

Christchurch City Council Representation Review Hearings AGENDA

Notice of Meeting:

The Christchurch City Council – Representation Review Hearings will be held on:

Date: **Monday 24 May 2021**

Time: **9.30am**

Venue: **Council Chambers, Civic Offices,
53 Hereford Street, Christchurch**

Membership

Chairperson	Mayor Lianne Dalziel
Members	Deputy Mayor Andrew Turner
	Councillor Jimmy Chen
	Councillor Catherine Chu
	Councillor Melanie Coker
	Councillor Pauline Cotter
	Councillor James Daniels
	Councillor Mike Davidson
	Councillor Anne Galloway
	Councillor James Gough
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Sam MacDonald
	Councillor Phil Mauger
	Councillor Jake McLellan
	Councillor Tim Scandrett
	Councillor Sara Templeton

19 May 2021

Aidan Kimberley
Community Board Advisor
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Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

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<http://councillive.ccc.govt.nz/live-stream>



Ōtautahi-Christchurch is a city of opportunity for all

Open to new ideas, new people and new ways of doing things – a city where anything is possible

Principles

Being open, transparent and democratically accountable Promoting equity, valuing diversity and fostering inclusion	Taking an inter-generational approach to sustainable development, prioritising the social, economic and cultural wellbeing of people and communities and the quality of the environment, now and into the future	Building on the relationship with Te Rūnanga o Ngāi Tahu and the Te Hononga-Council Papatipu Rūnanga partnership, reflecting mutual understanding and respect	Ensuring the diversity and interests of our communities across the city and the district are reflected in decision-making Actively collaborating and co-operating with other local, regional and national organisations
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Community Outcomes

Resilient communities Strong sense of community Active participation in civic life Safe and healthy communities Celebration of our identity through arts, culture, heritage, sport and recreation Valuing the voices of all cultures and ages (including children)	Liveable city Vibrant and thriving city centre Sustainable suburban and rural centres A well connected and accessible city promoting active and public transport Sufficient supply of, and access to, a range of housing 21st century garden city we are proud to live in	Healthy environment Healthy water bodies High quality drinking water Unique landscapes and indigenous biodiversity are valued and stewardship exercised Sustainable use of resources and minimising waste	Prosperous economy Great place for people, business and investment An inclusive, equitable economy with broad-based prosperity for all A productive, adaptive and resilient economic base Modern and robust city infrastructure and community facilities
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Strategic Priorities

Enabling active and connected communities to own their future	Meeting the challenge of climate change through every means available	Ensuring a high quality drinking water supply that is safe and sustainable	Accelerating the momentum the city needs	Ensuring rates are affordable and sustainable
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Ensuring we get core business done while delivering on our Strategic Priorities and achieving our Community Outcomes

Engagement with the community and partners	Strategies, Plans and Partnerships	Long Term Plan and Annual Plan	Our service delivery approach	Monitoring and reporting on our progress
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Karakia Timatanga

1. Apologies / Ngā Whakapāha

At the close of the agenda no apologies had been received.

2. Declarations of Interest / Ngā Whakapuaki Aronga

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

3. Representation Review Consideration of Submissions

Reference / Te Tohutoro: 21/573716

Report of / Te Pou Matua:	John Filsell, Head of Community Support, Governance and Partnerships, john.filsell@ccc.govt.nz
General Manager / Pouwhakarae:	Mary Richardson, General Manager, Citizens and Community mary.richardson@ccc.govt.nz

1. Purpose of the Report / Te Pūtake Pūrongo

- 1.1 The purpose of this report is to set out the results of the written submissions on the Representation Review Initial Proposal for the 2022 Local Authority Election (the Initial Proposal). It also supports the Council to consider submissions on the Initial Proposal, deliberating on both oral and written submissions, and providing direction to staff to prepare the Final Proposal. This report has been written following the results of the public engagement process on the Initial Proposal.
- 1.2 The decisions in this report are of medium significance in relation to the Christchurch City Council's Significance and Engagement Policy. Although the representation review impacts all residents of Christchurch, the initial proposal retains much of the current representation arrangements. Changes to ward boundaries must occur to meet the fair representation requirements, the significance of which differs between wards. The community engagement and consultation outlined in this report reflect the requirements of the Local Electoral Act 2001 (LEA) and the Local Government Act 2002 (LGA). The community engagement and consultation outlined in this report and in the attachments reflects this assessment.

