



Local Government Commission

Mana Kāwanatanga ā Rohe

Determination

on a decision of the Southland District Council to adopt
representation arrangements for the local authority
elections to be held on 11 October 2025

Introduction

1. All territorial authorities are required under sections 19H and 19J of the Local Electoral Act 2001 (the Act) to review their representation arrangements at least every six years.
2. The matters for this determination by the Commission are limited to the Southland District Council's (the Council) decision to retain the following boundaries with their current membership, despite not complying with section 19V(2) of the Act (the '+/-10% rule'):
 - Stewart Island/Rakiura Ward
 - Ōreti Ward
 - Waihōpai Toetoe Ward
 - Makarewa subdivision of the Ōreti Community Board
 - Parawa-Fairlight and West Dome subdivisions of the Northern Community Board

Commission's determination¹

3. Under section 19V(6) of the Local Electoral Act 2001, the Commission upholds the decision of the Southland District Council not to comply with section 19V(2) in respect of the following electoral areas:

¹ Plans referred to in this determination that are preceded by LGC are deposited with the Local Government Commission. Plans preceded by SO are deposited with Land Information New Zealand.

- (a) Ōreti Ward, as compliance would limit effective representation of communities of interest by dividing between wards the communities of Drummond, Waikana and Munro Roads, and the southern Hokonui Hills that have functional connections to Ōreti Ward for schooling, sports and social activities; and the community of Taramoa that shares defining geographic characteristics with Waiau Aparima Ward.
 - (b) Waihōpai Toetoe Ward, as compliance would limit effective representation of communities of interest by dividing between wards the communities of interest near the Ward boundary that have functional connections with the Waihōpai Toetoe Ward for schooling, sports and community facilities.
 - (c) Stewart Island/Rakiura Ward, to ensure effective representation of island communities.
 - (d) Parawa-Fairlight Subdivision of the Northern Community Board, to avoid combining the Athol and Garston communities of interest which orient towards Central Otago, with communities in the Mid Dome Subdivision from which they are geographically separated and share few commonalities of interest.
 - (e) West Dome Subdivision of the Northern Community Board, as compliance would limit effective representation of communities of interest by dividing the wider Mossburn community of interest that is defined by distinct geographic boundaries and shares an orientation towards Te Anau.
 - (f) Makarewa Subdivision of the Ōreti Community Board, as compliance would limit effective representation of communities of interest by dividing the Taramoa community of interest from coastal communities with which it shares commonalities of interest.
4. Accordingly, for at least the triennial general election of the Southland District Council to be held on 11 October 2025, the following representation arrangements will apply:
- a. Southland District, as delineated on Plan LG-073-2025-W-1 will be divided into wards and will be represented by a Council comprising the mayor and 12 councillors elected as follows:

Ward	Councillors	Plan delineating area
Mararoa Waimea Ward	3	LG-073-2025-W-2
Waiau Aparima Ward	3	LG-073-2025-W-3
Ōreti Ward	3	LG-073-2025-W-4
Waihōpai Toetoe Ward	2	LG-073-2019-W-3
Stewart Island/Rakiura Ward	1	SO 11492

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

Community/ Community Board	Plan delineating area	Subdivision	Members *	Appointed members
Fiordland Community comprising the western part of the Mararoa Waimea Ward	LG-073-2019-Com-1	Not subdivided	6	1, being a councillor representing the Mararoa Waimea Ward
Northern Community comprising the central part of the Mararoa Waimea Ward	LG-073-2025-S-1	Parawa-Fairlight West Dome Mid Dome	1 2 3	1, being a councillor representing the Mararoa Waimea Ward
Ardlussa Community comprising the eastern part of the Mararoa Waimea Ward	LG-073-2025-Com-1	Not subdivided	6	1, being a councillor representing the Mararoa Waimea Ward
Tuatapere Te Waewae Community comprising the western part of the Waiau Aparima Ward	LG-073-2019-Com-4	Not subdivided	6	1, being a councillor representing the Waiau Aparima Ward
Wallace Takitimu Community comprising the northeastern part of the Waiau Aparima Ward	LG-073-2025-Com-2	Not subdivided	6	1, being a councillor representing the Waiau Aparima Ward
Ōraka Aparima Community comprising the southeastern part of the Waiau Aparima Ward	LG-073-2025-Com-3	Not subdivided	6	1, being a councillor representing the Waiau Aparima Ward
Ōreti Community comprising the area of the Ōreti Ward	LG-073-2025-S-2	Hokonui Midlands Makarewa	1 4 2	1, being a councillor representing the Ōreti Ward

