo): As per Option C but with four community boards, one larger than existing. Two non-compliance wards.

The Council's final proposal

11. At a meeting on 11 November 2021, the Council amended its initial proposal to the following final proposal for the 2022 local elections:

| Ward | Electoral population estimate* | Number of councillors | Population per councillor | Deviation from district average pop ⁿ per councillor | % deviation from district average pop ⁿ per councillor |
|-------------------------------|--------------------------------|-----------------------|---------------------------|---|---|
| Ōtaki | 10,050 | 1 | 10,050 | -1,370 | -12.00 |
| Waikanae | 14,250 | 1 | 14,250 | 2,830 | +24.79 |
| Paraparaumu | 21,300 | 2 | 10,650 | -770 | -6.74 |
| Paekākāriki-Raumati | 11,500 | 1 | 11,500 | 80 | +0.70 |
| Total ward councillors | 57,100 | 5 | 11,420 | | |
| At large councillors | | 5 | | | |
| Total District | | 10 | | N/A | N/A |

*Based on Tatauranga Aotearoa Stats NZ 2020 electoral population estimates

12. The Council also resolved to retain the existing community boards (Ōtaki, Waikanae, Paekākāriki) and to split the existing Paraparaumu-Raumati Community into two (Paraparaumu and Raumati), each electing four members with one or two appointed members.
13. The Council publicly notified its final proposal on 13 November 2021, including advice that in order to avoid splitting communities of interest the Ōtaki and Waikanae Wards did not comply with the fair representation criteria.
14. Given the non-compliance of the proposed ward, the Council was required under section 19V(4) of the Act to refer its proposal to the Commission for determination. In addition, 11 appeals against the proposal were received.

Appeals/objections against the Council's final proposal

15. The Council referred the appeals and objections to the Commission, in accordance with section 19Q of the Act.
16. Ten appeals were considered valid or partially valid and covered the following matters:
 - a. Underrepresentation for the Waikanae Ward (+24.79%)
 - b. Alteration to the boundary between Waikanae Ward and Ōtaki Wards
 - c. All appellants propose alternative representation arrangements, as follows:
 - 11 or 12 councillors elected by wards, none at large
 - A mixed model of seven councillors elected by wards, three at large
 - Options A or B from the Council officer's report on the final proposal

Hearing

17. The Commission met with the Council and the seven appellants who wished to be heard at a hearing held online on Thursday 3 February 2022. The Council was represented at the hearing by Deputy Mayor Janet Holborow and Councillor James Cootes.
18. The following appellants and objectors appeared at the hearing:
 - a. Chris Turver
 - b. Chris Mitchell
 - c. Richard Mansell
 - d. Royd Sampson
 - e. Waikanae Community Board, represented by James Westbury (Chair)
 - f. Patrick Duignan
 - g. Waikanae Beach Residents Society Inc, represented by Dr Gerald Rys (Chair) and Patrick Duignan

Matters raised at the hearing

19. Deputy Mayor Holborow, supported by Councillor Cootes, explained the process the Council had followed in carrying out its representation review and reaching its final proposal. They emphasised the following points:
 - a. It had been challenging to develop an arrangement that reflected communities of interest while complying with the Act
 - b. The Council's approach to preliminary engagement deliberately sought voices not previously heard
 - c. The initial proposal reflected that Ōtaki and Paekākāriki communities were highlighted as clear communities of interest in the preliminary engagement
 - d. The tension between the community's twin desires for representation of local issues and a district wide view supported a mixed large/wards structure
 - e. Some in the community felt community boards provided a confusing layer of governance, while others valued them but felt they needed more "teeth"
 - f. It was difficult to consult on different representation options as the Act only allowed for one option to be presented as the initial proposal
 - g. The district has a strong centre in Paraparaumu and Waikanae; the more distinct communities to north and south risk being marginalised if there is a strong block vote in the centre.

