

From: [Official Information](#)
To: [Section 7 \(2\) \(a\) whaialegal.co.nz](#)
Cc: [Official Information](#)
Subject: Final response - LGOIMA 398812 - [Section 7 \(2\) \(a\)](#) - emails / letters to minister for LG and the DIA in relation to Maori wards
Date: Tuesday, 28 May 2024 3:27:31 pm
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)
[Maaori Ward Emails Redacted Redacted.pdf](#)

Kia ora,

We refer to your information request below. Hamilton City Council provides the following response.

Your request:

I respectfully request the following information under the OIA/LGOIMA:

- *The following communications, between 4 April 2024 to the present date, concerning the Government's new policy in respect of Māori wards and constituencies:*
 - *Emails or letters from the Minister for Local Government advising your council of the impending legislative changes.*
 - *Emails from Department of Internal Affairs, including any attachments supplying information about the impending legislative changes.*

I acknowledge that a decision on an OIA/LGOIMA request should be made within 20 working days. If at all possible, it would be much appreciated if you could respond within the next 48 hours, on the basis that this information will be useful in the Waitangi Tribunal's urgent inquiry into Māori wards.

If you have any questions or require further information, please do not hesitate to contact me by phone or email.

Our response:

Please see attached all emails that we have in relation to emails or letters from the Minister of Local Government or the DIA about Maaori Wards.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Ngaa mihi

Keeley Faulkner

Official Information Coordinator

Legal services

Governance & Assurance Team | Business Services

Email: officialinformation@hcc.govt.nz





This email and any attachments are strictly confidential and may contain privileged information. If you are not the intended recipient, please delete the message and notify the sender. You should not read, copy, use, change, alter, disclose or deal in any manner whatsoever with this email or its attachments without written authorisation from the originating sender. Hamilton City Council does not accept any liability whatsoever in connection with this email and any attachments including in connection with computer viruses, data corruption, delay, interruption, unauthorised access or unauthorised amendment. Unless expressly stated to the contrary the content of this email, or any attachment, shall not be considered as creating any binding legal obligation upon Hamilton City Council. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of Hamilton City Council.

I support flexibility at work. While it suits me to send this email now, I don't expect a response outside of your own working hours.

From: Section 7 (2) (a) [@whaialegal.co.nz](mailto:Section 7 (2) (a)@whaialegal.co.nz)>

Sent: Monday, May 6, 2024 1:22 PM

To: Section 7 (2) (a) [whaialegal.co.nz](mailto:Section 7 (2) (a)@whaialegal.co.nz)>

Subject: Official information request: communications relating to Māori wards

Dear Council

I respectfully request the following information under the OIA/LGOIMA:

- The following communications, between 4 April 2024 to the present date, concerning the Government's new policy in respect of Māori wards and constituencies:
 - Emails or letters from the Minister for Local Government advising your council of the impending legislative changes;
 - Emails from Department of Internal Affairs, including any attachments supplying information about the impending legislative changes.

I acknowledge that a decision on an OIA/LGOIMA request should be made within 20 working days. If at all possible, it would be much appreciated if you could respond within the next 48 hours, on the basis that this information will be useful in the Waitangi Tribunal's urgent inquiry into Māori wards.

If you have any questions or require further information please do not hesitate to contact me by phone or email.

Kind regards

Mariah

Section 7 (2) (a)
Section 7 (2) (a) Associate



Muaūpoko | Ngāti Raukawa ki te Tonga | Ngāti Tūkorehe
| Ngāti Rārua

P +64 27 872 7131 **E** [Section 7 \(2\) \(a\)@whaialegal.co.nz](mailto:Section 7 (2) (a)@whaialegal.co.nz) **W**
www.whaialegal.co.nz

From: [Natasha Yarrall](#)
To: [James Clarke](#); [Janet Carson](#); [Muna Wharawhara](#)
Cc: [Lance Vervoort](#); [Louise Lukin](#); [Amy Viggers](#)
Subject: FW: Minister of Local Government to councils with established Māori wards
Date: Thursday, 4 April 2024 9:04:12 pm
Attachments: [1. MoLG to councils with established Māori wards.pdf](#)

FYI also.

Amy to note, Paula's keen to organise an information session for elected members, for staff to brief Crs on the issue.

Strong response from LGNZ today that's worth reading.

From: Paula Southgate <paula.southgate@council.hcc.govt.nz>
Sent: Thursday, April 4, 2024 1:30 PM
To: Councillors <Councillors@hcc.govt.nz>
Subject: Fwd: Minister of Local Government to councils with established Māori wards

Good afternoon all, this letter has just arrived from Minister Brown.

