



Hamilton City Council Representation Review 2021 – Appeal

This is an appeal to the Local Government Commission against Hamilton City Council's 2021 Final Representation Arrangements for the Local Government elections due in October 2022 (next year), and asking the Commission to approve the establishment of the city's first Community Boards at that election as we outline below.

Introduction

In making this appeal, Community Waikato is representing a cluster of individuals and local groups with extensive grassroots experience who have come together on this common cause.

We appreciated the opportunity to submit on Community Boards in the council's Representation Review, and acknowledge the value the council gives to input from grassroots communities. The more pathways for communities to participate, the better the outcomes for all.

However, it is our view that their unanimous decision to seek further information on Community Committees does not resolve the issues we are seeking to address. Community Committees do not carry the same mandate and accountability as Community Boards.

Our appeal follows our original submission to the council. Our view then and still is that Community Boards fulfill the legislative purpose of the local government sector. Our call also fits with the council's official governance approach: "Enabling local democracy – with and through people, principles, policies and political processes". We disagree with the council's view that Community Boards are 'unlikely to enhance effective representation' (their words - as per pages 9 and 13, [Council Draft Unconfirmed Open Minutes - 11 November 2021](#)).

Our proposed Community Boards are centred on neighbourhood clusters identified by Council's Community Profiles and Statistic NZ's areas in the map (below) provided in the 2021 (and 2018) Representation Review. These are readily acknowledged by locals as their home suburbs, in line with the definition of 'communities of interest'.

We are influenced by demographic and socio-economic characteristics and consider the proposed clusters satisfy the legal requirements for Community Boards, acknowledge the experience of existing neighbourhood facilities (including schools), and would respond well to the public call for stronger local democracy,

We have considered the Commission's advice in the 2021 Guidelines on whether community boards "are (or would be) appropriate to provide fair and effective representation" along with the nature of the community and the structure of the proposed community boards (Refer Chapter 6 <http://www.lgc.govt.nz/assets/Representation-Reviews/Representation-Review-Guidelines-2021.pdf>).

We have also considered the 'key criteria' relating to the promotion of good local government, efficient and effective governance and performance of their role (both the city and the neighbourhood), necessary resources, and whether these are sufficiently 'distinct communities of interest.'

We have researched the extensive background information available from LGNZ (Local Government New Zealand) and their Community Board link <https://www.lgnz.co.nz/local-government-in-nz/community-boards>.

We understand the purpose of Community Boards is to:

- represent and act as an advocate for the interests of the community;



- consider and report on any matter referred to it by their council, and any issues of interest to the community board;
- make an annual submission to their council on expenditure;
- maintain an overview of services provided by their council within the community; and
- communicate with community organisations and special interest groups in the community, and undertake any other responsibilities delegated by their council.

In order to achieve the purposes outlined above we seek and need a formalised community board structure that provides accountability and carries a legislated mandate.

Historically, HCC has sought information from Community Houses (developed from neighbourhood initiatives) about local issues. However, Community Houses were not established to feed grassroots information to the council or to advocate politically to council on behalf of their community. Staff and volunteers are not necessarily local residents, nor have they been elected to be the voice for their local community. They are also not funded for this role.

In confirming the City Council's 2018 Representation Review, your Commission noted 'the need to provide better public education around civic matters in light of the observed confusion about how representation arrangements work.' ([Refer pg 2/8 paragraph 7, LGC Determination, 8 April 2019](#)).

Although there is ongoing talk of civics education in schools, and Hamilton City Council has a robust Community Development team, there has been silence on the subject of Community Boards. Until now.

In context, there is no history of Community Boards in Hamilton. The introduction of this flax roots tier for the next local body elections in 2022 remedies the 1989 omission and anomaly, extending participatory opportunities for Hamilton voters in line with residents in most other New Zealand cities. This would enhance local democracy and community engagement based on those cities' reported experiences, and by our own Community Houses.

As well, this would augment opportunities for community education on governance to dovetail with the current Government's most significant reform of the local sector since those 1989 reforms (and their concerns at community disengagement outlined in Cabinet briefing papers).

We have arisen at very short notice in response to this opportunity, and we acknowledge the City Council at the final moment were attracted by the prospect of more formal 'community advocacy'.

We believe 2022 is the right time for Community Boards in Hamilton, as part of the scheduled local government elections in October. A Commission decision by April in favour of Community Boards allows time for public consultation to confirm the geographic areas of each board and their membership (from our proposals) as well as further community education on the upcoming elections.

It also opens the election door for candidates who don't want to be 'full-time councillors', but want to serve their communities at the grassroots level. It enables neighbourhoods and their residents time to plan their election campaigns.

