

MEETING OF THE REPRESENTATION REVIEW COMMITTEE

TO THE CHAIRPERSON AND MEMBERS
OF THE COMMITTEE

MEMBERSHIP OF THE COMMITTEE

Cr R H M Johnston (Chairperson)

Cr R A Budd
Cr A G Neill
Cr W E Woods

Cr R M Kirk
Cr J F Slee
Cr T K Burke (ex officio)

A meeting of the Committee will be held on
Thursday, 4 May 2006 at 2.00 p.m.

VENUE: Council Chamber
First Floor
Pegasus Building
58 Kilmore Street
CHRISTCHURCH

BUSINESS: As per Order Paper attached.

Dr Bryan Jenkins
CHIEF EXECUTIVE

**RECOMMENDATIONS IN REPORTS ARE NOT TO BE TAKEN
AS COUNCIL POLICY UNTIL ADOPTED BY THE COUNCIL**

58 Kilmore Street,
PO Box 345,
Christchurch,
Telephone: (03) 365-3828,
Fax: (03) 365-3194
Website: www.ecan.govt.nz



**Environment
Canterbury**
Your regional council

COMPLIANCE WITH LOCAL GOVERNMENT ACT 2002 DECISION-MAKING REQUIREMENTS

Except as below, a statement of compliance and a completed decision checklist is required for any agenda item on a council committee or the council recommending that a decision be made. This will be the responsibility of the person signing off the agenda item.

The compliance statement and checklist will not be used for:

- Recommendations that information be received or that the Council make a decision.
- Decisions taken under the Resource Management Act 1991 or the Biosecurity Act 1993 in relation to resource consents, decisions required when following the procedures set out in Schedule 1 of the Resource Management Act 1991, other permissions, submissions on plans, or references to the Environment Court.
- Decisions taken to proceed with enforcement procedures under various primary or secondary legislation or regulations, including procedures under the Resource Management Act 1991, the Biosecurity Act 1993, the Local Government Act 2002, and Environment Canterbury Bylaws.
- Administrative and personnel decisions that are entirely internal to Environment Canterbury.
- Other decisions where the procedures to be followed are set out in Legislation.

COMPLIANCE STATEMENT

The council committee (or the council) must formally certify that:

- (a) It is satisfied that it has sufficient information about the options and their benefits and costs, in terms of the region's social, economic, environmental and cultural well-being and the effects on community outcomes, bearing in mind the significance of the decisions.
- (b) It is satisfied that it knows enough about and has given adequate consideration to the views and preferences of affected and interested parties bearing in mind the significance of the decision.

INFORMATION CHECKLIST

(a)	A Statement of the Proposed Decision
(b)	A Statement of the Objective of the Proposed Decision and the Issue or Problem being addressed
(c)	A list of all reasonably practicable options, (including doing nothing).
(d)	For each option in (c): An evaluation of the Benefits and Costs, in terms of the region's social, economic, environmental and cultural well-being.
(e)	For each option in (c): A statement of the extent to which community outcomes would be promoted or achieved in an integrated and efficient manner.
(f)	For each option in (c): A statement of the Impact, if any, on Environment Canterbury's capacity to undertake its statutory responsibilities
(g)	If the Proposed Decision is a significant decision in relation to land or a body of water, a statement of how Maori values have been taken into account
(h)	A Statement of significant inconsistencies, if any, with any Existing Policy, Plan or Legislation arising from the Proposed Decision.
(i)	A statement how the views and preferences of affected or interested persons have been given adequate consideration during the definition of the problem or issue, the objective, the assessment of options and the development of the proposed decision, including the particular contribution of Maori to the decision-making process.

Notes:

The significance of proposals and decisions determines how much time, money and effort is put into exploring and evaluating options and obtaining the views of affected and interested parties. The significance of proposals and decisions is determined through reference to criteria contained in the policy on significance.

The policy on significance together with Section 76 of the Local Government Act 2002 set out the Council's requirements in relation to decisions. Some decisions can only be made through the Long-Term Council Community Plan, or after the Special Consultative Procedures set out in the Act have been used, (refer to the policy on significance and the Act).

All decisions of Environment Canterbury are subject to the decision-making requirements of section 76 of the Act unless inconsistent with specific requirements of other legislation.

