

Report No:	RCN11-07-01
File No:	E318
Date:	13 July 2011
Decision Required	

REPORT SUMMARY

Report to: Mayor and Councillors
Meeting Date: 19 July 2011
Report Author: Sandra Hartley – Deputy Electoral Officer
Subject: Golden Bay Ward By-election

EXECUTIVE SUMMARY

To advise Council that a resignation has been received from Councillor Noel Riley, effective from 8 July 2011, which has necessitated a by-election for a Golden Bay Ward Councillor, as per the Local Electoral Act 2001.

RECOMMENDATION/S

That this report be received and the proposed resolutions be adopted.

DRAFT RESOLUTION

- 1 THAT Report RCN11-07- 01 on the 2011 Golden Bay Ward By-election be received;
- 2 THAT in accordance with the Local Electoral Act 2011 Section 117(1) Council resolves to fill the extraordinary vacancy in the Golden Bay Ward resulting from the recent resignation of Councillor Riley;
- 3 THAT Council resolves that the candidates' names on the voting papers for the By-election be in alphabetical order by surname;
- 4 THAT pursuant to Section 79 of the Local Electoral Act 2001, the returned voting documents for the 2011 Golden Bay Ward by-election be processed during the voting period.

Report No:	RCN11-07-01
File No:	E318
Report Date:	13 July 2011
Decision Required	

Report to: Mayor and Councillors
Meeting Date: 19 July 2011
Report Author: Sandra Hartley – Deputy Electoral Officer
Subject: Golden Bay Ward By-election

1. PURPOSE

- 1.1 This report has been prepared to provide statutory guidance to Council with regard to the extraordinary vacancy that has occurred in the Golden Bay Ward from the recent resignation of Councillor Noel Riley.

2. BACKGROUND

- 2.1 In accordance with Section 117(1) of the Local Electoral Act 2001, if a vacancy occurs in the office of a member of a local authority more than 12 months before the next triennial general election the vacancy must be filled by an election under that Act.
- 2.2 There are some specific statutory procedures that are required to be followed in preparation for a by-election. These include:
- The order of candidate's names on the voting documents
 - Early processing of votes during the voting period
 - Compilation of a preliminary roll
 - Public notice of an election (arrangements already made)
 - Calling for nominations (nominations open on Tuesday 19 July 2011)
 - Certification of the final electoral roll by the Electoral Officer
 - Preparation and delivery of voting papers
 - Establishment of a polling date.
- 2.3 Council in 2010 contracted Electionz.com to assist with both the triennial elections, and to verify names and addresses on the amalgamation petition. Electionz.com will be providing similar assistance as per the triennial elections for this by-election.
- 2.4 With regard to the order of candidates' names on the voting documents, Council has three options:
- In alphabetical order of surname;
 - Pseudo random order (names drawn from a hat after close of nominations);
 - Full random order (order is determined by the printing process).

- 2.5 Council may also determine whether or not to allow early processing of votes. Vote processing comprises two stages – the scrutiny of the roll and scanning of the votes into the computer in preparation for the “count” which takes place after noon on election day. Section 79 of the Local Electoral Act 2001 enables the Council to resolve that this second stage, i.e. the opening of the envelopes and scanning of the votes, may be carried out progressively as the papers are returned rather than as a single concentrated effort at the end of the process, i.e. after noon on the Wednesday 5 October of election.
- 2.6 Council has previously resolved to allow for progressive processing and had also previously determined names be in alphabetical order by surname. It is my recommendation that we continue with these practices for the 2011 Golden Bay Ward By-election.
- 2.7 Attached to this report for your information is an indicative timetable that is recommended Council follows for the by-election and preliminary procedures.
- 2.8 We have been advised by Electionz.com that the cost of the by-election will be approximately \$20,000 exclusive of GST if the by-election is contested. This is based on a roll of approximately 3,750 electors, and a 40% voter return.

3. SIGNIFICANCE

- 3.1 The decisions required to be made in this report are not considered to be significant in terms of Council’s Significance Policy.

4. RECOMMENDATION

- 4.1 That this report be received and the proposed resolutions be adopted.

5. TIMELINE/NEXT STEPS

- 5.1 As per attached timetable.

6. DRAFT RESOLUTION

- 6.1 **THAT Report RCN11-07-01 on the 2011 Golden Bay Ward By-election be received;**
- 6.2 **THAT in accordance with the Local Electoral Act 2011 Section 117(1) Council resolves to fill the extraordinary vacancy in the Golden Bay Ward resulting from the recent resignation of Councillor Riley;**
- 6.3 **THAT Council resolves that the candidates’ names on the voting papers for the By-election be in alphabetical order by surname;**

- 6.4 THAT pursuant to Section 79 of the Local Electoral Act 2001, the returned voting documents for the 2011 Golden Bay Ward by-election be processed during the voting period.**

Sandra Hartley
Deputy Electoral officer

g:\executive\council meetings and subcommittees\full council 2011\extraordinary meeting 19-07-11\rcn11-07-01 golden bay ward by-election.docx

Attachment:

Golden Bay Ward By-election timetable.