

**Give us back our democracy**

## **Environment Canterbury (Transitional Governance Arrangements) Bill**

### **Submission guide**

People in Canterbury should not be second class citizens having to live with second class local body representation. But that's what the National Government is doing with its Bill to stop Cantabrians from voting for all the members of Environment Canterbury Regional Council (ECan).

If this Bill becomes law Canterbury citizens will only be able to vote for seven ECan councillors in the 2016 local body elections. Ministers will appoint the six other members of the Council. Appointed members report to Ministers. They are not accountable to the people of Canterbury.

The National Government wants to continue to control ECan from the Beehive because 63 % of all the irrigated land in New Zealand is in Canterbury. The Government wants the council to continue to be a cheerleader for more irrigation rather than an independent referee. It wants the Council to promote more intensive agriculture, and more water takes which will cause more water pollution.

**Please stand up for democracy and make a submission. Submissions close on Thursday 19 November. Ask to be heard. The select committee will come to Christchurch to hear submissions.**

**To find out more about the proposed Environment Canterbury (Transitional Governance Arrangements) Bill visit:**

- [The Environment Canterbury \(Transitional Governance Arrangements\) Bill](#)

**See how to make a submission, visit:**

- [The Local Government and Environment committee's Facebook page](#)
- [Parliament's website – Make a submission on the Environment Canterbury \(Transitional Governance Arrangements\) Bill](#)

### **Points to consider making in a submission**

This Bill is a Wellington-controlled model, plain and simple. We need a 100% Canterbury-controlled model, the way other regions operate, not one where Cantabrians are second class citizens as far as regional democracy is concerned.

No other regional or unitary council in the country has Government appointees at the council table.

None of the other 77 local authorities in New Zealand have has this second class model of democracy with half the members appointed by Ministers and the balance elected which Government is imposing on Canterbury through this Bill.

Canterbury has the largest geographic area of any region in New Zealand and is second only to Auckland in its regional population, yet Canterbury citizens will get to elect only seven councillors compared to 20 in Auckland and 13 in Greater Wellington.

The Bill halves the level of elected representation on the regional council. In 2010 before the current regime where Ministers replaced 14 elected councillors with appointed commissioners, Christchurch citizens elected eight of the 14 regional councillors.

Under the Bill, Christchurch as New Zealand's second largest city will only be able to elect four regional councillors at large across the whole city. That's too few to properly represent citizens in a city the size of Christchurch.

The Bill represents a significant change in the way local government operates. It establishes a precedent for weakening local government and local democracy throughout the country. As the Ministry for the Environment says in its Regulatory Impact Statement "the proposed governance model has an element of uncertainty in its effectiveness as it has not previously been used in a local governance context."

As the Christchurch City Council has said;

- *"The Council is concerned that the mixed model will reduce effective, open and transparent processes rather than provide stability for Canterbury.*
- *There is a risk that central government processes and decision making will interfere with decision making that is in the best interests of the Canterbury public (p. 8)."*

Local Government New Zealand which represents all councils has emphasised the fundamental importance of local democracy by saying, *"Local government representatives should not be required to have specialist expertise or skills. Rather their role is to "set direction, resolve differences over values and set priorities and most of all, supervise management."*

When the Government called for submissions on the future of Environment Canterbury recently, the vast majority of submitters called for a return to full democratic representation and opposed the second class model that the Government is proposing. Thousands of people represented by organisations such as the New Zealand Law Society, Forest and Bird, North Canterbury Fish and Game, and Christchurch City Council called for a return to regional democracy. The Government needs to heed the strong public support for full democracy.

The handful of submitters who want Ministers to appoint people to Council all have an interest in more irrigation. They include Federated Farmers, Irrigation New Zealand, the Waitaki Irrigators' Collective and the Hurunui Water Project.

Through this Bill the Government wants to impose yes-men and women to act in the interests of Wellington Ministers to promote more irrigation and more intensive agriculture, and continuing decline in the region's water quality for another four years.

This Bill and its predecessors Environment Canterbury (Temporary Commissioners and Improved Water Management) Act 2010, amended in 2013 would deny Cantabrians a functioning regional democracy for a decade. There is no certainty that we would get full democracy back in 2019. The Ministry for the Environment's Regulatory Impact Statement says: *"In the long term, IF the planning*

*frameworks for freshwater management and earthquake recovery have been effected as planned, this model would provide a mechanism for transition to a fully elected council....*

The Government's claim that regional councils are similar to District Health Boards is a fallacy. DHBs are centrally funded by government. They are not funded by and accountable to, local voters and ratepayers as regional councils are.

Environment Minister, Dr Nick Smith has repeatedly spread misinformation about the performance of a fully elected Environment Canterbury. He claims that the elected Regional Council did have a water plan in 2010. In fact the proposed Natural Resources Regional Plan was near the end of the hearing process, and being used. The Government's commissioners picked up and made operative a couple of months after taking over the council.

The Bill continues to sideline the specialist Environment Court and restrict access to justice by prohibiting appeals on regional plans to the Environment Court and only allowing appeals on points of law to the High Court. This limits the ability of citizens to challenge council plans to better protect water quality, mahinga kai and cultural values. There is no reason for having the Resource Management Act continue to apply differently in Canterbury than elsewhere in New Zealand.

Govt should not continue to patronise Cantabrians by keeping ECan under its thumb by through its hand-picked commissioners.

When there was a fully elected regional council, councillors were more responsive to public concerns about the health and state of Canterbury's waterways, biodiversity and natural environment. In 2009, an elected council published a comprehensive state of the environment report addressing these concerns. The Commissioners have not updated it.

Cantabrians deserve the same democratic rights and law as other kiwis. The Green Party trusts Cantabrians to elect a competent regional council which can get on with the job of tackling the region's water pollution issues and managing water, soils, air, the coast, natural hazards and transport in a sustainable way.

Democracy involves debate between different world views and elected councillors representing local people on the issues that matter.

More information:

- [What's been said in Parliament about the Environment Canterbury \(Transitional Governance Arrangements\) Bill](#)