

Submission



To: The Māori Affairs Committee

By: Northland Regional Council

On: Local Electoral (Māori wards and Māori constituencies) Amendment Bill

1. Northland Regional Council (NRC) is grateful for the opportunity to submit on the Local Electoral (Māori wards and Māori constituencies) Amendment Bill (the Bill). We fully support the objective of the Bill to remove the legislative provisions that allow for a poll to overturn a council decision to establish a Māori ward or constituency.
2. At its October 2020 meeting, the NRC resolved to establish Māori constituencies for the 2022 and 2025 local body elections. We then twice wrote to Minister Mahuta urging that the right to demand a poll to overturn the council's decision on Māori representation be removed from the legislation.
3. Following the council's decision for Māori constituencies, public notice was given for the right to demand a poll by 21 February 2021. We have already received a petition on this matter that, according to the petition organisers, exceeds the required threshold of containing signatures from 5% of electors (though this is yet to be validated by our electoral officer). If the Bill is *not* enacted, we will be required to conduct a poll by 21 May 2021 at a cost of approximately \$240,000.
4. We do not intend repeating the arguments for or against the right to demand a poll, as these will be well known to the committee and addressed in other submissions. Nor have we commented on the detail of the Bill, as we have not had the time. This submission focuses on outlining our particular situation and the reasons why we support Māori seats at the council table.
5. Council went through a thorough process in coming to an informed decision to include Māori constituencies. It started in March 2020 when council decided to consider Māori constituencies. Council then held six workshops to better understand the full range of views in relation to establishing Māori seats, within a local government and a Northland context. The matters covered at these workshops included:
 - a) Explanation of legislative requirements and timeframes
 - b) Opinions and insights from a range of guest speakers with direct experience and/or a particular interest in Māori representation, including Doug Leeder (Bay of Plenty Regional Council Chair), John Cronin (former Bay of Plenty Regional Council Chair), Meng Foon (former Gisborne District Council

Mayor and current Race Relations Commissioner), Andrew Judd (former New Plymouth District Council Mayor), Don Brash (former politician and spokesperson for Hobson's Pledge), Murray Reade (Chief Executive for Northland Inc.), and Dame Naida Glavish (local government politician and Māori community leader)

- c) Opinions and aspirations of key Māori leaders in Te Taitokerau.
 - d) Consideration and analysis of the full range of options available for greater Māori participation and representation within the Northland context.
6. Council also sought views and feedback from Te Kahu o Taonui (a collective of Taitokerau Iwi Chairs and CEOs) and Te Taitokerau Māori and Council Working Party (an advisory working party of NRC). Both forums were unequivocal and unanimous in their call for council to establish dedicated Māori seats. The prevailing view is that the council's current relationship with Māori is more about participation rather than representation, and that representation is needed to take council's relationship with Māori to the next level. Furthermore, they consider that Māori constituencies are not a race-based selection, but rather a Treaty of Waitangi/Te Tiriti o Waitangi and legislative outcome that is both appropriate and necessary to deliver equity and unlock the potential of Northland as a whole.
7. Ultimately, council made the decision to establish Māori constituencies because:
- e) They are appropriate and necessary to recognise Northland's significant Māori population (approximately 1/3 of Northland's population identify as Māori). Māori representation in council governance is viewed as an important expression of council's commitment to tangata whenua, ensuring council is reflective of the communities it serves, and a reflection of the desire to improve the future growth and development of Te Taitokerau (as encapsulated in NRC's vision statement "Ko tatou o Te Taitokerau – Ka whai hua tātou" | "Northland, together we thrive").
 - f) They will strengthen the existing Māori/council partnership, and support and enable council to better reflect Māori values, issues, priorities and aspirations as they relate to council roles and functions. This will ultimately improve the economic, social, cultural and environmental wellbeing of all Northland – for all Northlanders.
 - g) Having guaranteed Māori seats would ensure an informed Māori worldview is brought to council decision making that non-Māori cannot provide. This would help ensure the council more fully appreciates the Māori perspective, values and issues of importance when making decisions that affect a significant proportion of the Northland population. This strengthens local democracy.
 - h) It would strengthen Māori/council relationships in the lead-up to a treaty settlement, confirming council's commitment to Māori and the Treaty of Waitangi/Te Tiriti o Waitangi. This will likely result in a significantly stronger future partnership with Māori and more effective use of future resources, which is good for all of Northland.

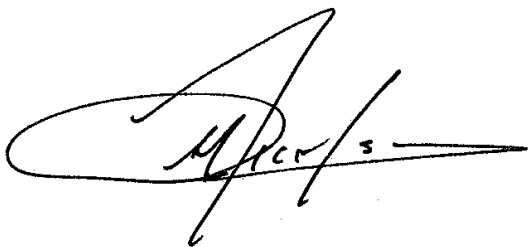
- i) Establishing Māori seats would send a strong signal that NRC is listening to Taitokerau iwi and hapū, and is open and willing to progress the partnership. It sends a strong signal on this council's commitment to fair representation and equality in Northland.
 - j) It demonstrates leadership for improving Māori representation alongside Whāngarei and Kaipara district councils¹ – in Northland and across local government in New Zealand.
 - k) It aligns council with central government's direction, which clearly involves working towards stronger Māori representation in regional governance models and partnerships.
8. If the Bill is not enacted, the council's democratic decision, which was based on a thorough consideration of the arguments for and against, is at risk of what is widely acknowledged as an unfair anomaly of the Local Electoral Act 2001. Council is in full support of the Bill and it being enacted under urgency.
9. We appreciate the invitation to present to the committee in person. Unfortunately, we are unable to attend at short notice. We would be more than happy to answer any questions or provide further detail on any of the points made in the submission.
10. Again, we greatly appreciate the opportunity to make a submission on this very significant Bill, which has the potential to be remembered in history as a significant milestone in the government's relationship with Māori and the recognition of the Treaty of Waitangi/Te Tiriti o Waitangi.

Kua tawhiti kē tō haerenga mai, kia kore e haere tonu. He tino nui rawa o ōu mahi, kia kore e mahi nui tonu.

You have come too far, not to go further. You have done too much, not to do more.

Tā Hemi Henare (Ngāti Hine, 1989)

Signed on behalf of Northland Regional Council

A handwritten signature in black ink, appearing to read 'M Nicolson', with a long horizontal line extending to the right.

Malcolm Nicolson (Chief Executive Officer)

Dated: 11/02/2021

¹ Two of the three territorial authorities in Northland who have also resolved to establish Māori seats