

I hereby give notice that an ordinary meeting of the Hibiscus and Bays Local Board will be held on:

Date: Tuesday 26 March 2024
Time: 10:00 am
Meeting Room: Local board office
Venue: 2 Glen Road
Browns Bay

Hibiscus and Bays Local Board OPEN AGENDA

MEMBERSHIP

Chairperson	Gary Brown	
Deputy Chairperson	Julia Parfitt, JP	
Members	Jake Law	Victoria Short
	Sam Mills	Gregg Walden
	Alexis Poppelbaum, JP	Leanne Willis

(Quorum 4 members)

Louise Healy
Democracy Advisor

21 March 2024

Contact Telephone: 021 419 205
Email: louise.healy@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Representation project - issues specific to the Hibiscus and Bays Local Board

File No.: CP2024/02108

Te take mō te pūrongo Purpose of the report

1. To provide feedback on representation project issues that are specific to the Hibiscus and Bays Local Board.

Whakarāpopototanga matua Executive summary

2. The representation project comprises the review of representation arrangements for the 2025 elections, which Auckland Council is required to undertake, and the development of a reorganisation plan that reduces the number of local boards.
3. A report on both these matters is being presented to all local boards and is on the same agenda as this report.
4. This report deals only with those matters that are specific to the Hibiscus and Bays Local Board. The key issue is the non-compliance of subdivisions with the 10 per cent rule which applies to a representation review. This report presents alternative options to correcting the non-compliance.
5. The non-compliance is very minor, and the council is able to decide to not comply with the 10 per cent rule if compliance would compromise communities of interest (for example by splitting a community of interest or joining disparate communities of interest). A decision to not comply is determined by the Local Government Commission. A decision to not comply should not be made unless it is clear the communities of interest will be compromised.

Ngā tūtohunga Recommendation/s

That the Hibiscus and Bays Local Board:

- a) kohuki / consider its feedback on options to address non-compliance of the two subdivisions with the 10 per cent rule, including whether the council should decide to not comply with this rule on the basis that compliance would compromise communities of interest.