ENVIRONMENT CANTERBURY
REPRESENTATION REVIEW COMMITTEE

ORDER PAPER

1. APOLOGIES
2. MINUTES OF MEETING – 13 SEPTEMBER 2005
3. MATTERS ARISING
4. DEPUTATIONS AND PETITIONS

MATTER FOR RECOMMENDATION TO COUNCIL

5. REPRESENTATION REVIEW - COMMUNITY OF INTEREST
6. PROCESS TIMETABLE

MATTERS FOR INFORMATION

7. CHRISTCHURCH CITY COUNCIL
8. NOTICES OF MOTION
9. EXTRAORDINARY AND URGENT BUSINESS
10. QUESTIONS
11. NEXT MEETING
12. CLOSURE

ENVIRONMENT CANTERBURY
REPRESENTATION REVIEW COMMITTEE

MINUTES OF THE SIXTH MEETING OF THE REPRESENTATION REVIEW COMMITTEE
HELD ON TUESDAY 13 SEPTEMBER 2005
IN THE COUNCIL CHAMBER, FIRST FLOOR, PEGASUS BUILDING,
58 KILMORE STREET, CHRISTCHURCH FROM 3.10PM.

CONTENTS

1. APOLOGIES
2. MINUTES OF MEETING – 16 AUGUST 2005
3. MATTERS ARISING
4. DEPUTATIONS AND PETITIONS

MATTER FOR COMMITTEE DECISION

5. CONSULTATION STRATEGY
6. NOTICES OF MOTION
7. EXTRAORDINARY AND URGENT BUSINESS
8. QUESTIONS
9. NEXT MEETING

PRESENT

Crs R H M Johnston (Chairperson), T K Burke, R M Kirk, A G Neill, J F Slee, and W E Woods.

MANAGEMENT AND STAFF PRESENT

W M Falconer (Director External Relations), J C Pani (Manager Secretariat), and L M McDonald (Administration Officer)

For part of the meeting P C Berry (Representation Review Consultant)

1. APOLOGY

Cr R A Budd

2. MINUTES OF PREVIOUS MEETING 16 August 2005

Resolved

That the minutes of the meeting held 16 August 2005, as circulated, be confirmed as a true and accurate record.

Cr Neill/Cr Kirk

3. MATTERS ARISING

Cr Burke advised that Mayor John O'Neill of Mackenzie District Council had suggested a meeting with the three South Canterbury district councils and Waitaki District Council to discuss the representation review. It was agreed to arrange a meeting for early October.

4. DEPUTATIONS AND PETITIONS

Nil

MATTER RESOLVED BY THE COMMITTEE

5. CONSULTATION STRATEGY

At the previous meeting the Committee had requested for consideration a consultation strategy as part of the pre-view consultation process to obtain information on communities of interest and effective representation.

Wilma Falconer reminded the Committee that an important principle of consultation is listening to people before decisions are made. Council is gathering information to enable it to identify options that will then be put to the community.

Wilma suggested the first step should be to talk to all the Territorial Authorities. The options considered at the previous meeting based on the plus/minus 10% population formula would be a good focus for discussion.

She also suggested talking to other stakeholders, particularly those who represent a particular constituency, for example Federated Farmers. In addition to that some market research would be useful to obtain people's views on what community of interest and effective representation means to them.

Cr Slee questioned the use of surveys and expressed concern that marginal areas with smaller populations would not be well represented.

Wilma Falconer explained that surveys could be done in each territorial authority area, producing 11 separate pieces of research. Focus groups would be used to get people talking and develop ideas. This would be followed by surveys to quantify that information.

Cr Kirk supported the use of market research and said it was important to have some independent robust information to assist the Council in its consideration of the options.

Cr Woods suggested using "Living Here" to explain the issues and obtain feedback from the community. He pointed out that within an area there are separate communities of interest, in his constituency for example the concerns of people living in Akaroa could be quite different from those who live in Sheffield.

Cr Johnston reminded the Committee that the community of interest aspects Council is seeking understanding of, should be those that reflect Council's regional functions. He noted that Waimakariri District Council has successfully used local newspapers to provide information to their community and invite feedback.

Cr Burke supported a 2-step process, with the first step being to talk to the Territorial Authorities. Following that discussion any further work could be decided on, if needed.

Wilma commented that "Living Here" would be used for the consultation phase in 2006. She suggested trying to avoid confusion between the pre-review gathering of information and the formal consultation process. If the Committee decides not to undertake market research her advice would be to talk to representative groups.

An action plan for stage 1 and 2 of a consultation plan 2005/2006 was tabled.

Cr Neill said that some qualitative research was necessary and requested a briefing paper for the 29 September Council meeting that described what it would involve and what it would cost.

Resolved

That the Representation Review Committee requests staff to prepare a report for consideration by Council that sets out a consultation process with Territorial Authorities and stakeholders, and provides information regarding a proposed strategy that includes a market survey, to gather information on communities of interest and effective representation.

