

A photograph of three people standing outdoors in a park-like setting with trees in the background. On the left is a woman with long dark hair wearing a black top and a brown herringbone coat. In the center is a man with a beard and curly hair wearing a white t-shirt, a grey scarf, and a brown jacket. On the right is a woman with dark hair wearing a pink jacket. They are all smiling at the camera.

Māori seats for Auckland Council

Summary consultation document

**AK
HAVE
YOUR
SAY**

aucklandcouncil.govt.nz



About Māori seats on Auckland Council

Te Kaunihera o Tāmaki Makaurau / Auckland Council will decide in October 2023 whether to introduce Māori seats for the 2025 local elections.

A decision on Māori seats for the council is a significant one. It is about how Māori are represented in Auckland, and how Aucklanders are represented by their Governing Body.

Before deciding, the council would like to hear and consider the views and preferences of Māori and the wider public of Auckland.

Auckland Council currently has a set number of 20 elected general ward councillors (seats) with no provision for elected Māori seats.

What we need your feedback on

We want your views on whether Auckland Council should introduce Māori seats. The council will take your views into account when it decides later this year.

If we decide to have one or more Māori seats in the next local elections, we must do so by 23 November 2023. That is why we are consulting you now.

Why is this decision being made this year?

Previously, Auckland Council faced two challenges in introducing Māori seats:

- a binding poll (referendum) could be held
- our council has a set number of councillors.

Around Aotearoa / New Zealand there was evidence that polls overturned the councils' proposals, meaning they could not introduce Māori seats. The government removed the poll provision in March 2021.

Auckland Council is the only council in New Zealand with a set number of 20 councillors for the Governing Body.

The Governing Body has previously agreed 'in-principle' support for introducing Māori seats once the set number of councillors was removed. Changes to legislation are currently before Parliament to remove the set number of councillors. It is important to note here that although these changes are underway, they have not yet been made. If this change does happen, it will align Auckland Council with other councils in the country.

With the two previous challenges either removed or being removed, the Governing Body now wants to hear from Aucklanders before making a decision.

Māori in Tāmaki Makaurau

Tāmaki Makaurau / Auckland has the largest Māori population in Aotearoa. Māori make up 11.5 per cent of the region's total population. Their presence underpins the rich cultural landscape that makes our region unique.

A **mana whenua** group means an iwi or hapū that exercises historical and continuing mana whenua over land in Tāmaki Makaurau. Auckland Council recognises the interests of 19 mana whenua iwi.

Mataawaka are Māori who whakapapa to iwi outside Tāmaki Makaurau. Mataawaka make up over 80 per cent of the total Māori population in Tāmaki Makaurau.

What does ‘Māori seats’ mean?

Māori seats, as the term is used in this document, are designated seats on a council for Māori representatives. Under current law, the council would need to establish one or more Māori wards from which Māori seats would be elected from.

There are two ways to fill seats: by election, and by appointment, although in Auckland there is currently no ability to make appointments to the Governing Body. It would need new legislation.

Māori elected seats are elected by those on the Māori electoral roll. Under the **Local Electoral Act 2001**, councils can establish Māori wards. Those on the Māori electoral roll for a Māori ward elect one or more councillors to represent the Māori ward. The total number of elected Māori councillors is proportional to the Māori Electoral Population (number of people on the Māori roll).

A council must use a formula in the Local Electoral Act 2001 to determine how many members on a council can be elected from one or more Māori wards. The legislation does not provide for elected Māori seats on local boards.

Māori appointed seats are seats filled by appointment rather than election, and the seats may be appointed in several ways, e.g. through a selection panel or a mana whenua forum.

The Independent Māori Statutory Board

The Independent Māori Statutory Body (IMSB) was established in 2010 when the Auckland Council was amalgamated. The IMSB has a statutory purpose and role to assist Council to make decisions by monitoring Council against its Te Tiriti o Waitangi / Treaty of Waitangi obligations and promoting issues of significance to Māori in Tāmaki Makaurau.

Members of the IMSB sit on Governing Body committees that deal with the management and stewardship of natural and physical resources and others with consent but do not have seats on the Governing Body itself. More information on this is available in the full consultation document on page 5.

The Government's intention when it established the IMSB was to enhance Māori participation in decision-making. The Government did not see the IMSB as a replacement for Māori representation on the Auckland Council Governing Body.

