



Determination

of representation arrangements to apply for the election of the New Plymouth 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 New Plymouth District Council (the Council) last reviewed its representation arrangements prior to the 2016 local authority elections. In July 2020 it also resolved to establish a Māori ward. Accordingly, it was required to undertake a review prior to the next elections in October 2022.
3. The Council currently has a ward representation system comprised of a mayor and 14 councillors elected as follows:

Ward	Population*	Number of councillors per ward	Population per councillor	Deviation from district average population per councillor	% deviation from district average population per councillor
New Plymouth City	55,800	10	5,580	-6	-0.11
North	11,050	2	5,525	-61	-1.09
South-West	11,350	2	5,675	89	1.59
Total	78,200	14	5,586		

*Based on Statistics NZ Tauranga Aotearoa 2014 population estimate

4. The Council currently has four community boards, being the Clifton Community Board, the Inglewood Community Board, the Kaitake Community Board and the Waitara Community Board. Each is comprised of four elected members and one appointed member.

Current review: Council process and proposal

Preliminary work to inform initial proposal

5. The Council held workshops between April and August to consider options for the initial proposal. Attendees at the workshops included councillors, community board members, and members of Te Huinga Taumatua, a committee comprising five New Plymouth District iwi representatives and five elected members.
6. The Council's Strategy and Operations Committee made a recommendation to Council for an initial proposal for a council of 12 members plus the mayor, elected from a mixed-model representation system.
7. The Strategy and Operations Committee recommendation was then considered by the Clifton, Inglewood, Kaitake and Waitara Community Boards, along with Te Huinga Taumatua prior to the Council meeting to consider the initial proposal. Each made its own recommendation to Council with a preferred option for the initial proposal.
8. As a result of the recommendations to Council from the Community Boards and Te Huinga Taumatua, the Council undertook additional work ahead of the Council meeting to consider the initial proposal, regarding the establishment of a fifth community board for the Puketapu-Bell Block area.

The Council's initial proposal

9. On 17 August 2021 the Council resolved as its initial representation proposal a council comprising 14 members plus the mayor, with eight councillors elected from three general wards, one councillor elected from a single Māori ward and five members elected at-large. The initial proposal included five community boards, each with four elected members and one appointed member.
10. The initial proposed representation arrangements were as follows:

Ward/At-large	Electoral population*	Number of councillors per ward	Population per councillor	Deviation from district average pop ⁿ per councillor	% deviation from district average pop ⁿ per councillor
Kaitake-Ngāmotu General Ward	53,616	6	8,936	-162	-1.78
Kōhanga Moa General Ward	10,230	1	10,230	1,132	12.44
North General Ward	8,934	1	8,934	-164	-1.80
Total general	72,780	8	9,098		
Māori Ward	6,885	1	6,885	n/a	n/a
Total ward-based	79,665	9			
At-Large	79,665	5	15,933	n/a	n/a
Total	79,665	14			

*Based on Stats NZ 2018 Tauranga Aotearoa census figures

11. In the initial proposal, the Kaitake-Ngāmotu and North Wards complied with section 19V(2) of the Act (the '+/- 10% rule) but the Kōhanga Moa Ward did not.

12. The initial proposal included five community boards, as follows:

Community Board	Elected members	Appointed member
Clifton	4	1, from the North Ward
Inglewood	4	1, from the Kōhanga Moa Ward
Kaitake	4	1, from the Kaitake-Ngāmotu Ward
Puketapu	4	1, from the Kaitake-Ngāmotu Ward
Waitara	4	1, from the North Ward

13. The Clifton Community boundaries were proposed to remain the same as the current community boundaries. Minor changes to the remaining current community boundaries were proposed, to align with proposed ward boundaries. Part of the current Waitara Community was also moved into the proposed Puketapu Community.

14. The Council notified its proposal on 28 August 2021 and received 76 submissions by the deadline of 2 October 2021. A hearing was held on 20 October 2021, at which 11 submitters presented.

