

Full Council

16 November 2023

Report for Agenda Item | Rīpoata moto e Rāraki take [6]

Department: Strategy & Policy

Title | Taitara: QLDC Submission on Electoral (Lowering the Voting Age for Local Elections and Polls) Legislation Bill

Purpose of the Report | Te Take mō te Pūroko

The **purpose** of this report is to present Queenstown Lakes District Council's (QLDC) submission to the Justice Committee on its consultation on the Electoral (Lowering the Voting Age for Local Elections and Polls) Legislation Bill (**the Bill**).

This report seeks Council's retrospective approval of the submission's content. The submission was made to the Justice Committee on 20 October 2023.

Recommendation | Kā Tūtohuka

That the Council:


1. **Note** the contents of this report and;
2. **Approve** retrospectively the contents of the Electoral (Lowering the Voting Age for Local Elections and Polls) Legislation Bill submission (Attachment A).

Prepared by:



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Title: Policy Advisor
26 October 2023

Reviewed and Authorised by:



Name: Michelle Morss
Title: GM – Strategy and Policy
26 October 2023

Context | Horopaki

1. The Justice Committee consulted on the Bill recently, with submissions closing 20 October 2023. The Bill has passed its first reading and will be further considered in the next parliamentary term following a full select committee process and consideration of public feedback.
2. In a statement on the select committee process¹, Minister for Local Government Hon. Kieran McNulty, confirmed that the Bill had been introduced in response to a Supreme Court Declaration determining that the voting age of 18 for both parliamentary and local elections was inconsistent with the New Zealand Bill of Rights Act 1990, and this inconsistency had not yet been justified.
3. If passed by the next parliament, the Bill would come into effect for the 2028 triennial local elections.
4. The Bill would amend the Local Electoral Act 2001 so that people aged 16 or 17 years are eligible to vote in local elections and polls. The bill would establish a new category of electors, named 'youth electors', and provide for 16- and 17-year-olds to be registered on a youth electoral roll.
5. The Bill would not change the age for:
 - being elected or appointed as a member of an alcohol licensing trust or trustee of a community trust,
 - voting in the election of members of an alcohol licensing trust,
 - voting in the election of trustees of a community trust,
 - serve as a juror,
 - vote in parliamentary elections.
6. QLDC sent a written submission to the Justice Committee (**Attachment A**) as part of this consultation process.

Analysis and Advice | Tatāritaka me kā Tohutohu

7. QLDC supports efforts to increase democratic participation and education in Aotearoa New Zealand.
8. Consistent with the Supreme Court Declaration, QLDCs submission recommended that any changes to voting in Aotearoa New Zealand be applied consistently to all elections (including parliamentary elections), and that a comprehensive plan for civics education in schools be developed and executed alongside changes to the electoral roll.
9. Councillors have had the opportunity to view and comment on the submission in draft form prior to it being lodged. As the submission deadline did not align with a Council meeting, the purpose of bringing this paper retrospectively is to ensure that the submission is formally approved by Council and to give transparency to the community.

¹ <https://www.beehive.govt.nz/release/bill-lower-local-election-voting-age-goes-select-committee>

10. **Option 1:** to retrospectively approve the contents of the submission.

Advantages:

- The submission will remain in the Justice Committee's process and QLDC will have participated effectively.

Disadvantages:

- There are no clear disadvantages to this option.

11. **Option 2:** to request the withdrawal of the attached submission from the Justice Committee's process.

Advantages:

- The submission will be withdrawn from the Justice Committee's process and any inaccurate representations of QLDC's position will not be considered.

Disadvantages:

- No aspect of QLDC's position will be represented in the process.

12. This report recommends **Option 1** for addressing the matter (if representative of Council's position) to ensure that QLDC participates effectively in the consultation process.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

13. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy. This advice deals with a matter of interest to a range on individual, organisations, groups, and sectors in the community.

14. The persons who are affected by or interested in this matter are residents and ratepayers of the Queenstown Lakes District communities.

15. No external consultation was undertaken in preparing the submission as there was insufficient time to do so given the tight timeframe provided.

Māori Consultation | Iwi Rūnaka

16. The Council did not engage with Iwi or Rūnaka in preparing the submission as there was insufficient time to do so given the timeframe provided by the Justice Committee.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

17. This matter relates to the Strategic/Political/Reputation risk category. It is associated with RISK10056 Ineffective provision for the future planning and development needs of the district within the QLDC Risk Register. This risk has been assessed as having a low residual risk rating.

18. The approval of the recommended option will support the Council by allowing for additional controls for this risk to be implemented. This shall be achieved by monitoring future changes in legislation based on the advice to government, in particular addressing those issues that directly affect QLDC and the Queenstown Lakes District community.

Financial Implications | Kā Riteka ā-Pūtea

19. There are no financial implications.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

20. The following Council policies, strategies and bylaws were considered:

- The outcomes and principles of the Vision Beyond 2050

21. The recommended option is consistent with the principles set out in the named instrument.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kīaka

22. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act;

23. The recommended option:

- Can be implemented through current funding under the Long Term Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

Attachments | Kā Tāpirihaka

A	QLDC Submission on Electoral (Lowering the Voting Age for Local Elections and Polls) Legislation Bill
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