2. Officer Recommendations / Ngā Tūtohu

That the Council:

1. Receives and considers the submissions on the Representation Review Initial Proposal for the 2022 Local Authority Election, which are appended to this report (**Attachment A**).
2. Notes the submitters wishing to be heard are listed in the Representation Review Hearings Schedule of Submitters (**Attachment B**).
3. Receives the staff analysis summary of submissions (**Attachment C**).

3. Reason for Report Recommendations / Ngā Take mō te Whakatau

- 3.1 The LEA 2001 requires local authorities to undertake a review of their representation arrangements at least once every six years to ensure the arrangements provide fair and effective representation for communities. The LEA 2001 prescribes a statutory timeframe to undertake representation reviews.

- 3.2 On 20 March 2021, the Council’s Initial Proposal was released for public consultation. The Council is required to consider any submissions it receives on its Initial Proposal, and then either confirm or amend its earlier decision and give public notice of its final decision within six weeks of the closing date of submissions (i.e. by 25 June 2021). The review is subject to rights of appeal and/or objections which will be considered by the Local Government Commission.

4. Alternative Options Considered / Ētahi atu Kōwhiringa

- 4.1 Once the Initial Proposal has been resolved by the Council, there is no opportunity to delay or alter the statutory process. The next stage in the statutory process is the Council considering all submissions.

5. Detail / Te Whakamahuki

Public Consultation / Te Tukanga Kōrerorero

- 5.1 On 11 March 2021 ([item 21](#)), the Council authorised staff to consult the public on the Initial Proposal. On 20 March 2021, within the 14 days statutory requirement, [public notice](#) was given and submissions were invited. The Initial Proposal was open for feedback on the [Council website](#), and in print at libraries and service centres from 20 March to 16 May 2021.
- 5.2 Consultation documents and consultation webpages for the Long Term Plan, Climate Change Strategy and Development Contributions Policy all referred to the Initial Proposal consultation with online links provided.
- 5.3 A [Newsline article](#) was published on 5 March 2021 to provide information on the Representation Review and Initial Proposal, and to encourage submissions. On 22 March an email was sent to approximately 350 key stakeholders. We ran four tailored print ads in each of the Star Communities papers on 22 April, an ad in the Bay Harbour News on 21 April and an ad in the Akaroa Mail on 7 May. On social media, we posted about the proposal extensively from 30 April to 16 May, with a boosted post for the final week. Posts were tailored for particular communities and sent directly to them. Items were also included in the Council’s Community Board newsletters.
- 5.4 Joint drop-in sessions with the other council consultations mentioned above were held on 23 and 31 March. Advertising for these sessions, including the stakeholder email offered staff to attend community meetings. This offer was taken up by forums in Coastal-Burwood, Linwood and the Tuesday Club.
- 5.5 A final reminder email was sent to all stakeholders on Friday 13 May.

Summary of Submissions / Ngā Tāpaetanga

- 5.6 The Council received 226 submissions on the Initial Proposal:
- 5.6.1 From 181 individuals
 - 5.6.2 From 7 Community Boards
 - 5.6.3 From 38 Organisations

- 5.7 Overall submitters felt that their communities would be fairly represented by the proposal (n=143):

Response	
No	74
Yes	143
Did not respond	9
Total	226

Ward they live in	Yes	No
Banks Peninsula	64	12
Burwood	1	1
Cashmere	7	2
Central	6	8
Coastal	6	1
Fendalton	2	1
Halswell	11	24
Harewood	2	2
Heathcote	6	6
Hornby	9	3
Innes	3	1
Linwood	3	3
Papanui	3	3
Riccarton	4	3
Spreydon	5	3
Waimariri	3	1
No ward	7	0
Outside Christchurch District	1	0
Total	143	74

- 5.8 They also felt that the proposed ward boundaries fairly reflected their communities (n=125).

