



Local Government briefing

Hon Nanaia Mahuta
Minister of Local Government

Title: **Stage 2 legislative reform for Māori wards and constituencies**

Date: 13 April 2021

Key issues

You are scheduled to meet with officials on 19 April 2021 to discuss the second stage of Māori wards legislative reform.

Simple process changes can be made in this term of Parliament to improve alignment between Māori and general ward processes. At the same time, the second Māori wards Bill presents you with an opportunity to deliver additional improvements to the Local Electoral Act 2001 alongside any changes to Māori wards. This briefing provides you with options for your consideration and seeks your preferences for the scope of this work.

Broader issues around Māori representation could be considered through the Inquiry into the Future for Local Government.

Action sought

Timeframe

Note that the second Māori wards Bill is intended to be passed by December 2022.

Agree that this Bill will make simple changes to improve the alignment of the Māori wards process to the existing general wards process.

Note that there is an opportunity to deliver additional improvements to the Local Electoral Act 2001 alongside these changes, as part of a broader Local Electoral Bill.

Note that the Department's shortlisted options that could be added on to the Bill would not impede the progress of the reforms to the Māori wards process.

Note that there are other, complex issues with the Māori wards process and it will not be possible to address all of these in the timeframe available for this Bill.

Discuss your preferences for the scope of this work at your meeting with officials on 19 April 2021.

As soon as possible

Contact for telephone discussions (if required)

Name	Position	Contact Number	Suggested 1 st contact
Amanda Shaw	Principal Policy Analyst	027 232 7997	✓
Fergus Broom	Policy Manager	027 364 7084	

Return electronic document to:	Dominic Tay, dominic.tay@dia.govt.nz
Cohesion reference	3W2DU3RAJ5R2-225574853-196
Ministerial database reference	LG202100355

Purpose

1. This briefing provides you with options for:
 - 1.1 the second stage of legislative reforms to the processes for Māori wards and constituencies; and
 - 1.2 combining this work with other straightforward improvements to the Local Electoral Act 2001 (the Act) sought by the local government sector.

We seek your direction on the scope of this work

2. In 2020 the Government began a two-stage process to remove and replace the provisions in the Local Electoral Act 2001 that enabled binding polls on Māori wards and constituencies to overturn council decisions.
3. The first stage of this process concluded in February 2021 with the passage of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021. The poll provisions have been repealed and a transition period is in place.
4. Cabinet has agreed that the second stage will improve the mechanism for establishing Māori wards and constituencies in the future, and that this stage will be completed within this parliamentary term [CAB-20-MIN-0521.02 refers].
5. A bid for a second Māori wards Bill was submitted for consideration for the 2021 Legislative Programme with a recommendation that the Bill be introduced no later than March 2022 and passed no later than December 2022.
6. The Bill will be primarily focused on improving Māori ward settings following the initial changes earlier this year. However, there is also an opportunity to progress other technical changes that would further improve the Act without impacting on the passage of this Bill.
7. **Appendix A** outlines some of the choices available for the direction and scope for the Bill.

Simple changes can be made to the Māori wards process in this term of Parliament

8. To complete this project within the specified timeframe, we propose that the Stage 2 work is focused on generating further consistencies between the separate processes for Māori wards and general wards.
9. Addressing the current inconsistencies could look like some or all of:
 - 9.1 requiring councils to formally consider Māori wards at least every six years;
 - 9.2 requiring councils to conduct a public engagement process when considering Māori wards and to consider community feedback in making their decision;
 - 9.3 considering any role for the Local Government Commission;
 - 9.4 considering the status of binding council-initiated polls on general wards;
 - 9.5 setting out a clear process for councils to discontinue Māori wards, if the council considers these are no longer desirable.
10. If you agree with our approach, we will work with local government sector representatives and iwi/Māori representatives on the design of the aligned processes.
11. These changes can be in force by the end of 2022 subject to House time availability.

This Bill could also be an opportunity to deliver additional improvements to the local electoral system

12. In November 2020 we advised you that the local electoral regulatory framework is out of date and falling further and further behind public expectations and the standard set in general elections [LG202000877 refers]. These concerns are shared by the local government sector including LGNZ, Taituarā and local authority electoral officers.
13. Subject to your priorities for the local government work programme, you could address some of the issues with the current framework alongside work to align Māori and general ward processes as part of a broader Local Electoral Bill (instead of a standalone Māori wards Bill).

These additional amendments are sought by the sector, and could be progressed without compromising timeframes

14. We have identified two optional “add-ons” that could be progressed alongside the Stage 2 Māori wards work without compromising the existing timeframes. You may wish to consider one, both, or other options.
15. Each add-on has been the subject of sector advocacy over the last several years. The Department has previously undertaken policy work related to these issues and as such we consider that adding either or both of these options to the Bill will not impede progress on the changes to the Māori wards process.

Add-on A: Sector-requested improvements to electoral administration and participation

16. Sector representatives including Taituarā and local authority electoral officers have requested successive Governments make minor and technical amendments to the Act to support electoral administration and participation by:
 - 16.1 making it easier for candidates to stand for election, by clarifying the legal status of electronically submitted nominations;
 - 16.2 enabling councils to provide secure telephone voting (which is already available to voters at general elections) as an option to support disabled electors; and
 - 16.3 simplifying post-election administrative processes by enabling the Electoral Commission to provide electoral officers with supplementary electoral rolls.
17. We consider that progressing these changes would:
 - 17.1 reduce barriers for people to stand for and vote in local elections;
 - 17.2 significantly streamline electoral processes; and
 - 17.3 improve the resilience of the local electoral system including in extraordinary circumstances or challenging conditions, such as a pandemic.
18. You may wish to progress these changes alongside the next Māori wards Bill.
19. For these changes to be made in time for the 2022 local elections, the enactment date of the Bill would need to be brought forward to approximately June 2022 (i.e., before nominations open for the 2022 local elections). You may prefer for these changes to apply from the 2025 local elections.

