



LOCAL GOVERNMENT COMMISSION
MANA KĀWANATANGA Ā ROHE

Determination

of representation arrangements to apply for
the election of the Dunedin City Council
to be held on 8 October 2016

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.
2. 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.
3. The Dunedin City Council (the Council) last reviewed its representation arrangements prior to the 2010 local authority elections. Therefore it was required to undertake a review prior to the next elections in October 2016.
4. The Council currently has a ward system of representation as set out in the following table.

Wards	Population*	Number of councillors per ward	Population per councillor	Deviation from city average population per councillor	% deviation from city average population per councillor
Mosgiel Taieri	17,200	2	8,600	-298	-3.35
Waikouaiti Coast-Chalmers	9,070	1	9,070	+172	+1.93
Central	98,300	11	8,936	+39	+0.43
Total	124,570	14	8,898		

* Based on 2014 population estimates provided by Statistics New Zealand

5. There are also six community boards in Dunedin City. These are:

Community board	Population
Strath Taieri	650
Waikouaiti Coast	3,620
Mosgiel Taieri	16,550
Saddle Hill	6,620
Chalmers	5,440
Otago Peninsula	4,400

6. Each community board comprises six elected members and one councillor appointed by the Council.

The council's proposal and review process

7. The Council established an independent review team to develop a proposal for the Council to consider. The review team comprised:
- Associate Professor Janine Hayward, Department of Politics, Otago University (Chair)
 - Len Cook, former Government Statistician
 - Paulette Tamati-Elliffe, Programme Leader for Te Rūnanga o Ngāi Tahu Māori Language Revitalisation Strategy
 - Dave Cull, Mayor of Dunedin.
8. The review team recommended that:
- the Council be elected at large (rather than from wards)
 - the number of councillors remain at 14
 - the boundaries of the Chalmers, Otago Peninsula, Saddle Hill and Waikouaiti Coast community boards be altered by transferring two areas between communities and excluding other areas from communities altogether
 - a rural community board be established comprising the Strath Taieri Community Board's area and the rural part of the Mosgiel Taieri Community Board's area
 - the number of elected members on community boards be reduced from six to four, with one appointed councillor on each board.
9. An important element of the review team's thinking was the concept of an 'urban core' comprising the main Dunedin urban area and adjacent urban areas such as Fairfield and Mosgiel. The review team took the view that areas in the 'urban core' should not be covered by a community board.

10. The Council adopted the review team’s recommendation with one minor amendment – changing the name of the Rural Community Board to Rural Taieri Community Board.
11. The Council received 168 submissions on its initial proposal.
12. After considering submissions, the Council resolved to adopt its initial proposal as its final proposal with the following amendments:
 - the West Harbour suburbs, from Ravensbourne to Blanket Bay, proposed to be excluded from the Chalmers Community, were returned to the board area
 - the Chalmers Community Board was renamed the West Harbour Community Board
 - the number of elected members on the community boards was increased from four to five, except for the Rural Taieri Community Board where the number of elected members was increased to six.

Appeals

13. Sixteen appeals were lodged against the Council’s final proposal. The appellants were from:

Chalmers Community Board

Mosgiel Taieri Community Board

Otago Peninsula Community Board

Saddle Hill Community Board

Strath Taieri Community Board

Waikouaiti Coast Community Board

Belinda Smith Lyttle

Brian Miller

Carissa Cooper

Colin Weatherall

Geraldine Tait

Leanne Stenhouse

Martin Dillon

Moira Parker

Sue O’Neill

Te Rauone Beach Coastal Care Committee

14. The subject matter of the appeals is summarised in the following table.

Issue	Appellants
General opposition to the Council's proposal	Geraldine Tait Sue O'Neill
The Council should comprise 20 councillors	Brian Miller
Opposition to the Council being elected at large	Chalmers Community Board Strath Taieri Community Board Waikouaiti Coast Community Board
Opposition to the reduction in the number of community board members	Chalmers Community Board Mosgiel Taieri Community Board Otago Peninsula Community Board Saddle Hill Community Board Leanne Stenhouse Moiria Parker Colin Weatherall
Opposition to dis-establishment of Mosgiel Taieri Community Board and/or seeking retention of the Strath Taieri Community Board	Mosgiel Taieri Community Board Strath Taieri Community Board Waikouaiti Coast Community Board Martin Dillon
Opposition to the exclusion of Ocean Grove from Otago Peninsula Community	Otago Peninsula Community Board Te Rauone Beach Coastal Care Committee Carissa Cooper Belinda Smith Lyttle Waikouaiti Coast Community Board
Opposition to the exclusion of Fairfield and other areas from Saddle Hill Community	Saddle Hill Community Board Waikouaiti Coast Community Board Leanne Stenhouse Colin Weatherall