Cr Neill/Cr Burke

6. NOTICES OF MOTION

Nil

7. EXTRAORDINARY AND URGENT BUSINESS

Nil

8. QUESTIONS

Nil

9. NEXT MEETING

A meeting will be arranged following the Council meeting of 29 September 2005.

The meeting closed 5.20pm.

CONFIRMED

DATE _____ CHAIRPERSON

AGENDA ITEM NO: 5	SUBJECT MATTER: REVIEW OF REPRESENTATION ARRANGEMENTS
REPORT: Representation Review Committee	DATE OF MEETING: 5 May 2006
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Jude Pani Manager Secretariat	ENDORSED BY:

COMMUNITY OF INTEREST

Attached report from Consultant Peter Berry.

RECOMMENDATION

That the Representation Review Committee makes a recommendation to the council on the identification of the communities of interest for further development in the representation review process.

REPRESENTATION REVIEW COMMUNITY OF INTEREST

1. INTRODUCTION

Legislation requires that due regard must be taken of Community of Interest. This paper analyses from a Canterbury Regional Council perspective how this "Community of Interest" might be defined across various areas of interest and engagement.

2. DEFINITION

The term "community of interest" is not defined by statute. It is a term that can mean different things to different people, depending on an individual's or group's perspective from time to time.

Proper consideration to defining communities of interest is an essential part of the representation review process and a necessary precursor to determining effective representation.

The Local Government Commission (LGC) guidelines details their view of community of interest to local authorities. In a general sense the LGC view of community interest is the area to which one feels a sense of belonging and to which one looks to for social, service and economic support. Geographic features and the roading network can affect the sense of belonging to an area. The community of interest can often be identified by access to the goods and services needed for ordinary everyday existence. Another community of interest factor could be the rohe or takiwa area of tangata whenua.

A community of interest usually has a number of defining characteristics, which may include:

- A sense of community identity and belonging;
- Similarities in the demographic, socio-economic and/or ethnic characteristics of the residents of a community;
- Similarities in economic activities;
- Dependence on shared facilities in an area, including schools, recreational and cultural facilities, and retail outlets;
- Physical and topographical features;
- The history of the area; and
- Transport and communication links.

The LGC notes that for the purposes of the representation review process, a community of interest must be able to be defined as a single geographic area, i.e. a physical boundary must be able to be defined for the community of interest for the purpose of determining appropriate representation. Boundaries based on prominent physical characteristics of an area (e.g. rivers, principal roads, hill ridge lines) are likely to provide strong visual reminders for the residents of the community of interest and may assist in engendering feelings of belonging and empowerment.

3. REGIONAL COUNCILS COMMUNITY OF INTEREST

The LGC in its guidelines states in the context of a regional council's representation review, a territorial authority boundary might be considered as a first reference point to determine communities of interest in a regional sense, however, such a boundary may not necessarily reflect communities of interest from a regional perspective, and the Council would need to remain open to considering alternatives.

Section 19U(e) of the Local Electoral Act provides that so far as practicable constituency boundaries must coincide with the boundaries of one or more territorial authority district or the boundaries of a ward.

The LGC states it may not be practicable to achieve such compliance in order to provide effective representation for communities of interest, or to achieve fair representation.

Whilst the factors in Section 1 may provide some useful information for determining regional community of interest, regional council's community of interest has generally been determined on the impact of its functions and services in the various areas of the Council.

4. REGIONAL AFFAIRS COMMITTEE

The Regional Affairs Committee of Local Government New Zealand has prepared a report to complement the guidelines for regional councils for undertaking reviews published by the Local Government Commission.

The Guidelines includes the following in relation to identification of regional communities of interest

"Common features of a community of interest are geography and social, economic and cultural connections; all of which contribute to the development of a shared identity. The Local Government Commission describes the characteristics of a community of interest as a sense of identity and belonging, the existence of support networks, similar activities, a dependence on shared facilities, physical features, history and transport and communication links. The Commission's guidelines also state that as a general rule "a community of interest must be able to be defined as a single geographic area."¹

Additional factors that might be used to identify regional communities of interest include a common interest in catchments, air sheds, PPT networks, pest districts, river rating districts, coastlines and other interests defined by regional council functions.

For regional councils, once regional communities of interest have been identified, the "single geographic area" requirement is strengthened by the provisions of Section 19U(c) in the Local Electoral Act 2001, which reads: "so far as practicable, constituency boundaries coincide with the boundaries of one or more territorial authority districts or wards."

