



Local Government Commission

Mana Kāwanatanga ā Rohe

Determination

of representation arrangements to apply for the election
of the Hurunui 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 upholds the Hurunui 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 Hurunui District Council to be held on 11 October 2025, the following representation arrangements will apply:
 - a. Hurunui District, as delineated on Plan LG-058-2019-W-1 will be divided into wards and will be represented by a Council comprising the mayor and ten councillors elected as follows:

| Ward | Councillors | Plan delineating area |
|------------|-------------|-----------------------|
| West Ward | 4 | LG-058-2019-W-2 |
| East Ward | 2 | LG-058-2019-W-3 |
| South Ward | 4 | LG-058-2019-W-4 |

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

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

| Community/ Community Board | Area | Members* | Appointed members |
|---------------------------------------|--|-----------------|---|
| Hanmer Springs Community Board | As delineated on Plan LG-058-2019-Com-1 | 5 | 1 councillor representing the West Ward |
| South Ward Community Board | Comprising the area of the South Ward | 5 | 2 councillors representing the South Ward |

*number of members elected by the electors of each community

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 |
|--------------|--------------------|------------------------------|--------------------------------------|--|--|
| West Ward | 5,450 | 4 | 1,363 | -18 | +1.27 |
| East Ward | 2,670 | 2 | 1,335 | -45 | -3.26 |
| South Ward | 5,680 | 4 | 1,420 | +40 | 2.90 |
| Total | 13,800 | 10 | | | |

*Based on Stats NZ Tauranga Aotearoa 2023 population estimates

5. The community boards will not be subdivided for electoral purposes. The population they each represent will be as follows:

| Community | Population* | Number of members^ | Population per member |
|-----------------------------------|--------------------|-------------------------------|----------------------------------|
| Hanmer Springs Community Board | 1,220 | 5 | 284 |
| South Ward Community Board | 5,680 | 5 | 1,136 |

*Based on Stats NZ Tauranga Aotearoa 2023 population estimates

^Not including appointed members

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

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. Accordingly, it was required to undertake a review prior to the next elections in October 2025.

Current representation arrangements

9. When carrying out its previous review the Council did consider whether community boards should be established for each of the wards. The Council did not consider there to be compelling reasons or sufficient support from local communities to establish a community board for Amberley or any other community other than Hanmer Springs, and considered that the council's community committee structure supported each community in a similar manner to community boards.
10. The Council's current representation arrangements are as follows:
 - the Mayor elected at large
 - a council comprising 10 members elected from three wards
 - Hanmer Springs Community Board with 5 elected members

Current review

Preliminary consultation

11. Hurunui District Council conducted an engagement process on its representation arrangements, at the same time as engaging on its draft Long-Term Plan. A representation review working group was formed to consider options, although these were ultimately decided by the Hurunui District Council.
12. The Working Group held four workshops to review electoral systems, the potential for Māori wards, communities of interest, and population statistics to advise on the district's representation structure.
13. The Council held one workshop and reviewed four reports from the Working Group, supporting decisions like retaining the First Past the Post electoral system and considering future options for a Māori Ward.

The Council's initial proposal

14. On 12 March 2024, the Council resolved its initial representation proposal for a council comprising the mayor and 10 councillors elected from 3 wards. The proposal retained the Hanmer Springs Community Board and established a new South Ward Community Board.

15. 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 |
|--------------|---------------|-------------------|-----------------------|---|---|
| West Ward | 5,450 | 4 | 1,363 | -18 | +1.27 |
| East Ward | 2,670 | 2 | 1335 | -45 | -3.26 |
| South Ward | 5,680 | 4 | 1420 | +40 | 2.90 |
| Total | 13,800 | 10 | | | |