Hearing

15. The Commission met with the Council and the appellants at a hearing held in Dunedin on 8 March 2016. The Council was represented at the hearing by the Mayor Dave Cull; Sandy Graham, General Manager Corporate Services; and Pam Jordan, Electoral Officer.
16. The appellants appearing were:
 - Chalmers Community Board (Raewynne Pedofski, member)
 - Mosgiel Taieri Community Board (Bill Feather, Chairperson)
 - Otago Peninsula Community Board (Christine Garey, Chairperson supported by Mick Lester, Chairperson New Zealand Community Boards Executive)
 - Saddle Hill Community Board (Scott Weatherall, Chairperson and Pam Jemmett, Deputy Chairperson)
 - Strath Taieri Community Board (Barry Willaims, Chairperson)
 - Waikouaiti Coast Community Board (Gerard Collings, Chairperson)

Belinda Smith Lyttle
Brian Miller
Colin Weatherall
Geraldine Tait
Leanne Stenhouse
Martin Dillon
Sue O'Neill
Te Rauone Beach Coastal Care Committee (Graeme Burns)

Matters raised in appeals and at the hearing

17. The following is a summary of the main points made at the hearing in support of the Council's proposal.
- The use of an independent review team followed the approach taken in earlier reviews.
 - The review team had consulted widely using a variety of consultation methods.
 - The proposed at large system would give voters a wider choice of candidates and ensure that councillors took a whole of city view.
 - The at large system took into account the existence of non-geographical communities of interest.
 - From a statistical point of view it would be difficult to establish a purely rural ward.
 - The current ward arrangements, from a statistical point of view, required the inclusion of urban Port Chalmers in the more rurally oriented Waikouaiti Coast Ward.
 - A rural community board would be an important component of a system where the Council is elected at large.
 - Since the last review in 2010 there has been more urban development in the Fairfield, Saddle Hill and Mosgiel areas and development of better transport links.
 - Concerns about the costs of campaigning in an at large election could be mitigated by candidates using the STV system to target segments of the community rather than having to campaign over the whole city.
18. In response to questions from the Commission, the Mayor advised that:
- The review team's comments about the future of community boards beyond this review had not been specifically endorsed by the Council through the adoption of its initial proposal.
 - There had been different views on the review team about whether Port Chalmers should have been included in the 'urban core'.

19. The following is a summary of main points made at the hearing in opposition to the Council's proposal.
- Dunedin City covers a large and diverse geographical area and representation arrangements need to reflect this.
 - There were concerns about perceived levels of support for the at large system in the survey carried out for the review team and also its low response rate. Listening to the community on a day-to-day basis gave different impressions and showed a desire to retain wards and strong community board arrangements.
 - There was a risk that no rural councillors would be elected under an at large system.
 - Councillors or community board members being elected unopposed is a result of community choice; it is not a reason for changing the nature of representation arrangements.
 - A reduction in the number of members of community boards could detract from the diversity of board members and would increase the workload of those elected to community boards.
 - There was concern at the view taken by the review team that community boards had to be rural.
 - The concept of an 'urban core' was artificial and ignored actual communities of interest.
 - Although the Waikouaiti Coast-Chalmers Ward is traversed by a state highway parts of the Ward are still isolated.
 - Despite the motorway, Fairfield still has a sense of isolation and a separate identity while the Blackhead area faces issues of a quasi-rural nature.
 - The Taieri Plains, including Mosgiel, has a distinct identity. Although workers do commute from Mosgiel to central Dunedin for work, Mosgiel has strong links with the rest of the Plains by being a rural service centre, through sporting and social linkages, and through the provision of government services, e.g. policing.
 - Strath Taieri is quite distinct geographically from the Taieri Plains, and grouping them together in a rural community board would be artificial.