15. Of the 76 submissions, 47 submissions supported the Council's initial proposal and 28 did not support all aspects of the proposal.

16. Key themes in the submissions were:

- a. 64 submissions supported the proposed number of councillors;
- b. 59 submissions supported a mixed model of representation with ward councillors and at-large members;
- c. There was majority support for the proposed ward model with 58 submissions in favour of the proposed North Ward, 61 submissions in favour of the proposed Kaitake-Ngāmotu Ward and 60 submissions in favour of the proposed Kōhanga Moa Ward;
- d. 16 submissions sought an increase in the North Ward representation from one ward councillor to two ward councillors;
- e. Six submissions expressed concern at the level of rural representation;
- f. Several submissions included suggestions for minor alterations to the proposed ward boundaries;
- g. Several submissions included suggestions of names for the district-wide Māori ward;
- h. There was majority support for the community boards as proposed, with 62 submissions in favour of the Clifton Community Board, 61 submissions in

favour of the Inglewood Community Board, 60 submissions in favour of the Kaitake Community Board, 61 submissions in favour of the Puketapu Community Board and 62 submissions in favour of the Waitara Community Board;

- i. Some submissions included suggestions for minor alterations to community boundaries and suggestions for different names for the proposed Puketapu Community Board.

17. On 9 November 2021 the Council met to deliberate on submissions. The Council endorsed the overall scheme of the initial proposal, but included some changes to ward boundaries, community board boundaries and the names of the Māori ward and Puketapu Community Board.

The Council's final proposal

18. The Council's final proposal was as follows:

Ward/At-large	Electoral population*	Number of councillors per ward	Population per councillor	Deviation from district average pop ⁿ per councillor	% deviation from district average pop ⁿ per councillor
Kaitake-Ngāmotu General Ward	54,318	6	9,053	-45	-0.50
Kōhanga Moa General Ward	9,528	1	9,528	430	4.73
North General Ward	8,934	1	8,934	-164	-1.80
Total general	72,780	8	9,098		
Te Purutanga Mauri Pūmanawa Māori Ward	6,885	1	6,885	n/a	n/a
Total ward-based	79,665	9			
At-Large	79,665	5	15,933	n/a	n/a
Total	79,665	14			

*Based on Stats NZ 2018 Tauranga Aotearoa census figures

19. All wards in the final proposal complied with the +/-10% rule.

20. The final proposal included five community boards as follows:

Community Board	Elected members	Appointed member
Clifton	4	1, from either the Te Purutanga Mauri Pūmanawa Māori Ward or the North General Ward
Inglewood	4	1, from the Kōhanga Moa General Ward
Kaitake	4	1, from the Kaitake-Ngāmotu General Ward
Puketapu-Bell Block	4	1, from the Kaitake-Ngāmotu General Ward
Waitara	4	1, from either the Te Purutanga Mauri Pūmanawa Māori Ward or the North General Ward

21. The final proposal was publicly notified on 13 November 2021.

Appeals against the Council's final proposal

22. Two appeals were received against the Council's final proposal, from the Clifton Community Board and the Waitara Community Board. The appeals covered the following matters:
- a. Concern regarding the reduction in membership of the North Ward from two councillors to one councillor;
 - b. Concerns regarding the proposed boundary between the Clifton and Waitara Community Boards.
23. The Council referred the appeals and objections to the Commission, in accordance with section 19Q of the Act.

Hearing

24. The Commission met with the Council and the two appellants at a hearing held online on Wednesday 9 February 2022. The Council was represented at the hearing by Mayor Neil Holdom and Chief Executive Craig Stevenson. They were supported by Governance Lead Julie Straka and Senior Policy Adviser Greg Stephens.
25. The following appellants appeared at the hearing:
- a. Jonathan Marshall and Joe Rauner, on behalf of the Waitara Community Board;
 - b. Murray Seamark, on behalf of the Clifton Community Board.

