

**Submission Number:** 62  
**Response ID:** C18C/104970  
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Please find our submission attached.

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# CANTERBURY REGIONAL COUNCIL REPRESENTATION REVIEW 2018

## SUBMISSION BY THE BECKENHAM NEIGHBOURHOOD ASSOCIATION INC.

### INTRODUCTION

1 We warmly welcome the long-overdue move towards restoration of fully democratic Canterbury regional government, which in our view should never have been suspended in the first place. We welcome also a proposal that gives Christchurch a fair balance of ECan representation – something it has not had in previous elected Regional Councils.

2 In this submission we address the following topics in order:

- 2.1 The proposed balance of representation as between Christchurch and the rest of Canterbury (hereinafter referred to as “rural Canterbury”);
- 2.2 The proposed allocation of constituencies and councillors within Christchurch;
- 2.3 The proposed allocation of constituencies and councillors in rural Canterbury;
- 2.4 Other matters.

### FAIR REPRESENTATION FOR CHRISTCHURCH

3 We consider that the proposed preferred option of a 13-seat Council, with 8 seats allocated to Christchurch and 5 to rural Canterbury, affords a broadly equitable balance of representation across the region. Dividing the respective Christchurch and rural Canterbury populations by the corresponding numbers of proposed councillors gives the following average population numbers per councillor:

Christchurch:  $381,720/8 = 47,715$

Rural Canterbury:  $230,560/5 = 46,112$

4 Those averages almost exactly straddle the overall regional average population per councillor. Arguably Christchurch might be said to be slightly under-represented in comparison with rural Canterbury, but by a margin so slight as to be insignificant in the overall scheme of things.

5 Looking at the proposal another way, Christchurch’s share of the regional population rounds to 62%, and its allocation of 8 councillors rounds to 62% of the proposed 13 councillors, while the 5 councillors allotted to rural Christchurch, whose share of the regional population rounds to 38%, likewise rounds to 38% of the proposed total of 13 members.

6 Thus, while arguably the proposed South Canterbury constituency may be said to be significantly under-represented, rural Canterbury as a whole is not; and we consider that overall the preferred option as described in paragraphs 41~48 of the review report gives Christchurch fair representation - in contrast to the previous democratically elected ECan, in which Christchurch, with 8 councillors out of 14, was under-represented both in terms of population and of contribution to ECan’s rating revenue.

### CONSTITUENCIES AND COUNCILLORS WITHIN CHRISTCHURCH

7 We welcome the proposed division of Christchurch into 4 constituencies each with 2 councillors, rather than having 8 councillors elected at large or 2 constituencies having 4 councillors each. This is

broadly the same arrangement that existed prior to the abolition of our last democratic Regional Council, and which worked satisfactorily in terms of councillors' direct accessibility and accountability to their electors, which the alternatives of 2 constituencies with 4 councillors or at-large election of 8 councillors would tend to dilute.

8 We note that the population of the proposed Christchurch South ward (in which our suburb of Beckenham is located) lies below the "average +/-10%" range, making the ward slightly over-represented. Theoretically it would require only a slight shift in the boundary between Christchurch Central and Christchurch South to bring the latter within the +/-10% range; however, that would prima facie create conflict with the requirement of section 19U(c) of the Local Election Act that constituency boundaries coincide as far as practicable with existing ward boundaries, and we do not consider that the degree of divergence from the +/-10% rule is so great as to warrant a departure from ward boundaries.

7 We therefore endorse the proposed arrangement for constituencies and councillors within Christchurch.

### **CONSTITUENCIES AND COUNCILLORS IN RURAL CANTERBURY**

8 Our interest in this aspect of the representation review stems from our anticipation that ECan may be faced with pressure to amend the proposed arrangement by creating an additional rural seat, thereby depriving Christchurch of the fair representation proposed as the preferred option.

9 Although, as noted above, rural Canterbury as a whole is fairly represented in the scheme favoured as the preferred option, it is in rural Canterbury that that greatest proposed conflicts with the +/-10% rule occur, with South Canterbury (population 61,320, with 1 councillor) being notably under-represented, while North Canterbury is over-represented. We note that dissatisfaction as regards South Canterbury has already been voiced publicly, and we see this dissatisfaction as being linked to concern regarding diminution of the power of the agriculture lobby at the Council table, especially as regards matters related to water quality in the region. It has also been suggested by at least one Federated Farmers representative that the 2019 elections may result in "extremists" (apparently meaning people who want to see cleaner water in Canterbury's rivers, streams and lakes) being elected to the Council. Such public comments lead us to anticipate that among the responses to the present review will be orchestrated pressure to amend the proposed arrangement in such a way as to enlarge the Council by one extra rural seat.