Add-on B: Judicial recounts and tied results

20. You will recall that an application to recount a tied result cannot be lodged until after a winner has been determined by lot. As a result, some candidates have been sworn in as elected members on the basis of a coin toss but have been subsequently removed from their positions following a recount.
21. You previously indicated your intention to update the process for declaring the outcomes of elections with tied results. This change is also supported by Taituarā.
22. In February 2020 the Department prepared advice proposing:
 - 22.1 a mandatory judicial recount for tied results before any coin toss happens; and
 - 22.2 timing adjustments so that the declaration of results is delayed until after the window for requesting and completing judicial recounts is closed [LG202000054 refers].
23. You may wish to progress this change alongside the next Māori wards Bill.
24. For these changes to be made in time for the 2022 local elections, the enactment date of the Bill would need to be brought forward to approximately August 2022 at the latest (i.e., before voting starts at the 2022 local elections). You may prefer for these changes to apply from the 2025 local elections.

The Inquiry into the Future for Local Government could address more complex Māori representation issues

25. There are broader structural challenges with Māori representation in local government. Some of these were identified in public submissions to the select committee earlier this year, such as:
 - 25.1 Māori wards cannot be implemented at councils with low Māori electoral population;
 - 25.2 there is no ability for community boards and local boards to have guaranteed Māori representation;
 - 25.3 there is no provision for guaranteed representation of mana whenua; and
 - 25.4 councils' consideration of Māori wards is siloed from other decisions about representation of communities and roles for Māori in decision-making.
26. While it may be possible to consider some of these issues within the Stage 2 work, it is unlikely they could all be addressed within the time available.
27. We note that the Inquiry into the Future for Local Government will consider a future-looking view of representation and governance including recommendations on a local government system that actively embodies the Treaty partnership through the role and representation of iwi/Māori in local government. As such, the Inquiry could be a suitable venue for considering these significant governance issues that are at the heart of what local government will look like in the future.

Next steps

28. You are scheduled to meet with officials on 19 April 2021 to discuss the second Māori wards Bill. At this meeting we would also like to discuss whether you intend to pursue additional improvements to the Act alongside improvements to the Māori wards process, and if so which add-on options you prefer.
29. A decision on your preferred direction will be required before the Department begins stakeholder engagement on the Stage 2 work.

Timing of the Bill

30. **Appendix B** suggests two indicative timelines for progressing the Stage 2 reforms for Māori wards.
31. If the second Māori wards Bill also includes electoral system improvements that will be made in time for the 2022 local elections, the Bill will need to be enacted sooner (i.e., by June 2022).
32. The Bill can be passed on a slower track (i.e., by November 2022) if these improvements are only to have effect from the 2025 local elections or are not advanced at this time.
33. Subject to your decisions about the scope of the Bill, we will provide you with:
 - 33.1 detailed policy proposals for your preferred approach in early May 2021; and
 - 33.2 a draft Cabinet paper, seeking approval to begin stakeholder engagement on the Stage 2 proposals for Māori wards, by early June 2021.

'Released under the Official Information Act 1982'

Recommendations

34. We recommend that you:

- a) **note** that the second Māori wards Bill is intended to be passed by December 2022;
- b) **agree** that this Bill will make simple process changes to improve the alignment of the Māori wards process to the existing general wards process; **Yes/No**
- c) **note** that this Bill could provide an opportunity to deliver additional improvements to the local electoral system, such as:
- A. a package of sector-requested improvements to support electoral administration and participation,
and/or
 - B. technical amendments to update the process for judicial recounts of tied results; and
- d) **note** that these changes would not impede the progress of the reforms to the Māori wards process;
- e) **note** that there are other, complex issues with Māori representation at local government and that while some of these issues could be considered as part of the second Māori wards Bill it will not possible to address them all in the timeframe available;
- f) **note** that you are scheduled to discuss the scope of this Bill, including options for broader work on Māori wards and the opportunity for additional improvements to the local electoral system, with officials on 19 April 2022.



Martyn Pinckard
General Manager, Policy and Operations

Hon Nanaia Mahuta
Minister of Local Government

_____/_____/_____

Appendix A: Scoping and options

See separate A3.

‘Released under the Official Information Act 1982’

Options and scope for future work on Māori wards and constituencies

1 The processes for Māori wards is not aligned with the equivalent processes for general wards. Simple changes to align these processes can be made during this term of Parliament, but some complex issues would not be addressed.

✓ Simple process changes to improve alignment

Problem: The differences between Māori ward and general ward processes include:

- Councils must consider general wards every 6 years, but Māori wards are an optional consideration.
- There is no set engagement process (for example, a submission period) for councils' Māori wards decisions.
- Decisions to move from at-large to general wards can be appealed to the Local Government Commission, but decisions to move from at-large to a mix of Māori and general wards cannot.
- There is no clear process for councils to move away from Māori wards once established.

Proposed approach: The Māori wards process needs to be clearer and provide opportunities for public input. We propose engaging with local government and iwi/Māori to develop a new process that provides a better balance of participation, local governance and the Treaty partnership.