Community/ Community Board	Plan delineating area	Subdivision	Members *	Appointed members
Waihōpai Toetoe Community comprising the area of the Waihōpai Toetoe Ward	LG-073-2019-W-3	Not subdivided	7	1, being a councillor representing the Waihōpai Toetoe Ward
Stewart Island/Rakiura Community comprising the area of the Stewart Island/Rakiura Ward	SO 11492	Not subdivided	6	1, being the councillor representing the Stewart Island/Rakiura Ward

*Number of members elected by the electors of each community or community subdivision

5. The ratio of population to elected members for each ward will be as follows:

Wards	Population*	Number of members	Population per member	Deviation from district average population per member	% deviation from district average population per member
Maraora Waimea	8,940	3	2,980	230	+8.36
Waiau Aparima	7,820	3	2,607	-143	-5.21
Ōreti	9,200	3	3,067	317	+11.52
Waihōpai Toetoe	6,590	2	3,295	545	+19.82
Stewart Island/Rakiura	450	1	450	-2,300	-83.64
Total	33,000	12	2,750		

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates

6. The Fiordland, Ardlussa, Tuatapere Te Waewae, Wallace Takitimu, Ōraka Aparima, Waihōpai Toetoe, and Stewart Island/Rakiura Community Boards will not be subdivided for electoral purposes. The population they each represent will be as follows:

Community board	Population*	Number of members [^]
Fiordland	4,660	6
Ardlussa	2,160	6
Tuatapere Te Waewae	1,660	6
Wallace Takitimu	3,110	6

Ōraka Aparima	3,050	6
Waihōpai Toetoe	6,590	7
Stewart Island/Rakiura	450	6

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates

*Not including appointed members

7. The Northern and Ōreti community boards will be subdivided for electoral purposes. The ratio of population to elected members for each subdivision will be as follows:

Community board subdivisions	Population*	Number of members^	Population per member	Deviation from community board average population per member	% deviation from community board average population per member
Northern Community board					
Parawa-Fairlight	270	1	270	-82	-23.22
West Dome	790	2	395	43	+12.32
Mid Dome	1,050	3	350	-2	-0.47
Total community board	2,110	6	352		
Ōreti Community board					
Hokonui	1240	1	1,240	-74	-5.65
Midlands	5610	4	1,403	88	+6.71
Makarewa	2350	2	1,175	-139	-10.60
Total community board	9,200	7	1,314		

*Based on Stats NZ Tatauranga Aotearoa 2023 population estimates

^Not including appointed members

8. As required by sections 19T(1)(b) and 19W(c) of the Local Electoral Act 2001, the boundaries of the above wards, community boards, and subdivisions coincide with the boundaries of current statistical meshblock areas determined by Statistics New Zealand and used for Parliamentary electoral purposes.

Background

9. Under sections 19H and 19J of the Local Electoral Act 2001 (the Act) territorial authority representation reviews are to determine the number of councillors to be elected, the basis of election for councillors and, if this includes wards, the

boundaries and names of those wards. Reviews also include whether there are to be community boards and, if so, arrangements for those boards. Representation arrangements are to be determined to provide fair and effective representation for individuals and communities.

10. The Council last reviewed its representation arrangements prior to the 2019 local authority elections. Accordingly, it was required to undertake a review prior to the next elections in October 2025.
11. In October 2023, following engagement with Te Ao Mārama Incorporated which represents mana whenua runangā in Murihiku (iwi representatives in Southland), the Council resolved not to establish Māori wards.