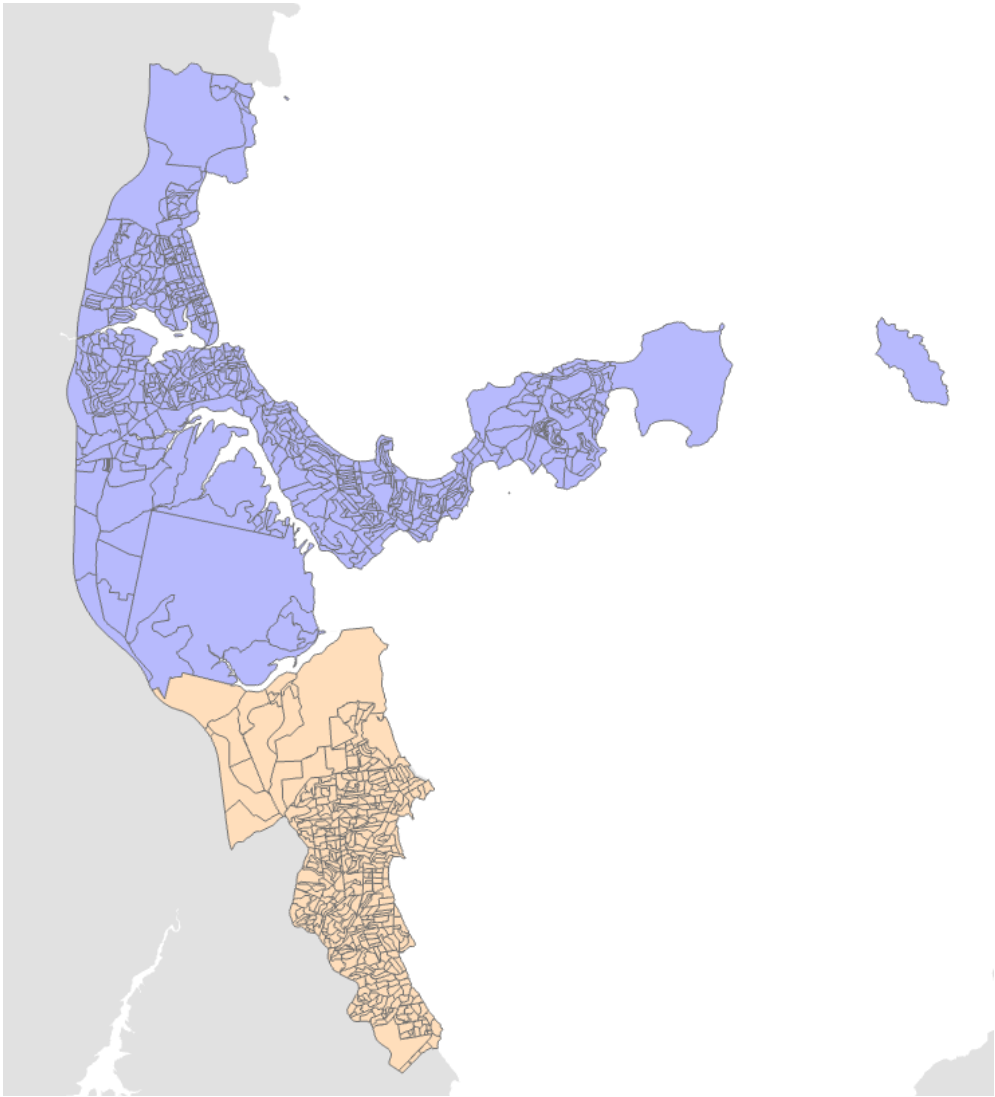
Horopaki Context

6. The Local Electoral Act 2001 requires that subdivisions provide for effective representation of communities of interest and that they also comply with the rule that the population per member within a subdivision does not vary from the average population per member for the whole local board by more than 10 per cent.
7. A council may decide to not comply with the requirement for population to member to not vary by more than 10 per cent from the average, if complying would compromise effective representation of communities of interest by:
 - dividing a community of interest or
 - joining communities with few commonalities of interest.

8. A decision to not comply is referred to the Local Government Commission for their determination.
9. The population table for subdivisions in the Hibiscus and Bays Local Board is as follows:

Local board	Pop (2023)	Mbrs	Pop per mbr	Diff from quota	% diff
Hibiscus and Bays Local Board Area					
Hibiscus Coast Subdivision	64,800	4	16,200	1,563	10.67
East Coast Bays Subdivision	52,300	4	13,075	-1,563	-10.67
Total	117,100	8	14,638		

10. The statistics are provided by Stats NZ and distributed to all councils by the Local Government Commission. They are an estimate based on the 2018 census.
11. A map of current subdivisions is as follows:

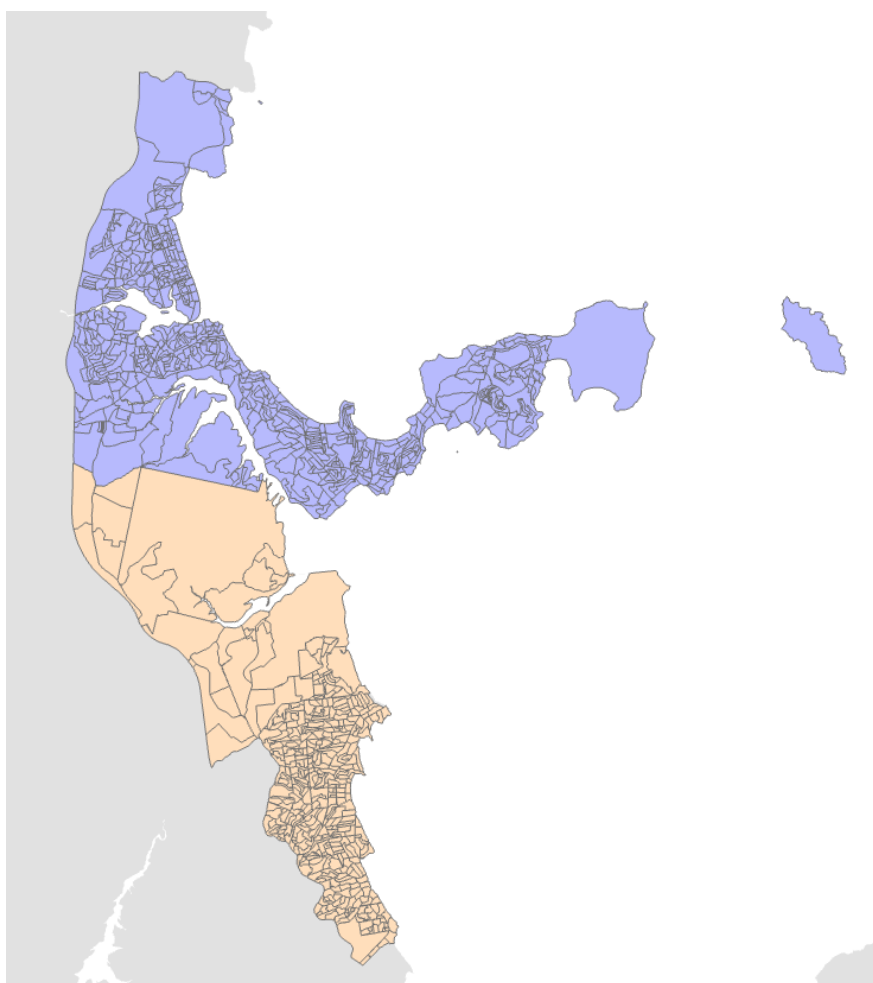


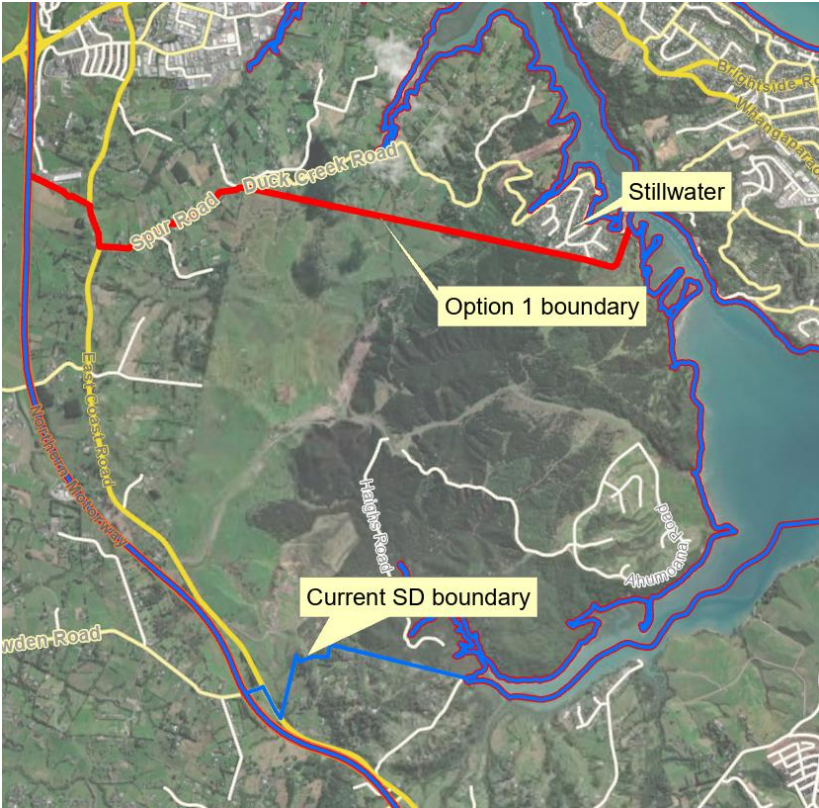
Tātaritanga me ngā tohutohu Analysis and advice

12. In order to correct the non-compliance, the East Coast Bays subdivision needs to gain population and the Hibiscus Coast subdivision needs to lose population. This implies moving the East Coast Bays subdivision northern boundary into Hibiscus Coast.
13. Staff considered two options. Option 1 below provides minimal compliance with the 10 per cent rule with the variance for the subdivisions being 9.92 per cent and -9.92 per cent. The boundary change does not affect Stillwater.
14. Option 2 achieves better compliance (7.69 per cent and -7.69 per cent), but Stillwater moves from Hibiscus Coast to East Coast Bays.

