



Local Government Commission

Mana Kāwanatanga ā Rohe

Determination of representation arrangements to apply for the election of the Western Bay of Plenty District Council to be held on 11 October 2025

Introduction

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. Under Section 19R of the Act, the Commission, in addition to consideration of the appeals and objections against a council's final representation proposal, is required to determine all the matters set out in sections 19H and 19J which relate to the representation arrangements for territorial authorities.
2. Having completed its considerations, the Commission's determination differs from the Western Bay of Plenty District Council's final representation proposal as set out below.

Commission's determination¹

3. In accordance with section 19R of the Local Electoral Act 2001, the Local Government Commission determines that for at least the triennial general election of the Western Bay of Plenty District Council to be held on 11 October 2025, the following representation arrangements will apply:
 - a. Western Bay of Plenty District, as delineated on Plan LG-022-2025-W-1 will be divided into wards and will be represented by a Council comprising the mayor and nine councillors elected as follows:

Ward	Councillors	Plan delineating area
Waka Kai Uru Māori Ward	1	LG-022-2025-W-2
Katikati-Waihi Beach General Ward	2	LG-022-2025-W-3
Kaimai General Ward	3	LG-022-2025-W-4
Maketu-Te Puke General Ward	3	LG-022-2025-W-5

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

b. There will be five communities with community boards as follows:

Community/ Community Board	Area	Subdivision	Members *	Appointed members
Katikati Community Board	As delineated on Plan LG-022-2025-Com-1		4	1 member from the Katikati-Waihi Beach General Ward
Waihi Beach Community Board	As delineated on Plan LG-022-2025-Com-2		4	1 member from the Katikati-Waihi Beach General Ward
Maketu Community Board	As delineated on Plan LG-022-2025-Com-3		4	1 member from the Maketu-Te Puke General Ward
Te Puke-Eastern Community Board	As delineated on Plan LG-022-2025-Com-4	Te Puke Subdivision as delineated on Plan LG-022-2025-S-1	3	2 members from the Maketu-Te Puke General Ward
		Eastern Subdivision as delineated on Plan LG-022-2025-S-2	2	
Ōmokoroa-Kaimai Community Board	As delineated on Plan LG-022-2025-Com-5	Ōmokoroa Subdivision as delineated on Plan LG-022-2025-S-3	2	2 members from the Kaimai General Ward
		Kaimai West Subdivision as delineated on Plan LG-022-2025-S-4	2	
		Kaimai East Subdivision as delineated on Plan LG-022-2025-S-5	2	

*number of members elected by the electors of each subdivision

4. The ratio of population to elected members for each ward will be as follows:

Wards	Population*	Number of members	Population per member	Deviation from district average population per member	% deviation from district average population per member
Katikati-Waihi Beach General Ward	14,530	2	7,265	571	8.53
Kaimai General Ward	20,440	3	6,813	120	1.79
Maketu-Te Puke General Ward	18,580	3	6,193	-500	-7.48
Total general wards	53,550	8			
Waka Kai Uru Māori Ward	7,240	1	7,240		
Total	60,790	9			

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates (2018 census base)

5. The community boards will be subdivided for electoral purposes. The ratio of population to elected members for each subdivision will be as follows:

Community board subdivisions	Population*	Number of members^	Population per member	Deviation from subdivision average population per member	% deviation from subdivision average population per member
Katikati Community	11,870	4	2,967	n/a	n/a
Waihi Beach	4,100	4	1,025	n/a	n/a
Ōmokoroa-Kaimai Community Board	22,120	6	3,693	n/a	n/a
Ōmokoroa	7,480	2	3,740	53	1.45
Kaimai West	7,300	2	3,650	-37	-0.99
Kaimai East	7,340	2	3,670	-17	-0.45
Maketu Community Board	2,050	4	685	n/a	n/a

Te Puke-Eastern Community board	20,500	5	4,100	n/a	n/a
Te Puke	13,000	3	4,333	223	5.43
Eastern	7,550	2	3,775	-335	-8.15
TOTAL	60,690	23			

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates (2018 census base)

^Not including appointed members

6. As required by section 19T(1)(b) and 19W(c) of the Local Electoral Act 2001, the boundaries of the above wards and communities and subdivisions coincide with the boundaries of current statistical meshblock areas determined by Statistics New Zealand and used for Parliamentary electoral purposes.

