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## NOTICE OF MEETING

**Notice is hereby given of the Extraordinary Meeting  
of the Invercargill City Council to be held in the  
Council Chamber, First Floor, Te Hīnaki Civic  
Building, 101 Esk Street, Invercargill on  
Tuesday 17 October 2023 at 2.00pm**

Mayor W S Clark  
Cr A J Arnold  
Cr R I D Bond  
Cr P M Boyle  
Cr S J Broad  
Cr T Campbell  
Cr A H Crackett  
Cr G M Dermody  
Cr P W Kett  
Cr D J Ludlow  
Cr I R Pottinger  
Cr L F Soper  
Cr B R Stewart

MICHAEL DAY  
CHIEF EXECUTIVE

## Extraordinary Council - Public Agenda

17 October 2023 02:00 PM

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## **THE ELECTORAL (LOWERING VOTING AGE FOR LOCAL ELECTIONS AND POLLS) LEGISLATION BILL SUBMISSION**

|                                |   |
|--------------------------------|---|
| <b>To:</b>                     | Council                                       |
| <b>Meeting Date:</b>           | Tuesday 17 October 2023                       |
| <b>From:</b>                   | Michael Morris - Manager Governance and Legal |
| <b>Approved:</b>               | Andrew Cameron - Chief Risk Officer           |
| <b>Approved Date:</b>          | Thursday 12 October 2023                      |
| <b>Open Agenda:</b>            | Yes   |
| <b>Public Excluded Agenda:</b> | No  |

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### **Purpose and Summary**

At the Community Wellbeing Committee meeting held on Tuesday 10 October 2023 the Committee voted in support of making a submission on the Electoral (Lowering Voting Age for Local Elections and Polls) Legislation Bill.

The Committee resolved that the submission would be neutral on the question of the lowering of the voting age but would make points relating to the technical implications for Council by having a two tier system for the Licencing Trust being 18 and Council at 16 years old to vote, the imperative of having civics education established and the policy inconsistency of having national elections stay at 18 years old while reducing the age to 16 for local government elections.

The report also seeks decisions on attendance at any hearing that may be held and approval of the submission.

### **Recommendations**

That Council:

1. Receives the Report "The Electoral (Lowering Voting Age for Local Elections and Polls) Legislation Bill Submission".
2. Confirms that the Mayor is able to sign the submission on behalf of Council.
3. Confirms Council wishes to speak to the submission.
4. Nominate XX to attend any hearing before the Select Committee to speak to the submission.

## **Background**

On 21 November 2022 the Supreme Court of New Zealand released a decision that made a Declaration of Inconsistency against the Government relating to retaining the voting age for all elections at 18.

This Declaration was made under provisions of the New Zealand Bill of Rights Act 1990 and triggered a process that required the Government to respond.

As part of the Government response, the initial plan was to introduce legislation to Parliament that would lower the voting age to 16 for national and local government elections.

However, to change the voting age for national elections the Bill would need a super majority of 75% of all Members. Both the National Party and Act Party indicated they did not support such a change, meaning the super majority could not be met.

However, to make the change to the Local Elections Act 2001 it only requires an ordinary 50% majority.

On 15 August 2023 the Minister for Local Government introduced The Electoral (Lowering Voting Age For Local Elections And Polls) Legislation Bill (the Bill), which will lower the voting age for local elections to 16 years of age and provides the mechanics to make the change.

It had its first reading in Parliament on 29 August 2023 and was sent to the Select Committee. The submissions opened on 8 September 2023 and close on 20 September 2023.

If enacted the Bill would change the age for voting for the 2028 Council elections.

## **Issues and Options**

At the Community Wellbeing Committee meeting, it was resolved that Council should make submission that is neutral to the lowering of the voting age, but to submit on three key areas:

1. The inconsistency in having local elections voting age of 16 while national elections remain at 18;
2. The implications for Council because of the age for voting for the Invercargill Licencing Trust remaining at 18; and
3. The imperative of implementing civics education.

The draft submission covers these areas and is attached as Attachment 1.

Council needs to approve the Mayor signing the submission for lodgement, and also determine if Council wishes to speak to the submission in the event of a Hearing by the Select Committee,

If Council chooses to speak to the submission who will attend the Select Committee to speak on behalf of Council.

### **Climate Change**

There is no climate change impact with making the submission. There is a climate change impact for Council to send representatives to Wellington to attend the Select Committee.

### **Next Steps**

Once approved, the submission can be signed by the Mayor and lodged with the Justice Committee at Parliament.

### **Attachments**

Attachment 1 - Draft Submission (A4941991)



## **SUBMISSION OF INVERCARGILL CITY COUNCIL ON THE ELECTORAL (LOWERING VOTING AGE FOR LOCAL ELECTIONS AND POLLS) LEGISLATION BILL**

### **Introduction**

This submission is on the Electoral (Lowering Voting Age For Local Elections And Polls) Legislation Bill (the Bill) and is neutral towards the key issue of lowering the voting age for council elections to 16.

