



# Local Government Commission

## Mana Kāwanatanga ā Rohe

### Determination

on a decision of the Far North District Council to adopt representation arrangements for the local authority elections 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.
2. The matters for this determination by the Commission are limited to the Far North District Council's (the Council) decision to retain the boundaries of the Te Hiku General Ward, and the Russell-Ōpua, Whangaroa, South Hokianga, Doubtless Bay, and North Cape Subdivisions with the current elected membership, despite not complying with section 19V(2) of the Act (the '+/-10% rule').

## Commission's determination<sup>1</sup>

3. Under section 19V(6) of the Local Electoral Act 2001, the Commission upholds the decision of the Far North District Council not to comply with section 19V(2) in respect of the following electoral areas:
  - a. The Te Hiku General Ward, as compliance would limit effective representation of communities of interest by uniting within a ward two or more communities with few commonalities of interest due to their geographic separation.
  - b. The North Cape Subdivision of the Te Hiku Community Board, as compliance would limit effective representation of communities of interest by uniting within a subdivision two or more communities with few commonalities of interest, being the more densely populated communities of Awanui or Kaitāia with the dispersed rural communities of the North Cape.

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<sup>1</sup> Plans preceded by LGC are deposited with the Local Government Commission, plans preceded by SO are deposited with Land Information New Zealand

- c. The Doubtless Bay Subdivision of the Te Hiku Community Board, as compliance would limit effective representation of communities of interest by dividing communities of interest between subdivisions, being the communities of Taipa or Oruru from communities in Doubtless Bay with which they share a functional connection.
  - d. The Whangaroa Subdivision of the Bay of Islands-Whangaroa Community Board, as compliance would limit effective representation of communities of interest by uniting two or more communities of interest with few commonalities of interest, being communities more appropriately aligned with the current Waipapa and Kerikeri Subdivisions
  - e. The Russell-Ōpua Subdivision of the Bay of Islands-Whangaroa Community Board, as compliance would limit effective representation of communities of interest by dividing a community of interest between subdivisions, being communities from neighbouring subdivisions that look to the towns of Pahia or Kawakawa for services and social amenities.
  - f. The South Hokianga Subdivision of the Kaikohe-Hokianga Community Board, as compliance would limit effective representation of communities of interest by transgressing the Hokianga Harbour and uniting the Kaikohe and Ōkaihau communities which have few commonalities of interest.
4. Accordingly, for at least the triennial general election of the Far North District Council to be held on 11 October 2025, the following representation arrangements will apply:
- a. The Far North District, as delineated on Plan LG-001-2022-W-1 will be divided into wards and will be represented by a Council comprising the mayor and 10 councillors elected as follows:

<b>Ward</b>	<b>Councillors</b>	<b>Plan delineating area</b>
Ngā Tai o Tokerau Māori Ward	4	LG-001-2022-W-2
Te Hiku General Ward	2	SO Plan 430085
Bay of Islands-Whangaroa General Ward	3	LG-001-2022-W-3
Kaikohe-Hokianga General Ward	1	LG-001-2022-W-4

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

Community/Community Board	Plan delineating area	Subdivision	Members*	Appointed members
Te Hiku Community comprising the area of the Te Hiku General Ward	LG-001-2022-S-1	North Cape	1	2, representing either the Te Hiku General Ward or the Ngā Tai o Tokerau Māori Ward
	LG-001-2022-S-2	Whatuwhiwhi	1	
	SO 430093	Doubtless Bay	1	
	SO 430094	Kaitāia	3	
Bay of Islands-Whangaroa Community comprising the area of the Bay of Islands-Whangaroa General Ward	LG-001-2022-S-5	Whangaroa	1	2, being 1 member representing the Bay of Islands-Whangaroa General Ward and 1 member representing the Ngā Tai o Tokerau Māori Ward
	LG-001-2022-S-6	Waipapa	1	
	LG-001-2022-S-7	Kerikeri	2	
	LG-001-2022-S-8	Paihia	1	
	LG-001-2022-S-9	Russell-Ōpua	1	
	LG-001-2022-S-10	Kawakawa-Moerewa	1	
Kaikohe-Hokianga Community comprising the area of the Kaikohe-Hokianga General Ward	LG-001-2022-S-2	North Hokianga	1	2, representing either the Kaikohe-Hokianga General Ward or the Ngā Tai o Tokerau Māori Ward
	LG-001-2022-S-3	South Hokianga	2	
	LG-001-2022-S-4	Kaikohe	3	