Background

7. Under sections 19H and 19J of the Local Electoral Act 2001 (the Act) territorial authority 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.
8. The Council last reviewed its representation arrangements prior to the 2019 local authority elections. In August 2023 it resolved to establish Māori wards. Accordingly, it was required to undertake a review prior to the next elections in October 2025.
9. On 2 September 2024 the Council resolved to affirm its decision to establish Māori wards.

Current representation arrangements

10. The Commission last made a determination in relation to Western Bay of Plenty District Council's representation in 2019. The Council's current representation arrangements have been in place since and comprise:
 - a. A council comprising: 11 members elected from 3 wards and the Mayor elected at large.
 - b. Five community boards, being:
 - Katikati Community Board: 4 elected members and 2 appointed members)
 - Ōmokoroa Community Board: 4 elected members and 2 appointed members)
 - Te Puke Community Board: 4 elected members and 2 appointed members)

- Maketu Community Board: 4 elected members and 2 appointed members)
- Waihi Beach Community Board: 4 elected members and 2 appointed members)

Current review

Preliminary consultation

11. Council undertook preliminary engagement from 15 May 2024 to 15 June 2024. In total, 91 individual submitters provided feedback during the engagement process. The majority of these suggested that the current wards reflect communities of interest across the district, a smaller majority supported one Māori ward member over 2. Most respondents thought the current number of elected members adequately represented the interests of the district
12. Regarding community boards, 53 pieces of feedback were received. Twelve responses were about the role and function of community boards. These responses generally supported community boards having greater independence from the Council and greater delegations and decision-making powers. Ten responses reiterated support for community boards with one responder citing that they were a good way to promote localism. Eleven responses related to community board boundaries. Submissions were received in support of extending the Maketu Community Board boundary to include a wider area around Maketu, and several responses encouraged review of boundaries in the Kaimai Ward stating that a community board in Ōmokoroa wasn't sufficient to cover the entire ward.

The Council's initial proposal

13. On 12 September 2024 the Council resolved its initial representation proposal for a council comprising the mayor and 9 members elected from 3 general wards and 1 Māori ward. The proposal retained the Katikati, Ōmokoroa, Te Puke, Maketu and Waihi Beach communities and community boards.
14. The initial proposed ward arrangements were as follows:

Wards	Population*	Number of members	Population per member	Deviation from district average population per member	% deviation from district average population per member
Katikati-Waihi Beach General Ward	14,530	2	7,265	571	8.53
Kaimai General Ward	20,440	3	6,813	120	1.79
Maketu-Te Puke General Ward	18,580	3	6,193	-500	-7.48

Total general wards	53,550	8			
Waka Kai Uru Māori Ward	7,240	1	7,240		
Total	60,790	9			

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates (2018 census base)

15. The proposed community board arrangements were as follows:

Community board	Population*	Number of members^	Population per member
Waihi Beach	4,070	4	1,018
Katikati	5,840	4	1,460
Ōmokoroa	5,130	4	1,283
Te Puke	9,690	4	2,423
Maketu	2,050	4	513
Total community board	26,780	20	1,339
Area outside community board	33,980		
Total district	60,760		

Shortened Review Process

- Under the 2024 amendments to the Local Electoral Act requiring reconsideration of decisions to establish Māori wards, the Western Bay of Plenty District Council was able to resolve to complete a shortened representation review process in 2024 to give it an opportunity to further consider its decision to establish a Māori ward. A shortened representation review had to follow the same steps as a normal review but using a shortened timeline set out in clauses 21 to 28 of Schedule of the Act. The Council resolved to undertake a shortened review.
- Because of the shortened review process, the submission period was 22 days – from 12 September 2024 to 11 October 2024.