Engagement: Targeted – local government sector and iwi/Māori
Resourcing: Can be achieved within existing resourcing
Enactment target: October 2022
Complexity: Low

✗ Remaining issues with Māori representation at local government

Problem: There are broader structural issues with the Māori wards process, including:

- Māori wards cannot be implemented by some councils because their Māori electoral population is too low.
- Māori wards exist only at the council level—not at local board or community board level.
- Māori wards do not guarantee a role for mana whenua in decision-making.
- Māori wards are not officially part of the council representation review and the current “siloes” approach to decision-making can lead to information gaps that can cause tension for some councils and communities.

Proposed approach: You may wish to consider some of these issues within the Stage 2 work however it would not be possible to address them all within the time available. The Future for Local Government Inquiry may be a suitable venue for considering these significant governance issues at the heart of local government.

Engagement: Broader public engagement
Resourcing: Would require additional resourcing
Enactment target: May not be possible by October 2022
Complexity: Medium-high

2 At the same time, this Bill may present an opportunity for you to deliver additional improvements to the local electoral system. We have identified two options for consideration that could be delivered without impeding progress on the changes to the Māori wards process.

A Electoral administration and participation

The local government sector has, for some time, advocated for a package of technical amendments to support the administration of local elections and/or to improve participation.

The shortlisted proposals (see paragraph 19) would:

- Reduce barriers for people to stand as candidates;
- Empower councils to provide greater support for disabled voters;
- Significantly streamline electoral processes;
- Improve the resilience of the local electoral system.

Timing implication: Could be in force to support 2022 local elections but would need to be enacted before June 2022.

And/Or

- Engagement:** Focussed engagement with LG sector
- Resourcing:** Unlikely to require additional resourcing
- Enactment target:** Earlier enactment target: June 2022 (if applicable for 2022 local elections)
- Complexity:** Low complexity

B Recounts, coin tosses and tied results

Officials could continue to work on a package of technical amendments to update the process for judicial recounts of tied results at local government elections.

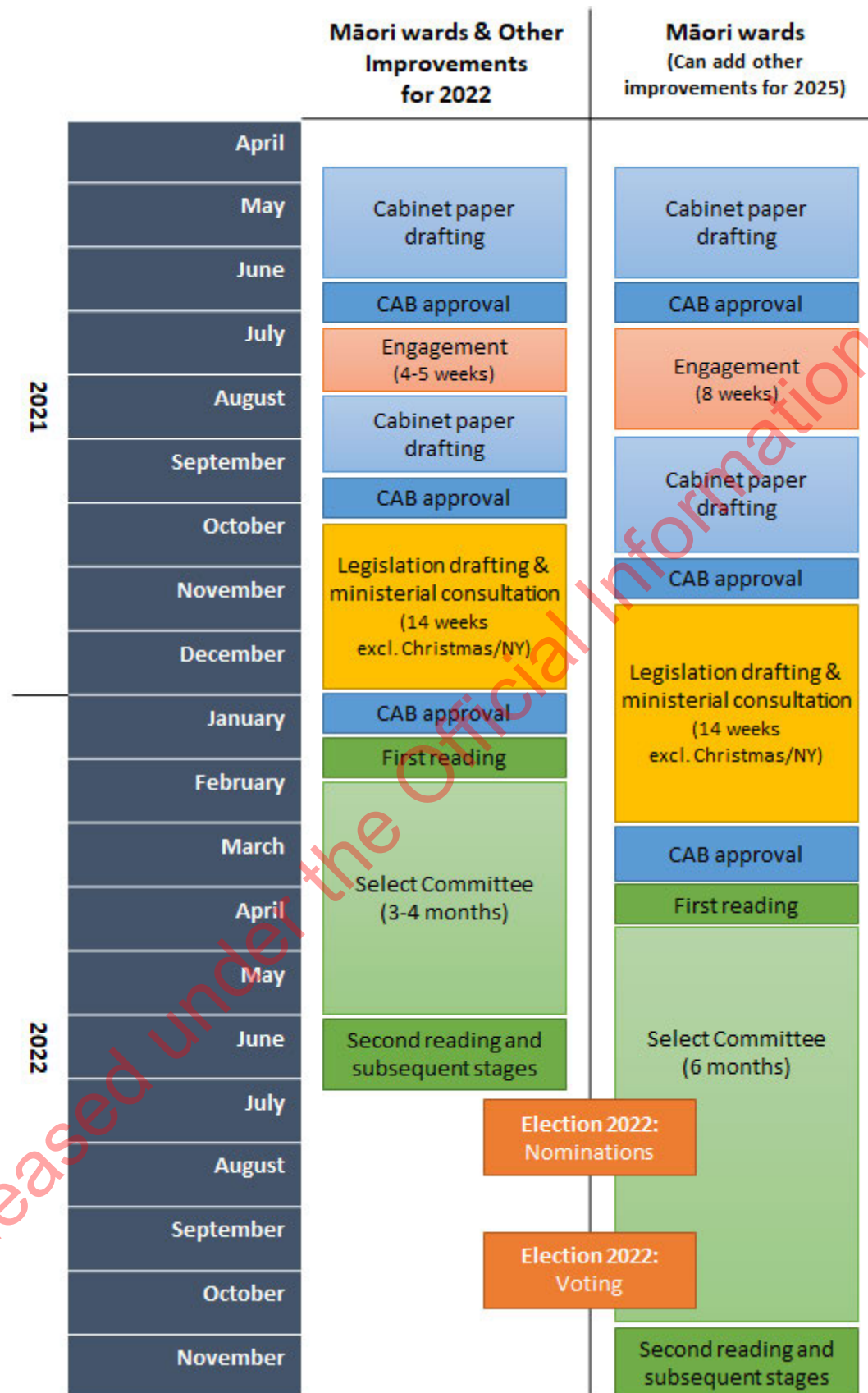
Our previous policy work proposed:

- A mandatory judicial recount for tied results before any coin toss takes place; and
- Timing adjustments so that candidates cannot be sworn into office and potentially “unelected” after a recount.