Response	
No	90
Yes	125
Did not respond	11
Total	226

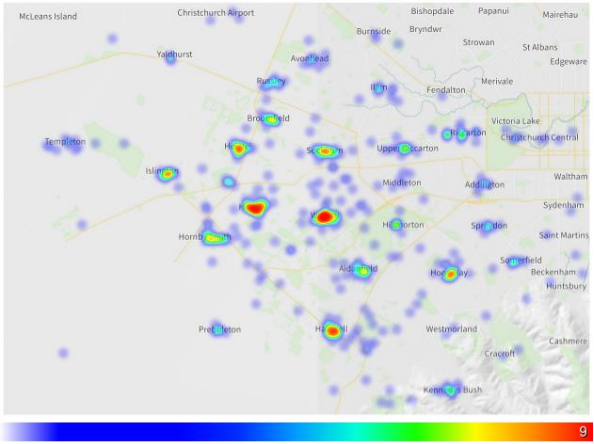
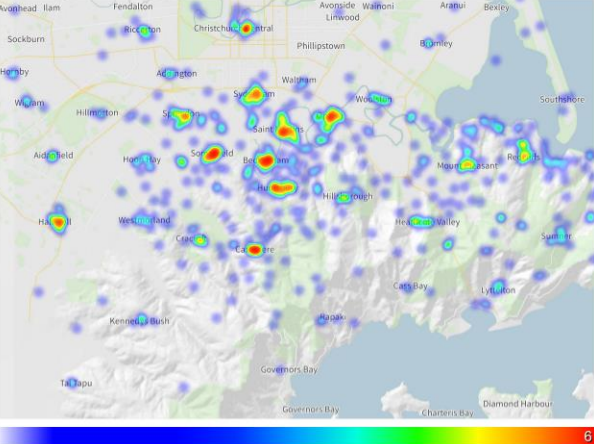
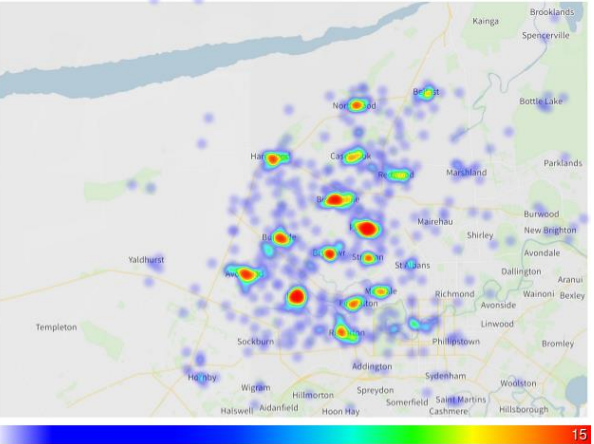
Ward they live in	Yes	No
Banks Peninsula	68	8
Burwood	1	1
Cashmere	7	2
Central	7	7
Coastal	4	3
Fendalton	2	1
Halswell	4	30
Harewood	2	2
Heathcote	6	5
Hornby	4	8
Innes	1	3
Linwood	1	5
Papanui	4	2
Riccarton	2	4
Spreydon	5	3
Waimariri	2	2
No ward	5	3
Outside Christchurch District	0	1
Total	125	90

- 5.9 Around 80 submissions were received from residents of Banks Peninsula reinforcing the need for their current representation arrangements to be maintained. They told us that representation arrangements on the Peninsula need to take into account the unique geography and widely dispersed population to achieve fair and effective representation, and that reducing the level of representation on the Peninsula would disadvantage some of the city's most geographically isolated communities.
- 5.10 Residents of Kennedy's Bush clearly told us that they see themselves as part of the Halswell community, not Cashmere. We received around 21 submissions asking that we reinstate the current boundary between Cashmere and Halswell to include Kennedy's Bush in Halswell.
- 5.11 Residents of Wigram Skies also told us that they have more of an affinity with Halswell than Hornby (n=11). The Greater Hornby Residents Association pointed out that the older parts of Wigram have long asked to be included in the area covered by their association, and have more of a connection to Hornby than Halswell.
- 5.12 Other issues raised by submitters included:
- 5.12.1 Ensuring that Richmond is within a single ward and community board area (n=5)
 - 5.12.2 Retaining all of Hoon Hay within the Spreydon ward (n=4)
 - 5.12.3 Ensuring that Phillipstown is contained within a single ward (n=3)
 - 5.12.4 Splitting Upper Riccarton between two wards, and the impacts that this will have on the communities within this area (n=2)
 - 5.12.5 The boundary between the Cashmere and Heathcote wards running along Rapaki Road, splitting part of the St Martins community from the rest of the St Martins area (n=2)
 - 5.12.6 Charleston being place in the proposed Papanui – Innes – Central community board when they feel that they have strong connections to Opawa, St Martins and Woolston (n=3)
- 5.13 The full list of submissions is attached in the table at **Attachment A**, with those wishing to be heard listed in the Representation Review Hearings Schedule of Submitters (**Attachment B**).
- 5.14 A summary of submissions and staff analysis is attached at **Attachment C**.