Matters raised at hearing

26. Mayor Neil Holdom explained the process the Council had followed in carrying out its representation review and reaching its final proposal. The following points were emphasised:
- a. The establishment of a Māori ward in the district meant that the current representation arrangements were no longer an option.
 - b. The review process undertaken by the Council was thorough and included input from Community Board and Te Huinga Taumatua members, alongside elected members.
 - c. The Council had moved from the current New Plymouth City and South-West Wards to the proposed Kaitake-Ngāmotu and Kōhanga Moa Wards to address previous concerns regarding the lack of connection within the current South-West Ward, and to recognise strong transport patterns for employment and education reasons between the Ōkato/Ōākura area and the city area.

- d. The proposed Kōhanga Moa and North Wards would provide rural communities in these areas with direct representation.
 - e. The mixed-model proposal recognised that alongside geographic communities of interest across the district, there were also strong patterns of movement across ward boundaries for employment, education and recreational activities.
 - f. The mixed-model proposal ensured that there was effective representation for communities of interest with relatively low population numbers spread across a larger geographical area, while at the same time increasing the range of candidates for electors of the Te Purutanga Mauri Pūmanawa, Kōhanga Moa and North Wards to choose from.
 - g. While there was arguably a perceived disadvantage to the Te Purutanga Mauri Pūmanawa, Kōhanga Moa and North Wards in having one ward councillor, the mixed model and STV voting system would allow electors from these wards to have a greater influence on the overall make-up of council.
 - h. The proposed model provided effective representation for all electors in the district, as all would be able to vote for a greater number of candidates than they could under the current system. The mixed model system was not considered to be perfect but was the best system available to serve the district.
 - i. There were high levels of community support indicated for the initial proposal.
 - j. The Council had considered increasing the number of members on the Inglewood, Waitara and Clifton Community Boards, but did not do so as this was not supported by the community boards themselves.
 - k. Council's community boards were closely involved in Council issues. Relevant matters were referred to community boards prior to decisions being made, and community board members actively participated in Council committee meetings. Each community board had a discretionary fund with complete delegated authority for the use of it.
 - l. The Council supported transferring four of the six meshblocks arising from the split of meshblock 1550800 from the Clifton Community Board to the Waitara Community Board. Proposed rezoning around the Waitara urban area meant that it would be appropriate to consider the community board boundary in a future review or, if necessary, to consider a minor adjustment to the community board boundary outside of the representation review cycle.
27. The appellants emphasised the following points in opposition to the Council's proposal:
- a. The North Ward covered a number of diverse smaller communities, some of which were comparatively isolated, and had greater levels of inequality than the rest of the district. It was important for smaller communities to have local

representatives who understood their local communities well and could represent them at the council table.

- b. The proposal to reduce North Ward representation from the current two councillors to one councillor would disadvantage the communities of the North Ward. The geographic area of the North Ward is large with diverse needs, beyond what one councillor can adequately cover.
- c. There were large infrastructure challenges facing the North Ward and it was perceived that there was a lack of consultation and that the North Ward voice was not adequately heard at the council table. Strong local representation was required to advocate for the North Ward and the issues it faced.
- d. The Council's suggestion that the mixed model would result in increased representation for the North Ward was incorrect, and the proposal would instead result in decreased representation for North Ward residents.
- e. It was more likely that at-large members would be elected from the urban city population rather than from the North Ward, thereby favouring the larger urban centre at the expense of the smaller rural communities.
- f. The North Ward councillor would carry a heavier load than many other councillors in being appointed to either or both of the Waitara and Clifton Community Boards. The Te Purutanga Mauri Pūmanawa Ward councillor would also be carrying a heavy workload in covering the entire district, and the proposal to appoint this councillor to either the Waitara or Clifton Community Boards would result in this councillor being overworked.
- g. The community boards did not support an increase in membership as it was felt that they functioned well in their current format. The primary role for community boards was to advocate for their community, and community boards worked closely with ward councillors to ensure their views were heard at the council table.
- h. While community board members were able to participate in committee meetings, these were usually held during work hours which often made attendance difficult.
- i. The Waitara Community Board wished to see the boundary between the Waitara and Clifton Community Boards adjusted, to better reflect urban growth in Waitara and the Waitara community.
- j. The Clifton Community Board supported the boundary between the Waitara and Clifton Community Boards being shifted to State Highway 3.

