8.1 APPOINTMENT OF ELECTORAL COMMISSIONER TO CONDUCT THE CITY OF VINCENT ORDINARY ELECTION 18 OCTOBER 2025

Attachments:
1. **Letter from WA Electoral Commissioner dated 12 December 2024 - conduct of City's 2025 ordinary election**
2. **Witten Agreement from WA Electoral Commission to conduct 2025 election**

RECOMMENDATION:

That Council:

1. **APPROVES BY ABSOLUTE MAJORITY, in accordance with:**

   1.1 **section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the City of Vincent 2025 ordinary election, together with any other elections or polls which may also be required at this time; AND**

   1.2 **section 4.61(2) of the *Local Government Act 1995*, that the method of conducting the 2025 ordinary election will be as a postal election; and**

2. **NOTES that the estimated cost of the Electoral Commissioner conducting the City's 2025 ordinary election by postal vote is $137,678 (including GST).**

PURPOSE OF REPORT:

To consider the process and method for conducting the City of Vincent 2025 ordinary election.

DELEGATION:

Section 4.20(4) of the *Local Government Act 1995* requires an Absolute Majority decision to declare Electoral Commissioner to be responsible for the conduct of an election.

BACKGROUND:

Pursuant to section 4.7 of the *Local Government Act 1995* (LG Act) ordinary elections are to be held on the third Saturday of October every two years. The next ordinary election will be held on 18 October 2025. Local governments can choose to be responsible for the conduct of the ordinary election or appoint the Electoral Commissioner to conduct the ordinary election on its behalf. The method of conducting the election can either be via postal or in person voting.

DETAILS:

The Western Australian Electoral Commissioner wrote to the City on 12 December 2024 refer **Attachment 1** offering to conduct the election on the City's behalf in accordance with section 4.20(4) of the LG Act and setting out its estimated costs.

Administration recommends that the Electoral Commissioner is appointed to conduct the ordinary election, on the basis that it has the following benefits:

1. the election is conducted by professionally trained staff appointed for that sole purpose;

2. the election is overseen by an independent body with the appropriate experience and resources; and

3. removes any conflict of interest that may arise or be perceived to arise between Council Members, Candidates and the Chief Executive Officer in his role as the Returning Officer, or other local government officers appointed in relation to the election.

The Electoral Commissioner has provided a cost estimate of $137,678 (including GST) to conduct the 2025 ordinary election. The calculation of this estimate, including the assumptions the estimate is based on, is set out in the letter at **Attachment 1**.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Section 4.20(4) of the LG Act allows local governments to appoint the WA Electoral Commissioner to conduct the election:

"4. *A local government may, having first obtained the written agreement of the Electoral Commissioner, declare* the Electoral Commissioner to be responsible for the conduct of the election, or all elections conducted within a particular period of time, and, if such declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections*."

* Absolute majority required

Section 4.28(c) of the LG Act governs the fees and charges associated with the election:

"4.28 *A local government is to –*

(a) …

(b) …

(c) if a declaration under section 4.20(4) has been made in relation to the election, meet the expenses of the Electoral Commissioner in connection with the election to the extent required by regulations."

Section 4.61 of the LG Act sets out the choice of methods for conducting the election:

"4.61 *(1) The election can be conducted as a –*

Postal election…

Voting in person election …

(2) The local government may decide to conduct the election as a postal election*."

*Absolute majority required.

RISK MANAGEMENT IMPLICATIONS:

Low: Appointing the Electoral Commissioner to conduct the 2025 ordinary election on behalf of the City is considered best practice. As the Electoral Commissioner has the requisite experience and will ensure compliance with the LG Act requirements it will have low risks for the City.

STRATEGIC IMPLICATIONS:

Conducting the 2025 ordinary election by postal vote should result in higher participation rates than in-person voting, and therefore this method aligns with the objectives and principles of the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

Our community is aware of what we are doing and how we are meeting our goals.

We are open and accountable to an engaged community.

FINANCIAL/BUDGET IMPLICATIONS:

The Electoral Commissioner estimates that the cost of conducting the 2025 ordinary election for the City by postal vote will be $137,678 including GST.

WESTERN AUSTRALIAN
Electoral Commission

Mr David MacLennan
Chief Executive Officer
City of Vincent
PO Box 82
LEEDERVILLE WA 6902

Dear Mr MacLennan,

Cost Estimate Letter: 2025 Local Government Ordinary Election

As you are aware, the next local government ordinary election will be held on 18 October 2025. This letter is your Cost Estimate for the Western Australian Electoral Commission to conduct your election, should you proceed with making a declaration under the *Local Government Act 1995* for us to do so.

Cost Estimate
The Commission has estimated the cost to conduct your Council's election in 2025 as a postal election at approximately $137,678 (ex GST).

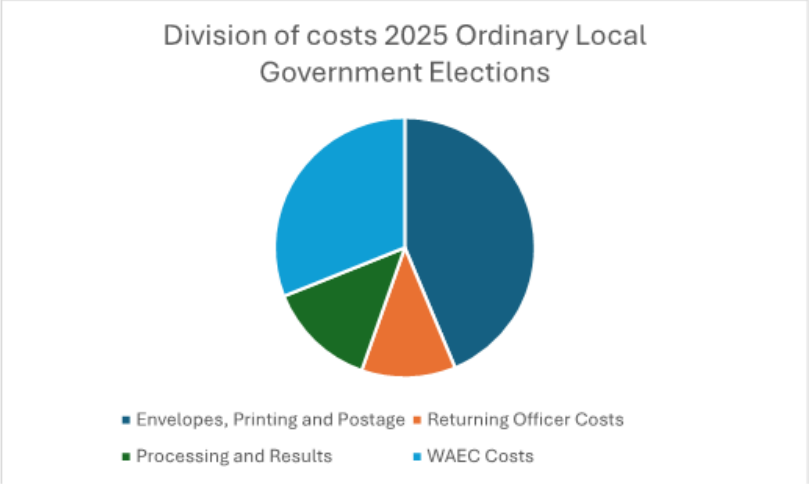
This cost has been based on the following assumptions:

- The method of election will be postal;
- 4 Councillor(s) vacancies;
- 26200 electors;
- response rate of approximately 30%
- appointment of a local Returning Officer; and
- count to be conducted at your office using CountWA.

