

ENVIRONMENT CANTERBURY

MINUTES OF THE 286TH MEETING OF ENVIRONMENT CANTERBURY HELD IN THE COUNCIL CHAMBER, 58 KILMORE STREET, CHRISTCHURCH ON 6 OCTOBER 2006 AT 2.00 P.M.

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PRESENT

Councillors T K Burke (Chairman), R A Budd, A S Carroll, E H Cunningham, R H M Johnston, R M Kirk, R I R Little, A R McKay, A G Neill, M E Oldfield, J F Slee, J M Waters and W E Woods.

MANAGEMENT AND OFFICERS PRESENT

B R Jenkins (Chief Executive), J C Pani (Manager Secretariat) and L M McDonald (Administration Officer)

Peter Berry (Representation Review Consultant) was in attendance.

1. APOLOGIES

Cr N J Wagner.

2. PROPOSAL FOR REVIEW OF REPRESENTATION ARRANGEMENTS FOR THE 2007 LOCAL ELECTIONS

Jude Pani (Manager Secretariat) introduced this item suggesting the following process that would both meet the requirements of the Local Electoral Act and facilitate Council through consideration of the submissions and decision on a representation proposal for public notification:

Agree to consider the two submissions received after the 13 September submission closing date.

Consider all submissions by working page by page through the previously circulated submission document.

Agree on the submission points that differ from the initial proposal.

Work through the submission points noting the reasons for accepting or rejecting the points.

Incorporate the accepted submission points into the initial proposal.

Agree a proposal for public notice.

Mrs Pani commented on the timeframe for the representation review process advising that the public notice date of 25 October was driven by the 13 September closing date for submissions. She further clarified the appeal/objection process relating to Council's proposal and advised that any appeal/objection would need to be submitted by 30 November with all documentation being forwarded to the Local Government Commission as soon as practicable before 15 January 2007. The Local Government Commission would make a determination by 11 April 2007 at the latest.

Resolved

That the submissions from Robyn Wilson and Gary Waaka be received and considered as submissions 368 and 369.

Cr McKay/Cr Budd

Resolved

That the Council considers all submissions received and gives notice of its proposal for Canterbury Regional Council representation arrangements for the 2007 Local Elections as set out in Section 19N of the Local Electoral Act 2001.

Cr Burke/Cr Woods

Resolved

That the Council considers each submission individually.

Cr Johnston/Cr Waters

The meeting then considered each of the 369 submissions and discussed various submission points. No additional submission points that differ from the initial proposal were noted for consideration.

The following corrections to wording as advised by the submitters were noted and the submission document amended accordingly:

Page No.	Submission No.	Correction/Comment
2	12	A letter dated 28 August 2006 from Carol Henry was tabled. This letter confirmed support for retaining a separate Waitaki constituency.
2	13	A letter dated 28 August 2006 from Garry Wilson was tabled. This letter confirmed support for retaining a separate Waitaki constituency.
8	28 & 29	An email dated 3 October from Paul Allott and Gary Rooney was tabled. This email confirmed their support for the council's proposal
10	33	The wording should read 8/6 representation
13	57	It was noted that the Christchurch City Council submission did not include reference to 8 Christchurch City councillors elected from one constituency but that

		this was included in the combined council submission (No. 109). At the hearing it was confirmed that the omission was an error in the CCC submission. It was also an error that reference to Mackenzie District was omitted from the CCC submission.
43	147	Following the hearing and questions raised, additional information dated 5 October 2006 was tabled.
57	184	Check spelling of the submitter is Waitaha Taiwhenua o Waitaki Trust Board Inc.
58	187	The error in the figures referred to in this submission have been corrected in the paper attached to the agenda.

Cr Neill requested that his declaration of interest be recorded for submissions no 196 and 185 as he is a member of the Kurow Jockey Club and the Independent Citizens' Association.