We will ensure that we have time as a Council to understand and discuss the options,
Warm regards, Paula

Get [Outlook for iOS](#)

From: [REDACTED] <[\[REDACTED\]@ministers.govt.nz](mailto:[REDACTED]@ministers.govt.nz)>
Sent: Thursday, April 4, 2024 11:54:05 AM
Subject: [CAUTION: SUSPECT SENDER] Minister of Local Government to councils with established Māori wards

Dear Mayors and Chairs,

Please find attached correspondence from Hon Simeon Brown.

Kind regards

[REDACTED]

Authorised by Hon Simeon Brown, Parliament Buildings, Wellington

Disclaimer: The information in this email (including attachments) is confidential and may be legally privileged. If an addressing or transmission error has misdirected this email, please notify the author by replying to this email and destroy the message. If you are not the intended recipient, any use, disclosure, copying or distribution is prohibited and may be unlawful.

Please note information about meetings related to the Ministers' portfolios will be proactively released (this does not include personal or constituency matters). For each meeting in scope, the summary would list: date, time (start and finish), brief description, location, who the meeting was with, and the portfolio. If you attend a meeting with the Minister on behalf of an organisation, the name of the organisation will be released. If you are a senior staff member at an organisation, or meet with the Minister in your personal capacity, your name may also be released. The location of the meeting will be released, unless it is a private residence. The proactive release will be consistent with the provisions in the Official Information Act, including privacy considerations. Under the Privacy Act 1993 you have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, or are concerned about the release of your information in the meeting disclosure, please contact the sender. You can read more about the proactive release policy at <https://www.dia.govt.nz/Proactive-Releases#MS>



By email

Dear Mayors and Chairs,

How Cabinet decisions relating to 2025 Local Elections will affect councils with established Māori wards

I am writing to give you an update on the Government's progress implementing coalition agreements on changes to the legislation for Māori wards and constituencies. This letter also outlines the proposed timing for changes, and the next steps and options for your council.

Reinstatement of the pre-2021 binding poll provisions

The Government will introduce a Bill in the next few months to restore binding polls on the establishment of Māori wards (and constituencies). The intention is that the changes will be enacted by the end of July 2024. There will be an opportunity to make submissions to select committee on this Bill.

From the next term of local government, councils will be able to initiate binding polls on Māori wards. Electors will also be able to petition their council to hold a binding poll. The policy settings for binding polls will be restored to as they were prior to 2021, including the 5% threshold for petitions calling for a binding poll.

Transitional arrangements and options for your council

The Bill will also include transitional arrangements for councils, such as yours, that established Māori wards since 2021 without an opportunity for a binding poll. This is to deliver on the coalition agreements to require these councils to hold polls at the 2025 local elections. The Government is conscious that many councils have unique local circumstances and so the Bill will include options for how your council manages the transition.

Your council is one of a group that established Māori wards or constituencies for the first time at the 2022 local elections. Government policy is that you will have the option to either:

- Option 1 - resolve this year to disestablish the Māori wards or constituencies by council resolution (to take effect at the 2025 local elections); or
- Option 2 - hold a binding poll on the question of Māori wards/constituencies at the 2025 local elections (to take effect at the 2028 local elections).

If your council resolves this year to disestablish the Māori wards/constituencies (Option 1) you will need to complete a shortened representation review process by the beginning of April 2025 (Option 1A). The shortened process will be provided for in the Bill.

If completing a shortened representation review process will be challenging for your council, there may also be an alternative implementation option (Option 1B). Option 1B would mean reverting back to your most recent representation arrangements, from before the Māori wards/constituencies were established, for the purposes of the 2025 local elections. This option is still under development and my officials will be happy to discuss it with you. Under either of 1A or 1B your council would be required to complete a standard representation review prior to the 2028 local elections.

If your council prefers the default option of holding a binding poll at the 2025 local elections (Option 2), and the poll result is against Māori wards/constituencies, your council will then need to follow the standard representation review process before the 2028 local elections.

Local elections timeframes

The Bill will also make changes to some of the statutory timeframes for the 2025 local elections and future elections and polls, including increasing the voting period from 22.5 to 32.5 days. The postal delivery period for voting papers will increase to 14 days in response to advice from NZ Post that they will not be able to meet current statutory timeframes. This will seek to ensure that NZ Post can deliver voting papers to all electors within legislated timeframes. My officials can provide more information on the proposed timing changes if you wish.