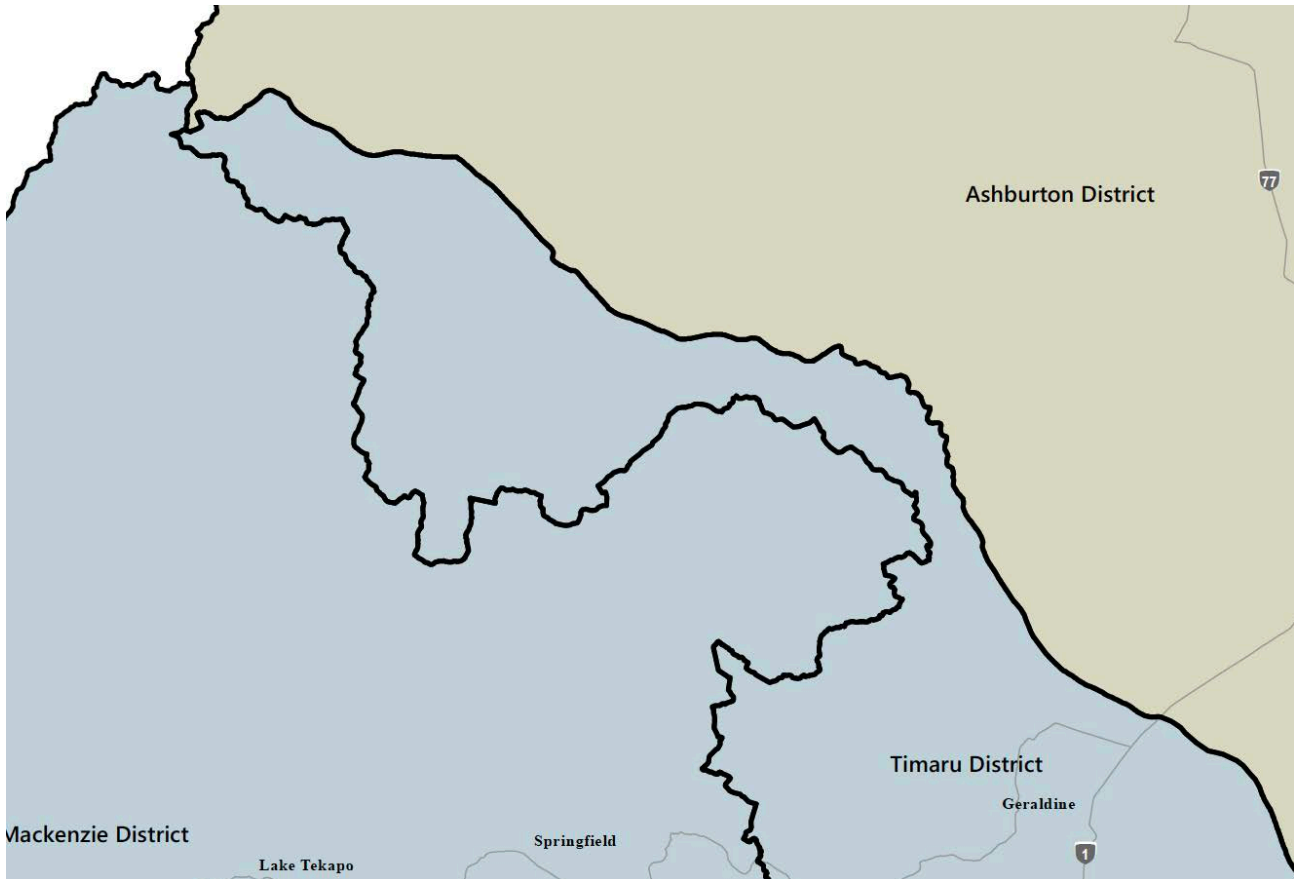
10 In this regard it should be recalled that prior to 2007 there existed a Waitaki constituency in which one councillor represented a population of 12,300 (in contrast with the average population of 37,375 per member of the then 14-member Regional Council). In the representation review of 2006~2007, the Regional Council proposed retention of this egregious departure from the +/-10% rule – giving Waitaki residents, in comparison with residents of other constituencies, some three times the average level of representation in proportion to their number. In our submission to ECan and subsequently to the Local Government Commission we commented: "It would not, we think, be inaccurate or unreasonable to label that arrangement a rural gerrymander".