Current representation arrangements

12. The Commission last made a determination in relation to Southland District Council's representation in 2019. At that review, the Council had proposed alterations to ward boundaries to ensure that, except for the Stewart Island/Rakiura Ward, ward arrangements complied with the +/-10% rule. To better balance fair and effective representation, the Commission's determination rejected several of the proposed boundary changes and ensured ward boundaries aligned with community boundaries. The determination also replaced the proposed ward name 'Winton Wallacetown' with 'Ōreti', reflecting the community board name.
13. The Council's 2019 review resulted in a substantial change to the representation structure, extending community boards across the District. The Commission determined that the Northern and Ōreti Community Boards would be subdivided to ensure fair and effective representation for smaller communities within the wider community areas.
14. The Council's current representation arrangements have been in place since and comprise 12 councillors elected from five wards and a mayor elected at large. There are 56 members elected to nine community boards as set out at paragraphs 6-7 above.

Current review

Preliminary consultation

15. The Council commenced its preliminary work in late 2023 by establishing a working group to provide feedback and direction on the review. The working group comprised the Mayor, five councillors, six community board members, and representatives from Te Ao Mārama Inc and the Southland Regional Development Agency.
16. The Council undertook comprehensive engagement, including with community boards, external stakeholder business and community groups, the Southland Regional Council, and through a community survey. The Council also drew on information from other internal and external data sources, such as Commuter Waka (Stats NZ's Census data visualisation tool), building consent data, and school bus routes.

17. A key theme emerging from preliminary engagement was that the existing structure broadly reflected perceptual and functional communities of interest in the District, supported local representation, and encouraged community participation in local government. However, some refinements were required to address areas where communities of interest were split or inappropriately grouped.
18. Workshops in March and April 2024 with the working group, the Council, and community boards, and consultation with the Council's 'people's panel' (a self-selecting online consultation group of Southlanders), identified a preferred option that proposed minor changes to the current representation arrangements. The changes corrected the spelling of several electoral area names in line with feedback from Te Ao Mārama and made minor changes to boundaries to reflect feedback on communities of interest.

The Council's initial proposal

19. On 16 July 2024 the Council resolved its initial representation proposal for a council comprising the mayor and 12 councillors elected from five wards. The proposal retained the existing nine communities and community boards with the current membership and minor boundary alterations to better reflect communities of interest.
20. The initial proposed ward and community board arrangements were as set out at paragraphs 3-7 above. The proposed arrangements added macrons to ward and community board names as follows:
 - Ōreti Ward and Community Board
 - Waihōpai Toetoe Ward and Community Board
 - Ōraka Aparima Community Board

Submissions

21. The Council notified its initial representation proposal on 26 July 2024 and received 22 submissions by the deadline date of 2 September 2024. Nineteen submissions (86%) supported the Council's initial proposal, two opposed aspects of the proposal, and one submission neither supported nor opposed the proposal.
22. Key themes in the submissions were:
 - a. Support from most submitters for the proposed boundary changes, including eight of the nine community boards (one did not make a submission).
 - b. Support from Te Ao Mārama Inc for the proposal alongside a broader, long term partnership approach.
 - c. One submission opposed a proposed boundary change near Drummond.
 - d. One submission proposed increasing the number of members appointed by Council to community boards.
 - e. One submission proposed reducing the number of elected members.

23. On 18 September 2024 the Council met to hear submissions. At a meeting on 23 October 2024 the Council adopted its initial proposal as its final representation proposal.
24. The Council rejected the matters raised in submissions opposed to the initial proposal for the following reasons:
 - a. The Council had received feedback supporting the current number of members appointed to community boards.
 - b. There was community support for the current ward and community board structure and the current number of elected members, and the Council also considered both to be appropriate for effective representation across the District.
 - c. The Council had received feedback and submissions from the community in support of the boundary change near Drummond and considered it necessary to ensure that communities of interest were grouped together appropriately and not divided between community board or ward areas.