We agree with LGNZ's senior policy analyst Mike Reid and his August 2021 opinion that Community Boards are needed now more than ever before:



The need for sub-local democracy

Because of their size, complexity and the highly regulated way in which they work (long term plans, originally designed to enable citizens to have meaningful input into what councils do, have become quite the opposite) it is difficult for many councils to engage meaningfully. Community boards have the potential to bring citizens and local government closer together, establish relationships and work with and communities identify options for dealing with local issues – a form of “neighbourhood governance”.

Strengthening neighbourhoods is one of those roles that sits uniquely inside the local government and community board mandate. While many organisations contribute to delivering efficient services local government’s unique space is the quality of local governance and the provision of mechanisms that allow people to have a real say about what goes on in their neighbourhoods. Such mediating institutions play a crucial role in strengthening the fabric of our communities, including people’s willingness to volunteer and help their neighbours and to express dissent. Providing avenues for people to interact and take part in civic life contributes to higher levels of trust and reciprocity..

We have focused initially on the areas outlined in our original submissions as distinct communities of interest notable for their high deprivation index characteristics, because they have well developed neighbourhood profiles and statistical data. We included the CBD area because of the recent impact of motels converted to emergency housing as well as the increase in apartment living in the centre city.

We are willing to work with the Commission to define what we believe should be the first Community Boards in our 'City of Villages', and help make this happen in Hamilton in 2022. We would make ourselves available to meet with you if you wish us to further elaborate on this appeal and our original submission. This is pioneering territory for Hamilton and we want to get it right!

On behalf of the appellants/submitters (list below)

Nga mihi nui

Holly Snape, Chief Executive, Community Waikato
Community Advocates who have assisted with this project and support the call for Community Boards, including initial submitters to the City Council:

Neil Tolan, Western Community Centre
Jamie Toko, Maori Women's Welfare League & Western Community Centre
Susanne Rowse, Te Rongopai
Jane Wood, Pukete Neighbourhood House
Aaron Martin, Te Whare o Te Ata
Jane Landman Waimarie
Chenae Pakofi, Te Whare Kokonga
Rou Toa, Glenview Community Centre
Riikka Anderson, Young Women's Christian Association
Vicky Haden-Jones, Hamilton Citizens Advice Bureau



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Executive Summary

We seek the establishment of the first four Community Boards in Hamilton, their structure to be based on the model of five elected/four appointed members, and with the election of their members in October 2022, appointments to follow and their responsibilities to be finalised with the incoming City Council.

The four proposed boards are named and based on the official statistical areas outlined in the City Council graphic (below): 'Fairfield-Enderley' - East Area 4 (Fairfield, Enderley North & South), 'Nawton' - West Areas 2 (Crawshaw, Nawton West & East), 'Central' - West Area 5 (Whitiora, Kirikiriroa & Central), and 'Melville' - West Area 6 (Melville, Deanwell & Bader), with populations circa 10,000 and final boundaries to be confirmed.

Community Profile Areas 2018	Statistical Area 2 Units	Population (Census 2018)	Population estimates (Statistics NZ 2020)
East Area 1	Flagstaff North, Flagstaff South, and Flagstaff East	9831	11460
East Area 2	Rototuna North, Rototuna Central, Rototuna South, Te Manatu, St James, and Huntington	18303	20270
East Area 3	Queenwood, Chartwell, Chedworth, and Miropiko	9891	10460
East Area 4	Porritt, Fairfield, Enderley North, Enderley South, and Fairview Downs	15477	16940
East Area 5	Claudelands, Peachgrove, Hamilton East Village, Hamilton East Cook, and Hamilton East	15933	16940
East Area 6	Greensboro, Hillcrest West, Hillcrest East, Silverdale, Riverlea, and Ruakura	15576	17650
West Area 1	Te Rapa North, Te Rapa South, Pukete West, Pukete East, St Andrews West, St Andrews East, Beerescourt, and Forest Lake	14967	15860
West Area 2	Crawshaw, Western Heights, Nawton West and Nawton East, Rotokauri-Waiwhakareke	14583	15780
West Area 3	Dinsdale North, Dinsdale South, and Temple View	9534	10100
West Area 4	Maeroa, Swarbrick, Kahikatea, and Frankton Junction	10230	11480
West Area 5	Whitiora, Kirikiriroa, Hamilton Lake, Hamilton Central, and Hamilton West	8757	10060
West Area 6	Melville North, Melville South, Bader, Deanwell, Glenview, Resthill, Fitzroy, and Peacockes	17817	19550



Background

On 11 November 2021 following public submissions, a number of private workshops, and our initial request for Community Boards to be included in their Representation Review (Neil Tolan, 12 August meeting), the council approved their Initial Proposal as the Final Proposal. This was in essence the 'status quo' since 2013 with the addition of the two new Maori seats. The council decision was publicly notified on 17 November with the deadline of 17 December for appeals. At that meeting, councillors resolved that no Community Boards be established but went on to vote unanimously for staff to report on 'a process to establish a trial for two Community Committees' (matching the two wards), and that 'any arrangements confirmed' be reviewed in 2023/24, for the 2025 triennial elections.