20. The appellants and objectors appearing at the hearing emphasised the following points in opposition to the Council's proposal:
 - a. Concern about the Council's approach to preliminary engagement and the restrictions on in-person engagement due to Covid-19 restrictions.
 - b. The Council has not provided a clear rationale for the 5:5 wards/at large split nor the proposed under-representation of Waikanae.
 - c. A larger proportion of councillors elected by wards would ensure more effective representation.
 - d. Voters in the more densely populated central wards could dominate voting for at large councillors, skewing representation to those wards.
 - e. Waikanae is identified as a growth area in the Council's district plan, suggesting the proposed under-representation will worsen.
 - f. The proportion of permanent residents in Waikanae Beach is increasing, reducing the difference in residence types between beach and town.
 - g. The expressway disrupts the community of interest link between Waikanae Beach and Waikanae town.
 - h. Waikanae Beach has unique coastal issues and features that require distinct representation.
 - i. Community boards are vital but need strengthening in terms of their delegations and support in the form of training for members.

Matters for determination by the Commission

21. Section 19R of the Act makes it clear that the Commission, in addition to consideration of the appeals and objections against a council's final representation proposal, is required to determine, in the case of a territorial authority, all the matters set out in sections 19H and 19J which relate to the representation arrangements for territorial authorities. This interpretation was reinforced by a 2004 High Court decision which found that the Commission's role is not merely supervisory of a local authority's representation arrangements decision. The Commission is required to form its own view on all the matters which are in scope of the review.
22. The Council's review process is not one of the matters set out in sections 19H and 19J. Any concerns expressed by appellants and objectors relating to the Council's review process are not a basis for the Commission to overturn a council's proposal. The Commission may, however, comment on a council's process as part of its determination.
23. Much of the preliminary engagement for this review used recognised social research techniques. The research appears to have produced mainly qualitative data and this drew criticism in submissions and appeals. We consider that the research provided valuable insights for the Council but acknowledge that it could have been strengthened by the addition of a substantive quantitative element.
24. We also heard the Council's frustration that the Act allows councils to formally consult on only one option as the initial proposal. However, preliminary consultation is a councils' opportunity to seek views on particular representation options to assist in developing its formal proposal. We recommend the Council factors this into its next review.
25. The matters in the scope of the review are:
 - whether the Council is to be elected from wards, the district as a whole, or a mixture of the two
 - the number of councillors
 - if there are to be wards, the area and boundaries of wards and the number of members to be elected from each ward
 - whether there are to be community boards
 - if there are to be community boards, the area and boundaries of their communities, and the membership arrangements for each board.

Key considerations

26. Based on the legislative requirements, the Commission's *Guidelines for local authorities undertaking representation reviews* (the Guidelines) identify the following three key factors when considering representation proposals:
 - communities of interest
 - effective representation of communities of interest
 - fair representation for electors.

Communities of interest

27. The Guidelines identify three dimensions for recognising communities of interest:
- *perceptual*: a sense of identity and belonging to a defined area or locality as a result of factors such as distinctive geographical features, local history, demographics, economic and social activities
 - *functional*: ability of the area to meet the needs of communities for services such as local schools, shopping areas, community and recreational facilities, employment, transport and communication links
 - *political*: ability to represent the interests of local communities which includes non-council structures such as for local iwi and hapū, residents and ratepayer associations and the range of special interest groups.
28. We note that in many cases councils, communities and individuals tend to focus on the ‘perceptual’ dimension of communities of interest. That is, they focus on what intuitively they ‘feel’ are existing communities of interest. While this is a legitimate view, more evidence may be required to back this up. It needs to be appreciated that the other dimensions, particularly the ‘functional’ one, are important and that they can also reinforce the ‘sense’ of identity with an area. In other words, all three dimensions are important but should not be seen as independent of each other.
29. In addition to demonstrating existing communities of interest, evidence also needs to be provided of *differences* between neighbouring communities, i.e. that they may have “few commonalities”. This could include the demographic characteristics of an area (e.g. age, ethnicity, deprivation profiles) and how these differ between areas, and evidence of how different communities rely on different services and facilities.
30. In its 2016 determination for Kapiti Coast District Council, the Commission recommended that in its next review the Council give particular consideration to the ongoing appropriateness of certain sections of the Waikanae/Ōtaki Ward/community boundary in light of developments in the area, specifically an area between State Highway 1 and the coast.
31. Also in 2016, the Commission considered that Waikanae and Ōtaki remained reasonably distinct communities of interest, each with a number of decentralised services, and distinct geographic, socio-economic and ethnic characteristics. This aligns with feedback received during this review, which also identifies strong communities of interest centred on individual towns and suburbs, and along coastal, rural and urban dimensions.