\*number of members elected by the electors of each subdivision

5. 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
Te Hiku General	13,900	2	6,950	-1,127	-13.95
Bay of Islands-Whangaroa General	26,500	3	8,833	757	+9.37
Kaikohe-Hokianga General	8,060	1	8,060	-17	-0.21
<b>Total general wards</b>	<b>48,460</b>	<b>6</b>	<b>8,077</b>		
Ngā Tai o Tokerau Māori	26,600	4			
<b>Total</b>	<b>74,760</b>	<b>10</b>			

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

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

Community subdivisions	Population*	Number of members^	Population per member	Deviation from community average population per member	% deviation from community average population per member
<b>Te Hiku Community</b>					
North Cape Subdivision	3,370	1	3,370	-507	<b>-13.07</b>
Whatuwhiwhi Subdivision	3,880	1	3,880	3	+0.09
Doubtless Bay Subdivision	4,310	1	4,310	433	<b>+11.18</b>
Kaitāia Subdivision	11,700	3	3,900	23	+0.60
<b>Total community</b>	<b>23,260</b>	<b>6</b>	<b>3,877</b>		
<b>Bay of Islands-Whangaroa Community</b>					
Whangaroa Subdivision	4,350	1	4,350	-617	<b>-12.42</b>
Waipapa Subdivision	5,070	1	5,070	103	+2.07
Kerikeri Subdivision	10,800	2	5,400	433	+8.71
Paihia Subdivision	5,320	1	5,320	353	+7.10
Russell-Ōpua Subdivision	4,150	1	4,150	-817	<b>-16.45</b>
Kawakawa-Moerewa Subdivision	5,080	1	5,080	113	+2.27
<b>Total community</b>	<b>34,770</b>	<b>7</b>	<b>4,967</b>		
<b>Kaikohe-Hokianga Community</b>					
North Hokianga Subdivision	2,700	1	2,700	-90	-3.23
South Hokianga Subdivision	4,870	2	2,435	-355	<b>-12.72</b>
Kaikohe Subdivision	9,170	3	3,057	267	+9.56
<b>Total community</b>	<b>16,740</b>	<b>6</b>	<b>2,790</b>		

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

^Not including appointed members

- As required by section 19T(b) of the Local Electoral Act 2001, the boundaries of the above wards and subdivisions coincide with the boundaries of current statistical meshblock areas determined by Stats NZ Tatauranga Aotearoa and used for parliamentary electoral purposes.

## Background

8. Under sections 19H and 19J of 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.
9. The Council last reviewed its representation arrangements prior to the 2022 local authority elections. Accordingly, it was required to undertake its next review prior to the 2028 elections but has chosen to do so prior to the October 2025 elections.
10. In accordance with the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Act 2024 the Council was required to decide by 6 September whether to retain or disestablish its Māori wards. On 6 September 2024 the Council voted to retain its Māori ward. Accordingly, it was able to continue with the representation review process it already had underway.

## Current representation arrangements

11. The Commission last made a determination in relation to Far North District Council's representation in 2022. While there were no appeals on the Council's 2022 proposal, the Commission was required to determine several non-compliances with the +/-10% rule.
12. The Council's 2022 review proposed one Māori ward covering the whole district and three general wards mostly aligning with the ward boundaries that have been in place since 2010 with minimal changes. The 2022 review also proposed the continuation of three subdivided communities aligning to the general ward areas. The Commission upheld the Council's decision not to comply with the +/-10% rule for one general ward and four community board subdivisions, resulting in the Council's current representation arrangements:
  - a. a council comprising the mayor elected at large and 10 councillors elected from four wards as follows:
    - Ngā Tai o Tokerau Māori Ward electing 4 councillors
    - Te Hiku General Ward electing 2 councillors
    - Bay of Islands-Whangaroa General Ward electing 3 councillors
    - Kaikohe-Hokianga General Ward electing 1 councillor

b. 19 members elected to three community boards as follows:

Community board	Subdivision	Members elected	Members appointed
<b>Te Hiku</b>	North Cape	1	
	Whatuwhiwhi	1	
	Doubtless Bay	1	
	Kaitāia	3	
<b>Total community board</b>		<b>6</b>	<b>1</b>
<b>Bay of Islands-Whangaroa</b>	Whangaroa	1	
	Waipapa	1	
	Kerikeri	2	
	Paihia	1	
	Russell-Ōpua	1	
	Kawakawa-Moerewa	1	
	<b>Total community board</b>		<b>7</b>
<b>Kaikohe-Hokianga</b>	North Hokianga	1	
	South Hokianga	2	
	Kaikohe	3	
<b>Total community board</b>		<b>6</b>	<b>1</b>

