



**PAPAIOEA**  
PALMERSTON  
NORTH  
CITY

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# **PALMERSTON NORTH CITY COUNCIL**

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AGENDA

## **COUNCIL LATE ITEM**

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9:00 AM- DELIBERATIONS LONG TERM PLAN  
2024-34, WEDNESDAY 29 MAY 2024

COUNCIL CHAMBER, FIRST FLOOR  
CIVIC ADMINISTRATION BUILDING  
32 THE SQUARE, PALMERSTON NORTH

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# MEMBERS

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<b>Grant Smith (Mayor)</b>	
<b>Debi Marshall-Lobb (Deputy Mayor)</b>	
<b>Mark Arnott</b>	<b>Leonie Hapeta</b>
<b>Brent Barrett</b>	<b>Lorna Johnson</b>
<b>Rachel Bowen</b>	<b>Billy Meehan</b>
<b>Vaughan Dennison</b>	<b>Orphée Mickalad</b>
<b>Lew Findlay (QSM)</b>	<b>Karen Naylor</b>
<b>Roly Fitzgerald</b>	<b>William Wood</b>
<b>Patrick Handcock (ONZM)</b>	<b>Kaydee Zabelin</b>

AGENDA ITEMS, IF NOT ATTACHED, CAN BE VIEWED AT

[pncc.govt.nz](http://pncc.govt.nz) | Civic Administration Building, 32 The Square  
City Library | Ashhurst Community Library | Linton Library

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**Waid Crockett**

**Chief Executive | PALMERSTON NORTH CITY COUNCIL**

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## COUNCIL MEETING

29 May 2024

## ORDER OF BUSINESS

### REPORT

**13. Submission to Parliamentary Select Committee: Māori Wards** Page 5

Memorandum, presented by Hannah White, Democracy and Governance Manager.

**Reason for Lateness:** Knowledge of the content of the proposed bill was only introduced to Parliament on Thursday 23 May 2024

**Reason For Urgency:** Submissions to the bill close on Wednesday 29 May 2024.



## MEMORANDUM

**TO:** Council

**MEETING DATE:** 29 May 2024

**TITLE:** Submission to Parliamentary Select Committee: Māori Wards

**PRESENTED BY:** Hannah White, Democracy and Governance Manager

**APPROVED BY:** Danelle Whakatihi, Chief People & Performance Officer

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### RECOMMENDATION TO COUNCIL

1. That Council agree the submission as drafted (Attachment 1).
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#### 1. ISSUE

On 1 May 2024 Council agreed a Notice of Motion (61-24)

1. That Council formally endorse its current representative structure of a Te Hirawanui General Ward and a Te Pūao Māori Ward.
2. That a submission reflecting this position be made to the select committee process.

This memorandum presents the drafted submission for Council's agreement.

#### 2. BACKGROUND

Since 1 May, further developments should be noted:

- The Mayor and Chief Executive received a formal letter from Te Rūnanga o Raukawa Inc supporting Māori wards. See Attachment 2.
- Rangitāne leaders have had an opportunity to review the draft submission and feedback has been incorporated.
- Manawatū District Council voted to support the retention of its Māori ward.
- Local Government New Zealand sent a letter addressed to relevant leaders and ministers noting National Council's position that all wards should be the decision of councils. Signed by more than 50 mayors and chairs. See Attachment 3.

- The Waitangi Tribunal has issued its Māori wards and constituencies Urgent Inquiry report, [Wai 3365](#) which recommends the Bill be halted, stating any revision to the legislation would be a breach of the principle of partnership.
- The Government has introduced the [Local Government \(Electoral Legislation and Māori wards and Māori constituencies\) Amendment Bill](#) to Parliament. The First reading was held on 23 May and referred the Bill to an expedited Select Committee process and back to the House by 21 June.




### 3. NEXT STEPS

Submit to Parliament with support of Rangitāne o Manawatū. Mayor and Deputy Mayor to speak to submission.

### 4. COMPLIANCE AND ADMINISTRATION

Does Council have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 5: A Driven & Enabling Council	
The recommendations contribute to the achievement of action/actions in Governance and Active Citizenship	
The action is: n/a	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	Local government advocacy to central government processes ensures a local voice to national decision-making. This particular submission addresses the participation choices of our local residents.

### ATTACHMENTS

1. Draft submission for endorsement [↓](#) 
2. Letter from Te Rūnanga o Raukawa Inc [↓](#) 
3. LGNZ letter against changes [↓](#) 



pncc.govt.nz  
info@pncc.govt.nz

Te Marae o Hine  
The Square  
Private Bag 11034  
Palmerston North 4442  
New Zealand

Committee Secretariat  
Justice Committee  
Parliament Buildings  
Wellington

[justice.submissions@parliament.govt.nz](mailto:justice.submissions@parliament.govt.nz)

29 May 2024

Members of the Justice Select Committee,  
**Re: Local Electoral Amendment Act 2024**

E ngā mana e ngā reo e ngā karangatanga maha, tēnā koutou katoa.