Requirements for determination

20. 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.*
21. 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

22. In addition to determining the substantive matters raised in the appeals, the Commission is required by the Act to determine the ward and membership arrangements for the Council and community board arrangements generally.
23. 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

24. Both wards and community boards need to be based on distinct and recognisable communities of interest.

25. 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.
26. The Commission considers that the case for specific representation of distinct and recognisable communities of interest should reflect these dimensions.

Effective representation of communities of interest

27. 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.
28. 'Effective representation' is not defined in the Act, but the Commission sees this as requiring consideration of factors including the number of elected members and the appropriate basis of election of members for a particular district.
29. While not a prescribed statutory requirement, 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.
30. Section 19A of the Act provides that a territorial authority shall consist of between 5 and 29 elected members (excluding the mayor), i.e. councillors. The Council comprised 21 councillors when it was constituted in 1989, reducing to 18 in 1992 and 14 in 1998.
31. One appellant seeks a council comprising 20 councillors on the basis that Dunedin covers a large and diverse population, and a 20-member council would give more opportunity for a larger cross-section of the community to be represented. The Commission notes that the only other council in New Zealand that currently has 20 councillor is the Auckland Council representing a population in excess of 1.5 million.
32. The Council is proposing retention of 14 councillors and the Commission believes this is appropriate for a district of Dunedin's geographic area and population. A council of 14 councillors and a mayor, along with a system of community boards, is considered to be sufficient to provide effective representation of Dunedin communities of interest.

33. 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. The options for the basis of election provided in the Act are: at large across the district as a whole, division of the district into wards, or a mix of at large and wards. In relation to wards, it is noted wards may contain more than one distinct community of interest, but that these communities have sufficient commonalities to be grouped together.
34. Since its constitution in 1989, Dunedin City has been divided into wards (12 wards from 1989 to 1992, ten wards from 1992 to 1998, seven wards from 1998 to 2004, six wards from 2004 to 2010, and the current three wards since 2010).
35. The review team took the view that Dunedin as a whole is a community of interest. Within that, the team recognised two important communities of interest requiring particular attention when considering fair and effective representation – rural and Māori communities. As Ngāi Tahu preferred relationships with the Council outside the formal representation structure, the review team focused on the rural community.
36. The rural community was defined as being that part of Dunedin outside the ‘urban core’. The ‘urban core’ was described as including Mosgiel, Fairfield and the majority of the West Harbour suburbs, as well as the main Dunedin urban area.
37. As a consequence of determining that the whole of Dunedin City formed a single community of interest, the review team concluded that election of councillors from the whole of the city would provide effective representation for that community of interest. Key parts of its decision to recommend this were:
 - the fact that Dunedin City uses the STV electoral system which provides an opportunity for segments of the community to have representation on the council
 - community boards can contribute to fair and effective representation for rural communities.
38. Contrary views expressed by some appellants were that:
 - at large elections (in particular not having rural wards) will reduce the effective representation of rural communities of interest
 - at large elections will not improve engagement between the community and the Council.
39. The Commission is not entirely convinced by the argument that Dunedin City forms a single community of interest, with two sub-communities – Māori and rural. The nature of communities of interest is that they exist at a number of levels. While Dunedin City does form a community of interest, smaller communities of interest at different levels do also exist. Through information obtained through this review, and through Commissioners’ broader experience, communities of interest such as Strath Taieri, Port Chalmers, Portobello and South Dunedin, along with many others, can be identified.

40. The important question is, however, what is the appropriate grouping of communities of interest for the purposes of representation.
41. Some appellants referred to the Commission's 2010 determination which confirmed Dunedin City's current three ward system. In particular they referred to the following comments:

The first question we are required to answer is whether Dunedin City should be divided into wards. Dunedin City contains a diversity of communities and a large rural area. In dealing with previous reviews of Dunedin City the Commission has heard evidence that the areas comprising the two current rural wards comprise distinct communities of interest and that the rural nature of those wards, their size and the relative isolation of some areas requires separate representation. Our observation is that, not only do these conditions continue to apply, roading access in many parts of these wards is difficult and travelling times lengthy with a resulting impact on the ability to provide effective representation for those areas.

