



**LOCAL GOVERNMENT COMMISSION**  
**MANA KĀWANATANGA Ā ROHE**

**Determination**

of representation arrangements to apply for  
the election of the Hastings District Council  
to be held on 12 October 2013

**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. These 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 Hastings District Council (the Council) last reviewed its representation arrangements prior to the 2007 local authority elections. Accordingly it was required to undertake a review prior to the next elections in October 2013.
3. As a result of appeals/objections on its last review, the representation arrangements that applied for the 2007 and subsequent 2010 elections were determined by the Commission and comprised a mayor and 14 councillors elected as follows.

<b>Ward</b>	<b>Population*</b>	<b>Number of councillors per ward</b>	<b>Population per councillor</b>	<b>Deviation from district average population per councillor</b>	<b>Percentage deviation from district average population per councillor</b>
Hastings	29,700	6	4,950	-444	-8.23
Havelock North	12,500	2	6,250	+856	+15.87
Flaxmere	10,400	2	5,200	-194	-3.60
Heretaunga	11,850	2	5,925	+531	+9.84
Mohaka	5,270	1	5,270	-124	-2.30
Kahuranaki	5,790	1	5,790	+396	+7.34
<b>TOTALS</b>	<b>75,510</b>	<b>14</b>	<b>5,394</b>		

\*These figures are updated 2011 population estimates. At the time of the 2007 review all wards complied with the section 19V +/-10% fair representation requirement.

4. Hastings District currently has one community board for the district's rural community electing four members from four subdivisions. These subdivisions and membership arrangements are set out in the following table.

Community subdivision	Population*	Number of members per subdivision	Population per member	Deviation from average population per member	Percentage deviation from average population per member
Tutira	2,600	1	2,600	-165	-5.97
Kaweka	2,670	1	2,670	-95	-3.44
Maraekakaho	2,590	1	2,590	-175	-6.33
Poukawa	3,200	1	3,200	+435	+15.73
<b>TOTALS</b>	<b>11,060</b>	<b>4</b>	<b>2,765</b>		

\*These figures are updated 2011 population estimates

5. The Council began its review process by appointing a representation review subcommittee comprising councillors, the Chair of the Rural Community Board and Chair of the Council-Māori Joint Committee. Following preliminary consultation, the subcommittee undertook a process to identify communities of interest in the district and options for effective representation of identified communities of interest. As a result of this process, eight representation options were identified. A preferred option of five wards electing seven councillors with two councillors elected at large was identified along with a tier of four community boards representing the district's rural community, the Heretaunga Plains, Flaxmere and Havelock North communities.
6. At a meeting on 19 July 2012, the Council considered a report on the subcommittee's recommendations. An alternative set of recommendations was tabled at the meeting based on status quo arrangements. The Council subsequently resolved to defer consideration of the matter to a meeting on 23 August 2012.
7. On 23 August 2012 the Council, under sections 19H and 19J of the Act, resolved its initial proposed representation arrangements to apply for the 2013 elections. The resolution was passed on a show of hands eight votes to six. The proposal was for the retention of existing arrangements i.e. for the council to continue to comprise a mayor and 14 councillors elected from the current six wards subject to a boundary alteration between the Heretaunga and Hastings Wards. The arrangements are summarised in the following table.

Ward	Population	Number of councillors per ward	Population per councillor	Deviation from district average population per councillor	Percentage deviation from district average population per councillor
Hastings	30,960	6	5,160	-234	-4.34
Havelock North	12,500	2	6,250	+856	+15.87
Flaxmere	10,400	2	5,200	-194	-3.60
Heretaunga	10,590	2	5,295	-99	-1.84
Mohaka	5,270	1	5,270	-124	-2.30
Kahuranaki	5,790	1	5,790	+396	+7.34
<b>TOTALS</b>	<b>75,510</b>	<b>14</b>	<b>5,394</b>		