Submissions

18. The Council notified its initial representation proposal on 12 September 2024 and received 550 submissions by the deadline of 11 October 2024. Of those, 389 submissions supported the Council's current three general ward approach and 346 submitters supported the five community boards. However, comments relating to community boards were more varied, with feedback around inequitable coverage of community boards in the district, suggestions of additional areas that do not have a community board but may have expressed a desire to have one, as well as other suggestions to combine community boards or look to broader ward level coverage.
19. On 17 October 2024, the Council met to hear submissions. As a result of the submissions received and to reflect community feedback relating to community boards, the Council amended the structure of community boards to reduce the number of community boards from five to three, with subdivisions to cover the entire district.
20. At a meeting on 20 November 2024, the Council amended its initial proposal to the following final representation proposal.

The Council's final proposal

21. The final proposal was for a council comprising the mayor and 8 councillors elected from 3 general wards and 1 councillor elected from 1 Māori ward, and 3 community boards, each to cover one of the three wards - Maketu-Te Puke Community Board, Kaimai Community Board and Katikati-Waihi Beach Community Board. Each community would be subdivided for electoral purposes and each board would comprise 6 elected members and 2 councillors appointed from the respective ward.
22. The final proposal set out ward arrangements as follows:

Wards	Population*	Number of members	Population per member	Deviation from district average population per member	% deviation from district average population per member
Katikati-Waihi Beach General Ward	14,530	2	7,265	571	8.53
Kaimai General Ward	20,440	3	6,813	120	1.79
Maketu-Te Puke General Ward	18,580	3	6,193	-500	-7.48
Total general wards	53,550	8			
Waka Kai Uru Māori Ward	7,240	1	7,240		
Total	60,790	9			

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates (2018 census base)

23. The final proposal set out community board arrangements as follows.

Community board subdivisions	Population *	Number of members^	Population per member	Deviation from subdivision average population per member	% deviation from subdivision average population per member
Katikati-Waihi Beach Ward Community Board					
Waihi Beach Subdivision	4,100	3	1,367	-1,295	-48.65%
Katikati Subdivision	11,870	3	3,957	1,295	48.65%
Total community board	15,970	6			
Kaimai Ward Community Board					
Ōmokoroa Subdivision	7,480	2	3,740	53	1.45%
Kaimai West Subdivision	7,300	2	3,650	-37	-0.99%
Kaimai East Subdivision	7,340	2	3,670	-17	-0.45%
Total community board	22,120	6			
Maketu-Te Puke Ward Community Board					
Te Puke Subdivision	13,000	3	4,333	567	15.04%
Maketu Subdivision	2,740	1	2,740	-1027	-27.62%
Eastern Subdivision	6,860	2	3,430	-337	-8.94%
Total community board	22,600	6			
Total	60,670	18			

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates (2018 census base)

^Not including appointed members

24. The Council publicly notified its final proposal on 21 November 2024, including advice that the following subdivisions did not comply with the fair representation requirement of section 19V(2) of the Act (the +/-10% rule).

(a) Maketu-Te Puke Ward Community Board proposed subdivision arrangements

The Council considered this appropriate given the nature of the ward and the communities within it. The three subdivisions represent three distinct areas within the ward – Te Puke, Maketu, and then the broader eastern area including the communities of Pukehina, Pongakawa and Paengaroa. These areas are connected for schooling, shopping, recreational, employment and social activities at a ward level. Given the distribution of the communities and electoral population, it is considered that there are few options for electoral subdivision boundaries that comply with the +/-10% fair representation requirement, while also appropriately reflecting communities within the ward.

(b) Katikati-Waihi Beach Ward Community Board proposed subdivision arrangements

The Council considered this appropriate given the nature of the ward and the communities within it. The two subdivisions represent two distinct areas within the ward – Waihi Beach and Katikati. These areas are connected for schooling, shopping, recreational, employment and social activities at a ward level.