Timing implication: Could be in force to support 2022 local elections but would need to be enacted by August 2022.

- Engagement:** Further engagement not likely required
- Resourcing:** Unlikely to require additional resourcing
- Enactment target:** Earlier enactment target: August 2022 (if applicable for 2022 local elections)
- Complexity:** Low–medium complexity

Appendix B: Indicative timeline for future work on Māori wards





Local Government briefing

Hon Nanaia Mahuta
Minister of Local Government

Title: **Local Electoral Amendment Bill – revised scope and Māori wards engagement approach**

Date: 28 May 2021

Key issues

Your Bill to amend the local electoral system (including changes to the Māori wards process) will be an omnibus Bill and needs a clear purpose statement to remain within standing orders. We propose that this is “to improve the processes by which individuals and communities are represented through, and can participate in, local government elections.”

9(2)(f)(iv)

We are preparing for public consultation on the Stage 2 legislative changes to Māori wards. We will provide you with a draft Cabinet paper seeking approval to release a discussion document in early June.

Action sought	Timeframe
<p>Agree to the proposed purpose of the omnibus Local Electoral Bill.</p> <p>9(2)(f)(iv)</p> <p>Agree that the Department will prepare a 9(2)(f)(iv)</p> <p>Agree that this Cabinet paper will also 9(2)(f)(iv)</p> <p>Confirm your preferred option for Cabinet committee consideration.</p>	3 June 2021

Contact for telephone discussions (if required)

Name	Position	Contact Number	Suggested 1 st contact
Fergus Broom	Policy Manager	027 364 7084	
Dominic Tay	Senior Policy Analyst	04 495 6004	✓
Return electronic document to:	Dominic Tay (dominic.tay@dia.govt.nz)		
Cohesion reference	3W2DU3RAJ5R2-225574853-219		
Ministerial database reference	LG202100524		

Purpose

1. This briefing seeks your approval to:
 - 1.1 the revised scope of the proposed Local Electoral Amendment Bill; and
 - 1.2 the proposed engagement approach to the second stage of work for Māori wards and constituencies.

Background

A Local Electoral Amendment Bill will be introduced in early 2022 and passed later that year

2. In your meeting with officials on 20 April 2021, you agreed to progress a Bill amending the Local Electoral Act 2001 (the LEA) to:
 - 2.1 align the processes for councils to consider establishing both general and Māori wards;
 - 2.2 update processes related to electronic nominations, secure telephone voting for classes of electors, and special vote verification; and
 - 2.3 require a mandatory judicial recount to be undertaken when results are tied, before any coin toss happens.
3. On 27 May 2021 you agreed to progress two changes related to Auckland Council's unique governance and electoral arrangements in the same legislative vehicle [LG202100539 refers]. These are:
 - 3.1 changes to the Auckland Council member cap; and
 - 3.2 changes to local board boundary revision processes.

4. 9(2)(f)(iv)

5. The indicative legislative timeline for this Bill is as follows:

Milestone	Approximate date
Cabinet policy decisions	November 2021
Legislative drafting	November 2021 – February 2022
Introduction and first reading	March 2022
Select committee	April – October 2022
Second reading and remaining stages	November 2022
Comes into force	November / December 2022

This Bill will be an omnibus bill and needs a tight focus

6. Most of the changes proposed will amend the LEA or regulations under the LEA. However,
 - 6.1 the coin toss changes will require amendments to both the LEA and Schedule 7 of the Local Government Act 2002; and

6.2 the Auckland Council changes require amendments to the Local Government (Auckland Council) Act 2010.

7. Because the policy proposals require amendments to more than one Act, the Bill will be an omnibus bill.
8. Under standing orders, omnibus bills need to “deal with an interrelated topic that can be regarded as implementing a single broad policy.” The proposed Bill will therefore need to be tightly focused to ensure that it remains within standing orders.

Limiting the Bill to issues of representation and participation would fit with all your current intended amendments

9. We see the Bill as being one which “improves the processes by which individuals and communities are represented through, and can participate in, local government elections.” Broadening the scope of the Bill beyond this is possible but it would be challenging to make more significant changes to the LEA given the current indicative timelines for the Bill.
10. The current list of electoral issues that are proposed to be added to the second Māori wards Bill are mostly technical changes where the policy work is reasonably well advanced and which will make a significant impact over time to the ability of people to be represented through and participate in local government elections. This includes the Auckland Council changes.
11. Any further additions should fit the scope of the Bill and also its timelines. The timing for the Bill is driven by the need to complete the Māori ward reforms by the end of 2022 so that the new process for councils to consider Māori wards is in place for decisions to be taken in 2023.

