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## **Report 01.752**

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19 October 2001

Report to the Wellington Regional Council  
From Ted Maguire, Council Secretary

### **Procedure for Election of Chairperson of Wellington Regional Council**

#### **1. Purpose**

To recommend the procedures for the election of the Wellington Regional Council Chairperson.

#### **2. Background**

The election for Chairperson will take place at the first meeting of Council on 26 October 2001. The procedures for the election of a Regional Council Chairperson are set down in Wellington Regional Council Standing Order (SO) 9 (**Attachment 1**) which reflect the statutory requirements set out in sections 101P, 114K and 114J of the Local Government Act 1974 (**Attachment 2**).

Under SO 9(a), the Chairperson shall be elected by the Council from among its members at the first meeting following the election. The election of a Chairperson shall be on the basis of **open voting** with one vote by each member (and no person having a casting vote) unless the Council resolves to use the voting system described in SO 9(d).

Under SO 9(d), the Council may by resolution determine that the Chairperson be elected by a system of voting that requires that the person elected receive the votes of a majority of the membership of the Council present and voting. Where more than one round of voting is required, the least successful candidate in a round of voting shall not be a candidate in the next round of voting. This system can only apply where there are more than two candidates and ensures that the successful candidate has the support of a majority of Councillors.

SO 9(e) provides that when an equality of votes cannot be determined by a further round of voting, the result shall be determined by lot in a manner as the Council determines. The most common procedure is for the names of the candidates receiving an equal number of votes to be placed in a container and the name of the person drawn out by an independent person deemed to be elected.

One situation that the Act does not provide for, and as a consequence neither do our Standing Orders, is the situation where there are more than two candidates for election to a particular office but:

- (a) no candidate receives the votes of a majority of the members present and voting; and
- (b) where the two lowest polling candidates receive an equality of votes.

In a 13 member Council there are various such permutations, eg 5:4:4 or 5:4:2:2.

Council should agree beforehand on a process to deal with that possibility. Simply dropping the tied lowest polling candidates may not achieve the objective of the system of voting under SO 9(d) which is to ensure the successful candidate has the support of a majority of councillors.

My suggestion is that a separate vote be taken of all present and voting to determine which of the tied lowest polling candidates should proceed to the next ballot.

Once the procedural questions have been decided, I will call for nominations for the office of Council Chairperson.

It is suggested that the procedures adopted for the election of Council Chairperson be also adopted for the election of the Council Deputy Chairperson and the Chairpersons of Standing Committees. It is proposed that these elections will take place on 8 November 2001.

### 3. **Recommendations**

*It is recommended that Council:*

- (1) ***adopts***, in the event of there being more than two candidates for Council Chairperson, the procedures as set out in Wellington Regional Council Standing Order 9(d) for the election of the Chairperson;
- (2) ***agrees that***, in the event of a tie between the highest polling candidates, the names of the candidates receiving an equal number of votes be placed in a container and the name of the person drawn out by an independent person deemed to be elected;

- (3) *agrees that, in the event of a tie between the lowest polling candidates for the office in question, a vote of all members present and voting be taken to determine which of the tied candidates shall proceed to next round of voting; and*
- (4) *follows the same procedure as specified in Wellington Regional Council Standing Order 9(d) in regard to the election of the Council Deputy Chairperson and the Chairpersons of Standing Committees.*

TED MAGUIRE  
Council Secretary

**Attachment 1:** Wellington Regional Council Standing Order (SO) 9.  
**Attachment 2:** Local Government Act 1974.