Invercargill City Council (Council) has considered this Bill and the implications it has on a practical level as well as the general issues that it raises.

This submission will address those issues in turn.

### **Practical Implications**

The Bill creates a number of practical implications for Council in the running of the local elections. The key issues identified relates to the Invercargill Licencing Trust.

Invercargill is home to one of the largest Licensing Trusts in the country. The Invercargill Licencing Trust (the Trust) has been part of Invercargill since 1944.

By lowering the voting age from 18 to 16 for Council but retaining the voting age for the Trust at 18 will create confusion amongst the public as to who can vote for who and what.

There are already a number of issues each election cycle around people wishing to vote for the Trust but are unable to as they lie outside of the boundary (a boundary that has not been changed for many years and therefore bears no real semblance with the urban boundary of the modern Invercargill City) and this will only add to the confusion amongst the public.

While understanding the policy reasons for this decision (to retain the age at 18 for Trust elections) given the legal age to purchase alcohol is 18, there are a number of practical implications that will directly impact this Council and our community.

Chief amongst these will be the various incarnations of the voting forms that will need to be prepared. In addition to the current form, another form would have to be created for an Invercargill City youth voter, who can vote for the Mayor, Council, and Regional Council only and have the Trust nominations removed. This is likely to add to complexity to the printing and add an additional \$3,000 to \$4,000 of cost to this Council for the running of our elections.

It will also complicate the issuing of Special Votes, especially around those who turn 18 after the roll closes but before Election Day as they will need to do a special vote for the Trust, however if they have already voted for Council there is a risk of a double vote and complications around the issuing the voting document. These issues are not insurmountable however need careful planning.

However, there is nothing that is not unsurmountable in terms of the voting forms. The number of birthdays between the close of the roll and Election Day are likely to be low enough to not cause a major problem, but it does add an extra level of complexity to the mix when issuing special votes.

We recommend support for Local Government and their elections team, especially those with Licencing Trusts to help ensure this change is smooth should the Bill proceed.

## **Issues Discussion**

### **Change For Local Government Only**

Council is in agreement with doing things that help engage young people in our democracy. It is also important that Government, both central and local, do things in a way that encourages Rangatahi to take part in democracy but also that their voices, thoughts and opinions matter as the next generation to be in positions of power and influence.

However, there appears no reason, on face value, to only lower the age for voting in elections to 16 for Local Elections.

The Declaration of Inconsistency was made for all elections, therefore addressing the issue simply by changing the voting age for Local Elections seems short-sighted at best.

This Bill will not change the political landscape in New Zealand, all it will do is to increase the level of complexity in arranging council elections. Are 16 year olds equipped to make decisions on who governs their city, but not on who governs the country or who sells them a beer or wine? It seems to be creating a two tier system, national government and local government where you can experiment.

### **Civics Education**

Key reasons, highlighted again and again for falling involvement in elections relates to the lack of "civics" education in our schools, there is nothing in the current curriculum that readily prepares students for their duties as citizens and residents of New Zealand and our councils, it is a black box of mystery to so many people. For local government the answer for "Why did you not vote" is often "they don't do anything for me." This is of course wrong, however with limited means to communicate with voters and nothing to start with in terms of civics it is a hard sell, whereas national government has the luxury of regular coverage across many news platforms.

During our debate on this issue, a councillor referred to the example of Scotland where the voting age has been lowered to 16. The point he made is that for at least 10 years before the age was lowered there was a determined effort by the Scottish Government to have civics taught in schools to start equipping children/ Rangatahi for the role they will come to play in our society as voters and citizens.

While there is lead time to when this Bill will take effect (in time for the 2028 Elections) we suspect there will be a lot of work to ensure the civics education programme is ready and in place and able to deliver for our young people/ Rangatahi.

### **Recommendation**

Council is neutral in this submission on the issue of this Bill lowering the voting age for council elections.

There are practical implications for all councils that have a Licencing Trust in their district that increases the complexity for voting and administration as well as costs. It is noted the cost increase is relatively small in the context of the election, it is however a cost increase Council has no control over and is the direct result of a policy and legislative choice made by Government and Parliament.

Council also submits that at a policy level there is no reason that the voting age for local elections should be different to that of the national elections. It is disappointing that local elections are being singled out in this manner, it appears merely a political experiment rather than one of a principled approach to the Declaration of Inconsistency.

Finally, and regardless of the fate of this Bill, there has long been identified the need for our schools to teach a civics programme. This should be attended to as a matter of priority with the Ministry of Education and those who set the curriculum for all schools. Our children/ young people/ Rangatahi need to be taught why it is important to vote and how our systems of Government work, this does not take place now and we see a generation of young people moving into adulthood not interested in voting because they simply do not understand.

Should this Bill progress it is imperative action is taken to address this issue now, more reports are not needed.