9(2)(f)(iv)

[Redacted]

[Redacted]

12. 9(2)(f)(iv)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

‘Released under the Official Information Act 1982’

9(2)(f)(iv) [Redacted]
[Redacted]

[Redacted]
[Redacted]

- [Redacted]
[Redacted]
[Redacted]
[Redacted]

- [Redacted]
[Redacted]

- [Redacted]
[Redacted]
[Redacted]

- [Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

9(2)(f)(iv) [Redacted]
[Redacted]

- [Redacted]
 - [Redacted]
[Redacted]
 - [Redacted]
[Redacted]
 - [Redacted]
[Redacted]

- [Redacted]
[Redacted]
[Redacted]

- [Redacted]
[Redacted]
[Redacted]
[Redacted]

- [Redacted]
[Redacted]
[Redacted]
[Redacted]

'Released under the Official Information Act 1982'

Consultation and engagement

Proposed engagement approach for Māori wards and constituencies changes

25. The Government has committed to engaging with local government and iwi Māori on the development of the second stage of changes for Māori wards.
26. Our preferred engagement approach is to release a public discussion document and invite local government representatives, iwi, cross-regional Māori organisations and other interested organisations (as identified through submissions to the Māori Affairs Committee in February) to regional hui. We seek your agreement to this approach.
27. We propose that the discussion document focuses on the six key differences between the Māori wards and general wards process. These are:
 - 27.1 Requirement to consider ward systems;
 - 27.2 Timing of decisions;
 - 27.3 Opportunities for public input;
 - 27.4 Decision-making rights and role for Local Government Commission;
 - 27.5 Discontinuance process and period in force; and
 - 27.6 Types of polls.
28. We have identified several options for addressing the key differences. Rather than focusing on which options people prefer, the discussion document will describe the separate processes and use question prompts to seek views on how these could be brought together. A preliminary options analysis will be made available in the Department's regulatory impact assessment which will be made available alongside the discussion document.
29. Key messages for public consultation are attached as **Appendix B**.
30. We intend for the discussion document to be made accessible for blind or low vision readers and translated into te reo Māori.
31. We have discussed the proposed approach with representatives from Taituarā and Te Maruata to seek their feedback and to support the design of consultation procedures.

Timing and connection with other engagement activities

32. Subject to Cabinet agreement, we propose that the Māori wards engagement should last for up to 8 weeks and take place in July and August 2021.
33. We are aware of several related Government projects that will be engaging with iwi Māori and/or local government over the same period, including:
 - 33.1 Three Waters reform;
 - 33.2 the Future for Local Government Review;
 - 33.3 Resource Management reform; and
 - 33.4 work led by the Ministry of Justice on potential changes to the parliamentary term and Māori electoral option (subject to confirmation by Cabinet).
34. We will look to consolidate engagement opportunities where the Department, other agencies (if applicable) and stakeholders agree this is appropriate.

Consultation on local elections improvements

35. We are starting to raise the local electoral improvement work with other central government agencies. We have discussed the improvement to special vote processes with the Ministry of Justice and Electoral Commission. This change would reduce a significant burden on the Electoral Commission and they are highly supportive.
36. Next we will begin working with the Taituarā Local Elections Committee, on behalf of the local government sector, on the technical aspects of these changes.

Next steps

37. The Māori wards engagement needs to be approved by Cabinet. We will provide you with a draft Cabinet paper and discussion document, for your consideration and Ministerial consultation, in early June.
38. You have two options for Cabinet committee consideration timing. The first option would mean that Ministerial and departmental consultation would need to be on a much shorter timeframe than what would be usually expected, but would allow for engagement to get underway slightly sooner. We seek your preferred option.

	Meeting	Date
Option 1	EITHER Cabinet Economic Development Committee (DEV)	23 June 2021
	AND Cabinet	28 June 2021
Option 2	Cabinet Māori Crown Relations: Te Arawhiti Committee (MCR)	29 June 2021
	AND Cabinet	5 July 2021

39. We expect to report back from the engagement in early September with our recommended changes to the Māori wards process.
40. We will brief you on detailed policy proposals for the other local electoral improvements, including Auckland Council changes, progressively through 2021.
41. In late September, we will provide you with a draft Cabinet paper that seeks authorisation to release drafting instructions for all aspects of the Local Electoral Bill.

Recommendations

42. We recommend that you:

- a) **note** that the local electoral framework improvements you are progressing need to be progressed through an omnibus Bill;
- b) **agree** that the purpose of the proposed omnibus Bill will be “to improve the processes by which individuals and communities are represented through, and can participate in, local government elections”; **Yes/No**
- c) **agree** that changes to the electoral donations provisions of the Local Electoral Act 2001 should be progressed after equivalent changes to the Electoral Act 1993; **Yes/No**
- d) **agree** that the Department will prepare a draft Cabinet paper and draft discussion document for public consultation on the Stage 2 Māori ward changes; **Yes/No**
- e) **agree** that this Cabinet paper will also outline your upcoming work to improve the local electoral framework including the other issues to be included in the omnibus Bill and your intention to begin work to update the electoral donations provisions later this parliamentary term; and **Yes/No**
- f) **advise** the Department of your preferred option for Cabinet committee consideration:
- i. DEV 23 June 2021 and CAB 28 June 2021; or **Yes/No**
- ii. MCR 29 June 2021 and CAB 5 July 2021 **Yes/No**



Fergus Broom
Policy Manager

Hon Nanaia Mahuta
Minister of Local Government

_____/_____/_____

Appendix A: 9(2)(f)(iv) [Redacted]
[Redacted]

[Redacted]	[Redacted]
[Redacted]	[Redacted] [Redacted] [Redacted] [Redacted] [Redacted]
[Redacted]	[Redacted] [Redacted] [Redacted] [Redacted]
[Redacted]	[Redacted] [Redacted] [Redacted] <ul style="list-style-type: none">[Redacted] [Redacted][Redacted] [Redacted] [Redacted]
[Redacted]	[Redacted] [Redacted]
[Redacted]	[Redacted] [Redacted] [Redacted]
[Redacted]	[Redacted] [Redacted] [Redacted]

[Redacted]

- [Redacted]
- [Redacted]

'Released under the Official Information Act 1982'

Appendix B: Key messages for Māori wards public consultation

In early 2021 the Government passed legislation to more closely align the council processes for establishing Māori wards/constituencies and general wards/constituencies, by removing the ability for binding polls to be held on Māori wards when these were not available for general wards.