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates

The proposed community board arrangements were as follows:

| Community board subdivisions | Population* | Number of members^ | Population per member | Deviation from community board average population per member | % deviation from community board average population per member |
|---------------------------------------|-------------|--------------------|-----------------------|--|--|
| Hanmer Springs Community Board | | | | | |
| | 1,220 | 5 | 284 | N/A | N/A |
| South Ward Community Board | | | | | |
| Amberley Subdivision | 2380 | 2 | 1190 | -54 | 4.9% |
| Kowai Subdivision | 3290 | 3 | 1097 | 39 | -3.29% |
| TOTAL | 5,680 | 5 | 1,136 | N/A | N/A |

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates

^Not including appointed members

Submissions

16. The Council notified its initial representation proposal on 25 March 2024 and received 22 submissions by the deadline of 8 May 2024. All the submissions were in favour of the proposal for 3 wards, 10 councillors and the Hanmer Springs Community Board. Eight submissions were in favour of the full proposal. Fourteen submissions objected to the formation or membership of the proposed South Ward Community Board and associated subdivisions.

17. Key themes in the submissions relating to the South Ward Community Board were:

- a. One submitter supported the South Ward Community Board with 6 elected board members and only 3 appointed members.
 - b. Two submitters supported a South Ward Community Board and the idea of electing board members from two subdivisions but sought a different allocation of members between the subdivisions.
 - c. Three submitters opposed the South Ward Community Board due to the financial impact on ratepayers.
 - d. Four submitters objected to the formation of a South Ward Community Board due to a lessening of the community and youth voice.
 - e. Five submitters supported the current South Ward Committee structure as it stands.
18. On 11 June 2024 the Council met to hear and deliberate on submissions. One of the points raised in the hearing process was opposition to the South Ward Community Board subdivisions. The Council considered that the subdivision split may not necessarily improve representation for the community as a whole, particularly as it was looking to move away from representation from specific groupings in the community. Therefore, the Council amended the South Ward Community Board’s membership arrangements to provide for five members elected at large from the South Ward Community as a whole rather than from two subdivisions.

The Council’s final proposal

19. The final proposal was for a council comprising the mayor and 10 councillors elected from 3 wards, and 2 community boards, the Hanmer Springs Community Board and the South Ward Community Board, both elected at large.

20. The final proposal included 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 |
|--------------|--------------------|--------------------------|------------------------------|--|--|
| West Ward | 5,450 | 4 | 1,363 | -18 | +1.27 |
| East Ward | 2,670 | 2 | 1335 | -45 | -3.26 |
| South Ward | 5,680 | 4 | 1420 | +40 | 2.90 |
| Total | 13,800 | 10 | | | |

*Based on Stats NZ Tauranga Aotearoa 2023 population estimates

The final proposal set out community board arrangements as follows:

| Community | Population* | Number of members^ | Population per member |
|--------------------------------|--------------------|---------------------------|------------------------------|
| Hanmer Springs Community Board | 1,220 | 5 | 284 |
| South Ward Community Board | 5,680 | 5 | 1,136 |

*Based on Stats NZ Tauranga Aotearoa 2023 population estimates

^Not including appointed members

21. The Hanmer Springs Community Board was to include 1 appointed member and the South Ward Community Board was to include 4 appointed members.
22. The Council publicly notified its final proposal on 27 June 2024. Five appeals and six objections against the Council's proposal were received.

Appeals/objections against the Council's final proposal

23. The Council referred the appeals and objections to the Commission, in accordance with section 19Q of the Act. The 5 appeals and 6 objections against the Council's final proposal were wholly or partially within the Commission's scope of powers to determine. These appeals and objections were therefore considered valid or partially valid and were all related to opposition to the establishment of a South Ward Community Board.

Hearing

24. 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.
25. In the case of Hurunui 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.
26. The Commission met with the Council and one appellant at a hearing held online on 17 September 2024. The other appellants and objectors did not wish to be heard. The Council was represented at the hearing by Mayor Marie Black.
27. The one appellant who wished to speak at the hearing was Roy Myers.