One argument put forward by supporters of an at large system in Dunedin is that because decisions made by councillors are made on a city-wide basis, all voters should be able to vote for all councillors. This appears to us to ignore some fundamental issues. The purpose of wards is, where they are necessary, to ensure effective representation of communities of interest, both at election time and on an on-going basis through effective engagement between councillors and the community. If the geography or other characteristics of an area create barriers to engagement and representation the ward system is likely to be an effective way of overcoming those barriers.¹

42. The questions the current Commission has to consider in relation to the 2016 review are: has anything changed since 2010, and are there matters taken into account by the Council and the review team in the most recent review that were not taken into account in 2010.
43. Although the 2010 review does appear to have included some discussion of the role the STV electoral system can have in providing effective representation, it did not seem to have been as extensively discussed then as it was by the recent review team.
44. The review team considered it important to take the electoral system into account when considering means to achieve effective representation. The team's comments about campaigning under STV appear particularly relevant. With a 14-member council, a candidate will only have to win 6.7% of the vote to be elected (or a quota of approximately 2,500 votes based on 2013 voter turnout). The importance of this is twofold – firstly it would give particular sectors of the community (geographic or non-geographic) the opportunity to support candidates representing them; secondly it impacts on the resources required to campaign by allowing candidates to target particular sectors of the community rather than campaigning and advertising across the whole city.

¹ Paragraphs 25 and 26, Local Government Commission's 2010 determination of representation arrangements for Dunedin City

45. The review team also reported that community engagement carried out by it showed a desire by those participating to be able to vote for all positions on the Council and choose from all candidates. The survey carried out for the review team showed this being the view in the Waikouaiti Coast-Chalmers and Mosgiel Taieri wards as well as the Central Ward. While respondents also considered local representation to be important, as observed by the review team above, STV enables this to occur within an at large system.
46. The STV electoral system has now been in place for four elections in Dunedin City. It can be assumed that candidates and electors now have some familiarity with STV and how it works.
47. On the basis of the above, the Commission determines that at the 2016 elections the members of the Council will be elected from the city as a whole.
48. In conjunction with this decision, so as to ensure the benefits of STV can be maximised, the Commission endorses the review team's recommendation that the Council considers "additional STV education in the lead up to the Council elections to ensure that the benefits of the voting system are well understood by potential candidates."²
49. In making this decision the Commission also endorses the view expressed by the review team that "if Dunedin were to return to first-past-the-post Council elections in the future, the review team urges Council also to reconsider elections at-large".³
50. This decision on at large elections has influenced the Commission's thinking on community boards, as the two can be seen as inter-related components of a single system of representation. The Commission's consideration of, and decisions about, community boards are set out below.

Communities and community boards

51. 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.
52. 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

² In this regard, see the Electoral Reform Society's publication "Campaigning Under the Single Transferrable Vote" at <https://www.electoral-reform.org.uk/sites/default/files/Campaigning-under-the-single-transferable-vote.pdf>

³ P. 13, Report of the Representation Review Team, June 2015

the boards are to be subdivided for electoral purposes. Section 19W also requires regard to be given to such of the criteria as apply to reorganisation proposals under the Local Government Act 2002 as is considered appropriate. The Commission sees two of these criteria as particularly appropriate for the consideration of proposals relating to community boards as part of a representation review:

- 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 of interest or sufficiently distinct communities of interest?

53. The statutory role of a community board is to:

- represent and advocate for the interests of its community
- consider and report on matters referred to it by its parent council
- maintain an overview of council services provided in its community
- prepare an annual submission to the council for expenditure within its community
- communicate with community organisations and special interest groups within its community
- undertake any other responsibilities delegated to it by its parent council.

54. There appears to be broad agreement that community boards have a role to play in Dunedin City. The main point at argument is the area over which they should be constituted.

55. The Commission notes the review team's comments suggesting "a transition to reduce the number of boards and the number of elected members on boards" and encouraging "the next review to continue this transition and further reduce the number of boards to retain community board representation for rural Dunedin only". The review team considered that a rural community board has an important role to play in order to provide fair and effective representation for rural interests in an at large system. It is also noted, however, that the Mayor stated at the hearing that the Council had not explicitly endorsed the views expressed about the future of community boards.