Matters for determination by the Commission

28. 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.

29. The main matters under consideration for this review are:
- a. The overall number of councillors;
 - b. Whether the district should have a ward-only representation system or a mixed model representation system;
 - c. The number of councillors representing each ward (particularly in relation to the North Ward) and (if appropriate) elected at-large;
 - d. The number of members elected to community boards (particularly in relation to the Clifton and Waitara Community Boards);
 - e. The boundaries between communities (particularly in relation to the Clifton and Waitara Communities).
30. An increase of the North Ward membership to two councillors cannot be achieved within a mixed-model system without significant deviation from the +/-10% rule. This means that consideration of the number of members of the North Ward also requires an examination of whether fair and effective representation for the district as a whole is best served by a mixed-model system or a ward-only system.

Key considerations

31. 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:
- a. communities of interest
 - b. effective representation of communities of interest
 - c. fair representation for electors.

Communities of interest

32. 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.
33. 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.
34. 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.

Effective representation of communities of interest

35. 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).
36. '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).
37. 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:
- 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.
38. 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. As the New Plymouth District Council resolved to establish a Māori ward, it was required to also establish at least one general ward. This means that solely at-large representation was not an option available to the Council in this review.
39. With regard to the number of members, 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 but should be an appropriate number to provide for effective representation across the district.
40. Section 19A of the Act provides that a territorial authority shall consist of between 5 and 29 members, excluding the mayor.

Fair representation for electors

41. 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').
42. However, section 19V(3)(a) permits non-compliance with the '+/-10% rule' for territorial authorities in some circumstances. Those circumstances are where:
- a. non-compliance is required for effective representation of communities of interest within island communities or isolated communities
 - b. compliance would limit effective representation of communities of interest by dividing a community of interest
 - c. compliance would limit effective representation of communities of interest by uniting two or more communities of interest with few commonalities.

Application of key considerations to New Plymouth District Council representation review

Communities of interest

43. We are satisfied that the Council has appropriately identified communities of interest through this review. The review has led to extensive changes to the ward structure, with the current New Plymouth City and South-West Wards being transformed into the Kaitake-Ngāmotu and Kōhanga Moa Wards to better reflect communities of interest in these parts of the district. The Council has also introduced an additional Puketapu-Bell Block Community Board.

44. The boundaries of the North Ward are largely the same as the current boundaries, save for the movement of several meshblocks around the Airport Drive area from the North Ward to the proposed Kaitake-Ngāmotu Ward.
45. The re-configuration of wards and introduction of an additional community board appear to be supported by the community, as indicated by submissions to the Council's initial proposal. The Council has been receptive to suggestions made in submissions and adjusted proposed ward and/or community board boundaries in response.
46. These factors indicate that the proposed ward structure has adequately recognised the perceptual dimensions of communities of interest in the district, along with the functional dimension at a local level.
47. The Council also described at the hearing high-levels of cross-ward boundary movements in the district, as residents moved across ward boundaries to access employment and education, as well as for recreational activities or other reasons. This is particularly so for residents living outside of the city area but accessing services and undertaking activities there.
48. These factors indicate that there is also a higher-level district-wide community of interest. That is, residents may feel a sense of belonging to their local town or township, but also feel similarly about the district as a whole, as reflected by the day to day activities of many residents.
49. We uphold the ward boundaries for each of the wards as described in the Council's final representation proposal.