¹ Local Government Commission, Guidelines to Assist Local Authorities in Undertaking Representation Reviews, June 2005, p.11.

5. PREVIOUS REVIEWS

Previous representation reviews of Environment Canterbury have included consideration of the following aspects of community of interest factors –

- North Canterbury
 - River catchments in the area (Clarence, Waiau, Hurunui, Waipara, Ashley)
 - Nassella tussock eradication in this area
 - Kaikoura may be considered to have a separate community of interest, but is too small to be considered a separate community of interest.
- Christchurch
 - Boundaries of Christchurch can be accepted as fully enclosing a recognisable district community of interest with a number of particular issues, e.g. passenger transport, air pollution, Avon and Heathcote Rivers management, flood protection of Christchurch.
- Selwyn/Banks Peninsula
 - Apart from Lyttelton, this constituency is predominantly rural. The Selwyn River catchment and Lake Ellesmere are contained within this area.
- Ashburton
 - Ashburton lies between the Rakaia and Rangitata Rivers with the Ashburton River catchment contained within the area. Ashburton is a major area of irrigation (including the Rangitata Diversion Race).
- South Canterbury
 - River catchments (Orari, Opihi, Pareora)
 - Irrigation
 - Passenger transport in Timaru
- Waitaki (including the Mackenzie basin)
 - Waitaki River and its associated power schemes
 - Environmental problems, e.g. rabbit pest, hieracium control.

6. SITUATION NOW

The new legislation contained in the Local Electoral Act indicates the need for a more robust system to that considered in past reviews. A more detailed analysis and study on the community of interest factors is required.

The initial options for Canterbury indicate that to achieve the +/- 10%, there will need to be constituency boundaries that subdivide major rural towns such as Timaru or Rangiora involve the incorporation of urban margins of Christchurch to provide the requisite numbers for a constituency size.

Based on discussions with territorial authorities there is interest in exploring the definition of communities of interest that reflect regional council functions. The concept of having constituencies that divide towns like Timaru and Rangiora does not seem appropriate. Also some large but thinly populated catchments such as the Waitaki warrant separate consideration.

For Canterbury the major regional council functions are:

- Water management
- Air quality management
- Public passenger transport
- Pest management
- Flood and river erosion management
- Irrigation
- Vector Control
- Civil Defence

In addition the incorporation of the former Banks Peninsula District into the Christchurch City Council requires consideration of community of interest factors in the new combined areas.

I understand the Council is about to review its Regional Policy Statement and some initial proposals may impact on defined communities.

7. COMMUNITY OF INTEREST: CANTERBURY REGION

7.1 GROUNDWATER ALLOCATION ZONES

The attached map details the groundwater allocation zones showing –

- Zones less than 80% allocated
- Zones greater than 80% allocated
- Zones greater than 100% allocated

Clearly the groundwater allocation zones are of major concern in the Selwyn and Ashburton areas and to a lesser extent in the Waimakariri and Timaru areas.

7.2 MAJOR RIVER CATCHMENTS AND THEIR TRIBUTARIES

The attached map shows a large number of river catchments of varying sizes. Apart from the main rivers (Clarence, Waiau, Hurunui, Ashley, Waimakariri, Selwyn, Ashburton, Rangitata, Opihi and Waitaki) there is some difficulty in using the many smaller river catchments to identify specific community of interests although some could probably be grouped together to form a community of interest.

7.3 RIVER RATING DISTRICTS

The attached map shows the number of river rating districts within the region. Each river rating district is partly funded with targeted rates from properties within the rating districts (there are 60 river rating districts within the Canterbury Region).

Local committees provide input into the Council on the administration and funding of the river rating districts.

This map identifies clearly defined communities of interest.

7.4 PEST DISTRICTS

The attached map details the Pest Districts within the region.

Each Pest District has its own local liaison committee to assist the Council on funding (targeted rates) and administration.

Most Pest Districts are located wholly within a single territorial local authority area, one exception being Ashley which embraces all Waimakariri District and part Hurunui District.

These areas are:

- Kaikoura
- Amuri
- Hurunui (Nassella Tussock)
- Waikari
- Ashley
- Banks Peninsula
- Selwyn
- Ashburton
- South Canterbury
- Kurow *
- Omarama *
- Mackenzie

* Work is carried out by existing landcare groups.

This map identifies clearly defined communities of interest.

7.5 PUBLIC PASSENGER TRANSPORT SERVICE ZONES

The attached map shows the Public Passenger Transport Service Zones are largely confined to the Christchurch City area and the urban area of Timaru District.