56. The specific issues relating to community boards raised in the appeals are:

- the community board structure in the area currently covered by the Mosgiel Taieri and Strath Taieri community boards
- the boundaries of the Otago Peninsula and Saddle Hill community board areas
- the reduction in the number of community board members for most of the community boards.

MOSGIEL TAIERI AND STRATH TAIERI COMMUNITY BOARDS

57. The review team's proposals (confirmed by the Council) relating to the Mosgiel Taieri and Strath Taieri community boards stemmed from two conclusions. Firstly, Mosgiel forms part of Dunedin's 'urban core', and the urban core should not be included in a community board area. Secondly, a rural community board combining the Strath Taieri Community and the rural part of the Mosgiel Taieri Community would contribute to representing rural interests.
58. Key issues here are:
- Whether the review team's conclusions about Mosgiel being in the 'urban core' and therefore not warranting inclusion in a community board area, are valid, or whether the argument put by some appellants about the Mosgiel Taieri community of interest and its difference from metropolitan Dunedin warrant continuation of the existing arrangements.
 - Whether the Strath Taieri Community and the remaining rural area of the Mosgiel Taieri Community have sufficient commonality to form a single community board area, or whether (as argued by the Strath Taieri Community Board) the two areas are dissimilar ("flat rural/residential and rural land of the Taieri Plains and the remote alpine pastoral hinterland of the Strath Taieri").
 - Whether the review team's arguments about the importance a rural community board would have in helping to provide effective representation when the Council is elected at large, are valid.

SADDLE HILL COMMUNITY BOARD BOUNDARIES

59. Two areas were proposed to be excluded from the Saddle Hill Community:
- the suburban areas of Fairfield and the lifestyle area of Chain Hills Road, along with the rural area above Abbotsford, on the basis that they are part of the 'urban core'
 - a smaller area from Corstorphine to Blackhead, as it has been developed for lifestyle housing.
60. Appellants opposed the exclusion of these areas principally on the basis that:
- these areas have a community of interest with the remainder of the Saddle Hill Community
 - parts of the areas to be excluded have rural attributes as far as the infrastructure provided is concerned, and the board adds value to residents' engagement with the Council on infrastructural and other issues.

OTAGO PENINSULA COMMUNITY

61. An area at Tomahawk and Ocean Grove is proposed to be excluded from the Otago Peninsula Community on the basis that it is considered to be an expansion of the 'urban core'.

62. Appellants considered that the area has a community of interest and historical linkage with the Otago Peninsula, the Tomahawk Lagoon is part of the Peninsula's environment, and that the Otago Peninsula Community Board is an effective advocate for the area.

NUMBER OF COMMUNITY BOARD MEMBERS

63. The review team took the view that the work currently carried out by community boards could be managed by fewer members, particularly given the geographic size of some would be reduced. After considering submissions on this matter, the Council provided in its final proposal that the number of elected members on community boards be increased from the proposed four to five, except for the proposed Rural Taieri Community Board where the proposed number of elected members was increased to six.
64. Four community boards and three other appellants opposed the reduction of the number of elected members on most boards from the current six to five. Reasons for wishing retention of six members for all boards included ensuring diversity of membership and a more diverse skill set through having a larger number of members on boards, a greater risk of not having a quorum at meetings, and the general workload of members.

DISCUSSION

65. The overall impression gained by the Commission at the hearing is that community boards play a constructive role in the governance of Dunedin City and are actively engaged with their communities. The Commission concludes from this that a community board structure should be retained in Dunedin City.
66. The Commission has some concerns with the concept of the 'urban core' and how it has been applied to community board arrangements. These are outlined below.
- There are possible inconsistencies in its applications. Mosgiel (17.8 kms distant from The Octagon) has been included in the 'urban core' while Port Chalmers (14.7 kms distant) has not been included. More markedly, Ravensbourne (5.6kms distant and virtually abutting the central urban area), through its retention in the renamed West Harbour Community, is implicitly not included in the final version of the 'urban core'.
 - While Mosgiel obviously has linkages with the central urban area (through residents commuting to work), it also has a strong community of interest with the Taieri Plains and its exclusion from a community board including part of the Taieri Plains appears to split a community of interest.
 - The judgements made about excluding Fairfield, the Chain Hills, Blackhead and Ocean Grove can be argued from either point of view. Those areas do, however, appear to have continuing linkages from a functional point of view with the community board areas it is proposed to exclude them from.