Bryan Jenkins tabled and spoke to the following papers:

- Advice to Council on Representation Review Issues. (Dr Jenkins requested that the following corrections to this paper be noted as shown in italics:
 - (2) Second paragraph to read: 'In the case of regional councils constituencies may be defined in such a way that does *not* comply with +/-10%, if it is considered that effective representation of communities of interest so requires.
 - Third paragraph to read: "Any local authority proposing membership for any of its electoral subdivisions involving a member to population ratio, *that doesn't comply with +/-10%*, would need to specially identify its reasons for doing so.)
- Representation Review Communities of Interest (dated 6 November 2005 and had been previously circulated).

The meeting adjourned for afternoon tea between 3.33 and 3.50pm.

The list of submission points, noted below, that differed from the initial proposal were considered an accurate list and the meeting worked through each point noting acceptance/rejection of the point and the reasons for the decision. (This list was based on the email dated 6 October sent to Councillors at 7.21am by Dr Jenkins, following the hearing of submissions).

Submission Point	Reject/ Accept	Reasons
1. Maori Representation	Reject	To take effect for 2007 Local Elections Maori Representation decision needed to be made by 23 November 2005. (LEA 19Z) The Council has considered this aspect previously and resolved at the Council meeting of 11 August 2005: <i>That the Council:</i> <i>(a) Does not establish a separate Māori constituency;</i> <i>and</i> <i>(b) Seeks further discussion with Māori to enhance the relationship and participation for Māori with Environment Canterbury.</i>

It was agreed that the decision on Submission Issue No. 1 Maori representation had already been made by Council at its meeting held 11 August 2005.

2. Number of councillors at 9 or 13	Reject	<ul style="list-style-type: none"> • Canterbury is geographically the biggest region in New Zealand with the second highest population. It is considered that the maximum number of councillors (14) is needed to provide the ability for councillors to effectively engage with their community and for the community to engage with their councillors. • The size and complexity of the stewardship, the sustainability and developmental challenges of the region that includes 10 major river systems, extensive groundwater resources and 7 airsheds and other resource management and bio security responsibilities predominantly rural and land based. • Accessibility issue for people in rural areas, particularly for those in areas not currently well served by telecommunication access. • Workload for elected representatives in their governance role and the demands to provide effective representation.
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Resolved

That Submission Issue No. 2 (Number of Councillors at 9 or 13) be rejected for the reasons noted.

CrJohnston/Cr Little

<p>3(a) 9 Christchurch and 5 rural constituencies.</p> <p>(b) One councillor per constituency.</p> <p>(c) Two councillors for Waitaki and two councillors for South Canterbury constituencies.</p>	Reject	<p>3(a) The size of the rural area and complexity of stewardship, sustainability and developmental challenges of the region supports having 6 rural constituency councillors to provide effective representation.</p> <p>3(b) Would not provide effective representation for the reasons described in 2 above.</p> <p>3(c) Four councillors for the Waitaki and South Canterbury constituencies would leave only ten councillors for the area from Ashburton to Kaikoura, including Christchurch, and would reduce effective representation for the area north of the Rangitata River.</p>
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Resolved

That Submission Issue No. 3 (a) & (c), be rejected for the reasons noted.

Cr Waters/Cr Johnston

Resolved

That Submission Issue No 3 (b) be rejected for the reasons noted.