There are links outside Christchurch –

- Kaiapoi, Rangiora, Woodend in Waimakariri District
- Prebbleton, Lincoln, Rolleston, Burnham in Selwyn District.

7.6 AIRSHEDS

The Council has identified Airsheds under Clause 14 of the Resource Management (National Environmental Standards Regulating to Certain Air Pollutants, Dioxins, and Other Toxins) Regulations 2004.

These areas are generally –

- Christchurch City area
- Rangiora Urban area
- Kaiapoi Urban area
- Ashburton Urban area

Geraldine Urban area
Timaru Urban area
Waimate Urban area

The majority of the Council work in this area is related to the reduction of the discharge of pollutants from home fires and industry into the Christchurch City airshed. This will in the future extend to these other areas notated above.

7.7 IRRIGATION

The attached map details the locations in the Canterbury Region for 24 of the surface water irrigation schemes that irrigate over 500 hectares.

Those schemes are mainly in the North Canterbury, Ashburton, South Canterbury and Waitaki Catchments.

7.8 VECTOR CONTROL

The attached map details the areas of vector risk within the Canterbury Region.

The risk areas are mainly in North Canterbury, Banks Peninsula and Waitaki.

7.9 CIVIL DEFENCE

Generally, there are no clearly defined communities of interest relating to civil defence and the effects of an event within the various areas of the region would depend on the type of emergency.

In a major earthquake scenario in Christchurch, Christchurch with its large population and associated infrastructure would most likely be the worst affected.

In accordance with the new Civil Defence and Emergency Management Act there is an emphasis on mitigation and planning aspects. Generally this function tends to focus within the territorial authority boundaries.

A portion of Waitaki District included in Canterbury Region is not part of the Canterbury CDEM Group.

7.10 CHRISTCHURCH/BANKS PENINSULA

Banks Peninsula District is now combined in Christchurch City.

There is a clear community of interest with Christchurch and Lyttelton and probably the areas of the harbour basin. The remaining areas of Banks Peninsula (about 2700 population) are largely rural and may have a greater community of interest with the adjoining Selwyn District. This includes the Lake Ellesmere catchment.

7.11 REGIONAL POLICY STATEMENT

The Regional Council is about to embark on a review of its Regional Policy Statement, which may include separate sections on specific areas of the region, e.g. Waitaki. Also there is more direct involvement with the catchment community, such as Lower Waitaki Water Users Group and a similar body in the Mackenzie Basin area.

This information may be useful in identification of communities of interest.

7.12 REGIONAL LAND TRANSPORT

In accordance with legislation the Regional Council is responsible for the co-ordination of the region's transport funding programme.

This co-ordination is administered through its Regional Land Transport Committee. Transport links cross territorial boundaries and do not necessarily have any one community of interest. However, the co-ordination of the programme tends to be via the various territorial authorities, who provide matching funding in some of the roading projects.

8. IMPACT OF FUNCTIONS

The attached Appendix I details those functions which are relevant to the existing constituencies (Christchurch is considered as one constituency).

The relevance and importance of these functions as they relate to the various geographical areas of the region will impact to a greater or lesser degree within the areas.

Identification of cross-boundary communities of interest will require consideration.

9. FUTURE STEPS

- Step 1 Identify regional communities of interest.
- Step 2 Determine the number of Councillors necessary to provide effective representation of the region.
- Step 3 Determine constituency boundaries firstly by applying the +/- 10% population ratio.
- Step 4 Compare provisional boundaries with identified regional communities of interest. If there are regional communities of interest that are significantly disadvantaged (i.e. lacking effective representation) the Council can use the authority (s.19V3(b)) to seek a variation to the +/- 10% formula.
- Step 5 Issue a draft proposal for public submission.

10. RECOMMENDATION

I recommend to the Representation Review Committee that it makes a recommendation to the Council on the identification of the communities of interest for further development in the representation review process.

Peter Berry
Representation Review Consultant

APPENDIX I

	North Canterbury	Christchurch	Selwyn	Ashburton	South Canterbury	Waitaki
Groundwater	✓		✓	✓	✓	
River Catchments	✓		✓	✓	✓	✓
River Rating Districts	✓	✓	✓	✓	✓	✓
Passenger Transport	✓	✓	✓		✓	
Airsheds	✓	✓		✓	✓	
Civil Defence	✓	✓	✓	✓	✓	✓ (Pt)
Regional Transport	✓	✓	✓	✓	✓	
Pest Districts	✓			✓	✓	✓
Irrigation	✓			✓	✓	✓
Vector	✓	✓ (Bks P)				✓

AGENDA ITEM NO: 6	SUBJECT MATTER: TIMETABLE
REPORT: Council	DATE OF MEETING: 4 May 2006
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Jude Pani Manager Secretariat	ENDORSED BY:

PROCESS TIMETABLE

Attached is a proposed timetable to complete the Representation Review process. (Also attached for information is a revised copy of the full timetable showing legislative deadlines).