Matters raised at the hearing

28. Mayor Marie Black, supported by Chair of the Audit and Risk Committee Cr Fiona Harris, explained the process the Council had followed in carrying out its representation review and reaching its final proposal. They emphasised the following points:

- a. A robust process had been followed to reach the decision the Council has come to for their final proposal.
 - b. The decision to introduce a South Ward Community Board was aimed at introducing a more democratic and representative approach and intended to provide a more strategic direction for the community.
 - c. The South Ward Committee comprises members representing the views of the organisation they represent as opposed to that of the general community. It is thought that by introducing directly elected members to represent the wider community, it would be more likely that a strategic direction be developed for the area.
 - d. The current arrangement means that councillors tend to dominate discussions about strategic direction.
29. The appellant appearing at the hearing raised the following points in opposition to the Council's proposal:
- a. The community committee has been in place for twelve years and is working effectively, and it is a case of "if it isn't broken it doesn't need fixing".
 - b. The current arrangements mean that each member of the committee is accountable to another group within the community (e.g. the Amberly Residents Association) and replacing this structure with elected community board members means those accountabilities will no longer exist.
 - c. One of the biggest constraints for the committee and its ability to achieve things is a lack of funding.

Matters for determination by the Commission

30. 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.
31. 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.

32. The appeals and objections to the Council's final proposal raise the overarching issue for the Commission to resolve about whether a South Ward Community Board should be established.

Key considerations

33. 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

34. 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.

35. 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

36. Based on the information provided by the Council it appears to the Commission that the 3 current wards reflect communities of interest which are adequately identified and are widely agreed on within Hurunui District. The primary issue for consideration is how these communities are represented, particularly the South Ward Community.

Effective representation of communities of interest

37. 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).

38. '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).

39. 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.

40. 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.

41. Hurunui District has been divided into the current 3 wards since 2019. The South Ward has existed in its current form for significantly longer. The wards appear to have broad support from the community and neither the wards or the allocation of membership of members to wards were the subject of appeals or objections to the Commission. Given this we consider that the proposed ward and membership arrangements will provide effective representation of communities of interest in Hurunui District.

Fair representation for electors

42. 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 community. This is also referred to as 'the +/- 10% rule'.
43. Each of the proposed wards for Hurunui District comply with 'the +/- 10% rule' and the Commission is not required to consider this matter further.

Community Boards

44. 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.
45. 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 the Local Government Act 2002 as is considered appropriate. The Commission sees the following of these criteria as particularly relevant for the consideration of proposals relating to community boards as part of a representation review:
- Will the proposal promote good local government of the parent district and the community area concerned?
 - Will the district and the community have the resources necessary to enable them to carry out their respective responsibilities, duties and powers?
 - Will a community board have an area that is appropriate for the efficient and effective performance of its role?
 - Will the community contain a sufficiently distinct community or communities of interest?
46. The Council has proposed to retain the Hanmer Springs Community Board. This was widely supported in submissions to the Council's initial proposal, and there were no appeals or objections relating to this aspect of the proposal.
47. The Council proposes to establish a South Ward Community Board covering the area of the South Ward. This is a change from the current arrangements where the South Ward has a "South Ward Committee". Delegations to the committee are akin to that of a community board, but membership on the committee is based on positions held in the community rather than being elected. While community boards have specific roles and powers under law, the Council advised that it chooses to delegate the same powers to community committees as they do similar work.

