

Local electoral reform Draft position paper

// Local Government New Zealand's Electoral Reform Working Group

// March 2025





From the Chair of the Working Group

Kia ora Mayors, Chairs, councils, communities and residents

This draft position paper is the next stage in our work to build a platform for reform to strengthen the democratic mandate local government has to represent communities across New Zealand. It reports on the 57 submissions we received on our issues paper, released in October 2024, the feedback we received at the 2024 LGNZ zone meetings and the rationale for these 20 proposals.

There are three main drivers for this work. Participation in local elections has declined significantly over the past three decades. A participation rate of less than half of eligible voters is an existential threat to local government.

Conducting local elections by post is becoming increasingly untenable as postal volumes collapse, the number of post boxes drops, and a growing number of residents do not use/have a letterbox. This decline in post has been further highlighted since we started our work with NZ Post proposing fewer outlets and less frequent mail services.

The decline in post is a consequence of most communications now being online but the risk of switching to e-voting has increased with the growth in hacking and online fraud. State-sanctioned cyberattacks by authoritarian regimes aimed at discrediting and undermining democracies also makes e-voting too risky. The problems are compounded by the decline in mainstream media, a growth in conspiracy theories and a more polarised electorate.

We have sought to address these challenges with bold, substantive reforms as well as more minor changes. We propose having local elections managed by the Electoral Commission along lines as similar as possible to parliamentary elections. In-person polling booth voting over two weeks, backed by the Electoral Commission's familiar nationwide voter participation campaign, offers the best opportunity to lift participation rates and ensure our voting system's integrity.

Other changes being proposed include improving civics education, supporting Local Democracy Reporting, establishing an annual Local Government Week, avoiding local elections during school holidays, improving information about candidates, making it easier for overseas voting, supporting candidates with disabilities and addressing anomalies in expenditure caps for Māori Ward candidates.

The importance of our work on a four-year term has increased with the introduction to parliament of a bill providing for a referendum on extending the parliamentary term to four years. We believe there is a strong case for alignment of council and parliamentary terms and for national and local elections to be evenly spaced with elections biennially.

We welcome further discussion on these draft proposals.

Nga mihi nui,

Hon Dr Nick Smith

Mil Smit

Mayor of Nelson | Te Koromatua o Whakatū Chair, LGNZ Electoral Reform Working Group



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Purpose and timeframes for this work

The purpose of the working group

The National Council of Local Government New Zealand (LGNZ) set up the Electoral Reform Working Group to drive LGNZ's advocacy work around strengthening local government's democratic mandate, with a particular focus on increasing participation in local body elections.

The working group's members are:

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    // Mayor Hon Dr Nick Smith, Nelson City (Chair)
    // Mayor Campbell Barry, Hutt City (Deputy Chair)
    // Mayor Susan O'Regan, Waipā District
    // Councillor Toni Boynton, Whakatāne District, Co-Chair Te Maruata
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The group can be contacted by emailing electoralreform@lgnz.co.nz

Timeframes

Following the Issues paper, the working group has produced this draft position paper. Submissions on these papers, alongside targeted engagement with key organisations, will inform the development of a final position paper.

The high-level timeline is:



Scope of this work

This paper sets out the working group's draft positions on the challenges and opportunities facing the local electoral system as set out in the issues paper. The working group is focused on effecting change, which means concentrating on factors that we can influence and that are likely to gain wide buy-in from local government.

Providing feedback on this paper

Consultation on this document closes at **9am on Monday 28 April 2025**. You can provide feedback using the feedback form available at https://www.lgnz.co.nz/policy-advocacy/key-issues-for-councils/local-electoral-reform/ or by emailing electoral-reform@lgnz.co.nz.

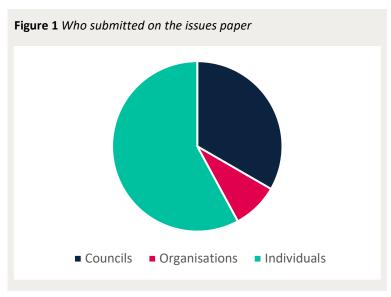


Submissions received on the issues paper

The issues paper received a total of 57 submissions. The majority of these (58%) were received from individual members of the public.

The councils who submitted represent 64% of the population of New Zealand.

The specific feedback on the issues paper is summarised in each of our five key issues. Submissions from councils and organisations identify submitters by name, while submissions from individuals or groups maintain their privacy.



A number of submitters welcomed this process and noted the importance of local government owning the solutions to the challenges of low participation in local elections.

"It is important that identified solutions to increasing participation in our council elections [come] from within local government rather than being decided and enforced from above." Individual submission

List of submitters

The Electoral Reform Working Group thanks the following councils and organisations for their submissions:

Organisations: Green Party of Aotearoa New Zealand, Local Government Commission, New Zealand Post, Northern Action Group, Whaikaha – Ministry of Disabled People.

Councils: Ashburton District Council, Auckland Council, Central Hawke's Bay District Council, Christchurch City Council, Far North District Council, Gisborne District Council, Hastings District Council, Hamilton City Council, Horowhenua District Council, Kāpiti District Council, Manawatū District Council, Napier City Council, Nelson City Council, Palmerston North City Council, Queenstown Lakes District Council, Rangitikei District Council, Tauranga City Council, Waipā District Council, and Whangarei District Council.



Background on participation in local elections

Voter turnout in local authority elections in New Zealand has been trending down for the past three decades. However, since 2007 (with the exception of the formation of Auckland Council in 2010), turnout has been stable at between 42 and 44%. This represents a fall in total turnout of approximately 14 percentage points since 1989.

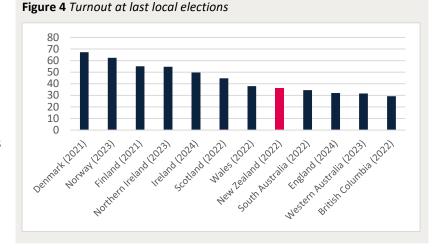
Over the same period, turnout in parliamentary elections has fallen by 6.5 percentage points. The current gap between turnout for parliamentary elections and local authority elections is approximately 36 percentage points. This gap has grown by 3 percentage points since 1992.