RECOMMENDATION

That the proposed timetable to complete the Representation Review process be recommended to Council for adoption.

TIMETABLE

The original timetable for the representation review process proposed Council determining its draft proposal for public submission on 26 January 2006.

There have been delays in the timetable mainly because of the Maori consultation on Maori representation, pre-review consultation (Christchurch City are considering this matter on 20 April 2006) and the preparation of a representation guideline to assist regional councils.

Delays in the process were not entirely unexpected and it was essential that each stage of the process received proper and detailed consideration. The Council, however, must resolve on its draft proposal for public notification no later than 30 August 2006.

The following details the actions and dates required to achieve the 30 August 2006 deadline.

4 May	Representation Review Committee recommends on communities of interest and timetable.
25 May	Council resolution on communities of interest and timetable.
<i>25 May/16 June</i>	<i>Work on options for Representation Review Committee.</i>
19/23 June	Representation Review Committee considers options.
5 or 6 July	Council workshop on options.
6 – 14 July	Representation Review Committee recommends preferred option.
27 July	Council resolves on preferred option.
<i>27 July/4 August</i>	<i>Work commences on constituency boundaries.</i>
5/18 August	Representation Review Committee recommends constituency boundaries.
30 August	Council decision of draft proposal for public consultation.
No later than 13 September	Public notice of initial proposal.
13 October	Submissions close.
13/19 November	Consideration of submissions. - Council may amend or confirm its initial proposal. - Gives public notice.
20 December	Last day for lodging of appeals and objections to the Council's revised proposals. - If no appeals give public notice. - If appeals or objections received refer to Local Government Commission.

(Note. Italics represent actions required by staff.)

It is essential this timetable be observed to meet the legislative requirements.

RECOMMENDATION

That the proposed timetable to complete the Representation Review process be recommended to Council for adoption.

PROCESS/TIMETABLE

	Process	LEA Authority	Legislation Timetable	Council/ Committee Timetable
1.	Committee report to Council (Committee meeting 1 April 2005)	-		28 April 05
2.	Council consideration of Electoral System (FPP/STV)	27(1)	12 Sept 05	30 June 05
3.	Public Notice right to demand poll on electoral system	28(1)	19 Sept 05	7 July 05
4.	Council consideration of Maori representation	19Z	By 23 Nov 05	28 July 05
5.	If Council passes a resolution under 19Z – public notice for right to demand a poll	19ZA	By 28 Nov 05	6 August 05
6.	Council consideration of detailed options and pre-review communications strategy	-		25 August 05
7.	Consultation with community	-		Sept/Oct/Nov 05
8.	Identify preferred option			24 Aug 06
9.	Council determines: <ul style="list-style-type: none"> - proposed number of constituencies - proposed name and boundaries of each constituency - Number of members proposed to be elected by the electors of each constituency 	19I 19K 19T 19V 19ZH Sch 1A	By 31 Aug 06	24 Aug 06
10.	Public Notice of Initial Resolution	19M	By 8 Sept 06	Sept 06
11.	Submissions close not less than one month after public notice	19M	9 Oct 06	13 Oct 06
12.	After close of submission period. No submissions received. Give Public Notice.	19Y		Oct 06
13.	Submissions received – <ul style="list-style-type: none"> - consider all submissions - may amend the resolution - give public notice 	19N	By 19 Nov 06	13 – 19 Nov 06
14.	Last day for lodging of appeals and objections to the Council's revised proposals	19O 19P	20 Dec 06	20 Dec 06
15.	No appeals or objections – give public notice.	19Y		
16.	Appeals or objectives received – refer to Local Government Commission. A regional council using a formula other than +/- 10% population is considered an appeal.	19Q	15 Jan 07	
17.	Local Government Commission issues a final determination.	19R 19S	11 April 07	
18.	Election day		13 Oct 07	

AGENDA ITEM NO: 7	SUBJECT MATTER: REPRESENTATION REVIEW CHRISTCHURCH CITY COUNCIL
REPORT: Representation Review Committee	DATE OF MEETING: 4 May 2006
FILE REFERENCES:	PORTFOLIO: PROJECT: OUTPUT:
REPORT BY: Jude Pani Manager Secretariat	ENDORSED BY:

CHRISTCHURCH CITY COUNCIL

A report on the Environment Canterbury Electoral Review was presented to the Christchurch City Council meeting of 20 April 2006 (copy of CCC report attached). At that meeting the Christchurch City Council resolved to support Option 2, which provides for nine City Members. The Council also resolved:

1. To advise Environment Canterbury that the Christchurch City Council considers that whichever option is chosen, the City members should be elected at large across the city.
2. That City Council staff be requested to report back on the possible formation of a unitary authority.