## Current review

### Preliminary consultation

13. In undertaking this review the Council agreed that overall, it was satisfied with the existing ward, community and subdivision boundaries, and the number of elected members.
14. For the current review, a Council workshop identified three key aspects for consideration in the current review:
  - Ngā Tai o Tokerau Māori Ward boundary
  - name of the Whatuwhiwhi Subdivision of the Te Hiku Community Board
  - number of members appointed to community boards
15. The Council's preliminary engagement for the current review included a survey offered online and at kanohi-ki-te-kanohi events throughout the District, receiving 161 responses. The survey focussed largely on the three aspects identified above and invited a general comment on fair and effective representation in the District. The Council also sought feedback from community boards and the Te Kuaka – Te Ao Māori Committee, a committee of the Council comprising the mayor, all councillors, and 12 iwi representatives.

## The Council's initial proposal

16. On 9 May 2024 the Council resolved its initial representation proposal for a council comprising the mayor elected at large and 10 councillors elected from four wards, with no change to the existing boundaries. The proposal retained the three existing communities aligned to general ward boundaries and the 13 existing community subdivisions.
17. With the proposed boundaries, the Te Hiku General Ward and four of the six community board subdivisions that did not comply with the +/-10% rule at the time of the 2022 representation review remained non-compliant.
18. The initial proposal also altered the existing arrangements by:
  - increasing the number of members appointed to community boards
  - providing for Ngā Tai o Tokerau Māori Ward councillors to be appointed alongside the relevant general ward members
  - changing the name of the existing Whatuwhiwhi Subdivision of the Te Hiku Community Board to Karikari-Awanui to better reflect the Community area's extension to include Awanui at the previous representation review
  - a new non-compliance with the +/-10% rule for the Doubtless Bay Subdivision of the Te Hiku Community at 11.18% under-represented
  - a return to compliance with the +/-10% rule for the Kerikeri Subdivision of the Bay of Islands-Whangaroa Community and the Kaikohe Subdivision of the Kaikohe-Hokianga Community.

## Submissions

19. The Council notified its initial representation proposal on 16 May 2024 and received 86 submissions by the deadline date of 12 September 2024.
20. Key themes in the submissions were:
21. At the District level, a majority did not support increasing the number of councillors appointed community boards, mainly for financial reasons and the belief that no councillors should be appointed to community boards. At the individual community level, responses were as follows:
  - Te Hiku Community: 53.1% supported
  - Bay of Islands-Whangaroa Community: 69.2% did not support
  - Kaikohe-Hokianga Community: 58.5% did not support
22. A majority (58.1%) from within the Te Hiku Community supported renaming the Whatuwhiwhi Subdivision of the Te Hiku Community Board to Karikari-Awanui on the basis that it better represented the area covered.
23. Submissions opposing the proposed Karikari-Awanui Subdivision name highlighted the significance of the name Whatuwhiwhi and hapū/iwi opposition to the proposed subdivision name change, including one submission from the Haititai-marangai (Whatuwhiwhi) Marae Committee.

24. On 9 July 2024 the Council met to hear and deliberate on submissions. To reflect submissions, the Council amended its proposal to retain the existing name of the Whatuwhiwhi Subdivision.
25. The Council rejected the submissions opposing the increased number of councillors appointed to community boards as it believed that appointing councillors to community boards had value and led to positive outcomes, and that such appointments should be open to Ngā Tai o Tokerau Māori ward councillors.
26. At a meeting on 8 August 2024 the Council amended its initial proposal to the following final representation proposal.