Effective representation of communities of interest

32. Section 19T of the Act requires the Commission to ensure that:
- the election of members of the council, in one of the ways specified in section 19H (i.e. at large, wards, or a combination of both) will provide effective representation of communities of interest within the district
 - ward boundaries coincide with the boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes

- so far as is practicable, ward boundaries coincide with community boundaries (where they exist).
33. 'Effective representation' is not defined in the Act, but the Commission sees this as requiring consideration of factors including an appropriate number of elected members and an appropriate basis of election of members for the district concerned (at large, wards, or a mix of both).
 34. The Commission's Guidelines note that what constitutes effective representation will be specific to each local authority but that the following factors should be considered:
 - avoiding arrangements that may create barriers to participation, such as at elections by not recognising residents' familiarity and identity with an area
 - not splitting recognised communities of interest between electoral subdivisions
 - not grouping together two or more communities of interest that share few commonalities of interest
 - accessibility, size and configuration of an area including access to elected members and vice versa.
 35. Within the scope of a representation review, councils can achieve effective representation of communities of interest by having members elected by wards, at large, a mixture of wards and at large.
 36. While not a prescribed statutory requirement, the Guidelines suggest that local authorities consider the total number of members, or a range in the number of members, necessary to provide effective representation for the district as a whole. In other words, the total number of members should not be arrived at solely as the product of the number of members per ward, if there are to be wards.
 37. Section 19A of the Act provides that a territorial authority shall consist of between 5 and 29 members, excluding the mayor. Kapiti Coast District Council has been divided into wards since its constitution in 1989. Since at least 2010 those wards have reflected a distinction between Paekākāriki, Paraparaumu, Waikanae and Ōtaki, and to an extent, Raumati. Over the same time, the Council has comprised a mayor and 10 councillors, five elected at large and five by wards.

Fair representation for electors

38. For the purpose of achieving fair representation for the electors of a district, section 19V(1) of the Act requires that the population of each ward divided by the number of members to be elected by that ward must produce a figure no more than 10 per cent greater or smaller than the population of the district divided by the total number of members (the '+/-10% rule').
39. However, section 19V(3)(a) permits non-compliance with the '+/-10% rule' for territorial authorities in some circumstances. Those circumstances are where:
 - non-compliance is required for effective representation of communities of interest within island communities or isolated communities

- compliance would limit effective representation of communities of interest by dividing a community of interest
 - compliance would limit effective representation of communities of interest by uniting two or more communities of interest with few commonalities.
40. The Council's proposal results in two wards, Ōtaki (-12.00%) and Waikanae (+24.79%) not complying with the '+/-10% rule'.
 41. Ten appellants oppose the under-representation for the Waikanae Ward, arguing that not only does it not provide fair representation for electors, it does not provide a sufficient number of councillors to effectively represent the issues specific to the Ward.
 42. The Commission's 2016 determination on Kapiti Coast District's representation arrangements permitted non-compliance for the Otaki Ward (-17.07%) and the Waikanae Ward (+20.42%). When this question was addressed by the Commission in 2016 the Commission explained that the communities were clearly distinct, and there were few options for ward boundaries that complied with the +/-10% fair representation while also meeting the requirements of the Act, that, so far as is practicable, ward boundaries coincide with community boundaries (section 19T).
 43. The Commission has re-examined the issue of non-compliance of Ōtaki and Waikanae wards in the light of the proposed increase in non-compliance for Waikanae, and evidence presented to us in the course of this review about the expected growth in the district. A number of appellants provided anecdotal evidence of rapid current and expected growth in Waikanae.
 44. In response to questions, the Council confirmed it was anticipating significant growth across the entire district over the next 20-50 years, but exactly how and where that growth might happen was still uncertain and subject to a number of factors. These included the Council's current work to develop a growth strategy and review the district plan, and the influence of government housing programmes.
 45. To our mind, there is certainly potential for the non-compliance for Waikanae in particular to continue to increase. While we recognise the distinct nature of the Waikanae community, we do not believe it is reasonable to continue endorsing a non-compliance of this size.
 46. This leaves the Commission to consider what alternative arrangements might provide a more reasonable balance of fair representation for electors and effective representation of communities of interest.