Cr Budd/Cr Waters

4. No separate Waitaki	Reject	<ul style="list-style-type: none"> • Waitaki constituency identified as a community of interest and a separate constituency in order to
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constituency		<p>provide effective representation.</p> <ul style="list-style-type: none"> • A large number of submissions supported retaining a separate Waitaki constituency, including the submission on behalf of and supported by all the Canterbury Territorial Authorities. (Submitted by Ashburton District Council.) • The Waitaki constituency is a vast, isolated area that comprises 38% of the land area of the region and includes many regionally and nationally significant resources, for example the Waitaki River which provides approximately 21% of New Zealand's annual power generation with the storage lakes providing approximately 60% of the country's hydro storage capacity. • The Waitaki area has a distinct, identifiable community of interest dominated by the mighty Waitaki River and its management will only be achieved by a local voice, knowledge and ready accessibility to an elected representative. • The physical size of the Waitaki constituency and travel times require a councillor that lives in the area to both gauge community feelings and represent local views at the council table.
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5. Combined Waitaki and South Canterbury constituency	Reject	<ul style="list-style-type: none"> • Waitaki and South Canterbury constituencies identified as separate communities of interest and separate constituencies required in order to provide effective representation. • Timaru City and the Waitaki Constituency have few commonalities of interest. • A combined Waitaki/South Canterbury constituency would be a very large geographical area and make effective representation difficult. • Not supported by the submission on behalf of and supported by all the Canterbury Territorial Authorities.
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5 (a). Combined Waitaki, South Canterbury and Ashburton constituency	Reject	<ul style="list-style-type: none"> • This was not supported by the submission on behalf of and supported by all the Canterbury Territorial Authorities. • A combined Waitaki/South Canterbury/Ashburton constituency would be very very large geographical area and make effective representation difficult. • Waitaki, South Canterbury and Ashburton constituencies identified as separate communities of interest and separate constituencies required in order to provide effective representation.
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Resolved

That Submission Issue No. 4 (No separate Waitaki Constituency), No. 5 (Combined Waitaki and South Canterbury Constituency) and No. 5 (a) (Combined Waitaki, South Canterbury and Ashburton Constituency) be rejected for the reasons noted.

Cr Johnston/Cr Budd

The meeting adjourned at 5.34 p.m. to reconvene at 9.30 a.m. on Tuesday 10 October 2006.

**THE 286TH MEETING OF ENVIRONMENT CANTERBURY HELD IN THE
COUNCIL CHAMBER, 58 KILMORE STREET, CHRISTCHURCH
RECONVENED TUESDAY, 10 OCTOBER 2006 AT 10.55 A.M.**

PRESENT

Councillors T K Burke (Chairman), R A Budd, A S Carroll, E H Cunningham, R H M Johnston, R M Kirk, R I R Little, A R McKay, A G Neill, M E Oldfield, J F Slee, J M Waters and W E Woods.

MANAGEMENT AND OFFICERS PRESENT

B R Jenkins (Chief Executive), J C Pani (Manager Secretariat) and L M McDonald (Administration Officer).

Peter Berry (Representation Review Consultant) was in attendance for part of the meeting.

1. APOLOGIES

Cr N J Wagner.

2. PROPOSAL FOR REVIEW OF REPRESENTATION ARRANGEMENTS FOR THE 2007 LOCAL ELECTIONS (CONT'D)

Cr Burke welcomed everyone to the reconvened meeting. He apologised for the delay to the 9.30 a.m. start time and explained that the delay was to enable the Chief Executive to prepare maps and complete additional information to be tabled.

Cr Burke advised that since the 6 October meeting three proposals had been prepared (including the joint submission from the Territorial Authorities) and were to be tabled as papers 1, 2, and 3:

The following documents were made available:

Paper 1	Territorial Authority Option (updated versions tabled later in the meeting)
Paper 2	Lyttelton/Mt Herbert and Akaroa/Wairewa Communities in Selwyn
Paper 3	Lyttelton/Mt Herbert Community in Christchurch

It was moved by Cr Burke, Seconded by Cr Kirk

That the draft representation review proposal be amended to incorporate Lyttelton/Mt Herbert in Christchurch including the consequent adjustments detailed in the tabled paper, number 3, (Lyttelton/Mt Herbert Community in Christchurch) be adopted.

Discussion

Cr Oldfield requested that his disquiet at the process of moving the adoption of this proposal. His view was that the purpose of this exercise was to consider the submissions to the proposal that had been advertised.

The Chairman explained that the proposals in the documents tabled have emerged from the submission process and the debate on this motion could look at the merits of the initial proposal and the submissions received. The motion provides the framework for debate and discussion within a formal council meeting.

