



**WHANGAREI**  
**DISTRICT COUNCIL**

# Denby Ward By-Election

## FAQs

7 December 2017

# Frequently Asked Questions relating to the Whangarei District Council Denby Ward By-Election

## General Information

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<b>Q1</b> <i>Why is there a by-election for the Denby Ward, and when is this occurring?</i>	<b>A</b>	A by-election for the Denby Ward is required as a result of an extra-ordinary vacancy following a resignation. The by-election will be by postal voting and concludes at noon on Thursday 7 December 2017. The voting period starts on Wednesday 15 November 2017.
<b>Q2</b> <i>Who is running the by-election?</i>	<b>A</b>	The electoral officer has legal responsibility for running the by-election.
<b>Q3</b> <i>Who is the electoral officer?</i>	<b>A</b>	<p>The electoral officer is:</p> <p>Dale Ofsoske, Independent Election Services Ltd Electoral Office: Level 2, 198 Federal Street, Auckland Phone: 0800 922 822 Email: <a href="mailto:dale.ofsoske@electionservices.co.nz">dale.ofsoske@electionservices.co.nz</a></p> <p>Council's electoral liaison person is:</p> <p>Kathryn Candy, Legal Counsel Whangarei District Council Forum North, Rust Avenue, Whangarei Phone: 09 430 4200 Email: <a href="mailto:kathryn.candy@wdc.govt.nz">kathryn.candy@wdc.govt.nz</a></p>
<b>Q4</b> <i>What type of electoral system is used?</i>	<b>A</b>	FPP (first past the post) will be used for the Denby Ward by-election.
<b>Q5</b> <i>What can we vote for?</i>	<b>A</b>	Electors in the Denby Ward will be able to vote for one candidate.
<b>Q6</b> <i>What is the role of a Councillor?</i>	<b>A</b>	<ul style="list-style-type: none"><li>• participate in strategic and long-term planning for the whole district;</li><li>• develop policy across a wide range of activities and services;</li><li>• represent the district at functions as required;</li><li>• review and develops bylaws for the district;</li><li>• advocate on a wide range of issues;</li><li>• coordinates and forms partnerships with other spheres of government and other agencies;</li><li>• participate in the appointment and performance review of the Chief Executive;</li><li>• act on all these matters within a legislative and regulatory framework, and setting a budget and rates;</li><li>• monitor the performance of the Council organisation.</li></ul>

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## Candidates

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**Q7** *I want to be a candidate in this by-election. What do I need to do?*

**A** You must be a New Zealand citizen and your name must be on the Parliamentary Electoral Roll (anywhere in New Zealand).

You will need to have two electors registered on the electoral roll in the Denby Ward area nominate you. (Note the candidate does not need to reside in the Denby Ward area, but will need to disclose that fact in his/her candidate profile statement).

The nominators must also be on the Parliamentary Electoral Roll at the address they are listed on the nomination paper (which must be in the Denby Ward area).

Nominations open on Wednesday 13 September 2017. If you would like a nomination paper sent out, please contact the electoral office. Nomination papers will also be available on Council's website ([www.wdc.govt.nz](http://www.wdc.govt.nz)) from 13 September 2017.

Candidate campaigning can commence any time prior to the election (no time restriction), but any expenditure made, within or outside the three month applicable period before election day, must be accounted for.

For the display of election signs/hoardings on public sites, these can only be displayed two months before election day (Saturday 7 October 2017 to midnight Wednesday 6 December 2017).

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**Q8** *How much will it cost me to stand?*

**A** You will need to pay a nomination deposit of \$200 GST inclusive.

Your nomination deposit can be paid by cash, cheque, EPTPOS or electronic bank transfer. However, if you pay the deposit by cheque and if it is dishonoured after nominations close, your nomination will not be accepted.

If you poll greater than 25% of the successful candidate you will receive your nomination deposit back.

Any campaigning costs are at the candidate's own expense.

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**Q9** *What qualifications and experience do I need?*

**A** Nothing formal. Elected members come from all walks of life and generally have a will/desire to serve the community.