Alternative arrangements

47. Ten appellants propose alternative arrangements arguing that they provide for both fairer representation, and more effective representation for Waikanae specifically.

Alternative arrangement - 11 councillors elected by wards

48. One appellant proposed all councillors be elected by wards with none elected at-large. Based on the Council's proposed ward boundaries, this would increase the number of councillors elected by every ward. Increasing the total number of

councillors to 11 produces an arrangement that is largely compliant with the ‘+/-10% rule’ with the Paekākāriki-Raumati Ward very slightly under-represented at 10.79%.

49. This arrangement was not directly tested in the Council’s process although 66% of submitters to the initial proposal indicated their agreement to retaining 10 councillors and a mayor. The preliminary engagement also suggested a preference for a mixed wards/at large model on the basis it would ensure dedicated representation of specifically local, and district-wide issues. We note that the declaration by members as set out in Schedule 7 of the Local Government Act requires all members, regardless of whether they are elected by wards or at large, to declare that they will execute and perform their powers in the best interests of the district. However, we agree that councillors elected at large can reflect communities of interest that exist district-wide along demographic, social, and economic lines, such as youth and business.
50. Given the level of community support for a mixed wards/at large arrangement, we do not consider it appropriate to make such a significant change at this stage in the process.
51. The appellant’s other proposed alternative arrangement is Option A in the Council officers’ report on the final proposal, on the basis that the critical number of wards-based councillors for improved compliance with the ‘+/-10% rule’ is seven.

Alternative arrangements – Options A and B

52. Ten appellants support one or both of two alternative options provided in the council officers’ report on the final proposal. These options, referred to as Option A and Option B are both based on an arrangement of six wards in which all wards are compliant with the ‘+/-10% rule’. Both options provide for a council of 10 plus the mayor, comprising seven elected by wards and three at large. The difference between the two options is the variation on the existing community board structure.
53. Options A and B recognise the four key areas of Paekākāriki-Raumati, Paraparaumu, Waikanae and Ōtaki, but split the Waikanae and Paraparaumu Wards further into beach and town communities of interest. The main boundary differences between Options A and B and the Council’s final proposal are:
 - a. The Ōtaki/Waikanae boundary moves north to Te Horo Beach Road and School Road.
 - b. No change to the Waikanae/Paraparaumu boundary.
 - c. The Paraparaumu/Paekākāriki-Raumati boundary moves south, largely aligning with Wharemauku Stream between the coast and State Highway 1.
 - d. The Paekākāriki-Raumati eastern boundary follows State Highway 1, the inland area to the east of State Highway 1 becoming part of Paraparaumu.
54. Most of the appellants oppose the Council’s proposed number of five councillors elected at large because they consider it to be a key factor in the under-representation of the Waikanae Ward. The appellants argue that Options A and B allow for smaller wards that provide representation for the Waikanae communities of interest at a more granular level than the Council’s proposal, while also complying with the ‘+/-10% rule’.

