

Report 16.17
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Committee Council
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2016 triennial elections

1. Purpose

To provide Councillors with the timetable for the 2016 triennial local authority elections, and to seek a decision on the order in which candidates' names are to be arranged on the voting documents.

2. Background

The 2016 triennial local authority elections will be held on Saturday 8 October. The Single Transferable Vote electoral system applies to the Council's elections and planning for these elections has commenced.

3. Timetable

The timetable for the elections is set out in the Local Electoral Act 2001 (the Act) and the Local Electoral Regulations 2001 (the Regulations).

A copy of the timetable for the 2016 elections is included as **Attachment 1** to this report. The dates of principal interest to the public are shown in bold type.

4. Method of voting

Territorial authorities carry out much of the work for the regional council elections. Decisions on the method of voting can be made by territorial authorities but not a regional council. The method used for regional council voting within the district of a territorial authority must be the same method used by the territorial authority.

Territorial authorities are required to consult with regional councils on the method of voting.

Currently, the Regulations allow for postal and/or booth voting methods to be used.

4.1 Potential trial of online voting

Councillors will be aware that there is a potential trial of online voting for the 2016 triennial elections. In the event that the online voting trial is approved, any territorial authorities in the Wellington Region which wish to pursue it as a voting method will be required to consult with the Council before making a decision on the method of voting.

4.2 Preferred method

It would be appropriate for the Council to provide an indication of its preferred available method of voting, while recognising that it is the territorial authorities that make the decisions.

5. Order of names on voting papers

Clause 31(1) of the Regulations allows the Council to decide whether candidates' names are to be arranged on the voting documents in alphabetical order of surname, pseudo-random order or random order. In the absence of any Council resolution approving another arrangement, the candidates' names must be arranged in alphabetical order of surname.

The features of each arrangement are described as follows:

Option 1 - Alphabetical order of surname

This is the option is self-explanatory.

Option 2 - Pseudo-random order

Under this option, the candidates' names for each election are placed in a hat (or similar receptacle), mixed together, and then drawn out of the receptacle, with the candidates' names being placed on all voting documents for that election in the order in which they are drawn.

Option 3 - Random order

This option was used at this Council's 2013 triennial elections. Under this option, the names of the candidates for each election are shown in a different order on each and every voting document, utilising software which permits the names of the candidates to be laser printed in a different order on each paper.

Public notice

The 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 arranged and any person is entitled to attend.

Option chosen by territorial authorities and district health boards within the Wellington region

At the time of writing this report only one territorial authority (Masterton District Council) has resolved the order in which names will be printed on its voting document.

Masterton District Council has resolved to have candidates' names printed on the voting documents in alphabetical order. The remaining territorial

authorities and district health boards in the Wellington Region have not yet passed a resolution on the order of candidate names to go on their voting documents.

Below is a table setting out the name order option chosen by territorial authorities and district health boards in the Wellington Region for the 2013 elections.

Territorial authority /district health board	Order of names	Voting method
Carterton District Council	Alphabetical ¹	FPP
Hutt City Council	Random	FPP
Kapiti Coast District Council	Alphabetical	STV
Masterton District Council	Alphabetical	FPP
Porirua City Council	Random	STV
South Wairarapa District Council	Pseudo-random	FPP
Upper Hutt City Council	Alphabetical	FPP
Wellington City Council	Random	STV

Capital and Coast District Health Board	Random	STV
Hutt Valley District Health Board	Random	STV
Wairarapa District Health Board	Random	STV

Comments on various options

Attached as **Attachment 2** to this report is an excerpt from a review undertaken by the Local Government Commission of the Local Government Act 2002 and Local Electoral Act 2001. The excerpt considers the effect of candidate order on voting documents.

In 2014 the Justice and Electoral Committee recommended to the Government that the order of names on all ballot papers in local authority elections be

¹ In a recent by- election held in 2015 CDC resolved to set out candidate names in random order on its voting documents.

completely randomised.² Attached as **Attachment 3** to this report is an excerpt from the report of the Justice and Electoral Committee

Alphabetical order

This is the simplest method for the elector. It is the method used at the parliamentary elections.

However, there is research to suggest that candidates with a surname starting at the top end of the alphabet may have an unfair advantage over others with a “lower” alphabetic ranking.

Pseudo-random order

This system could possibly be more difficult for the elector to locate the candidate they wish to vote for, especially if there are a large number of candidates standing for election.

Although it might resolve the issue (if there is one) of those candidates with a surname starting with the letter “A” or “B” etc having an unfair advantage over those candidates whose surname starts with a middle or later letter of the alphabet, that advantage would then be given to the first few candidates whose names are drawn out of the hat.

Random order

This option suffers from the same (possible) difficulty for the elector as described under the “pseudo random” method.

Although it may not be particularly user friendly, this method is possibly the fairest to all candidates.

6. Communication

The Council’s decisions relating to the voting method and the order of names on the voting document will be communicated to Electoral Officers in territorial authorities and to the public in the necessary public notices.

7. The decision-making process and significance

The matters requiring decision in this report have been considered by officers against the requirements of Part 6 of the Local Government Act 2002.

7.1 Significance of the decision

Officers have considered the significance of the matter, taking into account the Council's significance and engagement policy and decision-making guidelines. Due to the procedural nature of this decision officers recommend that the matter be considered to have low significance.

Officers do not consider that a formal record outlining consideration of the decision-making process is required in this instance.

² By convention, the Justice and Electoral Committee inquires into the conduct of local authority elections. Following the 2013 triennial local elections, the Justice and Electoral Select Committee initiated an inquiry into the conduct of the 2013 local elections.

7.2 Engagement

Due to its procedural nature and low significance, no engagement on this matter has been undertaken.

8. Recommendations

That the Council:

1. **Receives** the report.
2. **Notes** the content of the report.
3. **Agrees** that the names of the Wellington Regional Council candidates at the 2016 local authority elections are to be arranged on the voting paper in [choose one of the following]
 - alphabetical order of surname; or
 - pseudo-random order; or
 - random order.
4. **Agrees** to advise territorial authorities in the Wellington Region that postal voting is its preferred method of voting under the options currently available.

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Attachment 1: 2016 Triennial Election Timetable

Attachment 2: Pages 178-179 of the Local Government Commission's Review of the Local Government Act 2002 and Local Electoral Act 2001

Attachment 3: Page 8 of the Justice and Electoral Committee's report on the inquiry into the 2013 local authority elections