8. The proposal was also for the retention of the Rural Community Board with existing representation arrangements of four elected members elected from four subdivisions and two appointed members from the two rural wards.
9. The Council notified its proposal on 29 August and 4 and 5 September 2012 and called for submissions by 1 October 2012. The Council commented in its public notice that, in relation to the '+/-10% rule', it considered there was still fair representation for the one ward (Havelock North) that did not comply. It said the only way to achieve the required variation would have been to put a significant number of urban voters in a rural area of Heretaunga Ward or Kahuranaki Ward which would be contrary to communities of interest.
10. The Council also noted it had resolved to continue with the existing rural community board comprising the Mohaka and Kahuranaki Wards. The area would continue to be divided into four subdivisions each electing one member with the two ward councillors also appointed to the board. The Council noted that one of the subdivisions (Poukawa) did not comply with the +/-10% fair representation requirement with a population to member ratio of 15.7%.
11. A total of 147 submissions were received on the Council's initial proposal which Council officers summarised as follows:
  - 2 in support of the representation review subcommittee's proposal
  - 1 supporting the creation of community boards now to support a future amalgamated local authority
  - 1 supporting a "community board option"
  - 2 supporting the Council's proposal
  - 141 individually signed and dated submissions from individuals, predominantly from Flaxmere, supporting the Council's proposal.
12. Following consideration of the submissions, the Council on 25 October 2012 resolved its final representation proposal. Again the proposal was carried on a show of hands, seven votes to five after two councillors had declared a conflict of interest and took no part in discussion or voting on the matter. A further councillor had previously withdrawn from consideration of both the initial and final representation proposal. The proposal was for a council comprising the mayor and nine councillors with two elected at large and seven from five wards as set out in the following table.

Ward	Population	Number of councillors per ward	Population per councillor	Deviation from district average population per councillor	Percentage deviation from district average population per councillor
Hastings	30,960	3	10,320	-467	-4.33
Havelock North	12,500	1	12,500	+1,713	+15.88
Flaxmere	10,400	1	10,400	-387	-3.59
Heretaunga	10,590	1	10,590	-197	-1.83
Rural	11,060	1	11,060	+273	-2.53
<b>TOTALS</b>	<b>75,510</b>	<b>7</b>	<b>10,787</b>		

13. The Council also proposed retention of the Rural Community Board comprising four elected members elected from four subdivisions and two appointed members, along with four further boards as follows:
  - Flaxmere (comprising 4 members elected by the electors of Flaxmere Ward and one appointed member being the Flaxmere Ward councillor)
  - Hastings (comprising four members elected by the electors of Hastings Ward and one appointed member from Hastings Ward)
  - Havelock North (comprising four members elected by the electors of Havelock North Ward and one appointed member being the Havelock North Ward councillor)
  - Heretaunga Plains (comprising five members elected by the electors of five subdivisions of Heretaunga Plains Ward and one appointed member being the Heretaunga Ward councillor).
14. The Council notified its final proposal on 3 and 7 November 2012 and sought any appeals or objections by 3 December 2012.
15. A total of 14 appeals/objections were received as follows:
  - a petition signed by 415 people seeking the retention of the current representation arrangements
  - Wayne Bradshaw: opposing introduction of the 'community board model' and seeking retention of status quo arrangements
  - Havelock North Business Association: opposing introduction of the 'community board model' and seeking retention of status quo arrangements
  - Keriana Poulain: seeking retention of two councillors for Flaxmere Ward
  - Hawke's Bay Federated Farmers: generally supporting the Council's final proposal
  - Henare O'Keefe: objecting to a reduction in councillor numbers and seeking retention of two councillors for Flaxmere Ward
  - Jacoby Poulain: opposing establishment of proposed community boards and seeking retention of two councillors for Flaxmere Ward
  - Tania Kerr: opposing establishment of a Hastings Community Board
  - Simon Nixon: opposing establishment of additional four community boards and concerned about under-representation in most wards and the review process adopted by the Council
  - Mick Lester: opposing establishment of a Hastings Community Board
  - Rod Heaps: opposing establishment of proposed community boards and a reduction in the number of councillors
  - David Thomas: seeking the retention of status quo arrangements
  - Cynthia Bowers: opposing establishment of a Hastings Community Board
  - Peter Holland: expressing concerns about establishment of proposed community boards.

## Hearing

16. The Commission met with the Council and appellants/objectors at a hearing held in the Hastings District Council Chambers on 27 February 2013. The appellants/objectors who appeared at the hearing were Wayne Bradshaw, Rod Heaps, David Thomas, Henare O'Keefe, Keriana Poulain, Jacoby Poulain, Simon Nixon, Tania Kerr, Mick Lester and Cynthia Bowers. The Council was represented by the Mayor Lawrence Yule.

