



LGE 028

Mr Cliff Frewing  
Chief Executive Officer  
Shire of Denmark  
PO Box 183  
DENMARK WA 6333

Dear Mr Frewing

### **Extraordinary Election**

I refer to your email of 17 August 2016 advising of two vacancies in the Kent/Nornalup Ward arising by the resignation of Councillor Kelli Gillies and Roger Seeney and requesting an estimate to conduct an extraordinary election for the Shire of Denmark.

The estimated cost to conduct the extraordinary election would be \$16,000 including GST which has been based on the following assumptions:

- 1,200 electors;
- response rate of approximately 50%;
- appointment of your preferred Returning Officer; and
- count to be conducted in Denmark.

Costs not incorporated in this estimate include:

- Accommodation costs for the Returning Officer over both the nomination and election day period
- non-statutory advertising (i.e. additional advertisements in community newspapers and promotional advertising); and
- any legal expenses other than those that are determined to be borne by the Western Australian Electoral Commission in a Court of Disputed Returns.

## 6 September 2016 - Attachment 8.5.1

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The Commission is required by the *Local Government Act 1995* to conduct local government elections on a full cost recovery basis. Please note that this is an estimate only and may vary depending on a range of factors including the cost of materials or number of replies received. The basis for our charges is all materials at cost and a margin on staff time only.

I also note in your email that you request my agreement to be responsible for the conduct of the extraordinary election. Therefore, in accordance with section 4.20(4) of the *Local Government Act 1995*, I agree to be responsible for the conduct of an extraordinary election on a day to be determined by Council.

If the Shire of Denmark wishes to have the election conducted as a postal election, Council will now need to pass the following two motions by absolute majority:

1. declare, in accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner to be responsible for the conduct of the extraordinary election.
2. decide, in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the extraordinary election will be as a postal election.

I have enclosed an election schedule for a suggested election date of Friday 25 November 2016.

If you have any further queries please contact Phil Richards, Manager Local Government Elections, on 9214 0443.

Yours sincerely



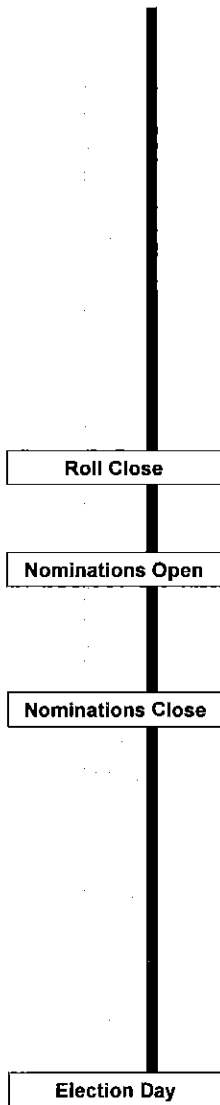
David Kerslake  
**ELECTORAL COMMISSIONER**

18 August 2016

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## ELECTION TIMETABLE Shire of Denmark Extraordinary Election



Days to Polling Day	Local Government Act	References to Act/Regs	Day	Date
80	Last day for agreement of Electoral Commissioner to conduct postal election.	LGA 4.20 (2)(3)(4)	Tue	6/09/2016
80	A decision made to conduct the election as a postal election cannot be rescinded after the 80th day.	LGA 4.61(5)	Tue	6/09/2016
70	Electoral Commissioner to appoint a person to be the Returning Officer of the Local Government for the election.	LGA 4.20 (4)	Fri	16/09/2016
70 to 56	Between the 70th/56th day the CEO is to give Statewide public notice of the time and date of close of enrolments. <b>Preferred date Wednesday 21 September 2016</b>	LGA 4.39(2)	Fri to Fri	16/09/2016 to 30/09/2016
56	Last day for for the CEO to advise the Electoral Commissioner of the need to prepare a residents roll.	LGA 4.40(1)		30/09/2016
56	Advertising may begin for nominations from 56 days and no later than 45 days before election day. <b>Preferred date Wednesday 5 October 2016</b>	LGA 4.47(1)	Fri	30/09/2016
50	Close roll 5.00 pm	LGA 4.39(1)	Thu	6/10/2016
45	Last day for advertisement to be placed calling for nominations.	LGA 4.47(1)	Tue	11/10/2016
44	<b>Nominations Open</b> First day for candidates to lodge completed nomination paper, in the prescribed form, with the Returning Officer. Nominations period is open for 8 days.	LGA 4.49(a)	Wed	12/10/2016
38	If a candidate's nomination is withdrawn not later than 4.00 pm, on the 38th day before election day, the candidate's deposit is to be refunded.	Reg. 27(5)	Tue	18/10/2016
37	<b>Close of Nominations</b> 4.00 pm on the 37th day before election day.	LGA 4.49(a)	Wed	19/10/2016
36	Last day for the CEO to prepare & certify an owners & occupiers roll for the election. Last day for the Electoral Commissioner to prepare & certify a residents roll.	LGA 4.41(1) LGA 4.40(2)	Thu	20/10/2016
28	Lodgement of election packages with Australia Post. Week Commencing	Approx	Fri	28/10/2016
22	The preparation of any consolidated roll under subregulation (1) be completed on or before 22nd day before election day.	Reg. 18(2)	Thu	3/11/2016
19	Last day for the Returning Officer to give Statewide public notice of the election. <b>Preferred date Wednesday 26 October 2016</b>	LGA 4.64(1)	Sun	6/11/2016
4	Commence processing returned election packages	Approx	Mon	21/11/2016
0	<b>Election Day</b> Close of poll 6.00 pm	LGA 4.7	Fri	25/11/2016

Post Election Day	Post Declaration	References to Act/Regs	Day	Date
5	Election result advertisement.	LGA 4.77	Wed	30/11/2016
14	Report to Minister. The report relating to an election under section 4.79 is to be provided to the Minister within 14 days after the declaration of the result of the election.	Reg.81	Fri	9/12/2016
28	An invalidity complaint is to be made to a Court of Disputed Returns, constituted by a magistrate, but can only be made within 28 days after notice is given of the result of the election.	LGA 4.81(1)	Fri	23/12/2016