

OIR: 2223/439

3 February 2023

[REDACTED]

[REDACTED]

Request for Information under the Local Government and Official Information and Meetings Act 1987 (the Act) (the LGOIMA)

Thank you for your email of 19 December 2022 requesting the following information:

I write seeking information on the budget and expenditure relating to KCDC coming out of the closet as it were and 100% lowering the voting age, not only in local body elections but also national elections. I refer to the closet because usually matters of such fundamental constitutional importance as who qualifies to vote is done in the closet called a polling booth. It was perhaps extremely naive of me to think that I as a citizen and Kapiti resident would have the right to make submissions to a Select Committee without my pitch to that body being stuffed before I have even delivered my ball. Because KCDC has represented that all of us are for giving votes to 16 year olds. And being politicians they will give greater weight to the apparent "voice of the multitude" to that lone voice.

Is there any research that indicates what external experiences have on one's ability to meaningfully participate in a fundamental constitutional right to vote?

We do not hold the information regarding research, therefore we must refuse this part of your request under the following section of the LGOIMA:

17(g) - the information requested is not held by the local authority and the person dealing with the request has no grounds for believing that the information is either –

- (i) held by another local authority or a department or Minister of the Crown or organisation; or
- (ii) connected more closely with the functions of another local authority, or a department or Minister of the Crown or organisation

While other agencies may have research aligned to what you have outlined in your request, as your request is very general there may be multiple agencies with research of this nature. You may wish to contact the Electoral Commission with specific details of the research you are seeking or refer to their website for general information [Participation in voting | Elections](#).

Could you please provide the following information:

1. What input did KCDC staff have in the wording of the resolution?

And

2. how many staff hours were involved in arranging for the submitters and submissions at the 8.12.2022 meeting?

The agenda item on the 8 December 2022 Council meeting relating to lowering the voting age was added to the agenda through a notice of motion signed by a number of Councillors. This is a process under Council standing orders allowing elected members to request that an item be added to the agenda. Staff were not involved in providing guidance or assistance to elected members in the drafting of the notice of motion called 'Make it 16', however, were involved in facilitating the items inclusion on the Council agenda.

The Democracy Services team assist in facilitating public speaking relating to Council and committee meetings (including registering attendance in advance and assisting speakers on the day) including for the 8 December 2022 meeting. At this meeting, there was only one speaker in support of 'Item 11.6 Notice of Motion - Make it 16'. As speaker management is a core component of the Democracy Services team's function, time is not recorded relating to these activities.

We do not hold the information relating to staff hours, therefore we must refuse this part of your request under the following section of the LGOIMA:

17(g) - the information requested is not held by the local authority and the person dealing with the request has no grounds for believing that the information is either –

- (i) held by another local authority or a department or Minister of the Crown or organisation; or
- (ii) connected more closely with the functions of another local authority, or a department or Minister of the Crown or organisation

Council's agenda and minutes for the 8 December 2022 meeting are publicly available in the following [location](#).

3. The motion states KCDC will be making representation to the Parliamentary Select Committee. How many staff will be preparing those submissions

and

4. What will be the costs in staff time including appearance times before the committee.

The proposal to lower the voting age for local government elections was one of 29 recommendations made in the draft report of the Review of the Future for Local Government, *He mata whāriki, he matawhanui*. Public submissions on this report are due by the end of February 2023. Council intends to make a submission on this report, which will cover a whole range of recommendations and issues identified in the draft report. Our submission will be undertaken as part of the business-as-usual work of the Strategy and Growth Group, and as such time is not recorded relating to these activities.

We do not hold the information relating to staff costs, therefore we must refuse this part of your request under the following section of the LGOIMA:

17(g) - the information requested is not held by the local authority and the person dealing with the request has no grounds for believing that the information is either –

- (i) held by another local authority or a department or Minister of the Crown or organisation; or
- (ii) connected more closely with the functions of another local authority, or a department or Minister of the Crown or organisation

5. Upon what legal basis can rates be applied to an exercise which on its face does not appear to comply with s12 of the Local Government Act where local authorities are required to stick to their kitting in their own yard.

The role of local government is broad and varied. It is more specifically section 10(1) of the LGA 2002 which specifies that 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.*

Section 10(1)(b) provides Council with a wide remit to promote the four wellbeing's of our community. This action may include advocating to Central Government on legislative changes that we believe will impact on the wellbeing of our community.

In this capacity we submit on a wide range of Central Government proposals, which can be found on the submissions page of our website: <https://www.kapiticoast.govt.nz/your-council/forms-documents/submissions/>.

The Future for Local Government review is wide-reaching and will impact on our community and the way they are represented in the future. We consider submitting on this report to be well within our remit. In addition, Central Government has specifically sought the views of local government throughout this process, including encouraging submissions on the draft report.

You have the right to request the Ombudsman to review this decision. Complaints can be sent by email to info@ombudsman.parliament.nz, by fax to (04) 471 2254, or by post to The Ombudsman, PO Box 10152, Wellington 6143.

Ngā mihi



Janice McDougall

Group Manager People and Partnerships
Te Kaihautū, ngā Rangapū, Tāngata hoki