Turnout varies significantly between councils, ranging in 2022 from under 30% to over 60%. Turnout tends to be higher in smaller and rural councils than larger and urban councils. Turnout is also higher in those councils where councillors represent a small number of residents.

When compared to similar countries, voter turnout in New Zealand councils is close to the middle. It's well below countries like Norway, Denmark, and Iceland, where local governments have traditionally had a greater role with more autonomy. However, turnout in local elections is declining even in those countries.

Figure 2 Voter turnout in national and local elections 1989-2023 100 90 80 70 Per cent turnout 60 50 40 30 20 10 Local Government Central government

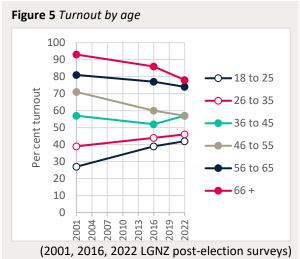
Figure 3 Turnout by council type 80 ■ Metropolitan Per cent turnout 60 Provincial 40 20 Rural 0 ■ Regional 2010

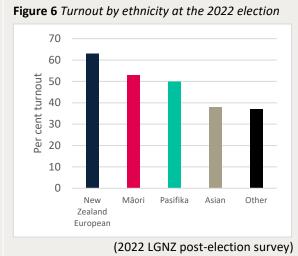




Who votes?

Post-election surveys suggest that voters in local elections are more likely to be: women than men; older or retired (although the proportion of voters under 45 is increasing while over 45 is gradually decreasing); from the South Island; have lived at the same address for 10 years or more. European or Pākehā are more likely to vote than those who identify as Māori, who are then more likely to vote than those who identify as Pasifika, with the lowest participation rate being people who identify as Asian.





Why people don't vote

The Horizon Research nationwide survey following the 2022 local elections found that the most common reasons for not voting were that people did not know enough about the candidates (31%) and their policies (26%) and could not work out who to vote for (22%). Another 11% of non-voters said that they did not vote because they did not receive voting papers.

Auckland Council's 2022 demographic study on turnout noted several possible causes of not voting:

- Perceived relevance of local government to everyday life
- Family and work commitments and an inability to pay attention to local politics in light of other life priorities
- Differences in the level of exposure to civics education
- Complexity of the local government system and voting process, along with differences in knowledge about local government across communities
- For some communities, a lack of identification with and ability to see one's identity reflected in the local governance system
- A distrust of and disengagement from the local government system, particularly amongst Māori
- The existence of a social norm of non-voting in some families, neighbourhoods and communities.



Issue 1: The public's understanding of local government and why it's important

The public's lack of understanding of what councils do – and not seeing the work of councils as

important – have been repeatedly identified as reasons why people don't vote in local elections. Building understanding should increase engagement with and participation in local democracy, including voting in local elections. The rates system can mean ratepayers have greater engagement with councils, compared to other voters.

What do people say would increase turnout?

40% - more information about what councils do

32% - make it easier to engage with your council

(2022 LGNZ post-election survey)

Civics education is a key way to build understanding of councils' work and value

Civics education is about learning your rights and duties as a citizen, including democratic processes and how you can interact with government and create change. Civics education objectives are built into the New Zealand Curriculum in Year 9 and 10 Social Studies. Schools have the flexibility to design their own curriculum within the national framework, including decisions about teaching civics and citizenship. In 2020, the Ministry of Education published a <u>Civics and Citizenship Education</u> <u>Teaching and Learning Guide</u> to support primary and secondary school teachers, but it is unclear how widely this resource is being used.

While the school curriculum is a key starting point for civics education, community-wide education is also important. This is particularly important for communities that have the lowest voting participation rates.

LGNZ and some councils deliver elements of civics education through initiatives that encourage young people to vote or engage with their local councils. One of these initiatives was Ngā Pōti ā-Taiohi - Youth Voting 2022 programme, run by LGNZ as part of the VOTE 2022 campaign. Many councils also have youth councils, which also foster young people's understanding of what local government does and why it is important.

Councils have an opportunity to better promote their role, work and value

Councils have many touch points with their communities. They also have a range of statutory requirements to inform communities about current and proposed work. This presents many opportunities for councils to demonstrate their value and promote their importance, at the same time as building wider understanding of local government.

Decline of local media

Changes to the media landscape, including fewer local media outlets, mean declining coverage of both the work councils do and council decision making. This affects communities' ability to understand and engage in the work of councils.



What we heard from submitters on this issue

Civics education

Submitters were overwhelmingly in favour of improving the quality and reach of civics education, particularly as part of compulsory education. One submitter called for a more integrated approach:

"Language should be about active citizenship, rather than delivery of civics education. The phrase 'civics education' suggests a separate cost to councils rather than integrating community participation methods in everything we do." Palmerston North City Council

This approach includes councils, particularly elected members, actively engaging with young people.

"Practical initiatives like mock council meetings, youth governance programmes, and partnerships with councils should be part of this effort." Hastings District council

A couple of submitters raised concerns about mandatory civics education's impact on teachers and schools:

"...there are a number of programmes that schools run currently around civics and elections, and we support those, but are mindful not to add to the curriculum load on teachers and schools and do not support this being mandated." Tauranga City Council

The need for better resources to support the current curriculum was identified by several submitters. One submitter said there would be benefit from local government working with other organisations who already support central-government-focused elements of civics education.

Localism and the need to involve communities

Several submitters noted the current consultation requirements, particularly on key decisions like the long-term plan, were overly prescriptive and a barrier to genuine community engagement.

A few submitters raised the need for councils to adopt greater localism approaches that include communities more in decision-making, including devolving some functions or decisions to the community. A couple of councils pointed to work they were doing in this area.