25. Due to the non-compliance of these subdivisions the Council was required by section 19V(4) of the Act to refer its proposal to the Commission for determination. In addition, 37 appeals and objections against the Council's proposal were received.

Appeals/objections against the Council's final proposal

26. The Council referred the appeals and objections to the Commission, in accordance with section 19Q of the Act.
27. The 37 appeals and objections were wholly or partially within the Commission's scope of powers to consider. These appeals and objections were therefore considered valid or partially valid and raised the following matters:
- a) The majority of appeals and objections oppose the reduction in number of community boards and argue that five community boards be retained for community of interest reasons. Thirty-six appeals and objections oppose the council's proposal and/or wish to maintain the five existing community boards.
 - b) This view is particularly held by residents and ratepayers' associations (Omokoroa Residents and Ratepayers, Katikati-Waihi Beach Residents and Ratepayers) and the community boards themselves, with appeals from four of the five community boards (Waihi Beach, Katikati, Maketu and Te Puke) These appeals are quite detailed.
 - c) The rest of the appeals and objections came from residents who wish to retain the current community board structure. While these were from all areas of the district, there was a particularly strong response from Waihi Beach and Maketu. The appellants/objectors were distributed as follows (not including those who did not identify their community of interest):
 - a. Katikati - 4
 - b. Maketu - 9
 - c. Waihi Beach - 6

d. Te Puke - 2

28. Additionally, there were calls not to reduce the total number of elected members, with some appellants suggesting that reducing the total number of councillors was an impact of introducing Māori wards.
29. For the purpose of making a determination, the Commission may make such enquiries as it considers appropriate and may hold meetings with the interested parties. The Commission is not limited to holding a hearing purely in response to appeals or objections. Rather, the need for a hearing is determined by the information provided by the relevant parties and as a result of any further inquiries the Commission may wish to make.
30. In the case of the Western Bay of Plenty District Council's final proposal, the Commission considered it appropriate to further explore the matters to be determined. Accordingly, the Commission decided that a hearing was required.
31. The Commission met with the Council and the 13 appellants and objectors who wished to be heard at a hearing held online on 13 March 2024. The Council was represented at the hearing by Mayor James Denyer, Deputy Mayor John Scrimgeour, Deputy Chief Executive Rachael Davie, and Strategic Policy and Planning Programme Director Emily Watton.
32. The following appellants and objectors appeared at the hearing:
 - a. Tippy Hopping – Maketu Community Board
 - b. Kassie Ellis – Te Puke Community Board
 - c. Keith Hay
 - d. Michel Jones
 - e. Alan Goodyear
 - f. Bruce McAbe – Ōmokoroa Residents and Ratepayers Association
 - g. John Clements – Katikati Community Board
 - h. Keith Hay – Katikati/Waihi Beach Residents and Ratepayers Association
 - i. Dani Simpson – Waihi Beach Community Board
 - j. Aleisha Waterhouse
 - k. Brett Waterhouse
 - l. Ross Goudie
 - m. Trish Goudie

Matters raised at the hearing

33. Mayor James Denyer explained the process the Council had followed in carrying out its representation review and reaching its final proposal. They emphasised the following points:
 - a. Council undertook pre-engagement with community, tangata whenua, community boards and residents' associations.
 - b. The current three ward approach is well accepted and known by the community – two minor ward boundary changes proposed and the introduction of a Māori ward.