The Council's final proposal

25. The final proposal set out ward and community board arrangements as set out at paragraphs 3-7 above. The Council publicly notified its final proposal on 25 October 2024.
26. No valid appeals or objections against the Council's final proposal were received. The Council was, however, required by section 19V(4) of the Act to refer its proposal to the Commission for determination as the Ōreti, Waihōpai Toetoe, and Stewart Island/Rakiura Wards, the Parawa Fairlight and West Dome Subdivisions of the Northern Community Board, and the Makarewa Subdivision of the Ōreti Community Board did not comply with the fair representation requirement of section 19V(2) of the Act (the +/-10% rule).

Need for a hearing

27. For the purpose of making a determination, the Commission may make such enquiries as it considers appropriate and may hold meetings with the interested parties. There is no obligation on the Commission to hold a hearing. Rather, the need for a hearing is determined by the information provided by the relevant parties and as a result of any further inquiries the Commission may wish to make.
28. In the case of Southland District Council's final proposal, the Commission considered there was sufficient information in the documentation provided by the Council for the Commission to proceed to a determination. Accordingly, no hearing was required.

Matters for determination by the Commission

29. The matters for this determination by the Commission are limited to the Council's decision to retain the Ōreti, Waihōpai Toetoe, and Stewart Island/Rakiura Wards, the Parawa Fairlight and West Dome Subdivisions of the Northern Community Board, and the Makarewa Subdivision of the Ōreti Community Board with the

current membership, despite not complying with section 19V(2) of the Act (the '+/- 10% rule').

Key considerations

30. Based on the legislative requirements, the Commission's *Guidelines for local authorities undertaking representation reviews* (the Guidelines) identify the following three key factors when considering representation proposals:

- a. communities of interest
- b. effective representation of communities of interest
- c. fair representation for electors.

Communities of interest

31. The Guidelines identify three dimensions for recognising communities of interest:

- a. *perceptual*: a sense of identity and belonging to a defined area or locality as a result of factors such as distinctive geographical features, local history, demographics, economic and social activities
- b. *functional*: ability of the area to meet the needs of communities for services such as local schools, shopping areas, community and recreational facilities, employment, transport and communication links
- c. *political*: ability to represent the interests of local communities which includes non-council structures such as for local iwi and hapū, residents and ratepayer associations and the range of special interest groups.

32. All three dimensions are important and often interlinked. We note however, that there is often a focus on the perceptual dimension. That is, what councils, communities or individuals intuitively feel are communities of interest. It is not enough to simply state that a community of interest exists because it is felt that it exists; councils must provide evidence of how a sense of identity is reinforced, or how a community is distinct from neighbouring communities. Such evidence may be found by considering, for example:

- how communities rely on different services and facilities to function as part of the wider district, city or region
- demographic characteristics of an area (for example age, ethnicity or deprivation profiles) and how these differ from other areas
- how particular communities organise themselves and interact with others as part of the wider district, city or region.

33. At 30,979 square kilometres, Southland District is the largest in New Zealand and one of the more sparsely populated. Over half of the district is Department of Conservation estate. Ngāi Tahu are tangata whenua, with Murihiku rūnanga represented by Te Ao Marama Inc.

34. There are over 30 small towns, villages and settlements scattered across the District, with the principal towns of Winton and Te Anau having populations of around 2,500-3,000. The landscape features multiple mountain ranges and riverbeds which geographically define many communities. Southland District's

largest business sectors are agriculture and manufacturing, with dairy farming the largest employer.

35. Preliminary feedback for the current review indicates community members believe the current representation structure has largely identified and grouped communities of interest appropriately, and that those communities have remained relatively stable since the last review.
36. Southland's population has grown almost 11.5% since 2019, to an estimated 33,000 according to Statistics NZ estimates. Growth has been unevenly spread across the district, ranging from around 6% in the southwestern Waiau Aparima Ward to around 25% in the northernmost Mararoa Waimea Ward.
37. From a perceptual perspective, the Council has identified that residents generally feel their communities share similar values, culture and lifestyle particularly relating to farming and remote living. Communities also identify with a shared local history including links to specific industries and historical representation structures.
38. Functionally, the current ward and community board areas largely reflect connections for work, schools, shopping, recreation and pet/livestock care. The Council's building consent data confirms there has been no significant change in the district's functional aspects since the last review.
39. Accordingly, this review has resulted in a proposal that refines the current boundaries rather than making widescale structural change. The consistency of submissions in support of the Council's proposal suggests that the proposed changes are well-evidenced from a communities of interest perspective.
40. We believe the Council has appropriately explored and refined its understanding of the District's communities of interest.