Option 1 – minimal change

15. Maps of Option 1 are as follows:



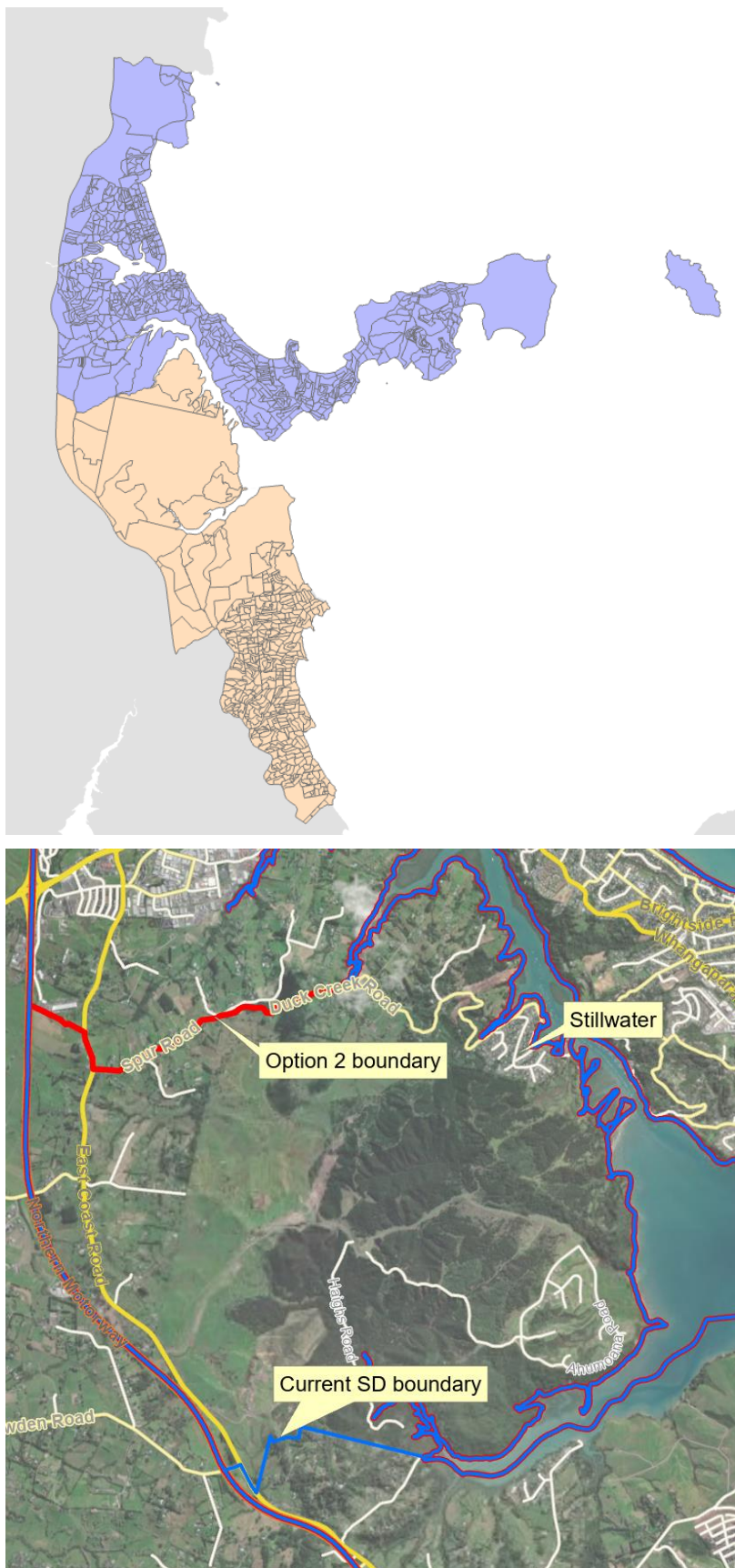


16. The population table for Option 1 is:

Local board	Pop (2023)	Mbrs	Pop per mbr	Diff from quota	% diff
Hibiscus and Bays Local Board Area					
Hibiscus Coast Subdivision	64,360	4	16,090	1,453	9.92
East Coast Bays Subdivision	52,740	4	13,185	-1,453	-9.92
Total	117,100	8	14,638		

Option 2 – better compliance

17. Maps of Option 2 are as follows:



18. The population table for Option 2 is:

Local board	Pop (2023)	Mbrs	Pop per mbr	Diff from quota	% diff
Hibiscus and Bays Local Board Area					
Hibiscus Coast Subdivision	63,050	4	15,763	1,125	7.69
East Coast Bays Subdivision	54,050	4	13,513	-1,125	-7.69
Total	117,100	8	14,638		