- c. In terms of community boards, the status quo does not work well. There is inconsistent coverage between wards, within wards and between communities. This creates problems around lack of equity of representation and rates charged, delegations, and funding approaches.
 - d. The initial proposal sought to improve consistency by focusing community boards on urban areas.
 - e. The Council heard feedback that made them amend the initial proposal for community representation.
 - f. This led the Council to propose to disestablish its current 5 community boards and establish three new Community Boards, each to cover one of the three wards and to be known as the Maketu-Te Puke Community Board, Kaimai Community Board and Katikati-Waihi Beach Community Board.
 - g. The Council proposed to use subdivisions to ensure local representation.
 - h. The concept behind this was to provide “universal coverage” and comprehensive localism in community representation.
 - i. The Council also discussed the non-compliances in the Katikati-Waihi Beach Ward Community Board and Maketu-Te Puke Ward Community Board noting that given the distribution of the communities and electoral population, it is considered that there are few options for electoral subdivision boundaries that comply with the +/-10% fair representation requirement, while also appropriately reflecting communities within the ward.
34. The appellants and objectors appearing at the hearing raised the following points in opposition to the Council’s proposal:
- (a) Tippy Hopping – Maketu Community Board

Ms Hopping spoke to the distinctiveness of the Maketu community, noting that it was a cultural village where the community board has firsthand knowledge of the experiences of community members. Ms Hopping noted that changes to the Maketu community board would be changing something that the community already has a natural affinity to and noted that other areas within the district had other mechanisms and processes.
 - (b) Kassie Ellis – Te Puke Community Board

Ms Ellis was joined by community board members, Dale Snell, Karen Summerhays and Neena Chauhan, and spoke to keeping the “community” in community boards. She noted that Te Puke is a unique village with differences to the rest of the district. The workload for the community boards was also noted, making the point that it may become unmanageable if larger, subdivided areas where the new community board structure as members would have to consider areas outside of their area when making decisions – taking the role “up a level”. The board suggested maintaining the status quo with boundary changes.
 - (c) Keith Hay

Mr Hay opposed the reduction in the number of elected members on the Council, noting that it seems like this was only done to accommodate the Māori ward councillor. Mr Hay stated that even though Katikati and Waihi Beach are in the same ward and have a ratepayer's association that represents both areas, they are distinct communities of interest with little in common. Waihi Beach aligns more to Waihi while Katikati is a service town to rural areas. Mr Hay suggested retaining five community boards or introducing additional community boards to represent other areas.

(d) Michel Jones

Mr Jones spoke in support of the council's proposal noting that overall, it recognises that all residents are part of the community. Mr Jones had lived in different areas across the district: Te Puke, Waihi Beach and Kaimai, and was on the council previously. He said that Te Puke is a service town and attracts people from outside the district. People from the whole district and all communities depend on each other and need to work together. Mr Jones said it would be good to bring people together in a community board structure covering the whole district. In Mr Jones' opinion, the current system is constrained by lack of scale and lack of delegations.

(e) Alan Goodyear

Mr Goodyear has previously been a member of the Katikati Community Board and noted that Waihi Beach and Katikati vary with Waihi Beach as a seaside village and Katikati a permanent residence with industry. To meet the different needs of both areas it would be most appropriate to continue to separate community boards. Mr Goodyear noted that local people know local people.

(f) Bruce McAbe – Omokoroa Residents and Ratepayers Association

Mr McAbe spoke as the President of the Omokoroa Residents and Ratepayers Association. Mr McCabe said that the decision to reduce the number of community boards came "out of the blue" and didn't identify any benefits for Ōmokoroa. He noted that the rural area and urban Ōmokoroa have different needs, particularly due to the growth and the development in Ōmokoroa, a unique and spatially well-defined area in the district. Mr McAbe suggested that the status quo be maintained, or that an additional community board is created for the remainder of the Kaimai Ward.

(g) John Clements – Katikati Community Board

Mr Clements spoke as the Chair of the Katikati Community Board, noting that the Katikati community of interest is a horticultural area with Katikati town being a service and social centre for the ward. In its 150-year history it has always been a close community with over 80 community groups. In comparison, Waihi Beach is a holiday resort with a greater connection to Waihi. The population has big swings in summer when up to 20,000 holiday makers stay at Waihi Beach – a very different community to Katikati. In his opinion, they are distinct areas and integration would undermine localism. Mr Clements noted that Katikati and Waihi Beach are different communities of interest, as are other wards, and should not be combined.