### The Council's final proposal

27. The final proposal was as per the initial proposal with the exception that the existing name was retained for the Whatuwhiwhi Subdivision of the Te Hiku Community Board.
28. 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
Te Hiku General	13,900	2	6,950	-1,127	-13.95
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Ngā Tai o Tokerau Māori	26,300	4			
<b>Total</b>	<b>74,760</b>	<b>10</b>			

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

29. The final proposal set out community board arrangements as follows:

Community subdivisions	Population*	Number of members <sup>^</sup>	Population per member	Deviation from community average population per member	% deviation from community average population per member
<b>Te Hiku Community</b>					
North Cape Subdivision	3,370	1	3,370	-507	-13.07
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\*Based on Stats NZ Tātauranga Aotearoa 2023 population estimates (2018 census base)

^Not including appointed members

30. The Council publicly notified its final proposal on 12 August 2024.

31. No valid appeals or objections against the Council's final proposal were received. The Council was, however, required by section 19V(4) of the Act to refer its proposal to the Commission for determination as the Te Hiku General Ward, the North Cape and the Doubtless Bay Subdivisions of the Te Hiku Community Board, the Russell-Ōpua and the Whangaroa Subdivisions of the Bay of Islands-Whangaroa Community Board, and the South Hokianga Subdivision of the Kaikohe-Hokianga Community Board did not comply with the fair representation requirement of section 19V(2) of the Act (the +/-10% rule).

## Need for a hearing

32. 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. There is no obligation on the Commission to hold a hearing. 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.
33. In the case of the Far North District Council's final proposal, the Commission considered there was sufficient information in the documentation provided by the Council in relation to its previous and current review for the Commission to proceed to a determination. Accordingly, no hearing was required.

## Matters for determination by the Commission

34. The matters for this determination by the Commission are limited to the Far North District Council's (the Council) decision to retain the boundaries of the electoral areas listed at paragraph 31 with the current membership, despite not complying with section 19V(2) of the Act (the '+/-10% rule').

## Key considerations

35. Based on the legislative requirements of the Act, 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

36. 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
37. 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
38. The District's land use is predominantly rural with supporting service towns. The largest residential concentrations are Kaitāia, Kaikohe, and Kerikeri.
39. Local Electoral Act 2001 requires councils to determine all aspects of their representation arrangements when undertaking a representation review. Communities of interest form the basis for representation arrangements and any justification for non-compliance with the +/-10% rule. Therefore, we expect to see evidence detailing how and why these communities are identified, and whether or how they have altered since the previous review. We strongly recommend that for every future review the Council undertakes sufficiently robust engagement in this regard and clearly set out the evidential basis for each community of interest as part of its decision-making on representation matters.
40. For the current review, the Council has relied on input from community boards to inform its understanding that communities of interest have not changed significantly since its 2021/22 review.

### **Effective representation for communities of interest**

41. '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).
42. The Guidelines note that what constitutes effective representation will be specific to each local authority but that the following factors should be considered to the extent possible:
- 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.
43. We are satisfied that the same number of members as determined by the Commission in 2022 continue to provide effective representation on the basis that the Council has not identified significant changes to the District's communities of interest.

## Fair representation for electors

44. Section 19V of the Act sets out the requirement for the Commission to ensure that electors receive fair representation. Section 19V(2) establishes fair representation as a population per member ratio per ward type (i.e. general or Māori) and per community board subdivision that does not differ by more than 10% across the district or community. This is also referred to as 'the +/- 10% rule'.
45. Section 19V(3) of the Act provides that, despite subsection (2), if a territorial authority or the Commission considers one or more of certain prescribed conditions apply, wards and community subdivisions may be defined and membership distributed between them in a way that does not comply with subsection (2). The prescribed conditions are:
  - a. non-compliance is required for effective representation of communities of interest within island or isolated communities situated within the district of the territorial authority
  - b. compliance would limit effective representation of communities of interest by dividing a community of interest between wards or subdivisions
  - c. compliance would limit effective representation of communities of interest by uniting within a ward or subdivision two or more communities of interest with few commonalities of interest.
46. Section 19V(6) provides that on receiving a reference under subsection (4), the Commission must determine whether to:
  - a. uphold the decision of the council, or
  - b. alter that decision.

## Proposed non-compliance of Te Hiku General Ward

47. The Council is proposing over-representation for the Te Hiku General Ward of -13.95%, as compliance would transgress natural features (Whangape Harbour, the Maungataniwha Range and a variety of forestry blocks). This is a slight increase from the -13.62% non-compliance endorsed by the Commission in its 2022 determination.
48. As the northernmost general ward in Te Ika-a-Māui or North Island, the Te Hiku General Ward boundaries align with distinct geographic features. The boundary follows Cape Reinga/Te Rerenga Wairua in the north, the Awaroa River from Whangape Harbour on the west coast and along the Maungataniwha Range and through the Maungataniwha and Otangaora Forests to the coastline east of Doubtless Bay.
49. To become compliant, the Te Hiku General Ward would need to be extended to incorporate an additional 319 people, either by transferring part of the Bay of Islands-Whangaroa General Ward or part of the Kaikohe-Hokianga General Ward.