There was lengthy discussion on the timing and procedural implications of presenting an additional proposal when the meeting had not completed the submission point process.

The matter of other proposals that could be put forward by Councillors to consider was raised and the following options were put forward:

- The Joint Territorial Authority submission varied only by including Banks Peninsula in the Selwyn constituency and four Christchurch constituencies.
- Include Mt Herbert/Lyttelton in Christchurch and the flow on effects.

Cr Neill suggested an amendment to enable the meeting to receive rather than adopt this new proposal and consider it against the advertised proposal and the submissions received, including that from the combined territorial councils. Cr McKay indicated a willingness to second the amendment. The Chairman advised that the amendment was out of order as the paper was already tabled and therefore received.

The Chairman confirmed that all proposals would be debated prior to a final proposal being adopted for public notification.

An additional paper (variation on Paper 1) was tabled. Maps dated Oct 2006 showing options F and F1 for Canterbury, F1 for Christchurch were displayed.

Lunch was taken from 12.25 to 1.00 p.m.

Dr Jenkins provided regional communities of interest information aligned to the tabled proposals (papers 1, 2 and 3).

<i>Proposal</i>	<i>Territorial Authorities</i>	<i>Public Transport</i>	<i>Water</i>	<i>Pests</i>	<i>Air Sheds</i>	<i>Civil Defence</i>	<i>Navigation Safety</i>	<i>Rununga</i>
Initial	+	O	+	O	+	O	+	O
Option E1(TAs)	++	++	+	+	++	++	++	++
F2 (paper 2)	+	O	+	O	+	O	+	O
F1 (paper 3)	+	O	+	O	+	O	+	O

++ highly compatible + compatible O reasonably incompatible

There was discussion regarding following the guidelines provided by Regional Affairs Committee of Local Government New Zealand (dated 7 March 2006) that suggested a stepped approach that starts with the identification of regional communities of interest before determining constituency boundaries according to the +/- 10% formula.

Cr Johnston tabled and spoke to a paper (An Analysis of Options). He described the paper's option 2 that amended the advertised proposal and then moved the following amendment:

Amendment (1) moved by Cr Johnston, seconded by Cr Oldfield

That the draft representation review proposal be amended to incorporate Lyttelton / Mt Herbert in Christchurch including the consequent adjustments detailed in the tabled paper, number 3, as amended, be adopted and that Geraldine be moved from Rakaia to be included in South Canterbury.

Amendment (2) moved by Cr Neill, seconded by Cr Slee

That the Council adopts the territorial authority proposal with amendments as follows:

- (a) That the Christchurch City constituency be divided into 4 constituencies with 2 representatives in each constituency.
- (b) That the Lyttelton/Mt Herbert community be included within the Christchurch City.
- (c) That the balance of Banks Peninsula be included in Selwyn.
- (d) That the option (TA Version IV) be the breakdown for Christchurch City in order to achieve a better fit.

Amendment (2) was put and LOST on a Division 7 votes to 6, the voting being as follows:

For (6)	Against (7)	Absent (1)
Cr Little	Cr Budd	Cr Wagner
Cr McKay	Cr Burke	
Cr Neill	Cr Carroll	
Cr Oldfield	Cr Cunningham	
Cr Slee	Cr Johnston	
Cr Woods	Cr Kirk	
	Cr Waters	

Afternoon tea was taken from 3.25 p.m. to 3.40 p.m.

The meeting returned to consideration of the amendment (1) previously moved by Cr Johnston and seconded by Cr Oldfield, which was then put and carried.

Resolved

That the draft representation review proposal be amended to incorporate Lyttelton / Mt Herbert in Christchurch including the consequent adjustments detailed in the tabled paper, number 3, as amended, and be adopted, and that Geraldine be moved from Rakaia to be included in South Canterbury.