The decline of local journalism

A number of submitters strongly agreed that the decline of local journalism needed to be addressed:

"Increased central government support for local media would be helpful, such as increasing and extending the local democracy reporting scheme." Individual submission

Wider reform of local government

A number of submitters called for wider changes to local government's role, responsibilities, the number of councils, representation arrangements for individual councils, and the respective roles of elected officials and the chief executive. As outlined in the issues paper, these points are outside the scope of this work, but will inform LGNZ's engagement with upcoming and future reforms. For example, one submitter noted a need for greater transparency of council performance, which aligns with elements of the Government's local government forward work programme.



Our draft position

Supporting and promoting active citizenship

The civics education that's part of compulsory education needs to better support an understanding of how local government works, what it does, and why it is important. While the curriculum currently enables this to be taught, practical steps need to be taken to strengthen and improve its delivery. In particular, resources that enable learners and their teachers to support civics education need to be higher quality and more accessible. The Department of Internal Affairs has a role in ensuring this, and should work with key partners to develop, distribute and maintain practical resources that support practical learning.

There is a need to better support civics education for people outside compulsory education. There are many organisations supporting target demographics such as new migrants, and Māori. Better quality and more accessible resources would also benefit them.

In order for civics education to be effective, councils need to keep providing engaging real opportunities for young people to participate and be heard in order to promote active citizenship.

Draft recommendation 1: The Local Government Act 2002 should be amended to require the Secretary for Local Government to support public understanding of how local government works and how it impacts people's lives.

Draft recommendation 2: Councils should expand on their work to engage with schools to demonstrate how local government works, including how young people can be involved and expand on opportunities for young people to participate and be heard in decisions that affect them.

How councils communicate their value

Every day, councils engage with communities on a wide range of issues. These interactions present opportunities to communicate councils' wider value to communities. While all councils take some advantage of this, more could be done.

The Local Government Act's current processes for engagement and accountability, particularly the Part 6 requirements around the Long-term Plan and significant decisions, are prescriptive and cumbersome, which presents a barrier to good-quality engagement that meets the unique needs and preferences of communities. The Government's work on performance reporting presents an opportunity to improve this aspect of the Local Government Act.



If communities see themselves more in councils' decisions, they are more likely to appreciate councils' value. This approach also aligns with localism, and many councils employ localism approaches in the ways they engage with communities, such as with participatory decision making. Some of these approaches, and examples of councils employing them, are described in LGNZ's Localism: A practical guide (https://www.localism.nz/localism-guide/).

A national focal point could support and amplify local work to communicate the value councils offer communities.

Draft recommendation 3: Central government should work with local government to reform Local Government Act requirements on how councils plan and engage to ensure this achieves best-practice engagement with and accountability to communities.

Draft recommendation 4: Councils should fully capitalise on all their current processes to communicate what they do and its value, and expand their use of localism approaches so that communities see themselves in the decisions made.

Draft recommendation 5: LGNZ, together with the Minister of Local Government, the Department of Internal Affairs and councils should create an annual Local Government Week where councils showcase what they do, where their investment goes, and why local government matters.

Addressing the decline of local media

The traditional model of journalism is caving under pressure. Print advertising has shifted online and away from mainstream media businesses, gutting revenue. This has driven decline in local media, which presents a threat to local democracy. While central government funding is no panacea, investment in the Local Democracy Reporting scheme has ensured those communities receive local government news.

Draft recommendation 6: The Government should retain the Local Democracy Reporting scheme, and improve on it by:

- Extending coverage to areas where commercial media companies no longer cover local government; and
- Committing to a three-year funding cycle to attract and retain capable staff and unlock private co-investment.



Issue 2: Understanding candidates and their policies

Voters receive very little information to help them get to know candidates and understand their policy positions. The Report of the Justice Committee on the Inquiry into the 2022 Local Elections referred to three post-election surveys that identified the lack of sufficient information about candidates as a main reason for not voting.

What do people say would increase turnout?

37% - more information about candidates

32% - require candidates to include policy positions in profile statements

19% - more events to get to know the candidates

(2022 LGNZ post-election survey)

Candidate information provided to voters

Currently the primary mechanism for providing candidate information is through *candidate profile statements*, which are distributed in a booklet with voting papers. With a maximum of 150 words and few requirements around content, it's challenging for candidate profile statements to provide sufficient information for voters to make informed decisions. Statements are often bland and tend to focus on the background and experience of the candidate with little detail about their policy platform. To bridge this gap, various websites have profiled candidates and enabled comparison of their policy positions.

Other ways to convey information about candidates and their political positions include: direct promotion by candidates and/or their tickets (where these exist) through pamphlets, billboards, and advertisements; public meetings organised by candidates, councils, or third parties such as business associations or residents groups; and reporting by media organisations.

The role of media and other organisations

How voters get their information is changing in tandem with the shift away from traditional media towards digital and social media. We're also seeing a decline in the presence and size of local media, and less private funding for 'public good' journalism, meaning less in-depth media coverage of local government in general and local elections.

Civic organisations (such as Rotary, Grey Power, business associations and resident associations) have previously played an important role in local democracy, through holding 'meet the candidate' events, which provide a setting for local citizens to discuss policy issues. However, both the membership and reach of many civic organisations is declining, resulting in fewer third-party-hosted 'meet the candidate' events.

The role of candidate campaigning and candidate knowledge

Candidate's campaigns play a role in helping voters understand who candidates are and what they stand for. If candidates are well informed about the role of elected members and key issues facing their council, they are more likely to develop informed perspectives on a range of policy areas – and to communicate those positions to voters.



What we heard from submitters on this issue

Information on candidates and what they stand for

A number of submitters noted it can be hard to decide who to vote for because it can be hard to find out what candidates stand for. There was strong support from many submitters for voters getting more information about candidates' positions and views.

"... we see merit in a consistent approach to the provision of candidate information such as via a centralised digital platform. We also see merit in such a platform being provided by an independent public body to ensure that neutrality is maintained and to enhance trust in the platform." The Local Government Commission

Most submitters supported a single central website, although some councils expressed a preference for information being hosted on the relevant council's website. Some submitters wanted more candidate information provided to voters in a range of languages. One submitter felt that there should be penalties for candidates who supply false or misleading information as part of their biography and any position statements.