55. These options were discussed at a Council workshop prior to the Council resolving its final proposal but not pursued further. It was noted that a 7:3 wards/at large ratio of councillors surfaced during the Council's consultation as a minority view, while 61% of submissions on the initial proposal agreed or strongly agreed with a 5:5 wards/at large ratio. However, an analysis of geographic communities of interest provided to the workshop noted the following:

In the earlier design research, we heard the different geographic community hubs were seen as different communities of interest, including Waikanae Beach as distinct from Waikanae town, Raumati as distinct from Paekākāriki, and to a lesser degree Raumati separate from Raumati South. We also heard 'coastal' and 'rural' are geographic communities of interest (of secondary prominence to the hubs). In the consultation, people reinforced the differences between geographic communities, particularly that Waikanae is different from Paraparaumu, Ōtaki is distinct, and rural needs a voice. In the consultation, Waikanae beach wasn't specifically mentioned as distinct by many people; it was more about Waikanae compared to Paraparaumu.

56. The Council also commented at the hearing about the existence of many small communities of interest in the district and the challenge deciding how best to represent them. This suggests a key matter for the Commission to understand is the level at which communities of interest in the district are most effectively represented.
57. At the hearing, a number of appellants told us that the Waikanae Beach community is distinct from the wider Waikanae community. As well as discussing growth, they emphasised the geographic delineation of Waikanae Beach, being bounded by the beach, the expressway and the Waikanae River. Appellants also described the community's unique environmental representation issues, noting the community's success in advocating for the beach to be recognised as a special character area.
58. In response to our questions one appellant, the Waikanae Beach Residents Society Inc, said the lack of distinct representation for the community to date had resulted in a lack of attention to the issues they raised with the Council. They also argued that the community was now the highest rated area in the district, but Council expenditure did not reflect that.
59. As a counterpoint, the Waikanae Community Board described the beach and town as distinct but very integrated sub-communities within the wider Waikanae community of interest. The Community Board did not believe the differences justified splitting Waikanae into two for representation purposes.
60. We would observe that many of the appellants, in detailing the outcomes of their advocacy for the beach and in presenting their appeals to us, have demonstrated that the beach community has well-established engagement channels with the Council and a clear ability to advocate for itself. We also note that there were no appeals or objections from the Paraparaumu community to indicate support for the separation of beach and town in that ward.
61. Given the strength of feedback during the Council's process supporting representation at the level of four distinct communities within the district, we are not persuaded that the differences between beach and town outweigh their

common interests. Accordingly, we do consider separate ward representation is not warranted for the town and beach communities.

Alternative four-ward option

62. We acknowledge the council’s endeavours to retain the 5:5 wards/at-large councillor model in response to community feedback. However, we cannot endorse the proposal when a slightly different balance of wards/at-large reflects the principle of local plus district-wide representation while also ensuring fair representation for electors.
63. To this end, Options A and B do provide a basis for a wards arrangement that reflects the four key communities of interest while also ensuring fair representation for electors. Removing the town and beach distinction for the Waikanae and Paraparaumu Wards would produce four wards as follows:

| Ward | 2020 electoral population estimate* | Number of councillors per ward | Population per councillor | Deviation from district average population per councillor | % deviation from district average population per councillor |
|-------------------------------|-------------------------------------|--------------------------------|---------------------------|---|---|
| Ōtaki | 8,900 | 1 | 8,900 | 750 | 9.20% |
| Waikanae | 15,400 | 2 | 7,700 | -450 | -5.52% |
| Paraparaumu | 24,100 | 3 | 8,033 | -117 | -1.43% |
| Paekākāriki-Raumati | 8,650 | 1 | 8,650 | 500 | 6.13% |
| Total ward councillors | 57,050 | 7 | 8,150 | | |
| At large councillors | | 3 | | | |
| Total District | | 10 | | | |

*Based on Tauranga Aotearoa Stats NZ 2020 electoral population estimates.