What's the difference between Māori participation and Māori representation?

Representation and participation may seem similar, but in this context, they have different meanings.

- Māori representation refers to the provision of Māori seats on Auckland Council's Governing Body. Māori representatives on Governing Body would have all the same functions, powers, responsibilities, rights, and duties as the other Governing Body members.
- Māori participation refers to the ability for Māori to influence policy and decision-making by Auckland Council.

While participation and representation are related, they are not the same thing. Both are important for making sure that local government responds to the needs of the community.

Options for Māori seats

Māori wards – the Parliamentary model

This option only includes Māori elected seats and uses the formula discussed above. It reflects how the Parliamentary Māori electorates are established and we refer to Māori wards as the ‘Parliamentary model’. The formula is based on two factors:

1. the number of voters on the Māori electoral roll, and
2. the total number of ward councillors on the Governing Body, which is currently set at 20.

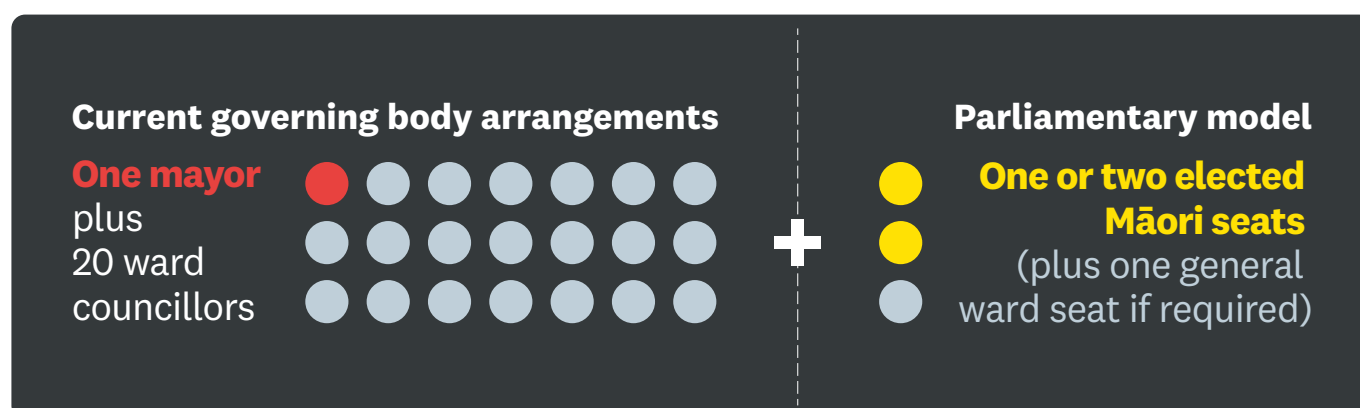
The table below shows how many Māori ward seats are allowed depending on the number of ward councillors only:

Number of ward councillors	Number of councillors elected by Māori ward
0 - 7	0
8 - 22	1
23 - 29	2

Under the current legislation, Auckland Council’s set number of 20 ward councillor seats means that we are eligible to establish one Māori ward seat. This would require one of the existing general ward seats to be disestablished. If the set number of councillors for Auckland Council is removed, we will be eligible to have either one or two Māori elected seats through the formula provided in the Local Electoral Act 2001.

If Auckland Council has any number of councillors between eight and 22, then we are eligible for one Māori elected seat. If council has any number of councillors between 23 and 29, then we are eligible for two elected Māori seats. So, the total number of councillors has an effect on how many elected Māori seats we are eligible for.

