

2. 2001 ELECTION REVIEW

Officer responsible Council Secretary	Author Max Robertson, DDI 371-1533
Corporate Plan Output: Public Accountability: Elections	

INTRODUCTION

The purpose of this report is to assist the Strategy and Resources Committee to consider and determine the four objections which have been received to the Council's decision regarding the 2001 election review. At its meeting on 24 August 2000 the Council granted the Strategy and Resources Committee delegated power to hear and determine the objections, copies of which are attached. The objectors have been invited to make their submissions at the following times:

- 2.00pm Phil Clearwater
- 2.20pm Sydenham Business Association
- 2.40pm Ronald Currie and Pamela Hughes
- 3.00pm Waltham Community Cottage

These objections are the subject of a separate report by the Legal Services Manager (attached).

OBJECTION BY MR PHIL CLEARWATER

Mr Clearwater seeks reconsideration of the following alterations previously agreed between the Hagley/Ferrymead and Spreydon/Heathcote Community Boards:

1. *Proposal to Include the Sydenham Business District in the Heathcote Ward*

The Spreydon/Heathcote Community Board had proposed that the boundary between the Hagley Ward and the Heathcote Ward shift from Brougham Street to the railway line to allow the Sydenham Business District bounded by the railway line, Antigua Street, Brougham Street and Waltham Road to be transferred from the Hagley Ward to the Heathcote Ward. A clear community of interest between the Sydenham Business District and the areas to the south and southwest was cited as the reason for this proposal.

The meshblocks to be transferred from the Hagley Ward to the Heathcote Ward are: 2,616,400; 2,616,300; 2,617,200; 2,616,500; 2,616,600; 2,616,800; 2,617,000; 2,617,300; 2,616,700; 2,616,900; 2,617,100; 2,617,400; 2,617,500; 2,617,700; 2,618,100; 2,618,300; 2,618,800; 2,617,800; 2,618,400; 2,617,900; 2,618,500; 2,618,900; 2,619,000; 2,618,000; 2,618,600; 2,619,100; 2,618,700; 2,617,602; 2,618,200. The resident population in these meshblock areas is 324.

2. *Proposal that the Waltham area be transferred from the Hagley Ward to the Heathcote Ward*

The Spreydon/Heathcote Community Board proposed that the Waltham area bounded by Hastings Street East, Wilsons Road, Brougham Street and Waltham Road be transferred from the Hagley Ward to the Heathcote Ward. A community of interest between this area and Sydenham and the areas to the south was cited as the reason for this adjustment.

The Hagley/Ferrymead Community Board members present supported this proposed boundary adjustment and agreed to take this proposal back to their Board for confirmation.

This boundary adjustment involves the transfer of the following meshblocks from the Hagley Ward to the Heathcote Ward: 2,624,302; 2,624,402; 2,624,502 and 2,624,602. The resident population within these meshblocks is 205.

3. *Proposal that the area of the Heathcote Ward bounded by the railway line, Chapmans Road, Port Hills Road and then following the ward boundary to the Summit Road, back along the meshblock boundaries to include Avoca Valley Road, Port Hills Road and Curries Road be transferred from the Heathcote Ward to the Ferrymead Ward.*

That meshblocks 2553702 and 2554200 be transferred from the Heathcote Ward to the Ferrymead Ward. This transfer will include the residential area of Avoca Valley Road but will exclude both sides of Port Hills Road from Avoca Valley Road to Curries Road and the block bounded by Port Hills Road, Curries Road, the railway line and Chapmans Road. The resident population within these meshblocks is 183.”

Maps showing the general location of the boundary changes sought by Mr Clearwater are attached.

OBJECTIONS BY RONALD CURRIE AND PAMELA HUGHES (JOINT OBJECTION), ANDREW McINTOSH AND WALTHAM COMMUNITY COTTAGE

These objectors all support the alterations affecting the Sydenham Business District and parts of the Waltham area, as set out in parts 1 and 2 of Mr Clearwater’s submission.

As members will be aware, the boundary changes sought by the objectors were previously recommended to the Council by the Hagley/Ferrymead and Spreydon/Heathcote Community Boards, although in the event the Council resolved at its meeting on 24 August 2000 not to support these changes.

The relevant statutory provision is Section 101ZO(1) of the Local Government Act 1974, which provides:

- “(1) *A community may be abolished or united with another community, and the boundaries of a community may be altered by:*
- (a) An Order in Council giving effect to a reorganisation scheme:*
 - (b) The territorial authority, by resolution, made with the consent of, or at the request of, the community board or community boards affected:*
 - (c) A determination of the Commission where the territorial authority and the community board or community boards are not in agreement.”*

Should the Committee disallow these four objections, it will be open to the objectors to lodge appeals against this decision, for ultimate determination by the Local Government Commission.

Recommendation: That, following the hearing of their oral submissions, the Committee determine pursuant to the power delegated to it by the Council whether the objections by the following parties are to be disallowed, allowed in part or allowed in full:

- Phil Clearwater
- Sydenham Business Association
- Ronald Currie and Pamela Hughes
- Waltham Community Cottage

Chairman’s

Recommendation: For discussion, following the hearing of the oral submissions in support of the objections.