Contacts for more information

Officials from the Department of Internal Affairs and the Local Government Commission will be available to discuss these options and provide advice and support on how your council will be affected.

For questions about the Bill, and the changes to Māori ward processes (including transitional arrangements) and election timelines, please contact: [REDACTED] Policy Manager, Governance and Democracy Team, Department of Internal Affairs, [REDACTED] [\[REDACTED\]@dia.govt.nz](mailto:[REDACTED]@dia.govt.nz), [REDACTED]

For questions about how to manage representation review processes, please contact the Local Government Commission. You can contact the Commission by email at info@LGC.govt.nz, or by phone at (04) 460 2228.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Simeon Brown', with a stylized flourish at the end.

Hon Simeon Brown
Minister of Local Government

From: [localelections](#)
Subject: Presentation Slides on Māori Wards proposals
Date: Tuesday, 9 April 2024 9:38:07 am
Attachments: [image001.png](#)
[Council staff presentation – local election omnibus Bill overview – April 2024.pptx](#)

Kia ora koutou

Many thanks to those who were able to attend yesterday's sessions outlining the proposed changes to Māori ward processes.

Slides and FAQs

Please find attached the slides from that presentation. As noted, there are still some details of the transitional processes that are being worked through and this is highlighted in yellow on the slides.

We are collating the questions asked yesterday, and others we have received, into a set of FAQs and will make this available as soon as possible.

Further information requested

A number of people also asked for links to publicly available information about Te Tiriti analysis on the 2021 legislative changes. Below are links relating to the 2021 Bill (Local Electoral (Māori Wards and Māori Constituencies) Amendment Bill):

- [Cabinet decisions](#) relating to the 2021 Bill
- [Impact summary](#): Changes to the process for establishing Māori wards and constituencies
- Departmental [initial briefing](#) to the select committee
- [Departmental report](#) on select committee submissions
- [Select committee](#) report

A full set of public [submissions](#) on the Bill are available on this page.

Key contacts

As mentioned yesterday, the key contacts for the Bill are:

- Department of Internal Affairs
 - [REDACTED] [@dia.govt.nz](mailto:[REDACTED]@dia.govt.nz), Policy Manager
 - [REDACTED] [@dia.govt.nz](mailto:[REDACTED]@dia.govt.nz), Senior Policy Analyst and Māori wards lead
 - [REDACTED] [@dia.govt.nz](mailto:[REDACTED]@dia.govt.nz), Policy Analyst and elections timeframe lead
- Local Government Commission (for representation review questions)
 - info@lgc.govt.nz

[REDACTED] is currently on sick leave so feel free to contact [REDACTED] [@dia.govt.nz](mailto:[REDACTED]@dia.govt.nz) in his absence this week.

Ngā mihi nui,

dia.govt.nz





Te Tari Taiwhenua
Internal Affairs

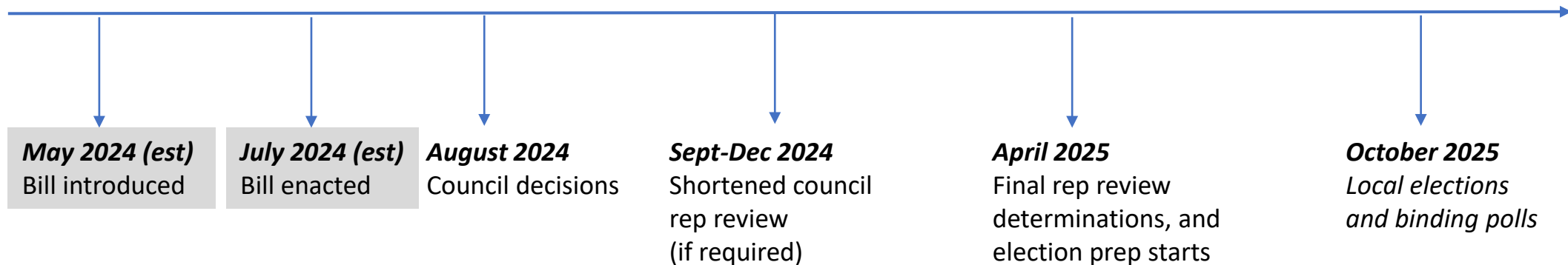
Local Government (Electoral Legislation and Māori Wards and Constituencies) Amendment Bill