Fair and effective representation of communities of interest

50. New Plymouth District Council has comprised a mayor and 14 councillors since 2004. We note that the Strategy and Operations Committee was originally inclined to decrease the number of members to 12 plus the mayor. Following input from community boards and Te Huinga Taumatua, the Council agreed to retain 14 members plus the mayor for the initial proposal. The Council confirmed this membership in its final representation proposal. We note that neither of the appeals requests a change to the overall number of councillors.
51. We are satisfied that 14 members is an appropriate size to provide for effective representation of the district.
52. An important question for the Commission to consider is whether the Council's proposal of a mixed-model representation system, with some members elected by wards and some elected at large, ensures effective representation for communities of interest, or whether the district would be better served by ward-only representation.
53. The primary concern of the appellants is that the move from a wards-based system to a mixed-model representation system will result in less direct representation for residents of the North Ward. At the hearing the appellants emphasised the geographic spread and diversity of communities in the North Ward and suggested that two North Ward councillors were required to be able to adequately represent

the North Ward at the council table. They were also concerned that 'at-large' members were more likely to come from the urban New Plymouth area and that as a result, the mixed-model system would advantage the urban area to the detriment of the North Ward.

54. At the hearing the Council emphasised that, with an STV voting system, the mixed model system would give North Ward residents (along with residents of the Kōhanga Moa and Te Purutanga Mauri Pūmanawa Wards) a greater opportunity to influence the overall make-up of the council membership, whilst also ensuring direct representation at the council table. The Council suggested that a mixed model representation system recognised that there were both ward-based and district-wide communities of interest and provided all electors with a greater ability to influence the make-up of membership at the council table.
55. It is not possible to predict where 'at-large' councillors may be elected from. It is indeed possible that they be elected from the urban New Plymouth area. However, we agree with the Council that it is also possible that they may come from the more rural parts of the district. We agree that use of the STV voting system means that all electors across the district have an equal opportunity to influence the outcome in the 'at-large' seats, and there is no obvious impediment to 'at-large' candidates from outside the urban city area being elected. With five at-large seats available, most electors across the district should be able to point to at least one 'at-large' member around the table whom they have supported to be elected, even if not as their first choice.
56. We have already found that the proposed ward configuration appropriately reflects the communities of interest of the district. We have also noted that there is an additional district-wide community of interest that overlays the activities of the district and how residents in the different wards relate to each other.
57. We agree that a mixed model representation system recognises and provides effective representation for these different layers of community of interest across the district. The Council noted at the hearing that the mixed model system was not perfect but was the best solution for providing effective representation across the district. Given these different layers of community of interest, and the ability of electors from the single member wards to influence the election of the five 'at-large' members, we are inclined to agree with the Council.
58. For completeness, however, we have also turned our mind to the alternative to a mixed-model representation system, that is, a return to a ward-only representation system.
59. One challenging aspect for a ward-only system is that there is not an even spread of Māori and general electoral populations across the district. This means that, in a 14-member ward-only council, a two-member North Ward would not be compliant with the +/-10% rule, but rather be over-represented at -20.20%.
60. The overall membership of the Council would need to be increased to 17 members plus the mayor before a two-member North Ward would meet the +/-10% rule. We are satisfied that a council of 14 members plus the mayor is appropriate for the

district and do not consider that there is justification for increasing the Council to this size.

61. The only possible ground under section 19V(3)(a) for allowing non-compliance that would apply to the North Ward would be if non-compliance was required for effective representation of isolated communities.
62. At the hearing we were advised that there are some parts of the North Ward that could be considered isolated, for example, the area around Tongapōrutu. However, we were also advised that most of the North Ward's population lives in close proximity to larger towns or townships, which are themselves well connected to the wider district. There are also adequate transport links to the more isolated parts of the district and we were not advised of any challenges in relation to internet or cell phone coverage.
63. We do not consider that non-compliance with the +/-10% rule would be justified in the case of the North Ward to allow for the effective representation of isolated communities.
64. We uphold the Council's the mixed-model representation system as outlined in the Council's final representation proposal, for a council of 14 members plus the mayor as follows
 - a. six members from the Kaitake-Ngāmotu General Ward;
 - b. one member from the North General Ward;
 - c. one member from the Kōhanga Moa General Ward;
 - d. one member from the Te Purutanga Mauri Pūmanawa Māori Ward; and
 - e. five 'at-large' members.

