



29 May 2024

Our reference

F20/11-D24/27464

**Submission on the
Local Government (Electoral Legislation and Māori Wards and Māori Constituencies)
Amendment Bill**

Introduction

This submission is prepared on behalf of Stratford District Council (SDC) in relation to the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill.

SDC welcomes the opportunity to submit on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill.

We consider the proposed bill to be inconsistent as it sets different requirements for the representation of Māori to those for other communities, such as rural, urban or area specific wards.

We submit that the requirements for the establishment of wards must follow a consistent set of rules and therefore, either require a poll for the establishment of any ward or constituency or not require a poll at all. Treating one ward or constituency different to another is, by definition, discriminatory.

We furthermore highlight in our submission the undermining of the integrity of local decision making by democratically elected members by the proposed transition provisions.

The bill has had an exceptionally short timeframe for submissions. We consider this inappropriate for such a significant piece of legislation and contradictory to consultation and engagement requirements local councils are held to by legislation, including the very bill impacted by this legislation.

General

1. Māori wards and constituencies should be treated like any other wards and constituencies, with decisions around them being made at the local level in partnership with iwi and local communities.
2. The retrospective nature of the proposed legislation and its transition provisions is extremely concerning. We ask for the retrospective aspects to be removed as they undermine confidence and trust in locally elected members who made a decision that was legally compliant at the time it was made.

Concerns that we would like addressed

1. *Consistency in the treatment of wards/constituencies*

A requirement for binding polls on decisions councils make to establish Māori wards or constituencies is not consistent with the decision-making process involved in the creation of any other wards/constituencies. This point of our submission is irrespective of these wards being Māori wards – it is about the fact that the decision to establish one particular type of ward faces additional process barriers to those encountered by other wards.

If, in the view of the government, the establishment of wards/constituencies should require a poll, then this should apply to all types of wards/constituencies – alternatively they shouldn't apply to any of them.

All wards are currently covered by the requirement for regular representation reviews which in our view is the appropriate mechanism for local decision making.

2. *Integrity of legally made local decisions*

The proposed transition provisions are of particular concern for us. They undermine the legitimacy of decision making by democratically elected councillors. As proposed, this legislation sets precedent that in the future, whenever central government disagrees with decisions made locally and legally at the time, by elected members, it can retrospectively change the law to undo these.

This fundamentally undermines the localism concept the coalition government was elected on. If the poll provision is reinstated, the transition provisions should be removed to protect the integrity of local decision making.

Yours faithfully



Sven Hanne
Chief Executive



Neil Volzke JP
District Mayor