- In an effort to exclude urban areas from community boards, some rural (or at least non-urban) areas seem to have been also excluded.⁴
67. At the city-wide level the Commission sees the move to at large voting for the Council as a significant change to the city's representation arrangements. A strong community board system could act as an effective counter-balance to that change and, as a component of the overall representation system, contribute to continued effective representation for those parts of the city outside the central urban area. There is a risk that the Council's proposal will weaken the community board system rather than provide a strong counter-balance.
68. The Commission determines, therefore, to retain the existing community board system (apart from renaming the Chalmers Community Board as the West Harbour Community Board and the two boundary alterations agreed to earlier in the process). The boundary alterations are the transfer of an area above Sawyers Bay from Waikouaiti Coast Community to West Harbour Community, and the transfer of Quarantine Island from West Harbour Community to Otago Peninsula Community.
69. Although this decision makes the question of a rural community board for Dunedin academic at this time, the Commission does wish to make an observation about that concept. The review team was not specific about its long term vision for community boards but one possible interpretation of the comments in its report is that it considers that ultimately there should be only one community board in Dunedin City – a rural community board. Rural areas and rural activities in Dunedin City are not restricted to the Strath Taieri and the Taieri Plains. They exist in other community board areas, in particular Waikouaiti Coast and Otago Peninsula communities. The Commission believes this should be taken into account in any future review of Dunedin City's representation arrangements.

Commission's Determination

70. Under section 19R of the Local Electoral Act 2001, the Commission determines that for the general election of the Dunedin City Council to be held on 8 October 2016, the following representation arrangements will apply:
- (1) Dunedin City, as delineated on SO Plan 430133 deposited with Land Information New Zealand, will not be divided into wards.
 - (2) The Council will comprise the mayor and 14 councillors elected by the electors of the city as a whole.
 - (3) There will be six communities as follows -
 - (a) Strath Taieri Community, comprising the area delineated on SO Plan 335083 deposited with Land Information New Zealand

⁴ Some areas, such as the northern part of the Ocean Grove/Tomahawk Lagoon area proposed to be excluded from the Otago Peninsula Community, are included in meshblocks that are partly urban and partly rural.

- (b) Waikouaiti Coast Community, comprising the area delineated on LGC-071-2016-Com-1 deposited with the Local Government Commission
 - (c) Mosgiel-Taieri Community, comprising the area delineated on SO Plan No 335082 deposited with Land Information New Zealand
 - (d) Saddle Hill Community, comprising the area delineated on SO Plan 335081 deposited with Land Information New Zealand
 - (e) West Harbour Community, comprising the area delineated on LGC-071-2016-Com-2 deposited with the Local Government Commission
 - (f) Otago Peninsula Community, comprising the area delineated on LGC-071-2016-Com-3 deposited with the Local Government Commission
- (4) For each community there will be a community board with the membership of these boards comprised as follows:
- (a) the Strath Taieri Community Board: six elected members and one member of the Council appointed to the community board by the Council
 - (b) the Waikouaiti Coast Community Board: six elected members and one member of the Council appointed to the community board by the Council
 - (c) the Mosgiel-Taieri Community Board: six elected members and one member of the Council appointed to the community board by the Council
 - (d) the Saddle Hill Community Board: six elected members and one member of the Council appointed to the community board by the Council
 - (e) the West Harbour Community Board: six elected members and one member of the Council appointed to the community board by the Council
 - (f) the Otago Peninsula Community Board: six elected members and one member of the Council appointed to the community board by the Council.

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

**REPRESENTATION REVIEWS COMMITTEE
FOR LOCAL GOVERNMENT COMMISSION**



Commissioner Janie Annear (Chair)



Temporary Commissioner Leith Comer



Temporary Commissioner Dr Pauline Kingi

7 April 2016