Some submitters supported expanding opportunities for voters to engage with candidates.

"The local council then needs to support local engagement, making sure there are sufficient opportunities for the public to meet the candidates." Individual submission

Support for candidates

A couple of submitters raised the possibility of candidates receiving some public funding for promotional activity. One submitter said disabled candidates should receive the same kind of support that disabled central government candidates receive, to address barriers to standing.

The role of political affiliations in local government

A few submitters raised concerns about people who were members of central government political parties either standing for local election or not being clear about their party affiliation. These submitters felt local elected members should make decisions based on local needs and preferences without wider ideological bias, and that central government parties should not influence local decision making. Conversely, a couple of submitters felt that wider use of party-political endorsement would make it easier to understand what candidates stood for.

Pre-election training for candidates

The majority of submitters who commented on pre-election training for candidates were strongly in favour of its expansion and pointed to councils already doing good work in this space. A couple of submitters were in favour of making such training compulsory.

"So many candidates stand with great promises of 'If elected I will...' No one person can do anything and they inherit the LTP and are captured by the legal constructs that set the 'rules of the game.' There should be an almost compulsory boot camp before you can stand for election." Individual submission



Our draft position

Information on candidates

Voters need to be provided with better information on who is standing for election, what they stand for, and what they hope to achieve if elected. There are challenges in moderating such information while maintaining neutrality, so outside of current prohibitions on objectionable or defamatory language it should be the role of voters, supported by media and public interest organisations, to test these statements.

Neutral third parties, such as policy.nz, have played an important role in supplying candidate information to voters. However, it can be challenging to obtain candidate contact information, photographs, and biographies from electoral officers, and this challenge should be resolved. Protecting the privacy of candidate contact information is understandable given recent safety concerns for candidates, but should not prevent this information from being shared with reputable organisations for a clear election related purpose.

While a political endorsement may help voters understand a candidate's views, candidates should not be required to state current or previous political affiliations.

Draft recommendation 7: The administrator of local elections should be required by the Local Electoral Act to provide and maintain a website (directly or by contracting to a third party) that would give every candidate the opportunity to provide (as part of the nomination process):

- A 150-word biography (as per the current candidate booklet);
- Answers to four or five standard questions on policy views and priorities (with a 500-word limit across all answers). These questions could be set by a neutral body such as the Electoral Commission or in primary legislation; and
- Links to candidate websites.

It would be useful if this website allowed for candidates to also provide a short video statement. A suggested maximum length is three minutes, and the video should be subtitled so it is accessible for hearing-impaired people.

Submissions from candidates should not be moderated, with the exception of objectional or defamatory statements.

Draft recommendation 8: As a transition step to recommendation 7:

- For elections before the introduction website council electoral officers should be encouraged to provide candidate-supplied information to neutral third-party websites for the purposes of supporting better understanding of candidates; and
- The Local Electoral Act should retain provision for the printed booklet with a 150-word candidate statement, with the need for this being reviewed after two elections after the introductions of the website.



Decline of civic organisations and local media

The implications of local-media decline have been covered earlier in this paper under issue one.

In-person or online 'meet the candidate' events help voters understand more about candidates. While some organisations organise these events to promote a specific viewpoint, politically neutral events are preferable if the objective is informed decision making by voters. The decline of neutral events needs to be addressed.

Draft recommendation 9: Councils should continue, or give consideration to, supporting 'meet the candidate' events, either by directly running them or by funding politically neutral organisations to do so.

Candidate knowledge

Candidates who understand the office they are standing for can better communicate their positions on key issues and what they would achieve if elected. Training for candidates shouldn't be compulsory, as it is in some places overseas, but it should be much more accessible and utilised by candidates. Councils and organisations like Local Government New Zealand offer training, resources, and information sessions before elections.

Supporting candidates

Disabled candidates can face barriers to standing in local elections, and this should be addressed by central government in the same way as for central government elections.

There should not be state funding of candidates in local elections. However, local democracy in New Zealand would benefit from more private and philanthropic support for candidates from underrepresented groups. Initiatives like this exist in overseas democracies.

Candidates in Māori wards and constituencies face specific challenges from candidate spending limits based on population that do not take into account geographic area. A Māori ward or constituency could cover the area of several general wards or constituencies. Campaigning to dispersed populations is more expensive, effectively giving these candidates a lower effective spending limit than general ward or constituency candidates.

Draft recommendation 10: The Government should extend the Election Access Fund to candidates for local elections to address barriers faced by disabled people who want to stand.

Draft recommendation 11: Government should address the anomaly faced by candidates in Māori wards and constituencies by reviewing part 5, subpart 2, of the Local Electoral Act, which concerns candidate expenditure limits.



Issue 3: Voting methods

Currently, the Local Electoral Act 2001 allows local authorities to use one or more voting methods. It lists postal voting, booth voting and electronic voting. This is subject to the method being explicitly allowed for in regulations: currently the Local Electoral Regulations 2001 only enables postal voting, booth voting, or a combination. All local elections have been conducted by postal voting since 1995.

Postal voting is becoming unviable as a voting method

The Cabinet Paper on the Government response to the Inquiry on the 2022 Local Elections stated, "Postal voting is becoming increasingly untenable for local elections" and noted further work should be done to ensure future local elections can be delivered.

To counter the reduction in post boxes, many councils now provide drop-off points for completed voting papers at supermarkets, malls and libraries. This is a short-term solution given the continuing decline of post.

There are significant security concerns with online voting

While online voting is often suggested as a viable alternative to postal voting for local government, all trial attempts since the mid-1990s have been unsuccessful, largely due to security or cost issues.

The Electoral Commission provided this perspective to the working group:

"The search for online voting solutions that are robust, cost effective and that meet internationally accepted standards around security and voter verification continues and has not reached a point where the move could be taken without putting trust and confidence in the electoral system at risk."