50. The Commission acknowledged in 2022 that as both of these areas are sparsely populated, it would be necessary to transfer large areas into the Te Hiku General Ward for that ward to become compliant with +/-10% rule. We consider that this would compromise effective representation for the areas transferred. Increasing the geographic size of an already large, sparsely populated general ward across significant natural features is likely to hamper access to elected members by the population they represent and vice versa. It is also likely to unite communities of interest with few commonalities insofar as they are defined perceptually and functionally by those geographic features.
51. To allow for effective representation of communities of interest within the Te Hiku General Ward area, the Commission upholds the Council's final proposal for the Te Hiku General Ward.

## Communities and community boards

52. 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.
53. 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 or communities of interest?

## Te Hiku Community Board

### *Proposed non-compliance of the North Cape and Doubtless Bay Subdivisions*

54. The Council's proposed arrangements for the Te Hiku Community Board continue the existing four subdivisions: North Cape, Whatuwhiwhi, Doubtless Bay, and Kaitāia. The Council's public notice of its final proposal specified that two of the proposed subdivisions do not comply with section 19V(2) of the Act as follows:
  - The North Cape subdivision is over-represented at -13.07% (compared with -12.00% in 2022) as compliance "would unite communities of interest with few commonalities (Awanui and Kaitāia)"

- The Doubtless Bay subdivision is newly non-compliant at +11.18% under-represented (compared with +8.58% in 2022), as compliance “would divide communities of interest (Taipa and Oruru)”
55. The North Cape subdivision stretches from Cape Reinga/Te Rerenga Wairua in the north, down the west coast to the north of Ahipara, and across to the western fringes of Kaitāia and Awanui. The population is largely rural and dispersed, with a 90-minute drive from north to south. To reach compliance with the +/-10% rule the subdivision would need an additional 119 people. This would require transferring all or part of the more densely populated town of Kaitāia, and possibly the localities of Ahipara or Awanui into the North Cape subdivision.
  56. Given the residential nature of Kaitāia and Ahipara, and their proximity to each other, we consider that Kaitāia and Ahipara are appropriately located together in the Kaitāia Subdivision. The Commission’s 2022 determination transferred an area surrounding Awanui from the North Cape Subdivision into Whatuwhiwhi, reflecting Awanui’s closer connection with the communities in the Whatuwhiwhi Subdivision.
  57. Transferring either of these areas to the North Cape Subdivision would result in grouping of dissimilar town and rural communities, compromising the ability of a single elected member to provide effective representation. Accordingly, the Commission upholds the proposed North Cape subdivision boundaries.
  58. The Doubtless Bay subdivision reaches south from the eastern shoreline of Doubtless Bay. It encompasses several coastal and inland communities and the Mangonui Harbour. To achieve compliance within the Te Hiku community board area would require transferring 45 people out of the subdivision. Because the subdivision’s eastern boundary is also a community boundary, the only option is to move the western boundary to exclude the populations of Taipa or Oruru. Both localities connect via State Highway 10 to a string of coastal towns in Doubtless Bay stretching from Taipa to Mangonui.
  59. We are satisfied that the localities of Taipa and Oruru share a functional connectedness to the coastal towns of Doubtless Bay that justifies grouping them together for the purposes of effective representation. For this reason, the Commission upholds the proposed boundaries for the Doubtless Bay subdivision.

## Bay of Islands-Whangaroa Community Board

### *Proposed non-compliance of the Whangaroa Subdivision*

60. The Council is proposing over-representation for the Whangaroa Subdivision of -12.42% as compliance with the +/-10% rule would mean uniting communities of interest more appropriately aligned with the current Waipapa and Kerikeri Subdivisions. The over-representation is an increase from -11.60% in 2022.
61. The Whangaroa Subdivision covers the northern part of the Bay of Islands-Whangaroa Community, encompassing the Whangaroa Harbour and stretching inland across a sparsely populated rural area to the Puketi Forest.

62. Compliance with the +/-10% rule would require transferring 120 people into Whangaroa from either of the neighbouring subdivisions of Waipapa or Kerikeri. In its 2021/22 review the Council carefully considered these subdivision boundaries to ensure communities of interest were appropriately grouped. In the current review, the Council's consultation did not highlight any community disagreement with the subdivision boundaries. Accordingly, we find no reason to suggest that communities of interest in the area have changed significantly since 2021. The Commission therefore upholds the Whangaroa Subdivision boundaries proposed by the Council.