(h) Keith Hay – Katikati/Waihi Beach Residents and Ratepayers Association

Mr Hay also spoke to the Katikati/Waihi Beach Residents and Ratepayers Association appeal. This association is opposed to the reduction of councillors and the reduction of community boards. It contends that very little has changed since the last determination the Commission made in 2019. He argued that the council's proposal seemed counter intuitive, and the larger areas could lead to fights for budget. Mr Hay suggested that the council could add additional community boards to cover other wards.

(i) Dani Simpson – Waihi Beach Community Board

Ms Simpson was joined by Wayne Stevenson. Ms Simpson argued that community boards are the heartbeat of local democracy and not just administrative units. It was stated that community boards are the "pulse of our place" and urged Commissioners to not diminish voice and sever generations of trust. Ms Simpson believes that the council's final proposal ignores issues that are specific to areas, and it would be difficult to understand the complex and specific issues across the district. She stated that community boards represent individual and specific tight-knit communities.

(j) Ross Goudie

Mr Goudie spoke to the disparity within the subdivisions to have equal numbers within subdivisions. He believed the council's proposal unites communities of interest with few commonalities of interest. Mr Goudie argued that Waihi Beach and Katikati have always been separate and asked the Commission to maintain the status quo.

(k) Trish Goudie

Mrs Goudie said she offered a grassroots perspective and supported the status quo. In her view, community boards are the first point of access for people to engage in their area, and the Waihi Beach Community area was strong and shouldn't be changed.

(l) Aleisha Waterhouse

Mrs Waterhouse is a resident of Maketu and objects to the disestablishment of community boards. She noted that she wants her unique little village's voice to be heard, especially as it had strong heritage, Māori based values, and localism is the heart of the village. Mrs Waterhouse noted that the community board needs strong voices, not weakened and this could not be achieved in the council's proposal which would dilute the communities voice under the proposed structure. She said it might seem efficient but for Maketu it would be the end of democracy as it dilutes representation and makes it harder to hold representatives accountable.

(m) Brett Waterhouse

Mr Waterhouse is a new member of the Maketu Community Board and stated Maketu is a home to its residents. In comparison, Te Puke seems like more of a city, and the two areas have different needs. Mr Waterhouse noted that there was a lot of negative feedback in the community and if the council's proposal had been better than status quo, there wouldn't have been so much pushback.

Matters for determination by the Commission

35. 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 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.

36. The matters in the scope of the review are:

- a. Whether the council is to be elected from wards, the district as a whole, or a mixture of the two
- b. The number of councillors
- c. If there are to be wards, the area and boundaries of wards and the number of members to be elected from each ward
- d. Whether there are to be community boards
- e. If there are to be community boards, the area and boundaries of their communities, and the membership arrangements for each board
- f. Whether wards and community subdivisions may be defined and membership distributed between them in a way that does not comply with the +/-10% rule

37. 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.

38. Appeals/objections to the Council's final proposal raise the following overarching issues for the Commission to resolve:
- (a) The number of councillors
 - (b) The area and boundaries of communities/community boards, and the membership arrangements for each board

Key considerations

39. 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

40. The Guidelines identify three dimensions for recognising communities of interest:
- a. *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
 - b. *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
 - c. *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.
41. All three dimensions are important and often interlinked. We note however, that there is often a focus on the perceptual dimension. That is, what councils, communities or individuals intuitively feel are communities of interest. It is not enough to simply state that a community of interest exists because it is felt that it exists; councils must provide evidence of how a sense of identity is reinforced, or how a community is distinct from neighbouring communities. Such evidence may be found by considering, for example:
- How communities rely on different services and facilities to function as part of the wider district, city or region
 - Demographic characteristics of an area (for example age, ethnicity or deprivation profiles) and how these differ from other areas
 - How particular communities organise themselves and interact with others as part of the wider district, city or region
42. The district is a mix of coastal, urban and rural areas circling Tauranga City and stretching from Waihi Beach in the west to Otamarakau in the east. Communities of interest in the district were recognised at the time of its constitution in 1989, with establishment of five wards for Waihi Beach, Katikati, Kaimai, Maketu and Te Puke.