Figure 7 Number of NZ Post boxes 2010-2023

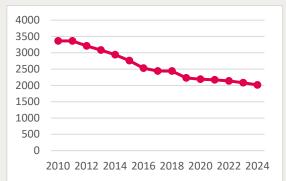
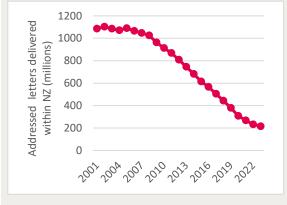


Figure 8 NZ Post mail volumes 2001-2023





What we heard from submitters on this issue

Preferred voting methods

The challenge of postal system decline and its impact on postal voting was acknowledged by many.

"...it's the decline in mail volumes that has had the biggest impact on our postal system and the challenges we now face. However, NZ Post will continue to ensure excellent service in the delivery of the elections process for local authorities..." NZ Post

The majority of submitters agreed that there was a need to shift away from postal voting.

"The Council considers that the postal voting method ... is not an enduring, or reliable way, to conduct local elections. It is essential that alternative or additional methods of voting in local elections are put in place for future elections." Christchurch City Council

Several submitters disagreed that there were significant risks posed by online voting, or that these prevented its use at this time. Several submissions called for another online voting trial.

"There is no value in deferring the introduction of online voting. Since its use as the dominant future voting system is unavoidable, work should proceed NOW to make it as suitable and effective as possible. Early trials and, if possible, testing and application against the 2025 Local or 2026 National elections should be a priority (even if only for those who volunteer to use the system)." The Northern Action Group Incorporated

Consistency

The majority of submitters who expressed a view supported having national consistency of voting methods.

"...voting method(s) should be nationally consistent – for the ease of voters, and to ensure effectiveness and efficiency. They should also follow, to the extent possible, Central Government election processes, to avoid confusion." Waipā District Council

Cost

There were several submissions concerned that alternatives to postal voting were more expensive.

"...the consequences of having a broader range of voting methods is increased cost, complexity and need for resources, and options should be explored around how this could be paid for, including possible central government support" Ashburton District Council

Accessibility

One submitter raised the need to make sure any future method of voting could accommodate everyone.

"The Ministry suggests the following methods continue to be supported and promoted for local elections: ... Phone dictation voting – currently available in national elections for blind and vision-impaired voters and voters who have a physical disability that prevents them from marking the voting paper independently and in secret... Delivery and collection of voting papers as currently supported for national elections on application." The Ministry of Disabled People – Whaikaha



Our draft position

Future method of voting

Given the challenges with the postal system, local elections should switch to a different voting method in the short-to-medium term (i.e. at the 2028 or 2031 elections). This method should be nationally consistent.

Given the significant concerns about online voting, local elections should instead use in-person voting. This should be as close an experience as possible to parliamentary elections. There should be a two-week timeframe in which to vote with polling booths in venues where people frequently visit like supermarkets and malls. There should also be a simpler system of voting from overseas, and appropriate accommodations for disabled voters.

This will be more expensive than postal voting. How this should be addressed is detailed in issue 4.

Draft recommendation 12: Move to a nationally consistent system of in-person voting for all local elections that is as similar as possible to parliamentary elections over a two-week timeframe in which to vote, with polling booths in venues where people frequently visit. Preferably by the 2028 local elections or the 2031 local elections at the latest.

Short-term improvements

In 2025, councils should continue their important work to support participation, particularly by investing appropriately in promoting standing and voting, and in offering alternative drop-off points like 'orange bins' at supermarkets and drive-through drop-off points. 86% of voters used council alternatives to post boxes in the 2024 Tauranga City Council elections. The government, through the Department of Internal Affairs, previously contributed financially to these initiatives.

If the 2028 elections do not shift away from postal voting, then there should be legislative changes that make it easier for people to vote from overseas, and to have voting papers reissued if they do not arrive.

Draft recommendation 13: Until a change in voting system is made, councils should continue to expand availability of alternative ballot drop-off points such as 'orange bins' at supermarkets and drive-through drop-off points, and government should be encouraged to contribute to this financially.

Draft recommendation 14: If we do not shift away from postal voting in 2028, then the Local Electoral Act should be amended to enable overseas voters to use the same electronic voting approach as central government elections, and make it easier for voters to have voting papers reissued if they do not arrive.



Issue 4: Administration and promotion of elections

Local authorities are responsible for administering local elections in their areas. Administration includes conducting elections, preparing voting papers, counting votes, assessing special votes, and responding to information requests from candidates and the public.

Most councils outsource all or part of this role to private election service providers like Independent Election Services and Electionz.com. This can include outsourcing the role of electoral officer under the Local Electoral Act 2021. In the 2022 local elections, 70 of the 78 councils did this. While the remaining councils appointed a staff member to act as electoral officer, most contracted a private company to administer some aspects of the election.

The Local Government Act 2002 was amended in 2009 to explicitly make council chief executives responsible to their councils for promoting elections. This role involves "facilitating and fostering representative and substantial elector participation in elections and polls" s42(2)(da) Local Government Act 2002. Councils tend to have two stages to their promotion activity: encouraging people to stand as candidates; and encouraging people to vote. The Electoral Commission also undertakes a nationwide enrolment campaign ahead of local elections.

Investment in promoting local elections, of about 50 cents per elector, is significantly less than investment by the Electoral Commission in promoting national elections at about \$4 per elector. In general elections, political parties also invest significantly in promotion. The parties inside the current parliament declared promotion expenses of over \$15m for the 2023 election. This includes public funding of \$3.5m through the broadcasting allocation. Individual candidates declared a further \$3.45m of local expenditure. While local elections in larger cities, particularly when competitive, can see high levels of declared expenditure, local elections generally see significantly lower campaign spending by candidates.

The Justice Committee, in its <u>Inquiry into the 2022 Local Elections</u>, recommended the Government consider making the Electoral Commission responsible for administering local elections. It suggested that (at a minimum) the Electoral Commission should be responsible for: oversight of local elections; regulation of election service providers; and management of complaint procedures. The Government agreed to consider this but has indicated it would be a long-term project that would take place only when work programme priorities allow.



What we heard from submitters on this issue

Who should administer elections

A few councils noted that the use of contractors can be more effective and efficient than councils directly delivering elections.