Effective representation of communities of interest

19. Each of the two options addresses the non-compliance with the 10 per cent rule. The local board needs to consider which, if any, best provides for effective representation of communities of interest.
20. Alternatively, if the local board considers that each option compromises communities of interest then it might recommend that the council does not comply with the 10 per cent rule.
21. The Local Government Commission has published guidance on the concept of “community of interest”. Essentially a community of interest has three dimensions:
 - (i) A perceptual dimension – do people feel they belong to the area?
 - (ii) A functional dimension – do people use the services in the area?
 - (iii) A political dimension – will people in the area, and their needs and issues, be effectively represented at the decision-making table if representatives are elected by electors of this subdivision?
22. A key difference between the two options is the effect on the Stillwater area. It is not affected by Option 1 but is affected by Option 2.
23. A key question therefore is whether Stillwater has a strong community of interest with Hibiscus Coast which should not be split. The local board is in a better position to consider this than staff.
24. Staff note that the criterion is not just the identification of a community of interest but is the effective representation of communities of interest.
25. Applying the guide from the Local Government Commission, relevant questions might be:
 - do people in Stillwater identify more with Hibiscus Coast or East Coast Bays?
 - where do people in Stillwater go for services? – northwards or southwards?
 - if Stillwater moved to the East Coast Bays subdivision, would it still be effectively represented?

Tauākī whakaaweawe āhuarangi Climate impact statement

26. Minor changes to subdivision boundaries do not have an impact on climate.

Ngā whakaaweawe me ngā tirohanga a te rōpū Kaunihera Council group impacts and views

27. There are no impacts on the council group.

Ngā whakaaweawe ā-rohe me ngā tirohanga a te poari ā-rohe Local impacts and local board views

28. This report provides an opportunity for the local board to provide its feedback on options to adjust subdivision boundaries to address the requirements of the 10 per cent rule.

Tauākī whakaaweawe Māori

Māori impact statement

29. Small adjustments to subdivision boundaries do not impact on Māori communities differently to other communities.

Ngā ritenga ā-pūtea

Financial implications

30. There will be costs associated with Land Information New Zealand producing official maps of boundary changes. For the 2019 review this was around \$12,000 total for all changes. These costs are met by the representation project.

Ngā raru tūpono me ngā whakamaurutanga

Risks and mitigations

31. There is the risk that members of the public will appeal the council's final proposal which will result in the Local Government Commission making the determination. If the council decides to not comply with the 10 per cent rule, the commission makes the determination in any case.

Ngā koringa ā-muri

Next steps

32. The local board's feedback will be reported to the Joint Governance Working Party which will then make recommendations to the Governing Body.

Ngā tāpirihanga

Attachments

There are no attachments for this report.

Ngā kaihaina

Signatories

Author	Warwick McNaughton - Principal Advisor Governance Services
Authoriser	Lesley Jenkins - Local Area Manager

Hibiscus and Bays Local Board

OPEN MINUTES

Minutes of a meeting of the Hibiscus and Bays Local Board held in the Local board office, 2 Glen Road, Browns Bay on Tuesday 26 March 2024 at 10:00 am.

TE HUNGA KUA TAE MAI | PRESENT

Chairperson	Gary Brown
Deputy Chairperson	Julia Parfitt, JP (<i>via MS Teams</i>)
Members	Jake Law
	Sam Mills (<i>via MS Teams</i>)
	Alexis Poppelbaum, JP
	Victoria Short
	Gregg Walden
	Leanne Willis

18 Representation project - issues specific to the Hibiscus and Bays Local Board

Warwick McNaughton – Principal Advisor Governance was in attendance to support this item.

Resolution number HB/2024/24

MOVED by Member J Law, seconded by Member G Walden:

That the Hibiscus and Bays Local Board:

- a) **whakarite / provide the following feedback on options to address non-compliance of the two subdivisions with the 10 per cent rule, including whether the council should decide to not comply with this rule on the basis that compliance would compromise communities of interest:**
 - i) **much of the Rangitoto College community are residents of the East Coast Bays subdivision and consider themselves part of the East Coast Bays community**
 - ii) **the preferred option for Hibiscus and Bays Local Board is to remain non-compliant so as not to impact significant communities of interest**
- b) **tono / request an investigation into shifting the southern and south-western boundaries of the Hibiscus and Bays Local Board, south to Constellation Drive and west to SH1 to incorporate communities of interest in East Coast Bays and resolve subdivision non-compliance**
- c) **tono / request that the results of the 2023 census are published in advance to any decision being made about local board subdivisions as current decisions are being made based on historical population estimates**
- d) **tono / request an investigation into, and including, the Ara Hills development as part of the Hibiscus Coast subdivision, as the development has no direct access to the Rodney Local Board area, and all nearby amenities and services sit within the Hibiscus Coast subdivision.**

CARRIED