RECOMMENDATION

That the information provided by the Christchurch City Council be received.

16. ECAN ELECTORAL REVIEW 2006

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8559
Officer responsible:	Secretariat Manager
Author:	Max Robertson, Council Secretary

PURPOSE OF REPORT

1. The purpose of this report is to enable the Council to reach a view on some preliminary representation proposals which have been developed by the Canterbury Regional Council (ECan).

EXECUTIVE SUMMARY

2. The Canterbury Regional Council is required to complete a review of its present electoral arrangements by 31 August 2006.
3. ECan has recently formulated some preliminary representation proposals, prior to commencement of the formal review process. These preliminary proposals were discussed at a consultation meeting on 28 October 2005, and again at a Council seminar on 7 February 2006, when the Chairman (Sir Kerry Burke) and Deputy Chairman (Councillor Robert Johnston) outlined the three preliminary proposals which had been developed by ECan.
4. ECan's preliminary proposals were the subject of further discussion at a Council seminar held on 28 February 2006. This report summarises the discussions which took place at this seminar, and seeks guidance as to the Council's views on ECan's preliminary proposals.
5. However, since the 28 February seminar, the Chairman of ECan has written advising that Option 3 previously presented by ECan will now be virtually unacceptable to the Local Government Commission, and should not be considered further. Unfortunately, Option 3 was the option most favoured at the 28 February seminar, and it will therefore be necessary for the Council to form a view on which of the remaining preliminary options it favours. The Chairman of ECan has further advised that:
 - Option 1 is the strict implementation of the 10% requirement, and would be accepted by the Local Government Commission because it is fully compliant with the law.
 - Option 2, the retention of Waitaki as a single member constituency, even though it has less than one-third of the average population, might be promoted as an exception, if certain steps are followed, and it is accepted that a separate seat for Waitaki is the only way to achieve the affected representation of regional communities of interest, ie those activities that relate to regional council powers, duties and functions.
 - For both Options 1 and 2, it would be possible to have eight core councillors from Christchurch with some of the City's population also forming part of two surrounding constituencies, the so called "fuzzy edge" solution.. Banks Peninsula, for example, is now part of Christchurch City, but is currently included within the Selwyn/Banks Peninsula constituency which meets the 10% criteria, and could remain as at present.

FINANCIAL AND LEGAL CONSIDERATIONS

6. None.

STAFF RECOMMENDATIONS

It is recommended:

- (a) That, in view of the subsequent advice from ECan that Option 3 is unacceptable, the Council consider and decide whether it wishes to support any of the remaining preliminary representation options.
- (b) That ECan be advised that the City Council considers that, whichever option is chosen, the Christchurch City members should be elected at large across the city.
- (c) That Council officers be requested to report back to the Council on the possible formation of a unitary authority, in place of ECan.
- (d) That it be noted that the present statutory review criteria are under review, as a result of submissions to Parliament's Justice and Electoral Select Committee.

BACKGROUND ON ECAN ELECTORAL REVIEW 2006

7. Although the current pre-consultation process is not a requirement of the legislation, it represents an effort by ECan to get broad agreement amongst the constituent authorities before ECan finalises its draft representation proposal, and then releases that proposal for formal public consultation. ECan will be required to hear the resulting submissions, and to reach a final decision on the representation proposal to apply for the next triennium. It is almost certain that ECan's final proposal will be subject to review by the Local Government Commission, either as a result of appeals, or because the final proposal does not comply with the +/- 10% tolerance applicable in respect of the population of each constituency.
8. Christchurch's present representation results from an appeal lodged by the Christchurch City Council with the Local Government Commission in respect of a previous review by ECan, when ECan approved a proposal providing for the election of seven Christchurch City members. The City appealed this decision to the Local Government Commission. The Local Government Commission upheld the City Council's appeal, which resulted in the City's representation being increased from seven to eight members.
9. Currently, Christchurch City elects eight members of ECan, out of a total of 14 members. Christchurch City is divided into four constituencies for the election of eight ECan members, with two members being elected within each constituency, ie:

Name of Constituency	Comprising
Christchurch North	Former Papanui, Shirley and Burwood Wards
Christchurch East	Former Pegasus, Hagley and Ferrymead Wards
Christchurch South	Former Heathcote, Spreydon and Wigram Wards
Christchurch West	Former Fendalton, Riccarton and Waimairi Wards

10. Christchurch's present representation arrangements need to be reviewed, to reflect:
 - The recent inclusion of Banks Peninsula.
 - The fact that the present representation arrangements are based on the twelve former wards, rather than the six enlarged wards which resulted from the Local Government Commission's determination prior to the 2004 elections.
11. The Local Electoral Act 2001 provides that:
 - The boundaries of constituencies must be drawn in a way which ensures that the electors of the constituencies receive fair representation, having regard to the total population of the region.
 - The population of each constituency must be similar, within a +/- 10% tolerance.
 - The constituency boundaries must, as far as practicable, coincide with the boundaries of one or more territorial authority districts.
 - The +/- 10% population rule can in some circumstances be waived where the Regional Council **and** the Local Government Commission consider this is necessary to give effective representation of communities of interest.
 - If the proposal finally approved by ECan deviates from the +/- 10% population rule, the decision **must** be referred to the Local Government Commission, whose decision will be final.

ECan's Preliminary Proposals

12. For its future constituency arrangements, ECan originally proposed three options for its preliminary consultation, ie:

1. Applying the +/- 10% rule to the entire region - this would result in the Waitaki constituency not having its own member; a two-member Waitaki/South Canterbury/Ashburton constituency covering 59% of the region's total area; Timaru urban area being split between two constituencies; inclusion of Banks Peninsula in Christchurch City but a small proportion of Christchurch City being taken into Selwyn; splitting of the Rangiora urban area and taking 11,700 from Christchurch into North Canterbury; nine members for Christchurch.
 2. Retaining Waitaki as a separate constituency (1 member) and applying the +/- 10% to the remainder of the region - this would require a slight adjustment in the South Canterbury constituency; 8,500 being taken from Selwyn to Ashburton; 4,660 being taken from Christchurch to Ashburton/Selwyn-Banks Peninsula; 12,200 being taken from North Canterbury to Christchurch; nine members for Christchurch.
 3. Retaining Christchurch City as one area (eight members) and applying the +/- 10% to the remainder of the region - two members Waitaki/South Canterbury; one for Ashburton; Banks Peninsula to be included in Christchurch City leaving one member for Selwyn; two members for North Canterbury.
13. Another possible solution was offered at the 17 November meeting with ECan, referred to as the "fuzzy edge". This would provide for eight core Christchurch ECan councillors, with surrounding constituencies, eg North Canterbury and Selwyn/Banks Peninsula, making up any population shortages by including parts of the edge of the city. This would enable rural interests to remain strongly represented.
 14. Copies of the three preliminary proposals developed by ECan (described as Options 1, 2 and 3) are attached.
 15. As previously advised, the Chairman of ECan has since advised that it has been ascertained that Option 3 would be unacceptable to the Local Government Commission.

Christchurch City Representation if Provisions of Legislation Strictly Applied

16. Strict application of the provisions of the legislation would result in the enlarged Christchurch City electing nine (rather than eight) out of a total of 14 ECan members.
17. Should Christchurch City's representation be increased from eight to nine members, then these nine members could either be elected at large across the city, or elected from within three separate constituencies, each electing three members.

Unitary Authority

18. Some discussion took place at the 28 February seminar on the possible formation of a unitary authority, in place of ECan. Although this is a separate topic outside the ambit of ECan's current electoral review, it will be addressed in more detail by officers in a later report.

Possible Review of Formulae Applicable to Electoral Reviews

19. At the 28 February seminar there was general agreement that the present requirements relating to electoral reviews were too prescriptive, and should be relaxed. It was noted at the seminar that the present formulae had been the subject of submissions to the Justice and Electoral Committee following its Inquiry into the 2004 local authority elections, and that although the present formulae would not be relaxed in respect of current reviews, there was a strong possibility of future legislative changes, to allow more flexibility for future electoral reviews by both territorial authorities and regional councils.

Conclusion

20. There was general agreement at the 28 February seminar that, rather than being increased to nine members, the number of city members on ECan should remain at eight, to enable rural interests to remain strongly represented. There was also majority support for Option 3, although ECan has since advised that this option would be unacceptable to the Local Government Commission.