Communities and community boards

65. 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.
66. 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:

- 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 of interest or sufficiently distinct communities of interest?
67. The statutory role of a community board is to:
- a. represent and advocate for the interests of its community
 - b. consider and report on matters referred to it by its parent council
 - c. maintain an overview of council services provided in its community
 - d. prepare an annual submission to the council for expenditure within its community
 - e. communicate with community organisations and special interest groups within its community
 - f. undertake any other responsibilities delegated to it by its parent council.
68. As noted above, the Council's final proposal includes five community boards. We note that there are no appeals in relation to the proposed Puketapu-Bell Block, Inglewood or Kaitake Community Boards, and we uphold the Council's final representation proposal in relation to these community boards.
69. The issues for the Commission to determine in relation to the Waitara and Clifton Community Boards are:
- a. Whether the Clifton and Waitara Community Board membership should be increased or remain at the current four members (plus one appointed member); and
 - b. Whether the boundary between the Waitara and Clifton Communities should be altered.

Community board membership

70. Following deliberation on submissions to the initial proposal, the Council proposed to increase the membership of the Clifton and Waitara Community Boards to five elected members. At the hearing the Council explained that this was proposed in response to concerns expressed through submissions regarding the decrease in North Ward councillors from the current two members to one member. The Council explained that the community boards had indicated that they did not wish for membership to be increased, so membership was confirmed at four members, plus one appointed member.
71. At the hearing, both appellants confirmed that they did not see an issue with the current community board membership. Rather, their concern was in relation to the levels of ward representation.

72. We would have been open to considering an increase in membership for the Waitara and Clifton Community Boards. However, having heard clearly from each board that they are satisfied with the current membership arrangements, we uphold the Council's proposal for the Waitara and Clifton Community Boards to be comprised of four elected members, and one appointed member, being either the Te Purutanga Mauri Pūmanawa Ward member or the North Ward member.

Clifton and Waitara Community boundaries

73. The final matter for consideration is the boundary between the Waitara and Clifton Communities.
74. The Waitara Community Board requested the meshblocks 1550401, 1550503, 1550502, 1550900 and 1550800 be transferred from the Clifton Community to the Waitara Community. At the hearing the Council advised that, should these meshblocks be transferred, it would result in 17% of the Clifton Community population being transferred to the Waitara Community.
75. Meshblock 1550800 was previously a large meshblock, extending from the edge of the Waitara urban area to Tikorangi. During the review process, the Council noted that the Waitara urban area had spread into the part of meshblock 1550800 immediately adjacent to the urban Waitara area.
76. As a result, the Council approached Stats NZ Tatauranga Aotearoa to split meshblock 1550800 into smaller meshblock units. Stats NZ Tatauranga Aotearoa proposed to split meshblock 1550800 into six new meshblocks (4013365, 4013366, 4013367, 4013368, 4013369 and 4013370) but the meshblock split was not confirmed at the date at which Council resolved its final proposal. The Council indicated in the report informing the final proposal that it would support moving the four proposed meshblocks north of State Highway 3 (4013365, 4013366, 4013370 and 4013367) from the Clifton Community to the Waitara Community.
77. At the hearing we heard that both the Waitara and Clifton Community Boards were satisfied that these four meshblocks should be transferred to the Waitara Community. Accordingly, we uphold an adjustment of the boundary between the Waitara and Clifton Communities with the transfer of meshblocks 4013365, 4013366, 4013370 and 4013367 from the Clifton to the Waitara Community.
78. With regards to meshblocks 1550401, 1550503, 1550502, 1550900, 4013368 and 4013369, we heard from the Council that there was currently a proposal to re-zone part of this land to allow for further residential development. The Council also noted that they felt there was insufficient community support for extending the Waitara Community further into the Clifton Community at this stage.
79. We do not feel that sufficient reasons were put forward at the hearing to justify the transfer of any further meshblocks from the Clifton to the Waitara Community at this stage, aside from the four meshblocks identified for transfer above. However, we acknowledge that there is likely to be further growth in additional meshblocks discussed by the Waitara Community Board, and we encourage the Council and

community boards to keep this matter front of mind for the next representation review.