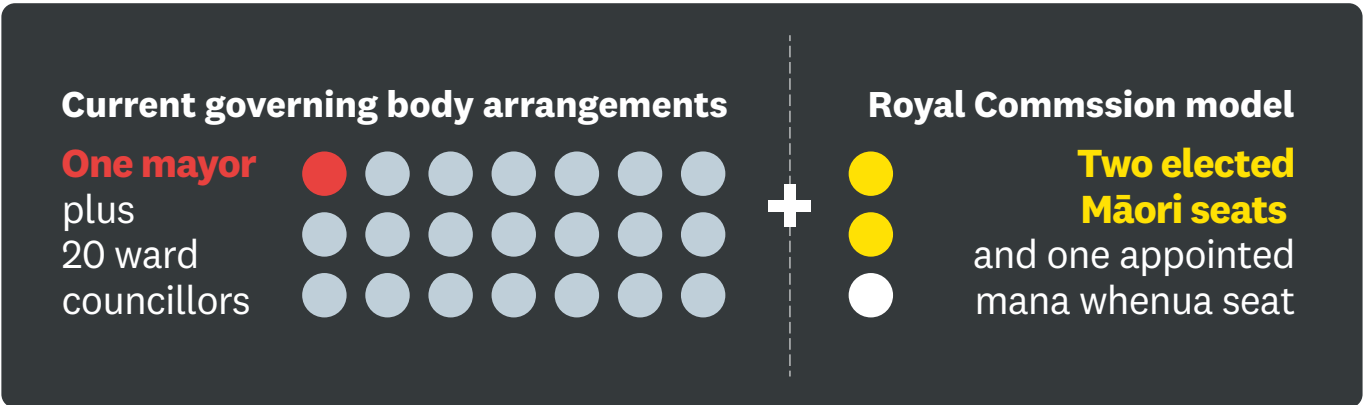
This is the only option that is available under current legislation. Any other option would require legislative change. A model that has received some support¹ and would require changes to legislation through a local bill is the Royal Commission model.



¹ For more information on support expressed so far, please refer to the section titled ‘Views so far on Māori seats’ in the full consultation document.

The Royal Commission model

This option includes both elected and appointed Māori seats. The Royal Commission model is based on the **Royal Commission on Auckland Governance** findings, which suggested three safeguarded Māori seats on Auckland Council. Two Māori elected seats (elected from the Māori electoral roll) and one appointed mana whenua seat (selected by a mana whenua forum).



If the council chose the Royal Commission model as the preferred model, we would need to ask for a change to legislation. It is difficult to predict how long this could take.

The table below presents options for Māori seats for Auckland Council and provides a brief overview of what each model will look like for Auckland Council.

The achievability for 2025 refers to the likelihood of the model being able to be introduced in time for the 2025 local elections.

	Do nothing	Parliamentary model	Royal Commission model	Any other model
Description	Maintain the existing representation arrangements for Auckland Council without specific Māori representation	One or two elected Māori ward members on the Governing Body	Three safeguarded Māori seats. One member appointed by mana whenua and two elected Māori ward members	To be determined through further work
Achievability for 2025	Achievable	Achievable	Requires legislative change	Requires legislative change

Views so far on Māori seats

Auckland Council, the Independent Māori Statutory Board and Māori in Tāmaki Makaurau have had some initial kōrero (discussion) on Māori seats for Auckland Council.

In 2017 the previous Governing Body agreed in principle to support Māori seats based on the Parliamentary model once the set number of councillors had been removed for Auckland Council. As this document has covered, legislative change is currently underway to remove the set number of councillors for Auckland Council.

In 2020 and 2021 the Governing Body noted the 2017 ‘in-principle’ support and also stated it was open to supporting other models in the future including the Royal Commission model.

In June 2021 the Governing Body and Independent Māori Statutory Board formed a joint group to focus on Māori representation. Over the next six months, the joint group discussed several possible models. In December 2021 the joint group agreed to consider the Royal Commission model at their next individual meetings.

The Independent Māori Statutory Board has, since 2021, supported the Royal Commission model for Auckland.

In 2022 Auckland Council undertook some preliminary engagement with mana whenua and mataawaka representatives to discuss and receive feedback on Māori seats for the council. These views were presented to the Governing Body early in 2023.

The Royal Commission model would guarantee a mana whenua representative on Auckland Council. Because of this, it has received more support from Māori involved in these early conversations. This model would require legislative change.

How and when will this consultation feedback be used?

A decision on Māori seats for Auckland Council is a significant one. It is a decision about how Māori are represented in Auckland, and how Aucklanders are represented by their Governing Body.

The Governing Body wishes to hear and consider the views and preferences of Māori and the wider public of Auckland before making this decision.

The feedback from this consultation will inform the Governing Body decision in October 2023 for the 2025 local elections. It is an opportunity for Māori and the wider public to have their views heard and considered.

Although the local elections in October 2025 seem far away right now, there is a lot of work that council must do before this.