Our appeal is based on our disagreement with the city council decision against approving Community Boards - the first for the city as we had submitted back in August, and instead consider trialling two Community Committees. Councillors' discussions in their not-for-public workshops have not been revealed but the final staff report to the 11 November meeting did outline questions raised, including this matter.

It is our view, having considered legal aspects and a variety of accessible information during this review both before and after lodging our submission, that representation will be enhanced by Community Boards.

The proposed Community Boards, constituted with both elected and appointed members, will enhance democracy and effective governance by providing both formal and informal conduits between communities and their councillors.

Our recommended Boards are based on and selected from the Council's 'identified communities of interest' for 'distinctiveness' through their neighbourhood profiling, from census and Statistics New Zealand's areas and data gathering. These are centred on East Area 4 (Fairfield-Enderley), West Areas 2 (Nawton), 5 (Central), and 6 (Melville-Bader), all with populations circa 10,000 each, final boundaries to be confirmed. Refer map below.



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These areas are clearly recognised as suburbs by residents and more widely in maps, postal addresses, and real estate references etc.

Inside these communities of interest various community and civil society resources are present, including community houses, clubs, special interest and sports facilities, schools, retail and business outlets. The city's 'villages'. The board districts proposed are small but able to expand in the future.

It is our view that the test of 'fair and effective representation' required - covering communities of interest and their effective representation along with fair representation of electors - would be met. This includes consideration of the sense of community identity and belonging (covered in city council surveys) along with the 'three-dimensional concept' - perpetual, functional, and political as outlined in the Representation Review Guidelines. And we suggest final boundaries should be defined by streets.

Extensive information available

The council's final Representation Review Report pointed to the extent of information available about Community Boards through 'reliable sources'. The proposed new Community Boards would also have this available to them, based on three decades of experience across New Zealand, particularly those in the metro cities and larger urban areas, well documented through their national organisation and associations with Local Government New Zealand (LGNZ). At the latest count 110 boards across the nation.

After the council's public hearing to consider these submissions (13 October) and prompted by our submission, councillors sought further information from staff on 'community boards and other similar community advocacy arrangements' and 'comparison of other metro-Councils who have community boards'.

Staff reported to councillors' 20 October workshop one week later, and noted that 'much of the information requested is available through other reputable resources or previous reports (with links provided)'. ([Refer 11 November HCC staff report, pg 87/151, paragraph 123, and 111/151 paragraph 2 onwards](#)).

We had explored a wide range of these resources, and our submission referred to Cabinet, LGNZ and their Community Boards link, as well as city council records. We appreciate that councillors (and staff) like us had to work to a very tight timeframe. We also had the advantage 'on the ground' through our extensive community networks to evaluate our recommendations.

There is ample evidence that Community Boards have history in the "promotion of wellbeing - the legislative purpose of Local Government.

The Boards

The Community Boards we recommend encompass widely and publicly recognised neighbourhoods or 'suburbs' with high deprivation index characteristics - centred on Nawton (northwest), Enderley-Fairfield (east), Bader (south), and Hamilton CBD. They are ethnically diverse, and also have higher proportions of Maori residents. The required election data and infrastructure is already in place along with existing civil society entities able to provide strong foundations for the proposed new Community Boards. We are including Hamilton CBD because of the growing population of people in emergency accommodation with higher levels of transience and additional vulnerabilities.

Community Profile updates confirming the characteristics of these areas were presented to City Councillors in March along with the research report undertaken by Poverty Action Waikato. Their 11 November Representation Review Report picked up the theme of 'increased representation for under-represented or marginalised communities' along with reference to the need for 'localised/grassroots community voice and participation in Council decision-making processes'.



Since our first discussions on this topic in early August, our focus has been on extending and sharing information and checking grassroots appetite. We now speak with increasing confidence that this is the right thing to do, for community wellbeing and for democracy.

It is our view that although this has been a rapid democratic awakening, there is sufficient evidence to show that the combination of required and appropriate Statistics NZ demographic data, the council's neighbourhood profiles, and now social sector and neighbourhood interest illustrates Hamilton's readiness for Community Boards to be established with the 2022 elections, not put off for a further four years.

Although we have contemplated and respect the awareness and good will that arose among councillors by the time of their final 11 November meeting, we do not consider the proposed two large community committees based on the current two-ward system (divided by the Waikato River) will provide the effective grassroots voice in democracy that we and our supporters now seek, and even then, not possible until after the new council is elected and with no guarantees.