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<b>Q10 Does a criminal record affect a person standing as a candidate?</b>	<b>A</b>	No, not for this by-election.
<b>Q11 How long is the term of the new elected member?</b>	<b>A</b>	Until the next triennial election of Whangarei District Council (12 October 2019).
<b>Q12 Do I need to be resident in the area I am standing for?</b>	<b>A</b>	No, but you must be on the Parliamentary Electoral Roll (anywhere in New Zealand) and be a New Zealand citizen. You will however need to disclose whether or not you reside in the Denby Ward area for inclusion in the candidate profile statement.  The two people who nominate you must be on the Parliamentary Electoral Roll within the Denby Ward area.
<b>Q13 How much can I spend on my campaign?</b>	<b>A</b>	There is a limit on what you can spend on your campaign under legislation.  A candidate for the Denby Ward by-election (which has a population in the range of 20,000 – 29,999) can spend up to \$20,000 inclusive of GST.  All candidates are required to lodge an electoral donations and expenses return within 55 days after the day on which the successful candidates are declared to be elected (by 7 February 2018).  If a candidate is outside New Zealand on this day, the return must be filed within 76 days after election result day.  If a return is not submitted within the required time period, the non-return will be advised to the New Zealand Police for enforcement.  The return needs to be received before a candidate nomination deposit is refunded (if appropriate).

## Enrolment

<b>Q14 Where can I view the electoral roll that will be used for this by-election?</b>	<b>A</b>	The preliminary electoral roll for the Denby Ward by-election will be available for public inspection for a one-month period from Wednesday 13 September 2017 to Wednesday 11 October 2017.  The preliminary electoral roll will be available for inspection at Customer Services, Forum North, Rust Avenue, Whangarei.
<b>Q15 How do I enrol to vote in this by-election?</b>	<b>A</b>	Is this your main place of residence? → <b>Yes</b>  Have you lived at your current address in the Denby Ward for more than one month? → <b>Yes</b>

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Are you on the Parliamentary Electoral Roll at an address in the Denby Ward area? → **Yes**

You will automatically appear on the electoral roll that is used for this by-election.

or

Is this your main place of residence? → **Yes**

Are you on the Parliamentary Electoral Roll at an address in the Denby Ward area? → **No or Don't Know**

You need to complete an enrolment form for this. You can either:

- enrol online at [www.elections.org.nz](http://www.elections.org.nz)
- ring 0800 36 76 56
- send your name and address to Freetext 3676
- download a form at [www.elections.org.nz](http://www.elections.org.nz)
- pick a form up at your local New Zealand Post Shop

Is this your main place of residence? → **No**

Are you on the Parliamentary Electoral Roll at an address in another district? → **Yes**

If you own a property in this district and it is not your main residence you may be able to enrol as a non-resident ratepayer elector. (Refer to ratepayer enrolment advice in Q20).

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**Q16 I am a student and spend my time in different places. Where should I enrol?**

**A** You should enrol where you spend the greater part of your time.

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**Q17 I am a New Zealand Māori; do I need to enrol on the Māori roll?**

**A** Not necessarily. If you are enrolling for the first time you can decide whether you want to go on the Parliamentary Māori Electoral Roll or the Parliamentary General Electoral Roll by signing the appropriate panel on the parliamentary elector enrolment form.

However, if you have already made that choice you will have to wait until the next Māori Option period to change, which occurs following the next census, likely in 2018/19. The last Māori Option period was 25 March to 24 July 2013.

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**Q18 How do I know whether I am enrolled?**

**A** The Electoral Commission undertook a roll update campaign in July 2017 for the 2017 Parliamentary elections.

You can check to see if you are enrolled at [www.elections.org.nz](http://www.elections.org.nz) or by phoning 0800 36 76 56.

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**Q19 I turn 18 on by-election day. Can I vote?**

**A** Yes, but you need to make sure you have enrolled which you can do provisionally from the age of 17 and it automatically changes when you turn 18.

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You will also need to apply for a special vote during the voting period (Wednesday 15 November 2017 to noon, Thursday 7 December 2017).

For special vote availability, see Q36.