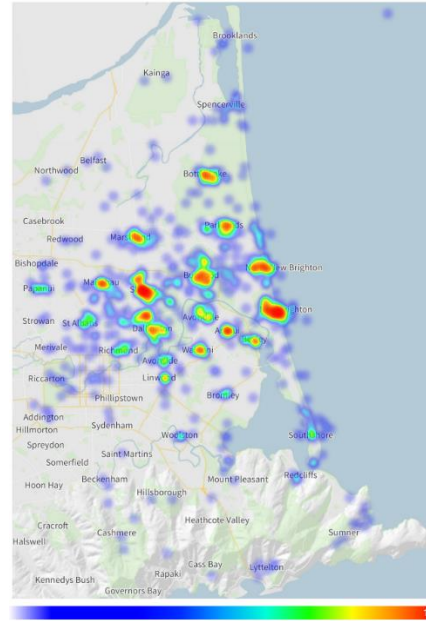
Initial Proposal - Survey of geographically representative sample

- 5.15 In developing of the Initial Proposal, the Council carried out an online survey of a geographically representative sample. This feedback was not part of the formal consultation process, however it gives an indication of community views that may differ from those received in the submissions process.
- 5.16 The results of the survey (940 responses) indicate a preference for the status quo:
- The majority (48 per cent) of respondents supported electing councillors by wards; 3 per cent of respondents indicated that they would support multi-member wards.
 - Comments from respondents indicated that they felt that councillors being elected from wards, to represent an area and communities that they know well would result in the best outcomes.
 - Those who supported a mix of both wards and at large felt that having some councillors elected at large may bring greater diversity and expertise in specific areas.

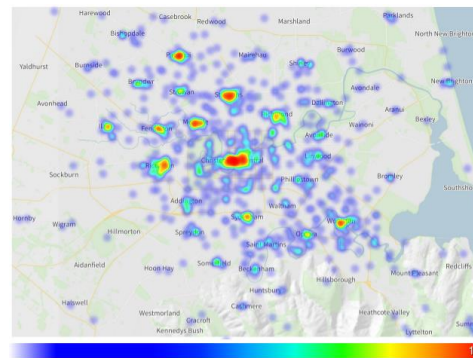
- 5.17 Residents identified their local communities based on areas they feel an affinity with; where they have things in common with their neighbours; and areas where they use shared facilities and services, e.g. schools, recreational and cultural facilities, parks, shops and shopping centres, and public transport. The results show residents in the:

<p>South-West: identify strongly with their main centres, particularly Hornby, Wigram and Halswell, tending not to cross over Memorial Ave.</p>	
<p>South and South-East: identify their community as being along the hills and to the east, as well as areas of Saint Martins, Beckenham, Huntsbury, Cashmere and Somerfield.</p>	
<p>North-West: identify areas around main shopping centres as being their local communities, such as Bishopdale, Avonhead and Papanui.</p>	

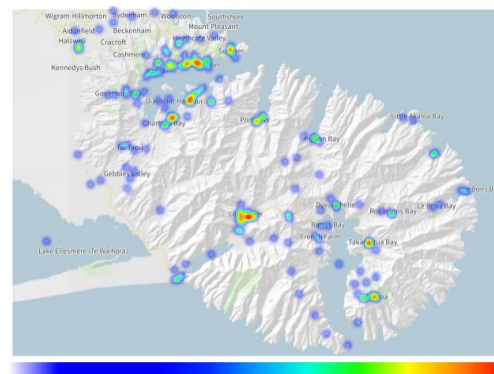
East and North-East: indicated connections with communities running along the coast, such as New Brighton and South New Brighton, as well as Burwood, Parklands and Shirley. Overall respondents identify their community as being east of Marshland Road and North of the estuary.