"If the administration of elections continues to lie with local councils, Auckland Council has found that the current arrangements work well. The administration of the election processes that are set out in legislation is outsourced to an experienced provider... Permanent staff with full-time responsibilities do not have the capacity to run an election every three years in addition to undertaking normal responsibilities. It is preferable to contract a provider with reputation and experience than recruit additional new staff every three years. Furthermore, the two providers have invested in equipment, including commercial grade optical scanners and computer systems." Auckland Council

A large number of submitters supported the Electoral Commission taking over administering and promoting local elections. This would include using their existing branding as seen in central government elections.

"...the Electoral Commission is best placed to run both general and local elections, and recommends that it do so. This would include use of the Orange Man and Pup for local election advertising, which are established recognisable election brands in New Zealand." Nelson City Council

Who should promote elections

A large number of submitters also supported promoting elections sitting with the Electoral Commission, but also noted the need for councils to support this work.

"...The Electoral Commission should take the lead in promoting local elections, as its neutrality and expertise make it the most trusted entity to drive voter engagement... This does not diminish the role of councils in promoting elections. Councils are essential partners in the process, providing local knowledge and logistical support. However, councils cannot be the primary drivers of election promotion, as their inherently political nature (with elected members often running for re-election) can confuse voters and erode trust in the neutrality of the process." Hastings District Council

Local representation arrangements

One submitter suggested that the current arrangements for representation arrangements should end, and the Representation Commission should instead decide on representation arrangements for both local and central government.



Our draft position

Who is responsible

The Electoral Commission should administer and promote local elections. This would enable consistent investment across communities and use of the same branding to promote voting in both central and local elections (the 'orange man'). This would also benefit central government elections because the Commission would run elections more frequently, enabling their staff to have more recent experience delivering elections.

To support delivery of this new role, the Electoral Commission Board would need to be required to collectively possess appropriate skills, understanding and experience. At the same time, the Independent Electoral Review's recommendation that the Minister of Justice should be required to ensure that the board collectively has skills, experience and expertise in te Tiriti/the Treaty, te ao Māori, and tikanga Māori should be implemented in order to improve Māori electoral participation.

The Electoral Commission should also be required in legislation to consult with councils on significant decisions and as part of key processes. Determining councils' representation arrangements should remain locally decided, with the Local Government Commission retaining its oversight role.

Draft recommendation 15: The Government should amend the Electoral Act and Local Electoral Act to put the Electoral Commission in charge of administering and promoting local elections. This new role should come with the following requirements:

- At least one member of the board of the Electoral Commission should possess knowledge and experience of local government and local elections;
- The board should expand to at least five members; and (like similar appointments) Local Government New Zealand should be consulted by the Minister prior to this appointment;
- The Electoral Commission should be required to engage with councils on key decisions and processes on the running of local elections; and
- Local elections should utilise the same branding as central government elections, including the 'orange man'.

How should this be funded

It would be unrealistic to expect central government to fund local elections. This new role for the Electoral Commission should be funded by a levy on councils that recovers a proportion of the costs. This levy should be set in a transparent way that includes engagement with councils, and early enough so the levies can be considered at the appropriate time in the annual plan process. Given the national importance of thriving democratic institutions, and some communities' lack of ability to pay, central government should also invest in the running of local elections.

Draft recommendation 16: Funding for the Electoral Commission's new role should be covered in part by central government and in part by imposing a levy on councils. This levy should be set by Cabinet via secondary legislation and require consultation with local government.



Issue 5: Four-year terms (including transition and implementation)

There is no optimum term length. Term length is a balancing act between maximising the productive period between elections that enables councils to deliver on agreed plans, and elections acting as a regular accountability mechanism for elected members. Having a large overlap in productive windows between central government and local government can foster greater collaboration and increase joint delivery. It also decreases the impact of changes in direction after elections at either level.

New Zealand's three-year term for local government is short by international standards.

The Panel for the Review into the Future for Local Government recommended a move to a four-year term for local government as this would "improve members' abilities to make decisions for the long term by providing a longer window to get things done." LGNZ members agreed with the report's recommendation and called for the local government term to shift to four years from the 2025 elections. This echoed a remit adopted at LGNZ's 2020 AGM.

The longstanding practice for constitutional change would suggest a move to four-year terms requires broad support from the community and across parliament. LGNZ commissioned a poll testing public support for four-year terms in August 2024. This poll by Curia Market Research of 1,000 New Zealand adults

Local government term lengths for a selection of countries, states or provinces

Three years New Zealand

Four years Australia, United Kingdom, Canada (most

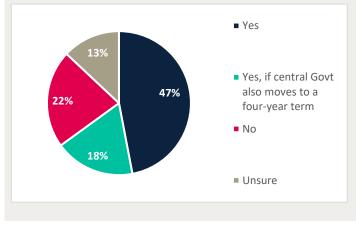
provinces and territories), Sweden, Denmark, Finland, Norway, Switzerland, Netherlands, Spain, United States (many states including New York, California, and Pennsylvania), Japan, South Korea

Five years Ireland, Germany (all states except Bayern), Italy,

Austria

Six years Germany (Bayern), France

Figure 9 Public views on four-year terms for New Zealand councils



aged 18+ found that 47% supported four-year terms, but 65% would support them if central government also had a four-year term.

Parliament, in early March 2025, voted 117 to 6 in favour of the first reading of the Term of Parliament (Enabling 4-year Term) Legislation Amendment Bill. The government has not committed in supporting this bill beyond the select committee process. This presents an opportunity to move to a four-year term for both central and local government.



What we heard from submitters on this issue

Four-year term

While there were a small number of submissions opposed to four-year terms for local government, the majority of submitters were in favour.