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**Q20** *We own a business in the Denby Ward area and pay rates, but we don't live in the Whangarei District Council area – do we get a say in this by-election?*

**A** Yes, subject to being eligible as a non-resident ratepayer elector and becoming enrolled.

A non-resident ratepayer enrolment form is available:

- online ([www.wdc.govt.nz](http://www.wdc.govt.nz));
- or by phoning 0800 922 822.

The non-resident ratepayer enrolment form should be returned to the electoral officer by 11 October 2017 and absolutely no later than 6 December 2017 in order to vote.

If it is after Wednesday 11 October 2017, a special voting document will need to be requested and will be issued on 15 November 2017, the start of the voting period.

For special vote availability, see Q36.

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**Q21** *I own a property in Whangarei District Council area but it is not my fulltime residence. How do I get on the Ratepayer Electoral Roll?*

**A** Is your name on the rates notice? → **Yes**

You may be eligible to be on the ratepayer electoral roll. Contact the electoral office on 0800 922 822 and request a ratepayer enrolment form. This should be returned to the electoral officer by 11 October 2017 and absolutely no later than 15 November 2017 in order to vote. If it is after Wednesday 11 October 2017, a special voting document will need to be requested and will be issued on 15 November 2017, the start of the voting period.

If it is easier you can call at a special voting venue during the voting period (Wednesday 15 November 2017 to noon Wednesday 7 December 2017) and complete the ratepayer enrolment form and have your special vote at the same time.

For special vote availability, see Q36.

In no case does this allow you to have two votes at an election.

Is your name on the rates notice? → **No**

**A** You may not be eligible to be on the ratepayer electoral roll. Contact the electoral office on 0800 922 822.

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## Voting

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**Q22** *Is it a postal vote and will I be sent my voting document in the mail?*

**A** The Denby Ward by-election will be conducted by postal vote. Voting documents will be delivered by NZ Post between Wednesday 15 November 2017 and Monday 20 November 2017.

**Q23** *I got my voting document but my partner didn't receive theirs.*

**A** Is it before Monday 20 November 2017 and I believe I am correctly registered on electoral roll? → **Yes**

Please wait until the mail has been delivered on Monday 20 November 2017. If your voting document is not received then please call the electoral office on 0800 922 822.

Is it after Monday 20 November 2017 and I believe I am correctly registered on electoral roll? → **Yes**

You will need to apply for a special vote. Please call the electoral office on 0800 922 822. For special vote availability, see Q36.

Is it after Monday 20 November 2017 and I believe I am not correctly registered on electoral roll? → **No**

You will need to complete a Parliamentary electoral roll enrolment form. These are available at any New Zealand Post Shop, or you can enrol online at [www.elections.org.nz](http://www.elections.org.nz) or ring 0800 36 76 56 or send your name and address to Freetext 3676.

You will also need to contact the electoral office for a special vote on 0800 922 822.

**Q24** *I didn't get my voting document so I called and got a special vote. Now I have two voting documents. Which one should I use?*

**A** Use the original one and destroy the special vote.

**Q25** *I received a voting document for a member of my family (e.g. child, parent) and have Power of Attorney for that person. Can I vote for that person?*

**A** No – Power of Attorney does not apply to voting for that person.

**Q26** *I received a voting document for a member of my family (e.g. child, parent) who does not live here. What should I do with the voting document?*

**A** If they are overseas, you could fast post them to the person or destroy them if that is not practicable.

If they are for an elderly parent who is incapable of voting please destroy them by ripping/cutting them up. You cannot vote on their behalf unless instructed by them.