Central and surrounds: largely identify the central city as being their community, as well as centres such as Riccarton, Merivale, St Albans and Richmond.



Banks Peninsula: tend to identify their local centres as the communities they identify with. There is an emerging relationship between Lyttelton and the city side of the hill



6. Procedural steps for hearing submissions and next stages of the representation review

- 6.1 The Council must give reasonable opportunity for submitters on the Initial Proposal to be heard (s19(M) LEA 2001). The Council is required to consider any submissions it receives on its Initial Proposal, and then either confirm or amend its earlier decision and give public notice of its final decision within six weeks of the closing date of submissions (s19(N) LEA 2001).
- 6.2 When the Council is considering submissions, it must determine:
 - Which submissions are accepted (if any) and the corresponding amendments to the Initial Proposal.
 - The reasons for the amendments.
 - Which submissions have been rejected (if any).
 - The reasons for rejecting any submissions.
- 6.3 Council must resolve the content of the Final Proposal and any further reasoning for the proposal. Accordingly following the consideration of submissions and deliberations, staff will prepare a draft Final Proposal for the Council to resolve at an extraordinary meeting on 18 June 2021. The Council must then give public notice of that Final Proposal and the appeal/objection process by 25 June 2021.
- 6.4 The Final Proposal is subject to rights of appeal and/or objections, which will be considered by the Local Government Commission (section 19R LEA 2001). The Commission may decide to hold a hearing for persons to present oral appeals and objections before the Commission makes a determination on the representation review.
- 6.5 The Council must refer its Final Proposal to the Commission if:
 - An appeal is made by a submitter about matters related to their original submission on the initial proposal (s19O LEA 2001).
 - An objection is lodged by any person or organisation if a local authority's final proposal differs from its initial proposal (s19P LEA 2001). The objection must identify the matters to which the objection relates.
 - The proposal does not comply with the requirements for achieving fair representation in s19V(2) LEA 2001, i.e. the '+/-10% rule'.
- 6.6 If the only reason for referral to the Commission is non-compliance with s19V(2) LEA 2001, the Commission's role is solely to determine the non-complying arrangements. Banks Peninsula does not comply with the +/-10% rule in the Initial Proposal. If the Council decides to retain this decision for the Final Proposal, it must refer its Final Proposal to the Commission regardless of any appeals or objections.

6.7 A summary of the timeline to meet the statutory requirements is:

	Date	Statutory requirement
Report to Council – Initial Proposal	11 March 2021	No earlier than 1 March the year prior to an election
Public Notice	20 March 2021	Within 14 days of adoption of initial proposal and no later than 8 September 2021
Consultation Period	20 March - 16 May 2021 (8 weeks)	Submissions close no earlier than one month after public notice
Council Considers Submissions	24 and 26 May	The Council must consider any submissions it receives within six weeks of closing of submissions
Final Proposal Adopted	18 June 2021	Within six weeks of closing of submissions
Public Notice of Final Proposal	25 June 2021 at the latest	Statutory Deadline Within six weeks of closing of submissions
Appeals and Objections close	25 July 2021	One month from public notice of final proposal
Forward appeals and objections and any other information to the Commission	As soon as practicable	No later than 15 January 2022
Commission makes Determination	By 11 April 2022	By 11 April 2022

7. Policy Framework Implications / Ngā Hīraunga ā- Kaupapa here

Strategic Alignment / Te Rautaki Tīaroaro

- 7.1 Regular reviews of the representation arrangements give citizens an opportunity to input into the decision making to achieve fair and effective representation for our city. This aligns with the Council's Strategic Priority "Enabling active and connected communities to own their future".
- 7.2 It also aligns with the Community Outcomes for Resilient Communities, in particular:
- Active participation in civic life
 - Strong sense of community
 - Valuing the voice of all cultures and ages
- 7.3 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):
- 7.3.1 Activity: Governance & Decision Making
- Level of Service: 4.1.2 Provide processes that ensure all local elections, polls and representation reviews are held with full statutory compliance - 100% compliance

Policy Consistency / Te Whai Kaupapa here

- 7.4 The decision is consistent with Council's Plans and Policies. It is also consistent with the Local Electoral Act 2001 requirements and the Local Government Act 2002.