## Matters raised in appeals/objections and at the hearing

17. Mayor Lawrence Yule referred to the process the Council had gone through over a period of eight months in its representation review which he described as being a vexed issue. He said issues of workload and proposed new remuneration provisions for elected members had become factors in the matter of the appropriate number of councillors. He said the Council's final proposal reflected the belief that a smaller number of councillors would encourage the Council to take more of a strategic view on particular issues while letting community boards address local issues. This would provide better representation for the district as a whole. He said the current Rural Community Board worked well and he could not recall the Council overturning a recommendation from the board. The Council envisaged a similar sort of relationship with the proposed new boards.
18. Wayne Bradshaw appeared before the Commission in support of his objection to the establishment of community boards and sought retention of status quo representation arrangements. He said some interest in community boards had been expressed by 'Havelock North Inc.' some time ago but that group was no longer interested in such a proposal. He questioned what delegated powers boards might have and suggested further consultation with the community was required on this issue.
19. Rod Heaps appeared before the Commission in support of his objection to the establishment of community boards and the proposed reduction in the number of councillors. He said the proposal for the establishment of community boards had not come from the communities concerned and suggested they would become too top heavy and be costly for the community. Councillors would also lose contact with local communities. Current community groups undertook a similar role at no cost to the Council.
20. David Thomas appeared before the Commission in support of his objection to the Council proposal and sought retention of status quo representation arrangements. He said the current model of 14 councillors and one community board for the diverse rural area worked well. He did not support a reduction in the number of decision-makers sitting around the council table.
21. Henare O'Keefe appeared before the Commission in support of his objection to the Council proposal and sought retention of two councillors for Flaxmere Ward. He said he was there to serve the community and was proud to represent Flaxmere which he said had now come of age. The cavalry was not coming and it was about the community taking ownership and responsibility for its own destiny. He said current arrangements were not broken so 'why try to fix it'? Flaxmere community had not asked for a community board.
22. Jacody Poulain appeared before the Commission in support of her objection to the establishment of community boards and sought retention of two councillors in Flaxmere Ward. She said the Council proposal would result in 31 elected

representatives. Flaxmere residents knew and understood current arrangements and had not sought the establishment of a community board. Current arrangements provided effective representation.

23. Simon Nixon appeared before the Commission in support of his objection to the establishment of a further four community boards. He said the proposed changes had been driven by councillors and were not sought by the community. He did not support two councillors being elected at large and questioned what this would achieve. He was also concerned at the cost of community boards. He said the increase in the total number of elected representatives would have a profound impact on voter turnout at elections.
24. Tania Kerr appeared before the Commission in support of her objection to establish a Hastings community board. She said she had started as community board member in the rural area and supported retention of this board and boards in other areas apart from the Hastings urban area. She said the Rural Community Board was valued by rural ratepayers and there was no confusion about roles.
25. Mick Lester appeared before the Commission in support of his objection to the establishment of a Hastings community board. He said relationships between the Council, the Rural Community Board and staff were exemplary and a model for other areas. There were terms of reference for this board rather than set delegations. He did not support a board for Hastings urban area as there was not one community of interest that required a board. Boards in Havelock North, Flaxmere and Heretaunga would speed up democracy and encourage development of community plans for these areas.
26. Cynthia Bowers appeared before the Commission in support of her objection to the establishment of a Hastings community board. She said she had concerns about status quo arrangements in Hastings and felt they were not the best model for achieving the principles of fair and effective representation set out in section 4 of the Local Electoral Act. She had been chair of the Council's representation review subcommittee and outlined the process it had been through in making its recommendations to the Council. This had been a careful and inclusive process and she stressed that possible future amalgamation in Hawke's Bay had not been a consideration for the subcommittee. Apart from establishment of a community board for Hastings, which did not have one community of interest, she supported the Council's proposal and believed it would provide effective representation for local people at the coalface and empowerment of local people.

### **Requirements for determination**

27. Statutory provisions relating to the determination of appeals and objections on territorial authority representation proposals are contained in sections 19R, 19H and 19J of the Act.

