

Mayor and Councillors
COUNCIL

23 AUGUST 2012

Meeting Status: **Public**

Purpose of Report: For Decision

**ŌTAKI COMMUNITY BOARD BY-ELECTION - ORDER OF
CANDIDATES' NAMES ON VOTING PAPERS**

PURPOSE OF REPORT

- 1 This report seeks a decision by Council on the order in which candidates' names are to be shown on the voting documents used for the Ōtaki Community Board by-election in October 2012.

SIGNIFICANCE OF DECISION

- 2 This report does not trigger the Council's Significance Policy.

BACKGROUND

- 3 A by-election for the Ōtaki Community Board is now required as one of its members resigned on 2 August 2012. This created an extraordinary vacancy on the Board (under Section 5, Schedule 7 of the Local Government Act 2002) and because it is more than 12 months before the next triennial election, a by-election must be held to fill this vacancy. Accordingly, a public notice announcing the by-election and calling for nominations appeared on 16 August and nominations will close on 12 September. If more than one nomination is received the by-election must proceed.
- 4 Whilst not mandatory, clause 31(1) of the Local Electoral Regulations 2001 allows Council to decide whether the candidates' names are to be arranged on the voting documents in alphabetical order of surname, pseudo-random order or random order. The Council decided on alphabetical order of surname on voting documents for the 2004, 2007 and 2010 elections as well as for a number of by-elections.
- 5 In the absence of any Council resolution approving another arrangement the candidates' names must be arranged in alphabetical order of surname.

CONSIDERATIONS

Issues

- 6 The features of each arrangement are described as follows:

Option 1 – Alphabetical order of surname

- 7 This is the order which has been required to be used at previous local authority elections and is self-explanatory.

Option 2 – Pseudo-random order

- 8 Under this option, the candidates' names for each election are drawn randomly to determine the order of candidates' names on all voting documents for the current election, with the candidates' names being placed on all voting documents for that election in the order in which they are drawn.
- 9 The Local Electoral Regulations provide that if a local authority has determined that pseudo-random order is to be used, the Electoral Officer must state, in the public notice required to be given, the date, time and place at which the order of the candidates' names will be drawn. Any person is then entitled to attend while the draw is in progress.

Option 3 – Random Order

- 10 Under this option the names of the candidates for each election are shown in a different order on each and every voting document, using software which permits the names of the candidates to be laser printed in a different order on each paper.

Comparative Cost of each Option

- 11 The cost of printing the voting document employing either Option 1 or Option 2 will be identical. Should the Council adopt Option 3 there will be some increase in cost, because of the need to individually laser print each voting document rather than have them pre-printed. There will be around 6,000 voting documents.

Financial Considerations

- 12 If Option 3 is chosen by Council the cost will be approximately \$2,000.

Legal Considerations

- 13 The order that the candidates' names will appear on voting documents is required to be stated in the public notice of the election (clause 31 of Local Electoral Regulations 2001).

Delegation

- 14 Council has the authority to consider this matter.

Consultation and Policy Considerations

- 15 There are no consultation or policy considerations.

Tāngata Whenua Considerations

- 16 There are no tāngata whenua considerations.

Publicity Considerations

- 17 A media release will be provided on the decision.

RECOMMENDATIONS

18 That the names of the candidates for the Ōtaki Community Board by-election on 31 October 2012 are to arranged on the voting papers in

- a) Alphabetical order of surname OR
- b) Pseudo-random order OR
- c) Random order

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