11 We recall this because we anticipate that ECan may receive submissions suggesting a resurrection of the Waitaki constituency formed by detaching the Mackenzie, Waimate and Waitaki components of South Canterbury and combining them into a separate (14th) constituency with an aggregate population of 14,230.

12 In urging the Council to reject any such suggestion, we would, firstly, point out that it would create a significant (and in our view unfair and undesirable) shift in the balance of representation as between Christchurch and rural Canterbury in favour of the latter. We would also recall that in 2007 the Local

Government Commission (rightly, in our view) rejected the proposed retention of the Waitaki constituency.

13 District boundaries within the proposed South Canterbury constituency are such that, apart from a very short stretch of the Mackenzie/Ashburton boundary) none of its minor (in terms of population) components is contiguous with the Mid Canterbury constituency, due to the north-westward-extending “arm” of the Timaru District along the Ashburton District boundary (see illustration below). It is thus not practicable (and in the case of the Mackenzie District would not be geographically sensible) to create a more even balance of representation by transferring the entirety of any one of those one of those components into Mid Canterbury.



Border area between proposed South and Mid Canterbury constituencies, showing north-westward-extending “arm” of Timaru District

13 This means that for all practical purposes any proposal aimed at evening out (or at least rendering less uneven) the balance of representation between the South and Mid Canterbury constituencies, without enlarging the size of the Council, will necessitate abandoning conformity with district boundaries (such as transferring part of Timaru District (e.g. the “arm”) to Mid-Canterbury – perhaps together with the entirety of Mackenzie District).

14 We think that consideration should be given to the question of whether achieving a more even balance of representation should be given greater weight than conformity with district boundaries in this case. Be that as it may, we would reiterate emphatically our opposition to any notion of resurrecting the Waitaki constituency or anything like it, or of rearranging the proposed Mid and South Canterbury

constituencies in some other way so as to create an additional rural seat and thereby negate Canterbury's fair share of representation as proposed in the review report.

## **OTHER MATTERS**

15 We support the proposal to give constituencies dual English and Māori names.

16 We note that the current arrangement whereby the partly-elected ECan includes two persons directly appointed by Ngāi Tahu is not allowed by the Local Electoral Act, and we further note, with regret, that at Ngāi Tahu's request ECan has rejected the possibility under LEA Section 19Z of the creation of Māori constituencies and democratic election of Māori councillors.

17 We support in principle the desire that ECan work closely with Ngāi Tahu, and we note that ECan "wishes to consider how the representation review could support continued mana whenua representation at ECan." However, any proposal to reinstate the current appointee arrangement, or to make any other arrangement that does not conform with the Local Electoral Act, will represent a significant constitutional departure from the principle of having a fully democratic Council, and as such will be unacceptable to us unless:

17.1 Parliament legislates to permit it, subject to approval by a region-wide poll of all Canterbury electors;

and

17.2 it is approved by such a poll.

## **IN CONCLUSION**

18 We broadly welcome the proposed arrangement of constituencies and councillors, in particular the fair representation for Christchurch in a 13-member Regional Council.

19 However, we note the imbalance of representation as between the proposed Mid and South Canterbury constituencies, and would suggest that ECan explore possible ways to ameliorate that imbalance **within the proposed 13-member framework**. We would be opposed to the creation of an additional rural constituency, especially one like the pre-2007 Waitaki constituency.

20 We regret the decision not to include any proposal for Māori representation as provided under LEA Section 19Z. While recognising that cooperative relations between ECan and Ngāi Tahu have an important place in regional affairs, we are of the view that any future working arrangements must conform with the Local Electoral Act unless Parliament and Canterbury electors determine otherwise.

21 We wish to be heard in respect of this Submission.

30 July 2018

On behalf of the Beckenham Neighbourhood Association Incorporated

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