**19R. Commission to determine appeals and objections**

(1) *The Commission must—*

- (a) *Consider the resolutions, submissions, appeals, objections, and information forwarded to it under section 19Q; and*
- (b) *Subject to sections 19T and 19V in the case of a territorial authority, and to sections 19U and 19V in the case of a regional council, determine,—*

- (i) *In the case of a territorial authority that has made a resolution under section 19H, the matters specified in that section:*
  - (ii) *In the case of a regional council that has made a resolution under section 19I, the matters specified in that section:*
  - (iii) *In the case of a territorial authority that has made a resolution under section 19J, the matters specified in that section.*
- (2) *For the purposes of making a determination under subsection (1)(b), the Commission—*
- (a) *May make any enquiries that it considers appropriate; and*
  - (b) *May hold, but is not obliged to hold, meetings with the territorial authority or regional council or any persons who have lodged an appeal or objection and have indicated a desire to be heard by the Commission in relation to that appeal or objection.*
- (3) *The Commission must, before 11 April in the year of a triennial general election, complete the duties it is required to carry out under subsection (1).*

**19H. Review of representation arrangements for elections of territorial authorities**

- (1) *A territorial authority must determine by resolution, and in accordance with this Part,—*
- (a) *Whether the members of the territorial authority (other than the mayor) are proposed to be elected—*
    - (i) *By the electors of the district as a whole; or*
    - (ii) *By the electors of 2 or more wards; or*
    - (iii) *In some cases by the electors of the district as a whole and in the other cases by the electors of each ward of the district; and*
  - (b) *In any case to which paragraph (a)(i) applies, the proposed number of members to be elected by the electors of the district as a whole; and*
  - (c) *In any case to which paragraph (a)(iii) applies,—*
    - (i) *The proposed number of members to be elected by the electors of the district as a whole; and*
    - (ii) *The proposed number of members to be elected by the wards of the district; and*
  - (d) *In any case to which paragraph (a)(ii) or paragraph (a)(iii) applies,—*
    - (i) *The proposed name and the proposed boundaries of each ward; and*
    - (ii) *The number of members proposed to be elected by the electors of each ward.*
- (2) *The determination required by subsection (1) must be made by a territorial authority —*
- (a) *On the first occasion, either in 2003 or in 2006; and*
  - (b) *Subsequently, at least once in every period of 6 years after the first determination.*
- (3) *This section must be read in conjunction with section 19ZH and Schedule 1A.*

**19J. Review of community boards**

- (1) *A territorial authority must, on every occasion on which it passes a resolution under section 19H, determine by that resolution, and in accordance with this Part, not only the matters referred to in that section but also whether, in light of the principle set out in section 4(1)(a) (which relates to fair and effective representation for individuals and communities) —*
- (a) *There should be communities and community boards; and*
  - (b) *If so resolved, the nature of any community and the structure of any community board.*
- (2) *The resolution referred to in subsection (1) must, in particular, determine—*

- (a) *Whether 1 or more communities should be constituted:*
  - (b) *Whether any community should be abolished or united with another community:*
  - (c) *Whether the boundaries of a community should be altered:*
  - (d) *Whether a community should be subdivided for electoral purposes or whether it should continue to be subdivided for electoral purposes, as the case may require:*
  - (e) *Whether the boundaries of any subdivision should be altered:*
  - (f) *The number of members of any community board:*
  - (g) *The number of members of a community board who should be elected and the number of members of a community board who should be appointed:*
  - (h) *Whether the members of a community board who are proposed to be elected are to be elected—*
    - (i) *By the electors of the community as a whole; or*
    - (ii) *By the electors of 2 or more subdivisions; or*
    - (iii) *If the community comprises 2 or more whole wards, by the electors of each ward:*
  - (i) *in any case to which paragraph (h)(ii) applies, -*
    - (i) *The proposed name and the proposed boundaries of each subdivision; and*
    - (ii) *The number of members proposed to be elected by the electors of each subdivision.*
- (3) *Nothing in this section limits the provisions of section 19F.*

28. Other statutory provisions the Commission is required to consider include those set out in sections 19A, 19C, 19F, 19G, 19T and 19V and these are addressed below.