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<b>Q27</b> <i>I received a voting document that does not belong to me and I don't know this person or where this person has gone.</i>	<b>A</b> Write GNA (Gone No Address) on the envelope and put it back in the mail.
<b>Q28</b> <i>What is that barcode that I can see through the return envelope or on the front of the voting document?</i>	<b>A</b> It is a legal requirement to scan the barcode to mark the electoral roll that you have returned your vote so we can ensure that we do not receive two votes from the same person.
<b>Q29</b> <i>How do you ensure the secrecy of my vote?</i>	<p><b>A</b> Returned envelopes containing a voting document cannot be opened until there is a JP present. The JP is required to sign off that the processes used by the electoral officer met the legal requirements.</p> <p>Note that the voter's name is not shown on the voting document.</p> <p>When the envelope is opened the only thing the electoral office is looking for is that the vote for the by-election is valid.</p> <p>This means that we are making sure that the voter's intention is clear and the voter has not ticked or marked more than one candidate.</p>
<b>Q30</b> <i>Do I have to vote? I don't know any of these candidates.</i>	<p><b>A</b> No you don't have to vote, but we do encourage you to vote and exercise your democratic right. Your vote is important because the person elected will be responsible for making decisions about what happens in your community until the 2019 triennial election.</p> <p>To help you get to know about the candidates:</p> <ul style="list-style-type: none"> <li>• there is a candidate profile sheet that comes with the voting document in which there is a photo and a statement from each candidate. This information will also be available on the Council's website (<a href="http://www.wdc.govt.nz">www.wdc.govt.nz</a>) after nominations close (expected Wednesday 18 October 2017);</li> <li>• candidates may have their own website page, social media page(s), advertise in local newspapers or send out information to letterboxes in the Denby Ward;</li> <li>• local newspapers are likely to cover information about the by-election.</li> </ul>
<b>Q31</b> <i>Do I have to post my voting document back?</i>	<p><b>A</b> You can post it but make sure you have it in the mail by Monday 4 December 2017 to make sure it gets back to us in time (by noon Thursday 7 December 2017).</p> <p>You can also hand deliver your voting document during the voting period (Wednesday 15 November 2017 to noon Thursday 7 December 2017) to a ballot box located at Customer Services, Forum North, Rust Avenue, Whangarei.</p>

<b>Q32 I have lost my return envelope.</b>	<p><b>A</b> You can use an envelope of your own and put the return address and Freepost number on it. (You will not need to put a stamp on the envelope if you write the Freepost number on the envelope).</p> <p><i>Freepost number 4170</i>  The Electoral Office  Whangarei District Council  C/- PO Box 5135  Wellesley Street  Auckland 1141</p>
<b>Q33 I am on the Unpublished Parliamentary Roll and I want a special vote please.</b>	<p><b>A</b> You will need to call the electoral office on 0800 922 822 for a special vote to be sent.</p>
<b>Q34 I didn't receive my voting document; how do I obtain a special vote?</b>	<p><b>A</b> Are you on the Parliamentary Electoral Roll for the Denby Ward area?  <b>→ Yes</b></p> <p>You will need to apply for a special vote. Please call the electoral office on 0800 922 822 or visit Customer Services, Forum North, Rust Avenue, Whangarei.</p> <p>Are you on the Parliamentary Electoral Roll for the Denby Ward area?  <b>→ No/Don't Know</b></p> <p>If you are not enrolled or not enrolled correctly on the Parliamentary Electoral Roll for the Denby Ward area, you will need to complete an enrolment form for this. You can pick one up at any New Zealand Post Shop, or you can enrol online at <a href="http://www.elections.org.nz">www.elections.org.nz</a> or ring 0800 36 76 56 or send your name and address to Freetext 3676. This form needs to be with the Registrar of Electors before close of business Wednesday 6 December 2017.</p> <p>You will also need to contact the electoral office for a special vote on 0800 922 822.</p>
<b>Q35 I spoiled my voting documents / I have made a mistake on my documents. What can I do?</b>	<p><b>A</b> If you can amend it so that your voting intention is clear, then do so.</p> <p>If necessary, we can issue you with a special voting document (0800 922 822), but this will take time and require you to complete a declaration.</p>
<b>Q36 Where can I have a special vote?</b>	<p><b>A</b> A special vote can be obtained from Customer Services, Forum North, Rust Avenue, Whangarei, or by phoning 0800 922 822.</p>
<b>Q37 I am going away and will not be here when the voting documents are posted out.</b>	<p><b>A</b> You will need to contact the electoral office for a special vote on 0800 922 822.</p>