Effective representation for communities of interest

41. 'Effective representation' is not defined in the Act, but the Commission sees this as requiring consideration of factors including an appropriate number of elected members and an appropriate basis of election of members for the district concerned (at large, wards, or a mix of both).
42. The Guidelines note that what constitutes effective representation will be specific to each local authority but that the following factors should be considered to the extent possible:
 - a. avoiding arrangements that may create barriers to participation, such as at elections by not recognising residents' familiarity and identity with an area
 - b. not splitting recognised communities of interest between electoral subdivisions
 - c. not grouping together two or more communities of interest that share few commonalities of interest
 - d. accessibility, size and configuration of an area including access to elected members and vice versa.
43. We agree with the Council's analysis that the District's communities of interest have not changed significantly since the 2019 review. The challenges of ensuring effective representation for such a dispersed population and a geographically large

District seem well met by the Council's comprehensive community board arrangements. A council comprising 12 elected members plus the mayor is also comparable with other local authorities with a similar population.

44. We are satisfied that within the broader context of the Council's representation arrangements, the same number of members as determined in 2019 continues to provide effective representation for the District's many dispersed communities.

Fair representation for electors

45. Section 19V of the Act sets out the requirement for the Commission to ensure that electors receive fair representation. Section 19V(2) establishes fair representation as a population per member ratio per ward and per community board subdivision that does not differ by more than 10% across the district or community. This is also referred to as 'the +/- 10% rule'.

46. Section 19V(3) of the Act provides that, despite subsection (2), if a territorial authority or the Commission considers one or more of certain prescribed conditions apply, wards and community subdivisions may be defined and membership distributed between them in a way that does not comply with subsection (2). The prescribed conditions are:

- a. non-compliance is required for effective representation of communities of interest within island or isolated communities situated within the district of the territorial authority
- b. compliance would limit effective representation of communities of interest by dividing a community of interest between wards or subdivisions
- c. compliance would limit effective representation of communities of interest by uniting within a ward or subdivision two or more communities of interest with few commonalities of interest.

47. Section 19V(6) provides that on receiving a reference under subsection (4), the Commission must determine whether to:

- a. uphold the decision of the council, or
- b. alter that decision.

Proposed non-compliance of Ōreti Ward

48. The Council is proposing under-representation of +11.52% for the Ōreti Ward, as compliance would divide communities of interest. This is a slight increase from the +10.20% non-compliance determined by the Commission in 2019. To achieve compliance would require transferring 125 people out of the Ōreti Ward.

49. The Ōreti Ward is in the eastern part of the District. The Hokonui Hills create a natural ward boundary to the northeast, the Ward's southeastern boundary intersects with the Waihōpai Toetoe Ward, and the southern boundary is a District boundary. Ōreti's population is primarily rural framing communities which orient towards the locality of Winton.

50. In 2019, the Commission rejected the Council's proposal to alter the boundaries of this ward to achieve compliance with the +/-10% rule. Instead, the Commission determined the ward boundaries to align with the community board area, which

the Council had acknowledged was a more appropriate grouping of communities of interest.