### **Consideration by the Commission**

29. The steps in the process for achieving required fair and effective representation are not statutorily prescribed. As reflected in its *Guidelines to assist local authorities in undertaking representation reviews*, the Commission believes that the following steps in determining representation arrangements will achieve a robust outcome that is in accordance with the statutory criteria:
- a) identify the district's communities of interest
  - b) determine the best means of providing effective representation of the identified communities of interest
  - c) determine fair representation for electors of the district.

#### *Communities of interest*

30. The Guidelines identify three dimensions for recognising communities of interest:
- perceptual: a sense of belonging to an area or locality
  - functional: the ability to meet the community's requirements for services
  - political: the ability to represent the interests and reconcile conflicts of the community.
31. The Commission considers that the case for specific representation of distinct and recognisable communities of interest will need to reflect these dimensions.



## *Effective representation of communities of interest*

32. Section 19T of the Act requires the Commission to ensure that:
  - the election of members of the council, in one of the ways specified in section 19H (i.e. at large, wards, or a combination of both) will provide effective representation of communities of interest within the district
  - ward boundaries coincide with the boundaries of the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes
  - so far as is practicable, ward boundaries coincide with community boundaries.
33. While not a prescribed statutory requirement, the Guidelines also 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.
34. Section 19A of the Act provides that a territorial authority shall consist of between 5 and 29 elected members (excluding the mayor). The Council has comprised 14 elected members (excluding the mayor) since its constitution in 1989 apart from an increase to 15 members for the 2001 and 2004 elections. This has given the district a level of councillor representation close to the average for districts with a population between 50 and 100,000.
35. The Guidelines state that decisions relating to the representation of communities of interest (the political dimension) will need to take account of the extent that distinct geographical communities of interest can be identified, i.e. a physical boundary is able to be defined below the district level for the community of interest. Hastings District as constituted in 1989 was initially divided into seven wards and for the 1992 elections, and was divided into nine wards for elections between 1995 and 2004. It has comprised six wards since the 2007 elections.
36. As noted, the Council initially proposed retention of existing representation arrangements being 14 councillors elected from the existing six wards. This was contrary to the recommendation of Council's representation review subcommittee and was carried on a show of hands by eight votes to six. Following consideration of submissions, the Council then resolved, again on a split vote seven to five, to adopt a proposal similar to that recommended by the subcommittee. This proposal was now the subject of 14 appeals/objections nine of which were from councillors with some opposed to the whole proposal and some to aspects of it.
37. Clearly the Council was unable to reach any degree of consensus on its proposals. We note, in addition, that following the release of the Council's initial proposal for retention of the status quo, 147 submissions were received from the public with 143 supporting this proposal. Then following release of the Council's final proposal, in addition to councillors' objections, a petition signed by 415 people seeking retention of the status quo was received. Given these facts, we do not believe it is appropriate to introduce a new basis of election, as finally proposed by the Council (by small majority), at this time. We believe more opportunity must be given to the Hastings community to discuss such a proposal before it is introduced. Accordingly we have decided to uphold the objections against the Council's proposal for a council of nine members elected on a mixed system of representation and to endorse, instead, a ward system of representation as currently exists.

38. We then turned to the existing ward structure of six wards electing a total of 14 councillors. This structure has been in place since the 2007 elections and appears to be reasonably well supported as a basis for providing effective representation for communities of interest in the district. Accordingly we have agreed to endorse the retention of this structure including an adjustment between the boundaries of the Heretaunga and Hastings Wards as proposed by the Council in its initial proposal.

