

Circular Details	Circular No 16 - 44/ 18 November 2016 / A523093
Previous Circular	16-26 Voting at the Upcoming Council Elections on 10 September 2016
Who should read this	Councillors / General Managers / All Council staff
Contact	Council Governance Team – 02 4428 4100
Action required	Information / Council to Implement

Election Timing and Cycle of Council Elections

What's new or changing

- The NSW Government is seeking to clarify the timing of electoral cycles given the 'pending' status of a number of merger proposals as a consequence of legal action taken by councils covered by these proposals. The information provided in this circular is based on advice received from the NSW Electoral Commissioner.

What this will mean for your council

- Councils that held elections on 10 September 2016 were elected for a four year term and will hold elections again in 2020.
- Already established merged councils will hold elections on 9 September 2017 for a three year term, and will hold elections again in 2020.
- Under the *Local Government Act 1993* (the Act) any council subject to a pending merger proposal that has not been merged by 10 April 2017 will need to have an election date set (likely to be 9 September 2017) and the election conducted. The election will only be conducted if the merger does not proceed prior to the election date. If the election is conducted this will have no bearing on the status of the merger proposal.
- The NSW Electoral Commissioner has advised that:
 - For any council created after the end of November 2016, the earliest an election may be held is **March 2018**;
 - For any council created after 1 August 2017, an election date will need to be set that does not interfere with the conduct of the 2019 NSW state election. The earliest date this can occur is **September 2019**. To reduce the potential for voter confusion and additional cost it may be preferable to combine these elections with the next ordinary local government elections in **September 2020**.

Key points

- The Act provides that the NSW Electoral Commission is to conduct the first elections for new councils following amalgamations. The Electoral Commission requires sufficient time to make the necessary arrangements for council elections following any mergers.

Where to go for further information

- The Office of Local Government – Council Governance Team 02 4428 4100.



Tim Hurst
Acting Chief Executive