Cr Johnston/Cr Oldfield

The Chairman invited Councillors to formally identify reasons for the variation from the Initial Proposal. There was discussion on Banks Peninsula as a community of interest and the flow on effects of trying to meet the +/-10% population rule on Christchurch Constituencies.

On consideration of Regional communities of interest and on fair representation based on +/-10% population rule, Council reconsidered its position and confirmed the intention of the Initial Proposal to retain all Banks Peninsula with Selwyn.

Concern was expressed at the effect of this proposal on the North Canterbury constituency.

Resolved

That the Council resolves to amend the initial proposal for public notification by varying the boundaries within Christchurch to more appropriately reflect fair representation, with the following Constituency populations the reason being to enable the +/-10% population rule to be met in Christchurch:

Christchurch North Total 79,230

Avon Loop	5110
Avonside	3360
Burwood	2860
Casebrook	2390
Dallington	3780
Edgeware	3650
Mairehau	3050
Marshlands	6290
North Richmond	3080
Northcote	2560
Papanui	3690
Parklands	6750
Redwood North	3890
Redwood South	3300
Rutland	5390
Shirley East	3460
Shirley West	3670
South Richmond	2550
St Albans East	4890
St Albans West	2490
Styx Mill	3020

Christchurch South Total 81,130

Addington	2920
Barrington North	5550
Barrington South	3140
Beckenham	2450
Cashmere East	3880
Cashmere West	3250
Halswell East	1880
Halswell South	2170
Halswell West	460

Hillmorton	4690
Hoon Hay	2980
Hoon Hay South	2070
Hornby North	3530
Hornby South	4900
Islington	2420
Kennedys Bush	440
Middleton	890
Oaklands	6250
Opawa	3590
Rapaki Track	1640
Somerville	3490
Spreydon	3610
St Martins	4520
Sydenham	5480
Waltham	1010
Westmorland	1640
Wigram	2280

Christchurch East Total 80,620

Aranui	4760
Avondale	4560
Bexley	4110
Bromley	3150
Cathedral Square	1290
Chisnell	3040
East Linwood	1830
Ensors	3560
Ferrymead	3170
Hagley Park	1910
Heathcote Valley	2150
Linwood	4250
Monks Bay	3670
Mt Pleasant	4040
New Brighton	2620
North Beach	4720
North Linwood	2490
Phillipstown	3190
Rawhiti	4910
South Brighton	3940
Sumner	4070
Travis	3370
Woolston South	2390
Woolston West	3430

Christchurch West Total 81,290

Aorangi	5650
Avonhead	3780
Bishopdale	2440
Broomfield	2570
Bryndwr	2940

Burnside	2460
Deans Bush	1720
Fendalton	2920
Harewood	3140
Hawthorden	3390
Holmwood	2330
Ilam	4830
Jellie Park	2510
Masham	3070
Merivale	3180
Merrin	1570
Riccarton	4270
Riccarton South	480
Riccarton West	4780
Russley	2950
Sockburn	6010
Strowan	4240
Upper Riccarton	2660
Wairarapa	1870
Westburn	2930
Wharenui	2600

North Canterbury (ex Christchurch) Total 18,320

Kaimahi	4780
Belfast	4230
Sawyers Arms	4240
Styx	5070

Cr Burke/Cr Budd

CARRIED on a Division 7 votes to 6, the voting being as follows:

For (7)	Against (6)	Absent (1)
Cr Budd	Cr Little	Cr Wagner
Cr Burke	Cr McKay	
Cr Carroll	Cr Neill	
Cr Cunningham	Cr Oldfield	
Cr Johnston	Cr Slee	
Cr Kirk	Cr Woods	
Cr Waters		

In carrying the above resolution the meeting did not return to the first motion (Moved by Cr Burke, Seconded by Cr Kirk).