*Fair representation for electors*

39. Section 19V of the Act requires that the electors of each ward receive fair representation having regard to the population of the district and of that ward. More specifically, section 19V(2) requires that the population of each ward divided by the number of members to be elected by that ward produces a figure no more than 10% greater or smaller than the population of the district divided by the total number of elected members (the '+/-10% fair representation rule'). The Council's initial proposal, with the exception of Havelock North Ward which was under-represented by 15.87%, complied with the '+/-10% rule'.
40. As Havelock North could not be seen to be an isolated community of interest, we had no choice but to ensure ward arrangements for it complied with section 19V(2) of the Act. We considered options to achieve this. One option was to add a further area or areas to Havelock North to enable the ward to have three members. This would require over 2,000 people to be added to the ward. Given the largely rural nature of the adjoining Heretaunga and Kahuranaki Wards this would have very significant impacts on the respective communities of interest. Alternatively Havelock North Ward could be reduced in size in order that the ward would qualify for two members within the permitted +/-10% range. This would require removal of at least 630 people. Again we believe this would have a significant impact on the respective largely urban and rural communities of interest. We noted the Council in its public notice on its initial proposal commented that putting a significant number of urban voters in a rural area of Heretaunga Ward or Kahuranaki Ward would be contrary to communities of interest.
41. The remaining option was to combine the largely urban Havelock North Ward to another urban ward and Hastings Ward was the only viable choice in this regard. We note that in conjunction with this determination, we were also considering appeals against the Hawke's Bay Regional Council's final representation proposal relating to the structure of a Hastings constituency or constituencies for the region. In relation to the latter appeals, we determined that there would be a Hastings Urban Constituency which would comprise the Hastings, Havelock North and Flaxmere Wards of Hastings District together with some adjoining areas considered to have some commonalities of interest with the urban wards. These areas included three meshblocks along Havelock Road that provided a physical link between Havelock North and Hastings Wards.
42. We considered the option to remove the three meshblocks, identified for the regional council constituency, from the Heretaunga Ward to provide one discrete continuous Hastings-Havelock North Ward. This would comply with 'the +/-10% rule'. However, it would remove a sizeable area from Heretaunga Ward which has a rural community of interest distinct from the adjoining urban wards. In addition, the three meshblocks are all on the northern side of Havelock Road and if it were to be argued there was a connection between these meshblocks and the adjoining urban areas it could equally be argued two meshblocks on the southern side of Havelock Road should be

included as well. These are also large meshblocks and would therefore further blur the distinction between the rural and urban communities of interest in this area.

43. The fact that we have included these three meshblocks in the Hastings Urban Constituency for the Regional Council does not mean, in our view, they should automatically be considered urban for the purposes of territorial authority wards. Territorial authorities have a wider more varied range of functions than regional councils and these are performed over more confined areas. Therefore identification of communities of interest in relation to territorial authority functions will in a number of cases be different from those for regional councils. It also needs to be borne in mind that territorial authorities have more flexibility in terms of the total number of members to represent communities of interest than do regional councils which are limited to 14 members.
44. The alternative to using these three meshblocks to physically join Hastings and Havelock North is to create one ward with two distinct and separate parts i.e. the current Hastings and Havelock North Wards. While this would be an unusual approach, and we are not aware of it being adopted elsewhere, we were advised that such an approach is not precluded by the Act. We believe, in the case of Hastings and Havelock North which are literally only minutes apart on a high quality road, such an approach is appropriate given the commonality of their urban communities of interest. We were advised, for example, that based on the 2006 Census, 1,794 Havelock North residents indicated their place of work was in Hastings Central and 498 Hastings Central residents indicated their place of work was in Havelock North. We believe the distinct character of Havelock North will be better recognised by preserving its current boundaries in this way, while it will also be part of a larger ward. The population of Havelock North, at 12,500, comprises 28% of the population of the combined ward which should ensure continued local representation for Havelock North electors in the new combined ward which will have eight councillors. This ward with its two separate parts complies with the section 19V '+/-10% rule'. Accordingly we have decided there will be a new Hastings-Havelock North Ward, comprising the two current wards as defined (subject to the boundary change between the Hastings and Heretaunga Wards proposed by the Council) to be represented by eight members.
45. Our decisions in respect of Hastings District are summarised in the following table.