Now the Government is considering how these processes can be aligned even more closely.

At the moment there are several points of difference between these two processes. These differences include:

Issue	Description of differences
Any requirement on councils to consider Māori wards	Councils must consider general wards every 6 years but are not required to regularly consider Māori wards
Timing of decisions	Māori ward decisions are made in two stages over two years. General ward decisions are made in a single process over one year. The initial Māori ward decision is made before any consideration of general wards can begin.
Opportunities for public engagement on council decisions	Councils must run a consultation process on general ward proposals but are not required to follow any engagement process for the initial decision on Māori wards. Appeals and objections on a council's final general ward proposal can be submitted.
Any role for the Local Government Commission	The Local Government Commission can hear appeals and objections on a change from representation all-at-large to representation through general wards and overrule that change. Objections to a change from representation to all-at-large to representation through Māori and general wards cannot be appealed to the Local Government Commission.
Any process for councils to move away from Māori wards in future, and the period Māori wards remain in force	There is a clear process for councils to return to at-large general representation but not for disestablishing all Māori wards. When a Māori ward system is first introduced it must stay in place for 2 elections before it can be changed.
Types of council-initiated polls	Councils can initiate binding and non-binding polls on general wards, but only non-binding polls on Māori wards

Department of Internal Affairs officials will be available to discuss these proposals further with local government or iwi representatives, or other interested organisations.

We are interested in hearing how bringing these processes closer together can lead to:

- more effective local government representation for Māori communities, and
- simpler processes for local authority elected members and staff.

Feedback will be considered in the development of Government legislation to be introduced in 2022.

Document three

Status Reports 1 July 2021 – 2 December 2021

1 July 2021

Progress on key projects

<p>Māori wards and Māori constituencies</p> <p>●</p> <p>Responsible DCE: Michael Lovett</p> <p>Contact: Amanda Shaw (027 232 7997)</p>	<p>Recent Activities</p> <ul style="list-style-type: none">• We have provided you with a draft media release to introduce the Stage 2 Māori wards changes consultation and announce other changes to the local electoral framework. <p>Next steps</p> <ul style="list-style-type: none">• On 9 July 2021, consultation on the Stage 2 Māori wards changes will begin.• Te Maruata has invited officials to present on the Māori wards consultation at the national hui in Blenheim on 14 July 2021. This will be the first kanohi ki te kanohi engagement for the consultation. Officials will discuss the issues being consulted on and encourage hui attendees to make submissions.
--	--

8 July 2021

Progress on key projects

<p>Māori wards and Māori constituencies</p> <p>●</p> <p>Responsible DCE: Michael Lovett</p> <p>Contact: Amanda Shaw (027 232 7997)</p>	<p>Recent Activities</p> <ul style="list-style-type: none">• Consultation on the Stage Two Māori wards changes is ready to begin on 9 July 2021. <p>Next steps</p> <ul style="list-style-type: none">• Consultation will begin with an announcement on the Department's social media channels.• Officials will attend the Te Maruata national hui in Blenheim on 14 July 2021.
--	---

15 July 2021

Progress on key projects

<p>Māori wards and Māori constituencies</p> <p>●</p> <p>Responsible DCE: Michael Lovett</p> <p>Contact: Amanda Shaw (027 232 7997)</p>	<p>Recent activities</p> <ul style="list-style-type: none">On 9 July 2021, consultation on the Stage Two Māori wards changes began. The consultation page is available online at www.dia.govt.nz/maori-wards. <p>Next steps</p> <ul style="list-style-type: none">On 14 July 2021, officials attended the Te Maruata national hui in Blenheim.We will provide you with regular updates on the progress of the Māori wards consultation via the status report.
--	---

22 July 2021

Progress on key projects

<p>Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)</p> <p>●</p> <p>Responsible DCE: Michael Lovett</p> <p>Contact: Amanda Shaw (027 232 7997)</p>	<p>Recent activities</p> <ul style="list-style-type: none">On 9 July 2021, consultation on the Stage Two Māori wards changes began. The consultation page is available online at www.dia.govt.nz/maori-wards.We have provided an update on the recent changes to Māori wards' processes to the Ministry of Justice as supporting information for New Zealand's next report to the United Nations Committee for the Convention for the Elimination of Racial Discrimination. <p>Next steps</p> <p>We will attend a meeting of all territorial authorities and regional councils in the Bay of Plenty and Waikato regions in Taupō on 22 and 23 July 2021, and a hui with the Muaūpoko Tribal Authority on 26 July 2021.</p>
---	--

29 July 2021

Progress on key projects

Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)

Responsible DCE:
Michael Lovett

Contact:
Amanda Shaw
(027 232 7997)

Recent activities

- On 9 July 2021, consultation on the Stage Two Māori wards changes began. The consultation page is available online at www.dia.govt.nz/maori-wards.
- We have had two meetings with local government elected members to discuss the issues in the Māori wards discussion document:
 - on 23 July 2021 we met with elected members from territorial authorities and regional councils in the Bay of Plenty and Waikato region; and
 - on 26 July 2021, we had a video conference with some members of the New Plymouth District Council.
- On 29 July 2021 we had a video conference with Dr Lara Graves from the University of Auckland to discuss feedback on the Māori wards discussion document.