We identified some prospects in our initial submission to the council, optimistic that there would be further public consultation to refine these. In this appeal we confirm those prospects, noting the additional consultation and discussions we have collectively spread the word in the following weeks as more locals heard about the prospects.

Examples of the prospective services include

1. Community Advice (ie, household budgeting, household sustainability, consulting, legal services, support to Work and Income services, JP services, etc)
2. City maintenance/notification hubs (ie. Clean streets, recycling, damaged infrastructure, leaking pipes, etc)
3. Transportation improvements
4. LTP recommendations, including budgeting, debt management
5. Community facility provision and upkeep
6. Community Projects (ie. Gully Restoration, Swimming, Suburb beautification, etc)

We bring together extensive knowledge of grassroots engagement through the city's Community Houses and Community Waikato's associated stakeholder organisations, Maori Women's Welfare League, the CAB and YWCA whose representatives have been involved in this call for Community Boards, along with academic advice and local government experience.

In our original submission in September, we pointed to the combination of Statistics NZ census area units and associated data together with the City Council's Community Profiles, as providing a strong foundation and enabling the rapid introduction of a Community Board tier for the 2022 local government elections, in the geographic areas prioritised out of the 12 profiled and monitored.

We take the opposite view to the council, as recorded below:

Effective representation would not be enhanced by establishing community boards, having considered the identified communities of interest in terms of distinctiveness, representation, access and effective governance; and

If wards are confirmed, ward Councillors are likely to provide sufficient representation of communities of interest and therefore ensure adequate representation and access between Elected Members and the population;

We disagree. This is pioneering territory for Hamilton and we want to get it right!



Summary

Expected Outcome

It is expected that the establishment of the first Community Boards in Hamilton will significantly enhance the decision making of Hamilton City Council as a result of improved engagement at the grass roots.

The Boards will negotiate their individual 'agreements' with the City Council. They will enhance community input and Council knowledge by providing a formal conduit between the tiers. This would include community proposals to Council during the preparation of LTPs and Annual Plans and 'as and when required' from a broader base of knowledge. Importantly, local communities will gain greater knowledge of civic affairs and their Council.

Boards Structure

Each Board may have an individual constitution, however, we recommend for the purpose of this submission a common model that each board consist on nine members with full voting rights:

1. Five elected Board members (resident in the community and elected by the community).
2. Four appointed Board members, including one City Councillor
3. The Chair to be appointed by Board members (excluding the City Councillor).

The Boards may appoint unpaid subject matter experts to assist with the Board outcomes. These appointees are advisors to the Board, without voting rights.

To ensure democratic accountability, we recommend an Electoral College to select the appointed Community Board members in liaison with the City Council, the Electoral College to include social, cultural, environmental and economic interests, their role to ensure balanced representation. This may include gender and ethnicity, as well as local leadership eg school board, health professionals, commercial interests, community house representatives.

Further Ideas

With Local Government reforms being considered, term limitations may be appropriate, with a maximum of three consecutive terms for Board Members (similar to current chief executive conditions). Vacancies can be filled by the Electoral College confirming the next highest polling candidate (for the elected seat) or by appointment.

Meetings and Costs

Board members would commit to a minimum four hours a week to Board matters.

Remuneration would be based initially on the Living Wage/per hour, with a mid-term review by the Board's Electoral College. With a total of four Boards and 36 Board members averaging around \$5,000 each, this would add less than \$200,000 to the council budget a year and minimal impact.

The Community Board would meet as a Board no later than Monthly.

Further ideas

It is expected that the Board will hold Community Meetings no later than monthly to discuss community matters and Hamilton City Council plans for the Board Area.

Based on the experience of other Community Boards, the fostering of a Hamilton Network of Boards is recommended, this network in turn to liaise with neighbouring council boards and the national entity.

Board Boundaries

It is proposed that the 2022 Local Government elections will compose the first four Community Boards in Hamilton City. This will allow the community to adjust to this new representation, test the effectiveness and scope of the Board's role and refine (if required) with the introduction of further Community Boards in Hamilton at the 2025 Local Government election, if and where considered warranted.



We have identified the four proposed Community Boards centred on the areas outlined in the following council map, based on Statistics NZ and census data, and city council Neighbourhood Profiles.

East Area 4: Fairfield, Enderley North & South - Board to be named Fairfield-Enderley

West Area 2: Crawshaw, Nawton West & East - Board to be named Nawton

South Area 6: Bader, Deanwell, Melville North & South - Board to be named Melville.

West Area 5: Whitiora, Kirikiriroa, Hamilton Central - Board to be named Central

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Thank you for considering this appeal.