43. In the current review both the Council and appellants agree that community board arrangements need to reflect communities of interest. One of the key arguments from appellants is that the existing identified communities of interest do this, and there is not a requirement for change.
44. Based on what the appellants told us, there is a very strong affiliation to, and perception of existing communities of interest., However communities of interest may alter over time, so local authorities need to make sure they identify their current communities of interest when carrying out a representation review.
45. 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.
46. In addition to evidence 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.
47. In 2019, the council "identified that the current five community board model no longer reflected the different communities which had changed since the boards were established in 1989, through growth and development in different areas across the district." As such, the council proposed that the current five community boards be disestablished and replaced post-election with three ward committees with appointed community representation from identified communities of interest within the relevant districts." This proposal received a lot of feedback and as a result, the council's final proposal retained four of the five current community boards with the disestablishment of Omokoroa Community Board.
48. The reason for retaining four of the five community boards was the overwhelming number of submissions received supporting the retention of community boards in their area. The reason for disestablishing the Omokoroa Community Board was to achieve better representation by establishing a ward councillor committee for all Kaimai Ward.
49. In the case of the proposed replacement of the Omokoroa Community Board, the Commission remained unconvinced an all-of-Kaimai Ward committee would provide effective representation for the Omokoroa community. Accordingly, it determined that the Omokoroa Community Board be retained, with its current membership, alongside the other four existing community boards which retained their current membership.

50. The then Commission suggested the council give further consideration to the matter of local community representation across Western Bay of Plenty District and what objectives it was wishing to achieve. It noted the council had gone to considerable effort to identify 11 groupings of communities of interest across the district and it appeared that this was an appropriate starting point for this consideration. These groupings, or further combinations of the groupings, could then be a good base for effective local community representation structures. Depending on the role intended for these structures, the council would then be in a position to consider the relative merits of community boards, community committees or other forms of structure across the district.
51. The Commission recognises that the Council's current final proposal is taking steps towards implementing more widespread acknowledgement of communities of interest and that this is more in line with the recommendation in 2019, to use combinations of the 11 groupings of communities of interest across the district in 2019 to reach effective community representation structures.
52. However, while it can be argued that the subdivisions being proposed in the council's final proposal are recognising communities of interest, this is not necessarily the perception of the community.

Effective representation of communities of interest

53. Section 19T of the Act requires the Commission to ensure that:
- a. 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
 - b. Ward boundaries coincide with the boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes
 - c. So far as is practicable, ward boundaries coincide with community boundaries (where they exist).
54. As the Council has resolved to establish Māori wards, it must also establish at least one general ward.
55. '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).
56. The Guidelines note that what constitutes effective representation will be specific to each local authority but that the following factors should be considered:
- a. Avoiding arrangements that may create barriers to participation, such as at elections by not recognising residents' familiarity and identity with an area
 - b. Not splitting recognised communities of interest between electoral subdivisions
 - c. Not grouping together two or more communities of interest that share few commonalities of interest

- d. Accessibility, size and configuration of an area including access to elected members and vice versa.
57. 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.
58. The Commission is satisfied that the proposed ward arrangements appropriately balance the requirements for fair and effective representation of the Katikati-Waihi Beach, Maketu-Te Puke and Kaimai Wards, and that there is an appropriate number of elected members within the final proposal to represent these wards. The Commission upholds the ward boundaries proposed by the Council.

Community Boards

59. 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.
60. 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 applying to reorganisation proposals as set out in 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:
- a. Will a community board have an area that is appropriate for the efficient and effective performance of its role?
 - b. Will the community contain a sufficiently distinct community or communities of interest?
61. The Council is proposing to reduce the number of community boards from five to three, with electoral subdivisions in each board to reflect specific communities of interest. Under this proposal, eight distinct communities of interest are recognized. This is a step towards representing more of the communities that were identified 6 years ago and provides coverage of the entire district.
62. The Council's initial proposal (being a modification of the current community board arrangements) retained a structure that is known to the community and represents communities of interest that are long-standing and well supported by communities. This was reinforced throughout the hearings process.

