

2022 Local Government Elections: Māori Representation

Meeting: Council Briefing
Date of meeting: 03 June 2020
Reporting officer: Jason Marris, General Manager Engagement and Transformation

Purpose/Ngā whāinga

To inform and discuss the option of establishing a Māori ward for the Kaipara District for the 2022 Local triennial elections.

Discussion/Ngā kōrerorero

There are some decisions that need to be made in the lead up to the local triennial elections in 2022. One of those is for Council to consider whether or not to establish a Māori ward. The Local Government Act 2002 (LGA) advises that the local authority should provide opportunities for Māori to contribute to its decision-making processes. A Māori ward can be one of these opportunities.

While Council could resolve at any time to conduct a public poll on the matter, for a Māori ward to be included in the 2022 local triennial elections, it must be made by 23 November 2020.

The process

The authority for Council to establish Māori ward(s) comes from the Local Electoral Act 2001 (LEA). The process is outlined below:

1. Council may (it is optional) decide by resolution to establish a Māori ward. To establish a Māori ward it would need to be resolved by 23 November 2020
2. Public notice of this decision must then be made by 30 November 2020. The notice also advises that the public may demand a poll on the matter. A valid demand to conduct a poll would be one which is signed by at least 5% of electors across the district (790 electors)
3. Any demand for a poll must be received by Council by 21 February 2021
4. If no demand for a poll is received, Council must then conduct a representation review to incorporate the Māori ward into the District's representation arrangements.

A representation review is a formal process that takes into account aspects such as population growth and distribution, community boards, ward(s)/names and number of elected members etc for the district.

Kaipara District Council (KDC) conducted a representation review prior to the 2019 local triennial elections. On approving the new representation arrangements, the Local Government Commission (the Commission) recommended that KDC conduct another review prior to the 2022 local government elections, due in part to the significant population growth across the district.

5. If a valid demand for a poll is received, Council is then required to conduct a poll of all electors on the matter. This poll must be conducted by 21 May 2021
6. If the poll countermands the original Council decision to include a Māori ward, the Māori ward is not included in the arrangements for the 2022 local government elections
7. Should a Māori ward be established either by way of a Council resolution or a poll, it must remain in place for at least two triennial elections (2022, 2025).

Calculating the number of Māori and general members

There is a prescribed calculation to determine the number of Māori and general members in the LEA for a local authority. It is a proportionate calculation based on the Māori electoral population

against the general electoral population. This is determined by Statistics New Zealand and provided to the Commission.

For KDC, we have a Māori electoral population of 3,399 and a general electoral population of 19,470.

The number of members would be determined at the following representation review. However, should the total number of members remain at eight (excluding the Mayor) this would mean that there would be one Māori member (elected at large from those on the Māori electoral roll at the election) and seven general members (elected from one or more wards from those on the general electoral roll). Anyone standing for the Māori ward could be on either electoral roll.

The effect on the number of Councillors in the district could be to add a further member (subject to the representation review). The Councillor remuneration pool would not change as it is no longer based on the numbers of Councillors.

Recent history

There are three local authorities that currently have Māori wards/constituencies as follows:

- **Bay of Plenty Regional Council** – by separate Act in 2001
- **Waikato Regional Council (2011)** – by resolving to have Māori constituencies, placing public notice and not receiving a demand for a poll
- **Wairoa District Council (2016)** – resolved to have a poll on Māori wards for the 2016 triennial election. Poll held where 54% voted for Māori wards and 46% voted against. This was the second attempt to include Māori wards, the first attempt failed.

In the past six or so years, six other authorities have attempted to introduce Māori wards as follows:

- **Hauraki District Council (2013)** – resolved to introduce Māori wards, placed public notice where 5% electors demanded a poll. Poll subsequently held where 19% voted for Māori wards and 81% voted against
- **Waikato District Council (2014)** – resolved to introduce Māori wards, placed public notice where 5% electors demanded a poll. Poll subsequently held where 20% voted for Māori wards and 80% were against
- **Far North District Council (2015)** – resolved to introduce Māori wards, placed public notice where 5% electors demanded a poll. Poll subsequently held where 32% voted for Māori wards and 68% voted against
- **New Plymouth District Council (2015)** – resolved to introduce Māori wards, placed public notice where 5% electors demanded a poll. Poll subsequently held where 17% voted for Māori wards and 83% voted against
- **Whakatane District Council (2018)** – resolved to introduce Māori wards, placed public notice where 5% electors demanded a poll. Poll subsequently held where 45% voted for Māori wards and 55% voted against. This was their second attempt.
- **Western Bay of Plenty District Council (2018)** – resolved to introduce Māori wards, placed public notice where 5% electors demanded a poll. Poll subsequently held where 22% voted for Māori wards and 78% voted against.

Views of Māori

Before Council can make a decision or not, it is important to engage Māori in the district on their views. In doing this, some authorities have discovered that local Māori do not support Māori wards.

It is proposed that staff engage with our Iwi/hapū (Te Roroa, Te Uri O Hau and Ngāti Whātua) at Board/Settlement Trust level to explain the process, provide material that speaks to what it means and then ascertain views. These views would be used to inform any future decision of Council.

There is a large number of marae in the district which quickly makes engagement at that level unmanageable for staff. It is hoped that by having the discussion at Board/Settlement Trust level, and providing clear information, the Trust can then have the discussion with local Māori and then present a unified voice or preferred approach.

Next steps/E whaiake nei

Engage with our Iwi/hapū to ascertain views and report back to Council.