51. For the current review, community boards suggested several minor changes to the Ōreti Ward boundaries to better reflect functional communities of interest. Proposed changes to the Ōreti Ward's western boundary are as follows:
 - Transfer an area near Nightcaps from the Waiau Aparima Ward into Ōreti, reflecting residents' functional community of interest with the Ōreti community for activities such as schooling and sports;
 - Transfer the locality of Drummond from the Waiau Aparima Ward into Ōreti, reflecting the Drummond community's schooling and social links with Winton in the central part of the Ōreti Ward;
 - Transfer the locality of Taramoa from the Ōreti Ward into Waiau Aparima, as the area has similar natural features to Waiau Aparima Ward's coastal communities.
52. At Ōreti Ward's northeastern boundary with the Mararoa Waimea Ward, the Council's proposal transfers an area on the Ōreti side of the Hokonui Hills into Ōreti. Due to the geographic separation from Mararora Waimea, this area identifies more closely with the wider Ōreti community.
53. The above boundary alterations were well-supported by the community boards. Almost all submitters to the Council's initial proposal supported the boundary changes that affected them. One submitter opposed the boundary change on the basis that their community of interest lay with the smaller localities of Otautau and Riverton in the Waiau Aparima Ward. We acknowledge that residents will have multiple connections across the District at various levels. However, we believe the Council has worked closely with its community boards to scrutinise the ward boundaries and ensure they are informed by local knowledge and experience of the District's broader communities of interest.
54. We see no evidence to suggest further changes to the Ward's northern and western boundaries would improve effective representation of communities of interest.
55. This leaves the possibility of altering the southeastern boundary with the Waihōpai Toetoe Ward. However, as we discuss below, we believe this would negatively impact communities of interest in Waihōpai Toetoe that have a clear community of interest within the existing ward.
56. The Commission is satisfied that the proposed Ōreti Ward arrangements appropriately balance the requirements for fair and effective representation of the Ōreti area, ensuring that communities of interest are located in the wards with which they share the strongest functional connections.
57. The Commission upholds the Ōreti Ward boundaries proposed by the Council to avoid dividing between wards communities that connect to Ōreti Ward for schooling, sports and social activities; and the Taramoa community which shares defining geographic characteristics with coastal communities in the Waiau Aparima Ward.

Proposed non-compliance of Waihōpai Toetoe Ward

58. The Council is proposing under-representation of +19.82% for the Waihōpai Toetoe Ward, as compliance would divide communities of interest. This is a decrease from

the +23.58% non-compliance determined by the Commission in 2019. The Council is not proposing any alterations to the Waihōpai Toetoe Ward boundary.

59. The Waihōpai Toetoe Ward shares its northwestern boundary with Ōreti Ward. Elsewhere the ward's boundaries align with District boundaries and the south coast of the South Island. The ward encompasses rural farming communities, tourism activities associated with the Catlins, and coastal recreation activities. Since 2019, the Ward's estimated population has experienced lower growth than the District as a whole, increasing by almost 8% from 6,105 to 6,590.
60. The only option for achieving compliance for the Waihōpai Toetoe Ward is to transfer 540 people into the Ōreti Ward. However, communities nearest the boundary with Ōreti have their strongest functional connections with other Waihōpai Toetoe communities such as with Woodlands, Te Tipua, Myross Bush, Long Bush and Roslyn Bush. These connections include for preschool and primary school, sports and community facilities. Proximity to other districts means communities near the Ward boundary also share strong connections outside of the District with the main centres of Gore and Invercargill, which are within 15-30 minutes' drive.
61. While transferring population into Ōreti Ward would improve the under-representation of the Waihōpai Toetoe Ward, it would also further exacerbate under-representation for Ōreti Ward. We do not think that doing so would improve the effectiveness of representation for the communities of interest in either ward. We therefore prefer to uphold the boundaries of the Waihōpai Toetoe Ward as proposed by the Council.
62. We note that under-representation for both Ōreti and Waihōpai Toetoe Wards could be addressed by increasing the number of members elected by each Ward to 4 and 3 respectively. This would bring them into compliance with the +/-10% rule, although doing so would trigger new non-compliances in other wards. In our view, the considerable role of community boards in the District's representation means the total population of 33,000 does not justify an increase to the number of members elected by wards.
63. The Commission acknowledges the Council's work to examine communities of interest near the Ward boundary and is satisfied that the proposed Waihōpai Toetoe Ward arrangements appropriately balance the requirements for fair and effective representation. The Commission upholds the Waihōpai Toetoe boundaries proposed by the Council to avoid dividing between wards the communities of interest that have functional connections with the Waihōpai Toetoe Ward for schooling, sports and community facilities.