80. If there is sufficient reason to consider this matter ahead of the next representation review, we recommend that the Council and community boards be mindful of the process available under section 19JA of the Act for minor alterations of boundaries to take place outside of a representation review cycle.

Commission's determination

81. Under section 19R of the Local Electoral Act 2001, the Commission determines that for the general election of the New Plymouth District Council to be held on 8 October 2022, the following representation arrangements will apply:

- (1) New Plymouth District, as delineated on Plan LG-033-2022-W-1 deposited with the Local Government Commission, will be divided into four wards.
- (2) Those four wards will be:
 - a. The Te Purutanga Mauri Pūmanawa Māori Ward, comprising the area delineated on Plan LG-033-2022-W-2 deposited with the Local Government Commission
 - b. the North General Ward, comprising the area delineated on Plan LG-033-2022-W-3 deposited with the Local Government Commission
 - c. the Kaitake-Ngāmotu General Ward, comprising the area delineated on Plan LG-033-2022-W-4 deposited with the Local Government Commission
 - d. the Kōhanga Moa General Ward, comprising the area delineated on Plan LG-033-2022-W-5 deposited with the Local Government Commission.
- (3) The Council will comprise the mayor and 14 councillors elected as follows:
 - a. 1 councillor elected by the electors of the Te Purutanga Mauri Pūmanawa Māori Ward
 - b. 1 councillor elected by the electors of the North General Ward
 - c. 6 councillors elected by the electors of the Kaitake-Ngāmotu General Ward
 - d. 1 councillor elected by the electors of the Kōhanga Moa General Ward
 - e. 5 councillors elected by the electors of New Plymouth District as a whole.
- (4) There will be five communities as follows:
 - a. the Clifton Community, comprising the area delineated on Plan LG-033-2022-Com-1

- b. the Waitara Community, comprising the area delineated on Plan LG-033-2022-Com-2
 - c. the Puketapu-Bell Block Community, comprising the area delineated on Plan LG-033-2022-Com-3
 - d. the Inglewood Community, comprising the area delineated on Plan LG-033-2022-Com-4
 - e. the Kaitake Community, comprising the area delineated on Plan LG-033-2022-Com-5
- (5) For the Clifton Community, there will be a Clifton Community Board comprising:
- a. Four elected members
 - b. One member of the Council representing either the Te Purutanga Mauri Pūmanawa Māori Ward or the North General Ward who will be appointed to the community board by the Council.
- (6) For the Waitara Community, there will be a Waitara Community Board comprising:
- a. Four elected members
 - b. One member of the Council representing either the Te Purutanga Mauri Pūmanawa Māori Ward or the North General Ward who will be appointed to the community board by the Council.
- (7) For the Puketapu-Bell Block Community, there will be a Puketapu-Bell-Block Community Board comprising:
- a. Four elected members
 - b. One member of the Council representing the Kaitake-Ngāmotu General Ward who will be appointed to the community board by the Council.
- (8) For the Inglewood Community, there will be an Inglewood Community Board comprising:
- a. Four elected members
 - b. One member of the Council representing the Kōhanga Moa General Ward who will be appointed to the community board by the Council.
- (9) For the Kaitake Community, there will be a Kaitake Community Board comprising:
- a. Four elected members

- b. One member of the Council representing the Kaitake-Ngāmotu General Ward who will be appointed to the community board by the Council.

82. 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 Janie Annear



Commissioner Sue Piper



28 March 2022