E te tēpū whakatau o ngā whakakaupapa hou mō 'Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill' Nei rā he mihi nui ki a koutou i āta whakaaro i āta whiriwhiri i ēnei kaupapa whakahirahira e pā ana ki ngā kaunihera o te motu. Ko mātou tēnei o Te Kaunihera o Papaioea e mihi atu nei ki a koutou me te kaupapa e kawea nei e koutou. Kia kaha, kia māia kia manawanui. Anei o mātou ake whakaaro e pā ana. Nō reira tēnā koutou, tēnā koutou, tēnā tātou katoa.

Thank you for the opportunity to submit to the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill. We challenge the Select Committee to genuinely consider the feedback provided through this process. Councils do not want or need this change to occur. Our communities, and certainly Rangitāne o Manawatū our Treaty partner, are not asking for this.

Palmerston North is home to:

- near on 100,000 people of over 150 ethnicities
- one of the youngest populations with the highest number of PhDs per capita in the country

We proudly display:

- our city crest in our Council Chamber- one of we understand only four in the country which depict both Māori and Pākehā in the heraldry. Three being councils and the Crown you represent being the fourth.
- a statue of Te Peeti Te Awe Awe in the heart of our city- Te Marae o Hine The Square. Erected in 1906 jointly by city and Rangitāne leaders.

Our representation arrangements, most recently reviewed in 2021, are 1 mayor + 15 members: 2 Māori ward seats and 13 General ward seats, at-large across the city.

PNCC is committed to the principles of local government. Namely, as set out in the Local Government Act 2002 sections 4 and 81, which state we must  
*"... recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Māori to contribute to local*

*government decision-making processes... to facilitate participation by Māori in local authority decision-making processes.”*

and

*“establish and maintain processes to provide opportunities for Māori to contribute to the decision-making processes of the local authority; and*

*consider ways in which it may foster the development of Māori capacity to contribute to the decision-making processes of the local authority.”*

There are also other statutory obligations, most notably the Resource Management Act 1991, to account for the culture and traditions of Māori as it relates to the natural environment. Not to mention obligations under the Treaty of Waitangi and the Human Rights Act. These obligations alone do not adequately emphasise the foundational importance of councils’ partnership with Māori and the critical value that relationships with tangata whenua bring to local governance.

Councils have many strategic commitments that support the development of Māori capacity to participate more fully and effectively in the Council’s decision-making processes. We engage directly with tangata whenua as a part of our statutory responsibilities and as a means of giving expression to the Council’s commitment to bicultural development and responsiveness. A Māori ward is another expression of this.

PNCC is committed to its kawenata relationship with tangata whenua Rangitāne o Manawatū, who support a Māori ward for wider Māori voice at Council. In 2021 Rangitāne o Manawatū gifted names for the city-wide wards:

- Te Hirawanui General Ward: reflects the long history of partnership between the Council and Rangitāne in the founding of Palmerston North, most particularly recognising one of our Rangatira chief Te Hirawanui who coordinated and inter alia signed the deed for sale for Te Ahu a Turanga land block, of which Palmerston North became a part.
- Te Pūao Māori Ward: the heralding a new dawn, and the mouth of a river as it leads to the ocean, reminiscent of the words spoken by Rangitāne rangatira Tiweta and Mahuri to the Ngāti Upokoiri people when they invited them to take refuge in the Manawatū-- in other words signalling the opportunities to come from the Māori ward and the relationship between Māori and Local Government in the Manawatū and beyond.

On 1 May 2024, Council resolved to formally endorse this current representative structure.

PNCC wants to increase engagement with parts of the city’s community that have historically been representationally marginalised. A Māori ward ensures Māori voices will be represented at local decision-making tables. It is one tool to support democracy, which a council can use to best represent the communities it serves. Māori can stand in general wards, but the data tells us they haven’t been doing so, even in Palmerston North where STV voting and district-wide wards which should encourage diverse candidacy. Māori wards are one way to remove a structural obstacle to the choices of Māori voters. In our view, having Māori ward seats at councils to represent those on the Māori elector role is the equivalent of Māori seats in Parliament for Parliamentary elections. Participation literature repeatedly points to people being able ‘to see themselves’ in diverse candidates as a motivator for voting. Many councils chose to establish Māori wards for the 2022 elections. We then saw the highest number of Māori elected members in local government, growing from 5% to 22%, much more closely aligned to the population. It is evident the introduction of Māori wards and constituencies enabled through the 2021 legislative change empowered more Māori to nominate, stand, vote, and participate in local government.



In its report to the Māori Affairs Committee in February 2021 on the Local Electoral (Māori Wards and Māori Constituencies) Amendment Bill of the time, National Party members made their own statement, separate to the Committee report. The members noted (emphasis in bold below) that:

**Rushed legislation is not good legislation.**

We agree.

**The [prior] law requires that when a council proposes general wards it must publicly notify its proposals and call and hear submissions. These provisions do not apply to the creation of a Māori ward under this [previous] bill. If the Government genuinely wished to align the process it would require the same legal process for creating Māori wards as for general wards.**

We agree.

If Government wishes to treat Māori wards in the same way as general wards, it should seek to include Māori wards within the representation review process subject to community submissions and Local Government Commission review NOT reinstate a different process.