<b>Q38</b> <i>Do all the staff working on the by-election know who I voted for?</i>	<b>A</b>	No, your vote remains secret under the required separate roll scrutiny and vote counting procedures.
<b>Q39</b> <i>Can I help someone fill out their voting document?</i>	<b>A</b>	Under the Local Electoral Act 2001, you cannot interfere or influence any person as to how they can vote.  If authorised by a voter who is physically impaired, visually impaired or for whom English is a second language, a person can assist them to vote as directed by the voter.
<b>Q40</b> <i>What happens to all the voting documents after the by-election?</i>	<b>A</b>	They are delivered to the Whangarei District Court and kept for 21 days so that the Court can access them should there be any application for a recount or petition for inquiry.  After 21 days, the Court is responsible for destroying them.
<b>Q41</b> <i>What is FPP and how do I vote in an FPP by-election?</i>	<b>A</b>	FPP stands for first past the post voting system and is used for the Denby Ward by-election.  The candidate that gets the most votes wins.  You should mark the candidate you want to vote for with a tick in the box. Do not vote for more than one candidate.

## Results

<b>Q42</b> <i>When will we know the results of the by-election?</i>	<b>A</b>	The official results will be announced in the afternoon of Thursday 7 December 2017.
<b>Q43</b> <i>How will I find out?</i>		<b>Candidates</b>  <b>A</b> Will be advised by phone and email.  <b>Voters</b>  <b>A</b> Results will be released to the media and placed on Council's website ( <a href="http://www.wdc.govt.nz">www.wdc.govt.nz</a> ) in the afternoon of Thursday 7 December 2017.
<b>Q44</b> <i>What do I need to do if I want to challenge the results of the by-election?</i>	<b>A</b>	Under legislation a candidate can challenge the declaration of results through either a judicial recount or a judicial inquiry. A candidate will have to provide reasons for the challenge and a deposit of \$750 with the application to the Whangarei District Court.  A candidate may wish to call the electoral office on 0800 922 822 to discuss this.

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## Members

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- Q45 When does the new elected member take office?** A The newly elected member takes office the day after the official result has been declared by public notice. However, the newly elected member cannot act until he or she has sworn the oath of office which is usually at the next meeting of the Council.
- Q46 Who is the new elected member responsible to?** A Ultimately all elected members are responsible to the local community. The Minister of Local Government and the Auditor-General do have a role in ensuring that Council follows the law.
- Q47 Do elected members get paid and if so how much?** A Yes, councillors are paid. Remuneration is set by the Remuneration Authority and for a councillor is \$48,548 pa.
- Q48 Would being an elected member take up much time?** A Being an elected member is a busy job that often involves meetings, events and speaking with community members outside of normal business hours. Flexibility and the ability to prioritise and manage time effectively are essential. This includes balancing a high volume of reading, paperwork and emails with a schedule of meetings and public commitments.
- Being a councillor is generally considered a part time job.
- Q49 How many elected members are there?** A In total there are 13 councillors, of which 3 are elected from the Denby Ward.
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## Complaints

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- Q50 I have a complaint about electoral signage?** A Council's election signs bylaws and approved Council owned sites are located on the Whangarei District Council's website (<http://www.wdc.govt.nz/PlansPoliciesandBylaws/bylaws/Documents/Signs-Control-Bylaw.pdf>)
- The signs don't have the required authorisation on them.** A You will need to call the electoral office on 0800 922 822.
- The signs have been pulled over or damaged.** A You will need to call the Council's bylaws compliance officer on 09 430 4200.
- The signs are bigger than they should be.** A You will need to call the Council's bylaws compliance officer on 09 430 4200.
- What locations can signs be erected?** A Council's election signs by-laws and approved Council owned sites are located on the Whangarei District Councils website
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<http://www.wdc.govt.nz/PlansPoliciesandBylaws/bylaws/Documents/Signs-Control-Bylaw.pdf>

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***When can they be erected and when must they be pulled down?***

**A** Election signs can only be displayed during the period commencing two months prior to election day and must be removed before midnight on the day before election day – i.e. from Saturday 7 October 2017 until midnight Wednesday 6 December 2017.

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