"The council supports a four-year term in parallel to a similar change to the Parliamentary term and put to the public by referendum. Election campaigns can be a distraction in the final year of the term. A longer term could promote more innovative and strategic thinking, lengthen horizons on decisions, and encourage more use of deliberative democracy mechanisms. There would also be cost and time savings from less frequent elections and the potential to mitigate voter fatigue." Auckland Council

Relative timing of local and central elections

A few submissions were in favour of combining central and local elections, primarily to benefit from the higher turnout of central elections. However an equal number of submissions opposed this, mostly due to concern that local issues would be crowded out. Most submissions favoured elections being spaced equally (two years apart), although there was also strong support for one year apart followed by a three-year space.

"...local elections at the midpoint avoids voter fatigue during general elections while ensuring regular opportunities for citizens to engage with the democratic process... Holding local elections independently of parliamentary elections allows local issues to take centre stage, ensuring they are not overshadowed by national campaigns... A consistent midpoint election cycle creates predictability ... encouraging higher turnout." Individual submission

Changes to timing

A majority favoured shifting the timing of major processes to a four or eight-year cycle.

"If adopted, Long-term Plans should also be adjusted to follow a four-year cycle, with an eight-year horizon instead of ten. This would allow for the deferral of Long-term Plans in unforeseen situations (such as major weather events or emergencies), while ensuring the plans remain relevant for the future." Manawatū District Council

Enhanced accountability

A number of submitters expressed the view that the range of current accountability measures, particularly the Minister's powers to assist and intervene, were sufficient and did not need to change as part of a four-year term. A couple of submitters expressed support for recall elections although others opposed this.

There was support from several submitters for enhancing codes of conduct.

"Strengthening codes of conduct and instituting more apparent consequences for breaches could also be an important accountability measure. By ensuring that council members adhere to a defined set of ethical and professional standards, councils would foster greater trust and transparency with their communities." Gisborne District Council



Our draft position

Local Government and Central Government should move to four-year electoral terms, and the upcoming referendum should cover both. Such a significant constitutional change should be decided by electors. If both parliament and local government don't make this change in parallel then their elections would be out of sync. This means excluding local government from a shift to four-year parliamentary terms would be destabilising and confusing.

Relative timings of central and local elections

When moving to four-year terms for both central and local government, the respective elections should be spaced evenly (i.e. local and central elections should be two years apart from each other). This gives people an understandable pattern of elections, and spaces the elections so the Electoral Commission has time to deliver both.

However, spacing elections a year apart followed by a three-year gap also has merit, given this maximises the productive period local and central governments have to work together.

Elections in the same year or at the same time would create administrative challenges (especially if the Electoral Commission was responsible for both). This would also risk important local issues being overshadowed by national ones.

Currently the maximum term of Parliament is set by the Constitution Act 1986 at three years from the day fixed for the return of the writs issued for the last election. This means central elections are at most about 3 years and two months apart; however, elections can be called at any time before this deadline. Early or snap elections would cause central and local elections to temporary come out of alignment, and it could take many parliamentary terms before this timing would be reestablished. This challenge should be addressed by the legislation that implements a four-year term for central government.

Local elections are currently on fixed dates set in the Local Electoral Act. This should continue, but the date should be adjusted slightly for the 2028 elections and beyond to ensure the voting period avoids school holidays.

The transition to a four-year term for local government should start in 2028. Having one or two three-year terms for local government after 2028 may be required to achieve the desired spacing of local and central elections.

Draft recommendation 17: Local government and central government should move to a four-year term with elections spaced two years apart.

Draft recommendation 18: Section 10 of the Local Electoral Act should be amended so that the fixed election day avoids school holidays.



Relative timings of key policy processes and decisions

As part of the transition to a four-year term, key planning and accountability processes should move from a three-year cycle to a four-year cycle. This would mean, withstanding wider changes to the present system, a Long-term Plan would be developed every four years, with another annual plan being required in year four. Representation reviews should be required at least every eight years.

The Land-Transport Management Act poses challenges in terms of the relative timings of key decisions and documents. This could be partially addressed by a four-year term with even spacing. However, this challenge should be specifically examined as part of implementing and transitioning to four-year terms for local and central government.

Draft recommendation 19: Local government legislation should be amended as part of a transition to four-year terms to move key planning, accountability, and representation processes from a three-year cycle to a four-year cycle. These include the Long-term Plan, Regional Land Transport Plans, Regional Public Transport Plans, and Representation Reviews.

Enhanced accountability

A move to four-year terms should come with enhanced accountability because the key accountability measure of elections will apply less frequently.

Individual elected members accountability generally sits with the Code of Conduct. The current Code of Conduct process has a limited number of sanctions, and applying these sanctions often requires the support of a majority of elected members.

Further, currently code of conduct processes are often used inappropriately or for conflict that could be better addressed by a range of interventions before they escalate. Conflict or code of conduct issues should be triaged and while several organisations provide support in managing challenges, there would be significant benefits from a more formally established dispute resolution service. This service would support professional standards, provide alternative resolution pathways and early intervention to avoid escalation where possible. These are the hallmarks of modern conflict resolution systems where issues should be resolved as close to the source of the conflict as possible.

Where however, an issue does require escalation, the Code of Conduct process should be strengthened by introducing stronger penalties for significant breaches. While councils would retain a role around resolving and addressing most code of conduct complaints, investigations and application of penalties for significant breaches should sit independently from the council and the Government. Given its expertise and composition (which could be strengthened if need be to meet this extended brief), this role should be fulfilled by the Local Government Commission. This would be similar to the power of the Auditor-General to prosecute elected members for breaches of the Local Authorities (Members' Interests) Act 1968, which, if successful, automatically removes them from office. Alongside this, members can also be removed from office by ceasing to be registered or able to be registered as an elector, or convicted of an offence punishable by a term of imprisonment of two years or more. Removal of an elected member from office is a significant sanction and should have a high bar applied, with appropriate due process, and subject to strong checks.



Improving elected member performance would also pre-empt the need for a Code of Conduct process which would be a better outcome. This can be achieved through elected member training and support, and embedding a set of professional standards.

The current powers of the Minister to assist and intervene are not relevant here because they relate to councils as a whole rather than individual elected members, so act as a different accountability mechanism from elections. Recall elections are not supported. These can be very expensive, disruptive and, where they are in place, tend to be highly politicised, which would negatively impact how elected members carry out their roles.