Proposed non-compliance of Stewart Island/Raikura Ward

64. The Council is proposing over-representation of -83.64% for the Stewart Island/Rakiura Ward, a minimal decrease from the -84.45% endorsed by the Commission in 2019.
65. The Stewart Island/Rakiura Ward encompasses Stewart Island Rakiura and surrounding islands, including Ruapuke Island. The Ward has an estimated population of 450 people and has historically been recognised by the Council and the Commission as an island community, separated from the South Island by the Foveaux Strait. The main economic base is tourism, fishing and aquaculture. From

a perceptual perspective the community shares links to former sealing and whaling activities and historic family links.

66. Achieving compliance for Stewart Island/Rakiura would require incorporating the area into one of the District's three southern wards. The Council's engagement confirms that there is a strong sense of community identity reinforced by geographic isolation, and limited connections with other communities in the District. Stewart Island/Rakiura can only be accessed by sea or air via the neighbouring Invercargill City, or via scenic flights originating in Queenstown Lakes District. The Council did not receive any submissions through the review that opposed the proposed arrangements for Stewart Island/Rakiura.
67. We see no reason to change the Commission's view that Stewart Island/Rakiura and the surrounding area can be considered an isolated community under section 19V(3) of the Act. The Commission upholds the proposed Stewart Island/Rakiura Ward boundaries to ensure the effective representation of its island communities.

Communities and community boards

68. 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.
69. The particular matters the territorial authority, and where appropriate the Commission, must determine include the number of boards to be constituted, their names and boundaries, the number of elected and appointed members, and whether the boards are to be subdivided for electoral purposes. Section 19W also requires regard to be given to such of the criteria as apply to reorganisation proposals under the Local Government Act 2002 as is considered appropriate. The Commission sees two of these criteria as particularly relevant for the consideration of proposals relating to community boards as part of a representation review:
- a. Will a community board have an area that is appropriate for the efficient and effective performance of its role?
 - b. Will the community contain a sufficiently distinct community or communities of interest?
70. The Council acknowledges that communities throughout the District have unique issues, and it values the particularly local understanding of elected members. In this regard, community boards are an important conduit for the Council and the community to ensure projects and services provided by the Council will meet community needs.
71. Reflecting its emphasis on localised representation and decision-making at the community level, the current Council's delegations to community boards include approving business cases and project definitions for capital expenditure up to \$300,000. The Council also places weight on community board recommendations on other matters such as level of service, budgets, and rating for local activities. It is clear to us that community boards form an essential part of Southland District's local government structure.

72. As discussed earlier, section 19V of the Act setting out the requirement for fair representation for electors also applies to community board subdivisions. The Council is proposing non-compliance for three subdivisions which we discuss below.

Northern Community Board

73. The Northern Community Board covers the central area of the Mararoa Waimea Ward. It has three subdivisions, the Parawa-Fairlight subdivision in the north-east, the West Dome subdivision in the west, and the Mid Dome subdivision in the east. The Council is proposing non-compliance with the +/-10% rule for the Parawa-Fairlight and West Dome subdivisions.

74. All three subdivisions were established by the Commission in its 2019 determination, noting the size and geography of the community and the need to ensure an effective voice for small communities within the area. The Commission commented at the time that the arrangements provided an appropriate balance between both fair and effective representation requirements.

75. As part of the Council's review, the Northern Community Board provided feedback that the existing subdivision boundaries appropriately reflect smaller communities of interest, and support participation and accessibility.

Proposed non-compliance of the Parawa-Fairlight Subdivision

76. The Council is proposing over-representation of -23.22% for the Parawa-Fairlight Subdivision of the Northern Community Board to avoid combining communities of interest which are geographically separated and share few commonalities of interest. This is a minimal decrease in the over-representation of -25.52% in 2019.