If any of these assumptions are not correct, please contact us and we can provide a new cost estimate.

Cost Methodology
To provide your estimate, the Commission has estimated the costs of all aspects of the election, from supply of materials to staffing costs. For the 2025 Local Government elections, we have applied the following apportionment across the State:

Level 2, 66 St Georges Terrace PERTH WA 6000
GPO Box F316 PERTH WA 6841
T | (08) 9214 0400
E | waec@waec.wa.gov.au
W | www.elections.wa.gov.au



For individual local Governments the exact apportionment of costs may differ slightly from the above, as the cost categories are determined by applying the following variables:

- Envelopes, Printing and Postage, and WAEC Costs are determined by the number of electors in your Local Government;
- Processing and Results is determined by the expected response rate for your election; and
- Returning Officer Costs are determined by the complexity of the election for the Returning Officer; we classify Local Governments into bands depending on a number of factors including number of Wards, number of vacancies and the number of candidates, and then we pay our Returning Officers a rate which reflects this band.

Estimated Cost of 2025 Local Government Elections

The Commission estimates that the total cost of conducting the Local Government Elections across Western Australia in 2025 will increase by $1.3 million, compared to 2023. The key drivers for this cost increase are as follows:

- a 45% cost increase from Australia Post, comprising of a 25% increase which came into effect in March 2024, and an additional 20% proposed increase currently being considered by the Australian Competition and Consumer Commission, which if approved will take effect in July 2025; and
- a 9% increase in the salaries paid to Returning Officers as required by the Public Sector CSA Agreement 2024.

Variations to the final costs for your Council

In accordance with the *Local Government (Elections) Regulations 1997*, the Commission conducts elections on the basis of full accrual cost recovery. This means that should the actual costs incurred to conduct the election be less or greater than what we have estimated, the final cost may differ from the cost estimate you have been provided.

Whilst we aim to keep additional costs at a minimum wherever possible, the following are examples of where cost increases may arise:

- If a Returning Officer is selected that is not local to your area;
- If you elect for Australia Post Priority Service for the lodgement of your election package;
- If casual staff are required for the issuing of Replacement Election Packages;
- If casual staff are required to assist the Returning Officer on election day or night; or
- Unanticipated cost increases from our suppliers.

We will endeavour to keep you informed of any unanticipated cost increases as they are incurred during the election.

Service Commitment

The Commission is committed to conducting elections impartially, effectively, efficiently and professionally. Following each election event, we review our performance and identify ways to improve our service delivery.

The Commission acknowledges that during the 2023 Local Government Ordinary Elections, the results for many Local Governments were delayed. Since this time we have improved our Count Processes, and as demonstrated through extraordinary elections conducted in 2024, we are now able to finalise our results more quickly whilst still retaining accuracy and integrity.

If you have any suggestions for improvements we can make to deliver your election, your feedback is welcome at all times.

Next Steps

Should you wish to accept this cost estimate and proceed with the Electoral Commission undertaking this election, there are specific steps that must be taken under the *Local Government Act 1995*. These steps are summarised in the attached flow chart (Attachment A).

As outlined in the flow chart, if you accept this Cost Estimate then please advise of us this in writing, so that we can issue a Written Agreement letter. Both the Cost Estimate letter, and the Written Agreement letter then need to be taken to Council for a decision.

If you have any queries, please contact lgelections@waec.wa.gov.au .

Yours sincerely,

Robert Kennedy
ELECTORAL COMMISSIONER

12 December 2024

WESTERN AUSTRALIAN
Electoral Commission

Mr David MacLennan
Chief Executive Officer
City of Vincent
PO Box 82
LEEDERVILLE WA 6902

Dear Mr MacLennan,

Written Agreement: 2025 Local Government Ordinary Election

I refer to your correspondence dated 16 December 2024 in which you accept the Western Australian Electoral Commission's Cost Estimate for the 2025 Local Government Ordinary Election, as outlined in my letter to you dated 12 December 2024 (the Cost Estimates Letter).

This letter is my written agreement to be responsible for the conduct of the local government ordinary election for the City of Vincent. In order to finalise this agreement, you are required under *the Local Government Act 1995* to submit the following motions to Council for a postal election:

1. declare, in accordance with section 4.20(4) of the Local Government Act1995, the Electoral Commissioner to be responsible for the conduct of the 2025 ordinary election, together with any other elections or polls which may be required;

2. decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a Postal election.

Please note that:

- the above motion/s must be presented to Council as drafted and cannot be amended in any way;
- both the Cost Estimates Letter, and this Written Agreement Letter should be attached to the item for Council consideration; and
- the above motion/s must be passed by an absolute majority.

Once the Council passes the above mentioned motion/s, please forward confirmation to the Commission to the email address below. The Commission can then proceed with arrangements for your ordinary election.

If you have any queries, please contact lgelections@waec.wa.gov.au.

Yours sincerely,

Robert Kennedy
ELECTORAL COMMISSIONER

9 January 2025

Level 2, 66 St Georges Terrace PERTH WA 6000
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W | www.elections.wa.gov.au