64. The Council officer’s report on the final proposal notes that under Options A and B, the Ōtaki/Waikanae boundary may split the Te Horo community along the inland section between the Waikanae wards and Ōtaki Wards. At the hearing, the Council and appellants again highlighted this and also noted that the Paraparaumu/Paekākāriki-Raumati boundary splits the Raumati community.
65. At the hearing, the Council described Te Horo as distinct but not large enough to make up a ward, with an estimated population of 1,810. The Council further noted that the community was split by links to larger communities in the north and south, with no local services and no economic or commercial hub. Given this fragmentation, we do not believe the ward boundary will impact greatly on the community.
66. By contrast, the Raumati community can be considered to have a strong community identity, reinforced by the Council’s consultation. Under this option, the Paraparaumu/Paekākāriki-Raumati boundary starts at the coast just north of the Wharemauku Stream mouth then largely follows the stream inland to State Highway

- 1, passing south of the Kapiti Coast Airport. As a result, 21 residential meshblocks and an estimated 1400 people are transferred from the current Paekākāriki-Raumati Ward to the Paraparaumu Ward. The Paekākāriki-Raumati Ward retains the main public access to Raumati Beach, the Raumati village, most of the Raumati residential area, and Raumati South.
67. To some extent this split already occurs at the current ward boundary, which also runs through a residential area west of the airport. The residential nature of the area means the delineation between Raumati and Paraparaumu is not clear cut. However, we acknowledge that altering this boundary will result in a change for residents who have historically been represented as part of Paekākāriki-Raumati.
68. Moving the Option A and B boundary to include the affected meshblocks in Paekākāriki-Raumati would result in a significant non-compliance for the Paekākāriki-Raumati Ward (+23.42%). This is not justified in the particular context of Kapiti Coast District, particularly given the links the wider Raumati community has with Paraparaumu as the nearest main commercial centre.
69. This leaves us to consider whether there is an alternative means of representation available to the Raumati community as a whole. The Council proposes distinct representation for the Raumati community distinct by a community board. We note the strong support for community boards in the district evidenced in this review. From an effective representation point of view, this provides a channel for the Raumati community to advocate for issues of importance to the community as a whole at the council level. Whilst we accept that two layers of representation each applied to a different geographic area might be confusing for electors, we consider it is justified by the benefits of community board representation for Raumati as a whole.
70. Based on the above considerations we have concluded that the ward and membership arrangements for the district should be as set out in the table at paragraph 63.

Ōtaki/Waikanae Ward boundary

71. Royd Sampson (appeal 10), opposes the Council's final proposal for the boundary between the Waikanae and Ōtaki Wards as it moves his family farm from the Waikanae Ward into the Ōtaki Ward. He argues that his family has lived on the property for 98 years and identifies strongly with Waikanae community facilities and activities.
72. The proposed transfer of Mr Royd's property between wards has come about as a consequence of the Council addressing a recommendation in the Commission's 2016 determination. The Commission recommended that the Council consider the placement of the Waikanae/Ōtaki ward boundary that meant roads presently in Ōtaki community only had access south through Waikanae community, while one further road (Pukenamu Road) crossed this community boundary.
73. The alternative four-ward option outlined above places the roads in question, and Mr Royd's property, wholly within the Waikanae Ward.

Communities and community boards

74. Section 19J of the Act requires every territorial authority, as part of its review of representation arrangements, to determine whether there should be community boards in the district and, if so, the nature of those communities and the structure of the community boards. The territorial authority must make this determination in light of the principle in section 4 of the Act relating to fair and effective representation for individuals and communities.
75. The particular matters the territorial authority, and where appropriate the Commission, must determine include the number of boards to be constituted, their names and boundaries, the number of elected and appointed members, and whether the boards are to be subdivided for electoral purposes. Section 19W also requires regard to be given to such of the criteria as apply to reorganisation proposals under the Local Government Act 2002 as is considered appropriate. The Commission sees two of these criteria as particularly relevant for the consideration of proposals relating to community boards as part of a representation review:
- Will a community board have an area that is appropriate for the efficient and effective performance of its role?
 - Will the community contain a sufficiently distinct community or communities of interest?
76. In the current review, as a result of strong community feedback during the review process, the Council's final proposal provides for five community boards. These are the current four community boards with a new community for the Raumati area of the current Paraparaumu-Raumati Community.
77. In resolving its final proposal the Council noted that a separate Raumati Community Board is necessary to ensure effective representation for Raumati as a community of interest and as already discussed, we agree that this is remains the case.
78. The Council's proposal was for the Ōtaki, Waikanae and Paraparaumu Communities to align with ward boundaries. The Paekākāriki Community was to remain as existing in the southern part of the Paekākāriki-Raumati Ward, while the Raumati Community was to comprise the remaining area of that Ward.
79. We agree with the principle of communities reflecting ward boundaries, albeit ward boundaries that are different to the Council's final proposal. The exceptions are the separate communities of Paekākāriki and Raumati. Under our preferred arrangements, this will result five communities as follows:

| Community | Area |
|-------------|---|
| Ōtaki | Aligning to the Ōtaki Ward area |
| Waikanae | Aligning to the Waikanae Ward area |
| Paraparaumu | Aligning to the Paraparaumu Ward area excluding the part of the Raumati Community southwest of the Kapiti Coast Airport |
| Raumati | Aligning with the northern part of the Paekākāriki-Raumati Ward from Waterfall Road/Queen Elizabeth Park and extending into the Paraparaumu Ward to the northern end of Wharemauku Road and the southwestern boundary of the Kapiti Coast Airport |
| Paekākāriki | Aligning to the part of the Paekākāriki-Raumati Ward extending from Waterfall Road/Queen Elizabeth Park south |

Commission's determination¹

80. Under section 19R of the Local Electoral Act 2001, the Commission determines that for the general election of the Kāpiti Coast District Council to be held on 8 October 2022, the following representation arrangements will apply:
- a. Kapiti Coast District, as delineated on Plan LG-043-2022-W-1, will be divided into four wards.
 - b. Those four wards will be:
 - (i) the Ōtaki Ward, comprising the area delineated on Plan LG-043-2022-W-2
 - (ii) the Waikanae Ward, comprising the area delineated on Plan LG-043-2022-W-3
 - (iii) the Paraparaumu Ward, comprising the area delineated on Plan LG-043-2022-W-4
 - (iv) the Paekākāriki-Raumati Ward, comprising the area delineated on Plan LG-043-2022-W-5
 - c. The Council will comprise the mayor and ten councillors elected as follows:
 - (i) 1 councillor elected by the electors of the Ōtaki Ward
 - (ii) 2 councillors elected by the electors of the Waikanae Ward
 - (iii) 3 councillors elected by the electors of the Paraparaumu Ward
 - (iv) 1 councillor elected by the electors of the Paekākāriki-Raumati Ward
 - (v) 3 councillors elected by the electors of the district as a whole
 - d. There will be five communities as follows:

¹ All plans referred to in this determination are deposited with the Local Government Commission

- (i) Ōtaki Community comprising the area of the Ōtaki Ward
 - (ii) Waikanae Community comprising the area of the Waikanae Ward
 - (iii) Paraparaumu Community comprising the area delineated on Plan LG-043-2022-Com-1
 - (iv) Raumati Community comprising the area delineated on Plan LG-043-2022-Com-2
 - (v) Paekākāriki Community comprising the area delineated on Plan LG-043-2022-Com-3
- e. The membership of each community board will be as follows:
- (i) Ōtaki Community Board will comprise 4 elected members and 1 member appointed to the Community Board by the Council being the councillor representing Ōtaki Ward
 - (ii) Waikanae Community Board will comprise 4 elected members and 1 member appointed to the Community Board by the Council being the councillor representing Waikanae Ward
 - (iii) Paraparaumu Community Board will comprise 4 elected members and 2 members appointed to the Community Board by the Council being councillors representing Paraparaumu Ward
 - (iv) Raumati Community Board will comprise 4 elected members and 1 member appointed to the Community Board by the Council being the councillor representing Paekākāriki-Raumati Ward
 - (v) Paekākāriki Community Board will comprise 4 elected members and 1 member appointed to the Community Board by the Council being the councillor representing Paekākāriki-Raumati Ward

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

Local Government Commission



Commissioner Brendan Duffy (Chair)



Commissioner Bonita Bigham

4 April 2022