Draft recommendation 20: The Local Government Act should be amended to strengthen the Code of Conduct process by:

- Empowering the Local Government Commission to investigate complaints relating to significant breaches;
- Implementing increased penalties for breaches, including suspension or fines, and empowering the Local Government Commission to apply these when it determines a significant breach by an elected member, with the penalty being proportionate to the breach and based on principles in the legislation;
- The Local Government Commission should also have the power to remove a member of local government for serious breaches. This recommendation must be made by unanimously by the members of the Local Government Commission and endorsed by the Minister of Local Government, with no resulting prohibition from standing in a by-election or any subsequent election; and
- Central government should invest in an independent dispute resolution service for local elected members to triage issues, and where possible pre-empt costly escalation.



Draft recommendations

Issue 1: The public's understanding of local government and why it's important

- 1. The Local Government Act 2002 should be amended to require the Secretary for Local Government to support public understanding of how local government works and how it impacts people's lives.
- 2. Councils should expand on their work to engage with schools to demonstrate how local government works, including how young people can be involved and expand on opportunities for young people to participate and be heard in decisions that affect them.
- 3. Central government should work with local government to reform Local Government Act requirements on how councils plan and engage to ensure this achieves best-practice engagement with and accountability to communities.
- 4. Councils should fully capitalise on all their current processes to communicate what they do and its value, and expand their use of localism approaches so that communities see themselves in the decisions made.
- 5. LGNZ, together with the Minister of Local Government, the Department of Internal Affairs and councils should create an annual Local Government Week where councils showcase what they do, where their investment goes, and why local government matters.
- 6. The Government should retain the Local Democracy Reporting scheme, and improve on it by:
 - Extending coverage to areas where commercial media companies no longer cover local government; and
 - Committing to a three-year funding cycle to attract and retain capable staff and unlock private co-investment.

Issue 2: Understanding candidates and their policies

- 7. The administrator of local elections should be required by the Local Electoral Act to provide and maintain a website (directly or by contracting to a third party) that would give every candidate the opportunity to provide (as part of the nomination process):
 - A 150-word biography (as per the current candidate booklet);
 - Answers to four or five standard questions on policy views and priorities (with a 500-word limit across all answers). These questions could be set by a neutral body such as the Electoral Commission or in primary legislation; and
 - Links to candidate websites.

It would be useful if this website allowed for candidates to also provide a short video statement. A suggested maximum length is three minutes, and the video should be subtitled so it is accessible for hearing-impaired people.



Submissions from candidates should not be moderated, with the exception of objectional or defamatory statements.

- 8. As a transition step to recommendation 7:
 - For elections before the introduction website council electoral officers should be encouraged to provide candidate-supplied information to neutral third-party websites for the purposes of supporting better understanding of candidates; and
 - The Local Electoral Act should retain provision for the printed booklet with a 150-word candidate statement, with the need for this being reviewed after two elections after the introductions of the website.
- 9. Councils should continue, or give consideration to, supporting 'meet the candidate' events, either by directly running them or by funding politically neutral organisations to do so.
- 10. The Government should extend the Election Access Fund to candidates for local elections to address barriers faced by disabled people who want to stand.
- 11. Government should address the anomaly faced by candidates in Māori wards and constituencies by reviewing part 5, subpart 2, of the Local Electoral Act, which concerns candidate expenditure limits.

Issue 3: Voting methods

- 12. Move to a nationally consistent system of in-person voting for all local elections that is as similar as possible to parliamentary elections over a two-week timeframe in which to vote, with polling booths in venues where people frequently visit. Preferably by the 2028 local elections or the 2031 local elections at the latest.
- 13. Until a change in voting system is made, councils should continue to expand availability of alternative ballot drop-off points such as 'orange bins' at supermarkets and drive-through drop-off points, and government should be encouraged to contribute to this financially.
- 14. If we do not shift away from postal voting in 2028, then the Local Electoral Act should be amended to enable overseas voters to use the same electronic voting approach as central government elections, and make it easier for voters to have voting papers reissued if they do not arrive.

Issue 4: Administration and promotion of elections

- 15. The Government should amend the Electoral Act and Local Electoral Act to put the Electoral Commission in charge of administering and promoting local elections. This new role should come with the following requirements:
 - At least one member of the board of the Electoral Commission should possess knowledge and experience of local government and local elections;



- The board should expand to at least five members; and (like similar appointments) Local Government New Zealand should be consulted by the Minister prior to this appointment;
- The Electoral Commission should be required to engage with councils on key decisions and processes on the running of local elections; and
- Local elections should utilise the same branding as central government elections, including the 'orange man'.
- 16. Funding for the Electoral Commission's new role should be covered in part by central government and in part by imposing a levy on councils. This levy should be set by Cabinet via secondary legislation and require consultation with local government.

Issue 5: Four-year terms (including transition and implementation)

- 17. Local government and central government should move to a four-year term with elections spaced two years apart.
- 18. Section 10 of the Local Electoral Act should be amended so that the fixed election day avoids school holidays.
- 19. Local government legislation should be amended as part of a transition to four-year terms to move key planning, accountability, and representation processes from a three-year cycle to a four-year cycle. These include the Long-term Plan, Regional Land Transport Plans, Regional Public Transport Plans, and Representation Reviews.
- 20. The Local Government Act should be amended to strengthen the Code of Conduct process by:
 - Empowering the Local Government Commission to investigate complaints relating to significant breaches;
 - Implementing increased penalties for breaches, including suspension or fines, and empowering the Local Government Commission to apply these when it determines a significant breach by an elected member, with the penalty being proportionate to the breach and based on principles in the legislation;
 - The Local Government Commission should also have the power to remove a
 member of local government for serious breaches. This recommendation must be
 made unanimously by the members of the Local Government Commission and
 endorsed by the Minister of Local Government, with no resulting prohibition from
 standing in a by-election or any subsequent election;
 - and Central government should invest in an independent dispute resolution service for local elected members to triage issues, and where possible pre-empt costly escalation.