The meeting was advised of the need to address the submission points accepting or rejecting the point and listing the reasons for each decision that had commenced at the 6 October session of this meeting. Attention returned to discussion on the submission points and the Council worked through the points displayed on the data show making the following decisions:

6. Separate Timaru urban area	Reject	<ul style="list-style-type: none"> • Flow on from separate Waitaki Constituency as a separate community of interest. • Does not align with TA boundaries. • Geraldine – Community Board with Timaru. • Transport, Pests and other communities of interest align with Timaru. • Water – In Geraldine and is part of W/T/O catchment • Rating District – • Large number of submissions did not support a separate Timaru urban area. • Effective representation and community engagement would be compromised by the addition of rural south Canterbury into Waitaki.
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Resolved

That Submission Issue No. 6 (Separate Timaru urban area) be rejected for the reasons noted.

Cr Little/Cr Slee

Submission Points for the Christchurch constituency were considered next

10. Include Banks Peninsula in Christchurch constituency	Reject	<ul style="list-style-type: none"> • Fair Representation • Meet +/-10% population rule
11. Include Lyttelton/Mt Herbert Community Board area in Christchurch constituency.	Reject	<ul style="list-style-type: none"> • Fair Representation • Meet +/-10% population rule
12. Christchurch City (including Banks Peninsula) as one constituency with 8 representatives.	Reject	<ul style="list-style-type: none"> • Fair Representation • Meet +/-10% population rule
13. Return North Christchurch statistical areas from North Canterbury to Christchurch Constituencies	Reject	<ul style="list-style-type: none"> • Fair Representation • Meet +/-10% population rule
14. Return West Christchurch statistical areas from Selwyn to Christchurch.	Reject	<ul style="list-style-type: none"> • Fair Representation • Meet +/-10% population rule

Resolved

That Submission Issue No. 10 (Include Banks Peninsula in Christchurch Constituency) be rejected for the reasons noted.

That Submission Issue No. 11 (Include Lyttelton/Mt Herbert Community Board area in Christchurch Constituency) be rejected for the reasons noted.

That Submission Issue No. 12 (Christchurch City (including Banks Peninsula) as one constituency with eight representatives be rejected for the reasons noted.

That Submission Issue No. 13 (Return North Christchurch statistical areas from North Canterbury to Christchurch Constituencies) be rejected for the reasons noted.

That Submission Issue No. 14 (Return West Christchurch statistical areas from Selwyn to Christchurch) be rejected for the reasons noted.

Cr Burke/Cr Waters

Cr Oldfield left the meeting at 5.05 p.m.

7. Combined Ashburton/ Selwyn constituency	Reject	<ul style="list-style-type: none">Keeping constituencies separate enables Selwyn to comply with the +/-10% population rule. Joining the constituencies would mean they both fail the +/-10% population rule.
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Resolved

That Submission Issue No. 7 (Combined Ashburton/Selwyn Constituency) be rejected for the reasons noted.

Cr Johnston/Cr Waters

8. Return Ellesmere ward to Selwyn constituency	Reject	<ul style="list-style-type: none">Would cause Selwyn/Banks Peninsula to exceed the +/-10% population rule and would leave Ashburton well below the +/-10% population rule.
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Resolved

That Submission Issue No. 8 (Return Ellesmere Ward to Selwyn Constituency) be rejected for the reasons noted.

Cr Johnston/Cr Burke

Crs Little, McKay, Neill and Woods requested that their votes against this resolution be recorded.

9. Add Geraldine ward to Ashburton constituency	Reject	<ul style="list-style-type: none">Would not meet the +/-10% population rule and would be inconsistent with the TA boundary for Timaru.Would cross TA boundaries twice for Ashburton.
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Resolved

That Submission Issue No. 9 (Add Geraldine Ward to Ashburton Constituency) be rejected for the reasons noted.

Cr Johnston/Cr Burke

Cr Woods requested that his vote against this resolution be recorded.

3. NEXT MEETING

26 October 2006.

4. CLOSURE

The meeting closed at 5.35 p.m.

CONFIRMED

DATE _____ CHAIRPERSON _____

