

17. 2003 ELECTORAL REVIEW

Officer responsible Community Advocate	Author Peter Dow, DDI 941-6728
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1. LEGAL ADVICE

Members will recall that at its meeting on 30 September, the Board considered the contents of a draft submission to the Council on the 2003 Electoral Review and inter alia resolved:

“That the Director Legal and Secretariat Services be asked to formally report to the Board on the advice given to the Community Advocate with particular regard as to why Councillor Board members can have input into many matters dealt with by the Council and why there are instances when such members may not be involved.”

The Community Advocate actioned this outcome by memorandum to the Director of Legal and Secretariat Services (Peter Mitchell) on 1 October and Mr Mitchell has in turn responded by written memorandum dated 7 October.

Copies of both items of correspondence are **attached** for the Board's information.

2. REVIEW OUTCOMES

Members will recall that the Board at its 30 September meeting, resolved to lodge a submission against the Council's proposal for an eight ward governance structure for the city, with an additional two Community Boards, and an overall reduction in the numbers of elected members.

It was also resolved that the Board be heard in support of its submission.

The Board's submission was presented to the Strategy and Finance Committee on Wednesday 5 November together with a number of other public submissions. A balance of submissions were heard by the Committee on 13 November.

Under a delegated authority the Strategy and Finance Committee has now completed the hearing of submissions, and has determined that, subject to some minor amendments, the original proposal should be confirmed. The proposal has now been advertised and details provided as to the right of appeal/objection to the final proposal. A copy of the Public Notice is **attached**.

As part of the Board's outcome on 30 September it was resolved:-

- “3. That, should the Council confirm, or not substantially amend, its proposal, then an appeal be prepared for forwarding to the Council by 20 December 2003 for later consideration by the Local Government Commission.”

Now that the original proposal has generally been endorsed it would seem appropriate that the Board confirm its earlier position.

Staff

- Recommendations:**
1. That an appeal be prepared for forwarding to the Council by 19 December 2003 for later consideration by the Local Government Commission.
 2. That the Board be heard in support of its appeal (if the Commission is providing for a Hearing in Christchurch) and be represented in this regard by the Board Chairman and Deputy Chairman.

The Chairman comments:

“In addition to confirming its view on the basis for the proposal itself, the Board's appeal should also draw reference to the rather unsatisfactory process which resulted in only three Councillors being involved in the final decision making. Any outcome determining an expanded governance regime for the city is a decision that deserves much more input and accountability than this.

It is therefore recommended that alongside the Board's appeal, mention be made of the Board's concern at the outcome, and confirm also that the Board's view is that there be no major change from the existing six community structure.”

**Chairman's
Recommendation:**

1. That the above recommendations be adopted.
2. That alongside the Board's appeal, an expression of concern be made that the Council's decision was determined by only three voting Councillors.