Ward	Population	Number of councillors per ward	Population per councillor	Deviation from district average population per councillor	Percentage deviation from district average population per councillor
Hastings-Havelock North	43,460	8	5,433	+39	+0.72
Flaxmere	10,400	2	5,200	-194	-3.60
Heretaunga	10,590	2	5,295	-99	-1.84
Mohaka	5,270	1	5,270	-124	-2.30
Kahuranaki	5,790	1	5,790	+396	+7.34
<b>TOTALS</b>	<b>75,510</b>	<b>14</b>	<b>5,394</b>		

### *Communities and community boards*

46. 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.
47. In addition to the current Rural Community Board, the Council was proposing to establish further boards in Hastings, Havelock North, Flaxmere and Heretaunga. This was linked to that part of the Council's proposal to reduce the number of councillors from 14 to nine with a view to enabling councillors to focus on district-wide strategic issues and the community boards to address issues of more local concern. Given our decision not to endorse this part of the Council's proposal and also the objections received expressing the view that particular communities had not sought community boards, we do not believe it is appropriate to establish further community boards in the district at this time. Accordingly we uphold those objections to the Council's proposal to establish further boards.
48. We then focused on the proposal relating to the Rural Community Board which was generally supported both by the Council and the objectors and seen to be working well. On this basis we decided to endorse the proposal to retain this board covering the rural area of the district. The Council proposed that the board continue to comprise four elected members, elected from four subdivisions, and two appointed members from the two rural wards. As noted above, one of these subdivisions (Poukawa) did not comply with the section 19V(2 '+/-10% fair representation rule'. In order for this subdivision to comply, and taking account of more recent population estimates now available for this area, we have decided to transfer one mesblock (1469600) from this subdivision to Maraekakaka subdivision of the Rural Community Board.
49. Having agreed this, we then endorsed the current membership of the Rural Community Board being four elected members elected from four subdivisions and two appointed members being the two rural ward councillors.

### **Commission's Determination**

50. Under section 19R of the Local Electoral Act 2001, the Commission determines that for the general election of the Hastings District Council to be held on 12 October 2013, the following representation arrangements will apply:
  - (1) Hastings District, as delineated on LG-030-2013-W-1 deposited with the Local Government Commission, will be divided into five wards.
  - (2) Those five wards will be:
    - (a) Hastings-Havelock North Ward, comprising the area delineated on LG-030-2013-W-2 deposited with the Local Government Commission
    - (b) Flaxmere Ward, comprising the area delineated on SO Plan 10302 deposited with Land Information New Zealand
    - (c) Heretaunga Ward, comprising the area delineated on LG-030-2013-W-3 deposited with the Local Government Commission

- (d) Mohaka Ward, comprising the area delineated on SO Plan 386135 deposited with Land Information New Zealand
  - (e) Kahuranaki Ward, comprising the area delineated on SO Plan 386136 deposited with the Local Government Commission.
- (3) The Council will comprise the mayor and 14 councillors elected as follows:
- (a) 8 councillors elected by the electors of Hastings-Havelock North Ward
  - (b) 2 councillors elected by the electors of Flaxmere Ward
  - (c) 2 councillors elected by the electors of Heretaunga Ward
  - (d) 1 councillor elected by the electors of Mohaka Ward
  - (e) 1 councillor elected by the electors of Kahuranaki Ward.
- (4) There will be a Hastings District Rural Community as delineated on LG-030-2013-Com-1 deposited with the Local Government Commission, comprising the area of the Mohaka and Kahuranaki Wards.
- (5) The community will be subdivided into four for electoral purposes.
- (6) Those four subdivisions will be:
- (a) Tutira subdivision, comprising the area delineated on SO Plan 386138 deposited with Land Information New Zealand
  - (b) Kaweka subdivision, comprising the area delineated on SO Plan 386139 deposited with Land Information New Zealand
  - (c) Maraekakaho subdivision, comprising the area delineated on LG-030-2013-Con-1 deposited with the Local Government Commission
  - (d) Poukawa subdivision, comprising the area delineated on LG-030-2013-Con-2 deposited with the Local Government Commission.
- (7) The membership of the Hastings District Rural Community Board will be as follows:
- (a) 1 member elected by the electors of Tutira subdivision
  - (b) 1 member elected by the electors of Kaweka subdivision
  - (c) 1 member elected by the electors of Maraekakaho subdivision
  - (d) 1 member elected by the electors of Poukawa subdivision
  - (e) 2 members of the Council representing the Mohaka and Kahuranaki Wards and appointed to the community board by the Council.
51. As required by sections 19T(b) and 19W(c) 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.

## THE LOCAL GOVERNMENT COMMISSION



Basil Morrison (Chair)



Anne Carter (Commissioner)



Grant Kirby (Commissioner)

10 April 2013