

27/09/2018

To: mailroom@ecan.govt.nz

Dear Environment Canterbury

Re: Representation Review Objection

Greenpeace NZ objects to the Proposal for Representation for the 2019 elections notified by Environment Canterbury.

In brief, Greenpeace NZ objects to the multiple breaches of the +/- 10% fair representation criteria required by the Local Electoral Act and to the gross over-representation of rural voters and under-representation of urban voters.

In 2010 the National Government sacked democratically elected Councillors and replaced them with Government appointed commissioners.

For eight years Cantabrians have been denied their democratic rights. Full democracy has yet to be returned.

This is a shameful stain on New Zealand's proud democratic history.

We now have the opportunity to put this injustice to an end and restore democracy to the people of Canterbury.

But the representation structure proposed will not return full democracy. Instead, it will continue to deny hundreds of thousands of citizens their right to fair representation.

The vote of a school teacher at Hagley College should count just as much as that of an irrigator in the Mackenzie Basin.

However, the representation structure proposed would mean that the vote of a resident in Central Christchurch will count for 40% less than the vote of a resident in South Canterbury.

That is not democratic. It's not a democracy when some people's votes count significantly more than others.

Fair representation is a critical pillar of the healthy functioning democracy that New Zealanders expect and is guaranteed to them both in the New Zealand Bill of Rights Act 1990 and the Local Electoral Act 2001.

That's why the first principle of the Local Electoral Act is "fair and effective representation for individuals and communities" ([Legislation.govt.nz](http://legislation.govt.nz))

And to put that into effect, section 19V(2) of the Act directs that when determining numbers of members to be elected, the population of each ward should be divided by the number of members to be elected by that ward and should produce a figure no more than 10% greater or smaller than the population of the region divided by the total number of elected members.

This is known as the +/- 10% rule. The proposal breaks this rule in over half of the wards. In some cases the difference in representation is extreme.

This in itself should be a cause for alarm

However, even more alarming is the fact that over-representation, above what the law allows, occurs only in rural wards. Under-representation, below what the law allows, occurs only in urban wards.

The representation structure proposes that:

- The vote of a citizen in Christchurch Central is worth 40.6% less than that of a South Cantabrian
- The vote of a citizen in North East Christchurch is worth 38.9% less than that of a South Cantabrians vote.

Put differently:

- The vote of a citizen in South Canterbury is worth 1.68 times more than a vote of a citizen in Central Chch.
- The vote of a citizen in South Canterbury is worth 1.63 times more than a vote of a citizen in North East Chch.

This grossly unbalanced representation proposal runs counter to core constitutional values, most importantly that of a free and democratic society.

There is simply no logical, rational or compelling case given in the proposal to warrant such an anti-democratic representation structure.

Additionally, Greenpeace NZ considers a return to full democracy of the region's principle environmental regulator is a critical part of preventing further degradation of the region's waterways.

The sacking of Councillors and appointment of Commissioners at ECan has gone hand in hand with more irrigation and more industrial dairying.

Since 2010, when Councillors were sacked, ECan has allowed another 370,000 dairy cows to be added to Canterbury's already swollen herd. There are now over 1.3 million cows in Canterbury alone. ([Stats NZ 2011](#) and [Stats NZ, 2017](#))

Even to this day Statistics NZ reports that, unlike many other regions in the country, Canterbury's herd continues to grow. The latest agricultural census shows the herd increased 3 percent from 1.27 million in 2016 to 1.31 million in 2017. ([Stats NZ, 2018](#))

Under the anti-democratic rule of nationally appointed commissioners ECan has given its consent to ecologically devastating irrigation and dairy conversion proposals.

The most extreme of which is the consents granted for the mega-dairy farm at Simons Pass Station in the Mackenzie Basin. These were granted by ECan, without public notification, in 2012 and 2013 (CRC176720 CRC082311, 2012) (CRC136283, 2013)

ECan has also failed to adequately respond to consent breaches in the irrigation and dairy industries.

In 2016, it was revealed that irrigators were recorded taking hundreds of millions of litres of water above their entitlements. ECan issued few fines and there were no prosecutions. The vast majority were not punished at all. ([The Press, 2016](#))

Also in 2016, the plan change for Selwyn/Te Waihora, one of the most severely polluted catchments in Canterbury, became operative.

In it, ECan did not set a goal of reducing pollution. Instead, it set a target of more pollution - 300 tonnes more nitrogen pollution per year. A pollution target that the plan says must be met by 2037.

Put plainly, Greenpeace NZ believes that for the last eight years, without the consent of the people of Canterbury, ECan has relentlessly served the interests of the irrigation and dairy industries.

It has done so at great cost to clean, safe water and all those who rely on it.

Canterbury is now in the midst of a worsening freshwater crisis and sadly the region serves as a grave warning of what can happen to our environment when democracy is steamrolled by industry.

Some in industrial farming are now, rightly, afraid that if ECan returns to full democracy with a fair representation structure that those Councillors who campaign for clean water will be elected over those representing industrial farming interests. (Stuff.co.nz, July 18)

This is a valid fear to have. The people of New Zealand have clearly signaled that dirty rivers and unsafe drinking water will no longer be tolerated.

It is critically important that our rivers are restored to health and that we continuously strive to build a free and democratic society. That requires us to ensure representation is fair at every level of governance in NZ.

Greenpeace NZ supports a return to full and fair democracy that has been denied to residents of Canterbury for eight years.

This is a critical step towards saving the region's rivers.

ENDS