77. The Council is proposing to retain the existing subdivision boundaries, which incorporate the localities of Athol and Garston and align with the District boundary to the north, the community boundary to the east, and mountain ranges to the south and west. As part of the review, the Council identified that Athol and Garston orient towards Central Otago across the subdivision's north and northeastern boundaries.

78. We agree with the Council that extending the subdivision boundaries south across a distinct geographic boundary would combine dissimilar communities of interest within one subdivision and may compromise access between community board members and electors in the current subdivision.

79. Accordingly, the Commission upholds the Parawa-Fairlight Subdivision boundaries proposed by the Council to avoid combining the Athol and Garston communities of interest which orient towards Central Otago, with communities in the Mid Dome Subdivision from which they are geographically separated and share few commonalities of interest.

Proposed non-compliance of the West Dome Subdivision

80. The Council is proposing under-representation of +12.32% for the West Dome Subdivision to avoid dividing communities of interest. This is a significant decrease in non-compliance from the under-representation of +24.83% determined by the Commission in 2019.

81. Compliance would require transferring 17 people out of the West Dome subdivision into the Mid Dome Subdivision. The Council is proposing to retain the existing subdivision boundaries, which incorporate wider Mossburn, an area bordered by mountains to the north, west and southwest. Mossburn is a distinct community with a local primary school, sports teams, and a fire brigade. As part of the review, the Council identified that communities in the West Dome subdivision gravitate towards Te Anau, a 40-minute drive from Mossburn, more than other Northern Community subdivisions.
82. We agree with the Council that altering the existing boundaries to achieve compliance is likely to divide the wider Mossburn community of interest that is defined by distinct geographic boundaries and shares an orientation towards Te Anau. The Commission upholds the West Dome Subdivision boundaries proposed by the Council, to avoid dividing this community of interest.

Ōreti Community Board

Proposed non-compliance of the Makarewa Subdivision

83. The Council is proposing over-representation for the Makarewa Subdivision of the Ōreti Community Board of -10.06%, or 16 people, to avoid dividing communities of interest between subdivisions or uniting communities of interest with few commonalities within the same subdivision. The over-representation is an increase from -6.68% in 2019 and is largely due to proposed boundary changes.
84. The Makarewa Subdivision covers the southern portion of the Ōreti Community and Ward, aligning with the District's boundary with Invercargill City. The Council is proposing to alter the western boundary of the Subdivision (and the Community) to reflect alterations to Ōreti Ward's western boundary. This involves moving the Taramoa area out of the Ōreti Community and into the Ōraka Aparima Community, which has contributed to the over-representation for Makarewa.
85. The Council considered moving the northern boundary of the Makarewa Subdivision to achieve compliance but noted it had not received any community feedback to suggest that Makarewa communities were not grouped appropriately. We observe that the Makarewa communities share an immediate proximity to the main city of Invercargill in the neighbouring district that likely differentiates them from communities further north.
86. The Council also considered altering the western boundary of the Makarewa Subdivision. This would require altering the community boundary, shifting it out of alignment with the Ōreti Ward boundary. The Commission's 2019 determination emphasised the need for community boundaries, as far as practicable, to align with ward boundaries in accordance with Section 19T(1)(c) of the Act. This is desirable to assist public understanding of electoral arrangements and avoid creating barriers to participation such as at elections, by not recognising residents' familiarity and identity with an area.
87. For these reasons, while we acknowledge that the arrangements do not comply with the +/-10% rule, we consider the proposed Makarewa Subdivision boundaries appropriately balance both fair and effective representation requirements.

88. The Commission upholds the Makarewa Subdivision boundaries proposed by the Council to avoid dividing the Taramoa community of interest from coastal communities with which it shares commonalities of interest.

Conclusion

89. We have made this determination pursuant to section 19R of the Local Electoral Act 2001 having considered the information before the Commission and the requirements of sections 19T, 19W and 19V of the Act.

Local Government Commission

Commissioner Brendan Duffy (Chair)

Commissioner Bonita Bigham

Commissioner Sue Bidrose

Temporary Commissioner Gwen Bull

20 January 2024