Next steps

- We have the following upcoming meetings scheduled to discuss the Māori wards discussion document:
 - on 30 July 2021, we will meet with Taituarā's Electoral Reference Group; and
 - on 2 August 2021 we will attend a postponed hui with the Muaūpoko Tribal Authority (timing to be confirmed).

'Released under the Official Information Act 1982'

5 August 2021

Progress on key projects

Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)



Responsible DCE:
Michael Lovett

Contact:
Rowan Burns
(027 302 5426)

Recent activities

- On 9 July 2021, consultation began on the stage two Māori Wards changes. The consultation page is available online at www.dia.govt.nz/maori-wards.
- On 30 July 2021, we met with Taituarā's Elections Reference Group, to talk through the consultation document.

Next steps

- The following upcoming meetings are scheduled to consider the Māori wards discussion document:
 - on 9 August 2021, with the Muaūpoko Tribal Authority (timing to be confirmed);
 - on 10 August 2021, with the Hutt City Council; and
 - on 11 August 2021, with Professor Janine Hayward from the University of Otago.

12 August 2021

Progress on key projects

Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)



Responsible DCE:
Michael Lovett

Contact:
Rowan Burns
(027 302 5426)

Recent activities

- On 9 July 2021, consultation began on the stage two Māori Wards changes. The consultation page is available online at www.dia.govt.nz/maori-wards.
- We have had the following meetings to consider the Māori wards discussion document:
 - 10 August 2021: the Hutt City Council; and
 - 11 August 2021: Professor Janine Hayward from the University of Otago.

Next steps

- We understand that at least 30 councils have signed up to attend a webinar we are jointly running with Taituarā on 12 August 2021.

•

19 August 2021

Progress on key projects

<p>Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)</p> <p>●</p> <p>Responsible DCE: Michael Lovett</p> <p>Contact: Rowan Burns (027 302 5426)</p>	<p>Recent activities</p> <ul style="list-style-type: none">On 9 July 2021, consultation began on the stage two Māori Wards changes. The consultation page is available online at www.dia.govt.nz/maori-wards.On 12 August 2021, we met with the following groups to consider the Māori wards discussion document:<ul style="list-style-type: none">○ Muaūpoko Tribal Authority; and○ at least 30 councils, in a webinar run with Taituarā. <p>Next steps</p> <ul style="list-style-type: none">On 27 August 2021, the consultation period ends. We will brief you on the result, and policy options for Māori wards on 9 September 2021.
---	---

26 August 2021

Progress on key projects

<p>Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)</p> <p>●</p> <p>Responsible DCE: Michael Lovett</p> <p>Contact: Rowan Burns (027 302 5426)</p>	<p>Recent activities</p> <ul style="list-style-type: none">We are working with council electoral staff, election service providers, and the Electoral Commission to complete the policy development work on the proposals related to special voting, electronic nominations, and recounts. <p>Next steps</p> <ul style="list-style-type: none">On 27 August 2021, the consultation period for the Māori wards discussion document ends. Due to potential disruptions caused by the COVID-19 alert level changes, we will accept late submissions to the extent that these can still be incorporated into our advice.On 2 September 2021, we will seek your final decisions on policy options for Auckland governance, recounts, and the other non-Māori ward components of the Bill.On 9 September 2021, we will brief you on the result of consultation, and policy options for Māori wards.
---	---

2 September 2021

Progress on key projects

Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)



Responsible DCE:

Michael Lovett

Contact:

Rowan Burns
(027 302 5426)

Recent activities

- We are working with council electoral staff, election service providers, and the Electoral Commission to complete the policy development work on the proposals related to special voting, electronic nominations, and recounts.
- The consultation on Stage 2 Māori wards changes has closed. More than 40 submissions have been received from councils, iwi and individuals. We are working through the feedback and will brief you on next steps in due course.

Next steps

- We are preparing two briefings for you related to the Bill for mid-September 2021, ahead of seeking Cabinet policy decisions in November 2021.
- The first will seek your final decisions on policy options for Auckland governance, recounts, and the other non-Māori ward components of the Bill.
- The second briefing will cover the result of consultation, and policy options for Māori wards.

9 September 2021

Progress on key projects

Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)



Responsible DCE:

Michael Lovett

Contact:

Rowan Burns
(027 302 5426)

Recent activities

- We are working with council electoral staff, election service providers, and the Electoral Commission to complete policy development work on the proposals related to special voting, electronic nominations, and recounts.
- The consultation on Stage 2 Māori wards changes has closed. More than 40 submissions have been received from councils, iwi and individuals. We are working through the feedback.

Next steps

- We are preparing two briefings for you related to the Bill, ahead of seeking Cabinet policy decisions in November 2021.
- The first seeks your final decisions on policy options for Auckland governance, recounts, and the other non-Māori ward components of the Bill.
- The second briefing covers the result of consultation, and policy options for Māori wards.