Representation issues are complex. They cannot be reduced to simple binary questions of yes or no. Palmerston North knows first-hand what division looks like when lobby groups from outside our community lead a poll demand.

If the Government's true intentions were to improve the representation arrangements for councils, rather than revert this legislation, they would be looking to improve it. For example, could the rules around population ratios be removed so that councils can be more responsive to the needs of their communities of interest and not limited by percentages and population ratios?

**"Our 78 local councils with their 1,600 elected members, are already obliged under legislation to have improving relationships with Māori and ensure proper engagement and involvement with Māori in decision-making. Local government and iwi/hapū take those responsibilities very seriously and in good faith. How they best meet their Treaty obligations should be up to them to decide. Local government and Māori are quite capable of doing that and achieving the outcome, without the central government deciding the means."**

We agree.

Local democracy is one of the two purposes of local government set out in section 10 of the Local Government Act,

*"The purpose of local government is—to enable democratic local decision-making and action by, and on behalf of, communities."*

Aotearoa New Zealand is a representative democracy. We elect leaders to lead. We understand well that as councillors we are democratically elected to make decisions on behalf of all of our communities, not just the majority. Local councils are well placed to make those decisions, because we consult our people and weigh up various viewpoints on an issue.

PNCC voted to establish a Māori ward for the City, in 2017 and again in 2021. Since then, every council in our Horizons region (8 councils) has established Māori wards or constituencies.

Why is the Government telling us we are not capable of making a decision we have already made twice, and must now be bound to the result of a referendum? New Zealand is a representative democracy. Referenda are usually used for consultative purposes on controversial issues. The 1993 electoral system referendum is the rare case of a binding referendum. None of the 5 citizen-initiated referenda held since 1994 have been actioned by Parliament. Why then impose a binding referendum

that allows people not directly affected by the result (ie. those not on the Māori electoral roll) to determine an outcome?

**“Not the most important local government issue at this time when Local government is struggling on several fronts. The sector is overwhelmed and facing the most significant period of change in 30 years, and there are more pressing issues to address at this time like infrastructure, housing, transport, water, resource management, consenting processes, climate change impacts, and poor customer experiences.”**

We agree. The costs of polls are another unfunded mandate on councils. We have more than enough to do without distractions of fixing something that is not broken; that is in fact working well. Having a Māori ward works extremely well for Palmerston North. Why is the central government now telling us to spend more ratepayer money and time on a referendum?

We ask that the Local Electoral Act provisions with regard to the establishment of Māori wards and constituencies not be changed.

Ngā mihi nui

Grant Smith JP  
MAYOR  
Palmerston North City Council



te rūnanga o  
**RAUKAWA**

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## Mayor Grant Smith

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Palmerston North 4442  
mayor@pncc.govt.nz

## Waid Crockett

Waid.crockett@pncc.govt.nz

09 May 2024

**Please accept this letter as a formal response to the proposed disestablishment of Māori Wards.**

Tena kōrua,

I am writing as Chair of Te Rūnanga o Raukawa ki te Tonga to indicate our strong support as an iwi for the retention of Māori Wards.

This instruction has come from the 25 marae/hapu/iwi who make up the membership of Te Rūnanga o Raukawa Incorporated. Partnership requires Māori to be represented at the decision-making table in matters that impact greatly on our people within local and regional Councils.

I would appreciate it if this decision could be publicised amongst your councillors so they may know about this request from Ngāti Raukawa ki te Tonga.

Ngā mihi,

## Kelly Bevan

Tumuaki



20 May 2024

Rt Hon Christopher Luxon

Hon Simeon Brown

Hon Tama Potaka, Minister for Māori Crown Relations: Te Arawhiti

Rt Hon Winston Peters, Leader, New Zealand First

Hon David Seymour, Leader, ACT

Kia ora Prime Minister, Ministers, and party leaders

**Changes to Māori ward and constituency poll provisions**

Local Government New Zealand and the Mayors and Chairs that have signed this letter are opposed to the changes the Coalition Government is proposing to Māori ward and constituency poll provisions.

The Government's decision to remove decision-making from councils by mandating that polls be run on Māori wards and constituencies is an overreach on local decision-making when current legislation already requires councils to seek community views. It sets a concerning precedent that the Government may overturn other decisions made by democratically elected councillors. We are disappointed this is in contrast with the commitments the Government made during the election campaign to empower local government to make decisions about its own communities.

Our position – a position that has been held by Local Government New Zealand since 2018 – is that Māori wards and constituencies should be treated like all other wards and that decisions should be made at the council level. Polls aren't required on any other wards or constituencies, and requiring them will add increased costs to councils.

We are concerned that the Government's decision is a distraction from the hard work that councils are doing to deliver infrastructure and keep costs down for their communities. It also undermines the important contributions that Māori are making to local government.

We urge the Government to reconsider its position and leave it to local councils to make decisions about appropriate representation arrangements in partnership with iwi and their communities.

Ngā mihi nui

**Local Government New Zealand**  
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Mayor Sam Broughton  
President  
Local Government New Zealand

Mayor xx  
xx Council

Chair xx  
xx Council

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