### *Proposed non-compliance of the Russell-Ōpua Subdivision*

63. The proposed Russell-Ōpua Subdivision is over-represented at -16.45%, or 320 people, up from -15.63% in 2022. The Council's justification for non-compliance with the +/-10% rule is that "to comply would unite communities of interest with few commonalities, with Russell-Ōpua being a very rural and isolated peninsula area connected by water."
64. The Subdivision encompasses the eastern head of the Bay of Islands in the north and an inland area on the boundary with Whangarei District to the south. We agree that the peninsula itself is remote but observe that the town of Russell is reasonably well-connected by road and water with the remainder of the subdivision. The southern part of the Subdivision encompasses several small inland localities.
65. The option for achieving compliance with the +/-10% rule is to transfer areas from either of the neighbouring subdivisions of Pahia or Kawakawa-Moerewa. This would likely result in dividing communities that look to the towns of Pahia or Kawakawa for services and social amenities. We do not consider it appropriate to compromise effective representation in this way.
66. Furthermore, we note several factors that contribute to effective representation by the single member of the subdivision:
- travel times within Russell-Ōpua are similar to other subdivisions in the District with a dispersed population;
  - the boundaries have changed little since 2010, ensuring familiarity to electors;
  - the proposed boundaries encompass all marae of the Taumārere ki Rākaumangamanga takiwā of Ngāpuhi, reflecting a perceptual and political community of interest.
67. As it stands, we are satisfied there is no apparent community opposition to the proposed subdivision boundaries. We consider the proposed boundaries to support important elements of effective representation for communities of interest.



68. We observe, however, that the inland communities of Maromaku, Towai and Marlow in the southern part of the Subdivision may share a functional connection with the nearby town of Kawakawa in the neighbouring Kawakawa-Moerewa Subdivision. Submitters and appellants in previous reviews have also raised this matter. Simply transferring these communities to the Kawakawa-Moerewa Subdivision would increase over-representation for Russell-Ōpua. Therefore, we suggest a more holistic assessment of the Bay of Islands-Whangaroa Community's subdivision is required as part of the Council's next review.
69. The Commission upholds the Russell-Ōpua Subdivision boundaries as proposed by the Council.

## **Kaikohe-Hokianga Community Board**

### *Proposed non-compliance of the South Hokianga Subdivision*

70. The Council is proposing over-representation for the South Hokianga Subdivision -12.72%, a slight increase from -12.35% in 2022, as compliance would transgress the Hokianga Harbour and unite the Kaikohe and Ōkaihau communities which have few commonalities of interest.
71. The South Hokianga Subdivision is bounded on three sides by natural features: the Hokianga Harbour to the north, the coastline to the west, and the Waipoua River and Tokawhero Forest to the south. The Subdivision reaches inland across sparsely populated rural and forested hinterland to its eastern boundary.
72. To achieve compliance with the +/-10% rule would require transferring 152 people into South Hokianga, either from the town of Kaikohe or the locality of Ōkaihau, both located in the neighbouring Kaikohe Subdivision. The Council adjusted this boundary in its 2021/22 review to ensure Ōkaihau was combined with Kaikohe, the nearest large town at approximately 15-minutes' drive. There is nothing to suggest the more residential orientation of these communities has changed since 2021, either in the Council's preliminary engagement for this review or submissions on the initial proposal.
73. In our view, transferring Kaikohe or Ōkaihau into South Hokianga would hamper effective representation for South Hokianga's predominantly rural and dispersed population, by combining dissimilar communities of interest. We are satisfied that the proposed South Hokianga Subdivision boundaries appropriately balance the requirements for fair and effective representation of the area. The Commission upholds the boundaries of the South Hokianga Subdivision as proposed by the Council.

## **Commission recommendations**

74. The Commission recommends that for all future representation reviews the Council undertakes sufficiently robust engagement to inform how communities of interest are identified, and whether or how they have altered since the previous review and that this information is clearly documented as part of the review.



75. This includes, but is not limited to, carefully examining the communities of interest within the Bay of Islands-Whangaroa Community to provide documented evidence that the subdivision boundaries appropriately group communities for effective representation.

## Conclusion

76. 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, 19V and 19W of the Act.

### **Local Government Commission**

Commissioner Brendan Duffy (Chair)

Commissioner Sue Bidrose

14 October 2024