16 September 2021

Progress on key projects

<p>Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)</p> <p>●</p> <p>Responsible DCE: Michael Lovett</p> <p>Contact: Rowan Burns (027 302 5426)</p>	<p>Recent activities</p> <ul style="list-style-type: none">• We have met with an internal Māori advisory group to consider further mana-enhancing options for your proposed changes for tied elections.• You were briefed this week on the policy options for the Bill (other than Maori wards and telephone dictation voting). <p>Next steps</p> <ul style="list-style-type: none">• We will brief you on policy options for the Māori wards component of the Bill next week.
---	---

23 September 2021

Progress on key projects

<p>Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)</p> <p>●</p> <p>Responsible DCE: Michael Lovett</p> <p>Contact: Rowan Burns (027 302 5426)</p>	<p>Recent activities</p> <ul style="list-style-type: none">• Last week, you were briefed on the policy options for the Bill (other than Maori wards and telephone dictation voting). <p>Next steps</p> <ul style="list-style-type: none">• We will brief you on policy options for the Māori wards component of the Bill this week.
---	---

30 September 2021

Progress on key projects

<p>Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)</p> <p>●</p> <p>Responsible DCE: Michael Lovett</p> <p>Contact:</p>	<p>Recent activities</p> <ul style="list-style-type: none">• We have previously briefed you on policy options for the Māori wards component of the Bill. We discussed the next steps for this work with you on 30 September 2021. <p>Next steps</p> <ul style="list-style-type: none">• We are preparing two draft Cabinet papers for your consideration in late-October 2021.
--	--

Rowan Burns
(027 302 5426)

7 October 2021

Progress on key projects

Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)

Responsible DCE:
Michael Lovett

Contact:
Rowan Burns
(027 302 5426)

Recent activities

- On 4 October 2021, we discussed the next steps for the Māori wards component of the Bill.
- 9(2)(f)(iv)

Next steps

- We are preparing two draft Cabinet papers for your consideration in late-October 2021.

14 October 2021

Progress on key projects

Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)

Responsible DCE:
Michael Lovett

Contact:
Rowan Burns
(027 302 5426)

Recent activities

- On 4 October 2021, we discussed the next steps for the Māori wards component of the Bill.
- 9(2)(f)(iv)

Next steps

- We are preparing two draft Cabinet papers for your consideration in late-October 2021.

21 October 2021

Progress on key projects

<p>Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)</p> <p>●</p> <p>Responsible DCE: Michael Lovett</p> <p>Contact: Rowan Burns (027 302 5426)</p>	<p>Recent activities</p> <ul style="list-style-type: none">On 4 October 2021, we discussed with you the next steps for the Māori wards component of the Bill.9(2)(f)(iv) [Redacted] <p>Next steps</p> <ul style="list-style-type: none">We will provide you with two draft Cabinet papers for your consideration on 22 October 2021.
---	---

28 October 2021

Progress on key projects

<p>Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)</p> <p>●</p> <p>Responsible DCE: Michael Lovett</p> <p>Contact: Rowan Burns (027 302 5426)</p>	<p>Recent activities</p> <ul style="list-style-type: none">On 22 October 2021, we provided you with two draft Cabinet papers for your consideration.The first paper proposes a new process for local authorities to determine their representation arrangements. 9(2)(f)(iv) [Redacted]The second paper proposes several minor and technical improvements to the local electoral framework, including removing the 20-councillor limit for Auckland Council, and a requirement for a mandatory recount for tied election results. <p>Next steps</p> <ul style="list-style-type: none">These papers are scheduled to be considered by the Cabinet Economic Development Committee (DEV) on 24 November 2021.Ministerial and caucus consideration is scheduled to be completed by 11 November 2021.
---	---

Released under the Official Information Act 1982

4 November 2021

Progress on key projects

<p>Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)</p> <ul style="list-style-type: none">● <p>Responsible DCE: Michael Lovett</p> <p>Contact: Rowan Burns (027 302 5426)</p>	<p>Recent activities</p> <ul style="list-style-type: none">• Ministerial and Departmental consultation is underway on the two Cabinet papers <i>Improving representation and participation processes for local government elections</i>:<ul style="list-style-type: none">○ <i>Māori electoral representation</i>; and○ <i>Technical updates to legislation and regulations</i>.• Consultation ends on 10 November 2021. <p>Next steps</p> <ul style="list-style-type: none">• We will provide you with final drafts of both Cabinet papers on 15 November 2021, for approval to lodge by 10:00am on 18 November 2021.• These papers are scheduled to be considered by the Cabinet Economic Development Committee (DEV) on 24 November 2021.
--	---

11 November 2021

Progress on key projects

<p>Local Electoral Bill (Māori wards and Māori constituencies, Auckland Governance, and other technical changes)</p> <ul style="list-style-type: none">● <p>Responsible DCE: Michael Lovett</p> <p>Contact: Rowan Burns (027 302 5426)</p>	<p>Recent activities</p> <ul style="list-style-type: none">• On 10 November 2021, Ministerial and Departmental consultation ended on the two Cabinet papers, <i>Improving representation and participation processes for local government elections</i>:<ul style="list-style-type: none">○ <i>Paper one: Māori electoral representation</i>; and○ <i>Paper two: Technical updates to legislation and regulations</i>. <p>Next steps</p> <ul style="list-style-type: none">• We will provide you with final drafts of both Cabinet papers on 15 November 2021, for approval to lodge by 10:00am on 18 November 2021.• These papers are scheduled to be considered by the Cabinet Economic Development Committee (DEV) on 24 November 2021.
--	--