63. The Council suggests that the status quo is no longer a viable option because there is inconsistent coverage between wards, within wards and between communities. This creates problems around lack of equity of representation and rates charged, delegations, and funding policies. It further states that it believes that those people who do not want a community board for their community, do not want them because they think the existing community boards are expensive and inefficient. Conversely, others from Pukehina, Whakamarama, Te Puna and Paengaroa have at times asked or considered asking for a community board because they feel they are missing out. The Council believes that by having district-wide community board coverage, their cost would be minimised and community boards would be more efficient and be able to have more extensive delegations.
64. The Council also argued that having district-wide coverage would result in more extensive delegations for community boards. This option retains many of the positives of the council's final proposal but with greater representation of communities of interest.
65. The Council further notes that having full coverage of a ward (as seen in the Katikati-Waihi Beach Ward which is covered by 2 community boards) helps to empower the community boards
66. In contrast, appellants, particularly those on existing community boards, believe that a smaller number of community boards would reduce representation and increase the workload of community board members. In particular members would need to spend more time understanding what's happening outside their subdivision area. An example cited was Maketu representatives being unsure of how they will also keep up with what is happening in Te Puke.
67. It was further argued by appellants that there are strengths in the current system, particularly in the existing relationships and the "grassroots" nature of the way community boards operate. However, community board members themselves acknowledged that they could be better resourced. This could be achieved by implementing a district-wide community board approach, creating a culture where community boards are widely recognised.
68. From what appellants said, it is clear that the concept of subdivisions is not well understood, and that has had a large impact on perceptions of the final proposal. There is also a perception that through these subdivisions, there would be competition for resourcing between different parts of a larger community board area.
69. Feedback from the community to the initial proposal raised questions about where the community boards for areas outside of the five defined areas in this proposal, and as such, while choosing this option will benefit those existing areas, it is not supporting the other 6 identified groupings of communities of interest across the district, which were identified in the last representation review.
70. Having considered the Council's proposal as well as appeals and objections, we are not satisfied that the community board arrangements proposed by the council appropriately reflect communities of interest. Throughout the process, it became clear to the Commission that there were compelling cases for both retaining the clearly identified communities of interest that appellants identified with, and increasing the areas covered by community boards to extend across the entire district.

71. The Commission considered how it could implement a district-wide community board option, looking to preserve the concept of the current community boards as much as possible, while still providing universal coverage.
72. Accordingly, we determine that there should be 5 community boards covering the whole district is as follows:
- (a) Waihi Beach Community Board. Comprising the existing Waihi Beach Community
 - (b) Katikati Community Board, comprising the existing Katikati Community, less that area of the Katikati-Waihi Beach Ward to be transferred to the Kaimai Ward
 - (c) Ōmokora-Kaimai Community Board, comprising the Kaimai Ward
 - (d) Te Puke-Eastern Community Board, comprising that part of the Maketu-Te Puke General Ward not in the Maketu Community as described below
 - (e) Maketu Community Board, comprising the area proposed by the Council in its initial proposal.

Commission recommendations

73. The Commission strongly recommends that the Council undertake engagement and education with the Community about the role and purpose of community boards, including what subdivisions within community boards mean for these communities.
74. The Commission strongly recommends that the Council empower the community boards through increased delegations, and requests that a copy of these is provided to the Commission.

Conclusion

75. We have made this determination pursuant to section 19R of the Local Electoral Act 2001 having considered the information before the Commission and the requirements of sections 19T, 19W and 19V of the Act.

Local Government Commission

Commissioner Brendan Duffy (Chair)

Commissioner Bonita Bigham

Temporary Commissioner Gwen Bull

7 April 2025