Presentation to local government sector officials – 7 April 2024

UNCLASSIFIED

The Bill

- Two key parts to the Bill:
 1. polls on Māori wards and constituencies
 2. adjustments to election timing to address postal pressures
- Proposed timing:



Māori wards poll provisions

- Restoring the pre-2021 poll provisions:
 - polls can be demanded by 5% of electors
 - outcome is binding for two triennial elections
 - councils can also initiate a poll.
- Possibly preserving some of the timing improvements for representation reviews
- These changes will come into force **after the 2025 local elections**

Māori wards polls – transitional measures

- Unaffected councils
 - Bay of Plenty Regional Council
 - Waikato Regional Council
 - Wairoa District Council
 - Ōpōtiki District Council
- Special case
 - Tauranga City Council (Extended implementation – will not affect 2024 elections)
- Affects 45 councils which established Māori wards, or have resolved to establish Māori wards, since the 2021 legislative changes.

Māori wards polls – transitional measures cont...

Reverse the decision, or hold a poll?

- OPTION – In August/early Sept 2024 councils can resolve to reverse their recent Māori wards decision by:
 - *Rescinding the resolution (for the 13 councils which have not established yet)*
 - *Resolving to disestablish Māori wards (for the 32 councils which established the Māori wards for the 2022 local elections)*
- Rescind/disestablish decisions will apply to the 2025 local elections.
- Councils are not required to consider this, it is optional.
- The Special Consultative Procedure will not apply.
- No reversal decision? Then councils must hold a poll at 2025 elections – outcome to apply from 2028.

Māori wards polls – transitional measures cont...

Implementing a reversal decision for 2025

Councils that resolved this term to establish Māori wards (13 councils)

- Two choices:
 - Option AA - Complete a shortened representation review process by 10 April 2025.
 - Option AB - Continue with your 2022 representation arrangements [some limitations – under development]
- AA councils next representation review will be due in [2030/31- tbc]
- AB councils will need to do a representation review in 2027/28

Māori wards polls – transitional measures cont...

Implementing a reversal decision for 2025

Councils that established Māori wards for 2022 (32 councils)

- Two choices (to be confirmed):
 - Option 1A - Complete a shortened representation review process by 10 April 2025
 - Option 1B - Roll back to most recent-pre Māori wards arrangements [this option is still to be confirmed and may only be available to some councils]
- 1A councils next representation review will be due [in 2030/31 – tbc]
- 1B councils will need to do a representation review in 2027/28

Māori wards polls – transitional measures cont...

Tauranga City Council

- Similar options, longer timeframe for decisions.
- Same option to disestablish Māori wards via resolution, to take effect from 2028 local elections.
- Default requirement to hold a binding poll by early 2027, with effect from 2028 local elections.

Changes to the elections timeline

- Addressing:
 - postal pressures, including new delivery model
 - “pain points” in the election timing
- Voting period extended from 22.5 days to 32.5 days
- Delivery period extended from 6 days to 14 days
- Some other adjustments – e.g. slightly shorter nomination period
- Changes will apply to 2025 elections onwards (and to by-elections and polls)
- 2025 – voting period will start on 9 September

Next steps

- Zoom with all council electoral officers – 3pm Monday 8 April
- Confirming the details of the transitional mechanism
- Drafting the Bill
- Vetting for compliance with the NZ Bill of Rights Act
- Cabinet approval of the Bill
- Bill introduced/published [**est. late May 2024**]
- Select committee review (approx. 4 weeks) [**est. June 2024**]
- Parliament considers any recommended changes
- Bill enacted [**est. late July 2024**]
- Timing may change

Appendix: Councils affected by transitionals

Established for 2022			Due to establish for 2025
Far North District	Palmerston North City	Whakatane District	Central Hawkes Bay District
Gisborne District	Porirua City	Hawke's Bay Regional	Hauraki District
Hamilton City	Rangitīkei District	Horizons Regional	Hutt City
Hastings District	Rotorua Lakes	Northland Regional	Kapiti Coast District
Horowhenua District	Ruapehu District	Taranaki Regional	Kawerau District
Kaipara District	South Taranaki District		Napier City
Manawatu District	Stratford District		South Wairarapa District
Masterton District	Tararua District		Tasman District
Marlborough District	Taupo District	Established for 2024: Tauranga City Council	Thames-Coromandel District
Matamata-Piako District	Waipa District		Upper Hutt City
Nelson City	Waikato District		Western BOP District
New Plymouth District	Wellington City		Whanganui District
Ōtorohanga District	Whangarei District		Wellington Regional