Impact on Mana Whenua / Ngā Whai Take Mana Whenua

- 7.5 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Mana Whenua, their culture and traditions.
- 7.6 Te reo Māori names were gifted to the current community boards. Following discussions with Council's Ngāi Tahu Partnership Team it is confirmed that the proposed change in the arrangement of community boards will not require new or changed te reo Māori names. It is intended that the te reo Māori names become part of the legal name of each community board.

Climate Change Impact Considerations / Ngā Whai Whakaaro mā te Āhuarangi

- 7.7 There are no climate change implications associated with the legislative process to review representation arrangements, including the consideration of submissions.

Accessibility Considerations / Ngā Whai Whakaaro mā te Hunga Hauā

- 7.8 There are no accessibility implications associated with the legislative process to review representation arrangements, including the consideration of submissions.

8. Resource Implications / Ngā Hīraunga Rauemi

Capex/Opex / Ngā Utu Whakahaere

- 8.1 Cost to Implement - A provisional sum of \$30,000 has been set aside to cover the implementation of any proposed changes. This includes but is not limited to communication, signage, changes to data systems and processes.
- 8.2 Maintenance/Ongoing costs - Once proposed changes are made any ongoing costs are the same (or less) than the existing costs to support elected members, so no additional funding has been budgeted.
- 8.3 Funding Source - The cost to implement proposed change along with the costs to support elected members is fully provided for in the 2018-28 LTP and draft 2021-31 LTP.

9. Legal Implications / Ngā Hīraunga ā-Ture

Statutory power to undertake proposals in the report / Te Manatū Whakahaere Kaupapa

- 9.1 Part 1A of the LEA 2001 sets out the provisions for the Council's representation arrangements and the requirement for a review of those arrangements. Under section 19J, a representation review must be carried out at least once in a six year period. This Council must carry out a representation review before the 2022 election as its last review was six years ago.
- 9.2 Section 19J of the LEA 2001 also requires that when the Council carries out a representation review it must also determine whether there should be communities and community boards, and if so, the nature of any community and the structure of any community board.

Other Legal Implications / Ētahi atu Hīraunga-ā-Ture

- 9.3 The legal implications and requirements for undertaking a representation review were discussed in detail in the report to Council on 11 March 2011 ([item 21](#)), at which time the Council authorised staff to consult the public on the Initial Proposal.
- 9.4 This report has been reviewed and approved by the Legal Services Unit.

10. Risk Management Implications / Ngā Hīraunga Tūraru

- 10.1 The Council must complete its representation review within the prescribed timeframe in the LEA in the year prior to an election being held. The Council must consider submissions and notify its Final Proposal within six weeks of submissions closing (i.e. by 25 June 2021).
- 10.2 If it does not meet the review process requirements, it would be a significant breach of the Council's statutory obligations. Elected members were briefed during the development of the Initial Proposal, and were made aware of Local Electoral Act 2001 requirements.

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ➡	Representation Review Submissions <i>(Under Separate Cover)</i>	
B ➡	Representation Review Hearings Schedule <i>(Under Separate Cover)</i>	
C ➡	Representation Review Staff Analysis and Summary of Submissions <i>(Under Separate Cover)</i>	

Additional background information may be noted in the below table:

Document Name	Location / File Link
Local Government Commission, Guidelines for local authorities undertaking representation reviews	http://www.lgc.govt.nz/assets/Representation-Reviews/Representation-Review-Guidelines-2020.pdf

Confirmation of Statutory Compliance / Te Whakatūturutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories / Ngā Kaiwaitohu

Authors	Libby Elvidge - Senior Policy Analyst Tessa Zant - Senior Engagement Advisor John Filsell - Head of Community Support, Governance and Partnerships Jo Daly - Council Secretary Christopher Turner-Bullock - Manager Community Governance, Coastal-Burwood Vivienne Wilson - Senior Legal Counsel Aimee Martin - Research Analyst Dean Kilbride - Senior Communications Advisor Ashleigh Hamilton - Assistant Research Analyst
Approved By	John Filsell - Head of Community Support, Governance and Partnerships Mary Richardson - General Manager Citizens & Community