48. The current membership of the South Ward Committee comprises 14 members – this consists of the Mayor, the 4 South Ward councillors, 1 Youth Member, 5 members representing 5 residents associations and reserves advisory groups, and 3 members elected at large at a triennial meeting. The Council believes that this method of appointment means these members may not have the overview needed to provide strategic direction for the ward. It was also noted that due to the current structure the councillors often dominate the discussion about strategic direction rather than committee members, further minimising community input.
49. The Council explained at the hearing that the reasoning behind a fully elected community board is that it would provide a different operational model and approach to that of the committee. A community board would have elected members, with responsibility to engage with the community as a whole as well as interest groups and bring this feedback forward. The Council expects that this will assist in making decisions for the whole ward, ensuring components of the community are not excluded.
50. The South Ward has the fastest growing population in Hurunui District and would therefore benefit from a more strategic approach than the Ward Committee can provide. It was suggested by the Council that an elected community board in the South Ward would bring strategic focus, which was not perceived to be happening under the current make-up.
51. The Council argued that a community board could make members more accountable through having to have a mandate from the wider community. An additional cost to ratepayers through having a community board was discussed as being an issue but it was felt that the cost was minimal compared to the benefit of potentially having better representation for the South Ward.
52. All the appeals and objections were opposed to the introduction of a South Ward Community Board, arguing that the South Ward Committee can represent the interests of the community. The divergence of opinion between the council and the appeals and objections in relation to the establishment of the community board and what mechanism provided the most effective representation for electors was the main issue facing the Commission when considering the matter.
53. A predominant theme of the appeals and objections was that there is nothing wrong with the current arrangements and therefore there is no reason to change anything.
54. The appellant appearing at the hearing said that accountability may diminish as committee members will not be reporting back to the groups they were representing, and having directly elected members, as opposed to members being appointed from their representative groups, may diminish the diversity that is present on the current structure. It was argued that the committee enhances engagement and grassroots democracy.
55. It was explained that the current committee is involved in a number of projects and that there is a ring-fenced fund of \$370,000 from development contributions overseen by the committee, which suggests that finances are not a key constraint for the committee. The Commission was advised in the hearing, however, that there were delays in spending money from the fund.

56. Opposition to the proposed Community Board is grounded in several factors including the cost to ratepayers. The additional cost was estimated by the Council to be \$20 per household a year. The Commission concluded from listening to discussion in the hearing that there is an opportunity cost to the community of the South Ward's ringfenced fund not being spent and that this negates the additional cost of the community board as a board would likely see greater investment into the ward.
57. Another concern raised in the appeals and objections was that introduction of the Community Board would minimise the youth voice as there isn't a designated youth seat on the community board.
58. Key themes discussed in the hearings process was that, on one hand, the current committee structure represents a range of community organisations which can bring a range of community views to the table. On the other hand, the Council portrayed the current system as being made up of individuals representing single interests which contributed to the Council's notion of wanting to extend representation and increase a strategic focus.
59. The Commission agrees that striving for better engagement and democracy should be a key consideration for representation. In this case, it seems appropriate given the levels of responsibility given to the committee and/or potential community board, that democracy is determined at an all of community level and not determined by where people sit as members of community groups. A directly elected community board would likely raise the profile of the South Ward representation and serve to enhance engagement. It may potentially attract candidates who may not have been traditionally in a position that would result in their becoming members of the ward committee.
60. Having considered the Council's proposal and the appeals and objections, we are satisfied that the proposed community board arrangements will promote good local government, that they contain a sufficiently distinct community of interest, and that a directly elected community board, as opposed to the current set representation model, will provide fair and effective representation for individuals and communities as required by section 4 of the Act.
61. Accordingly, we endorse the Council's proposal in relation to this matter, subject to the issues discussed below.
62. The Commission considers that having 4 appointed members on a 9-member community board creates over representation of councillors and may reinforce the issue the Council raised that, in the current community committee, councillors have tended to dominate discussion about strategic direction. The Commission has therefore decided that there should be two appointed members on the South Ward Community Board.
63. To address the issues raised around youth representation, the Commission considers that a youth observer from the Youth Council who is from the South Ward Community should be included as a standing observer at community board meetings. This is a matter the Commission can only make a recommendation about and acting on such a recommendation will be a matter for the community board to consider.

Commission recommendations

64. The Commission strongly recommends that the make up for the Community Board include a youth observer (being a standing member of the Youth Council from the South Ward, or where there is no member from the ward another youth from the ward area).

Conclusion

65. 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

Commissioner Sue Bidrose

21 October 2024