

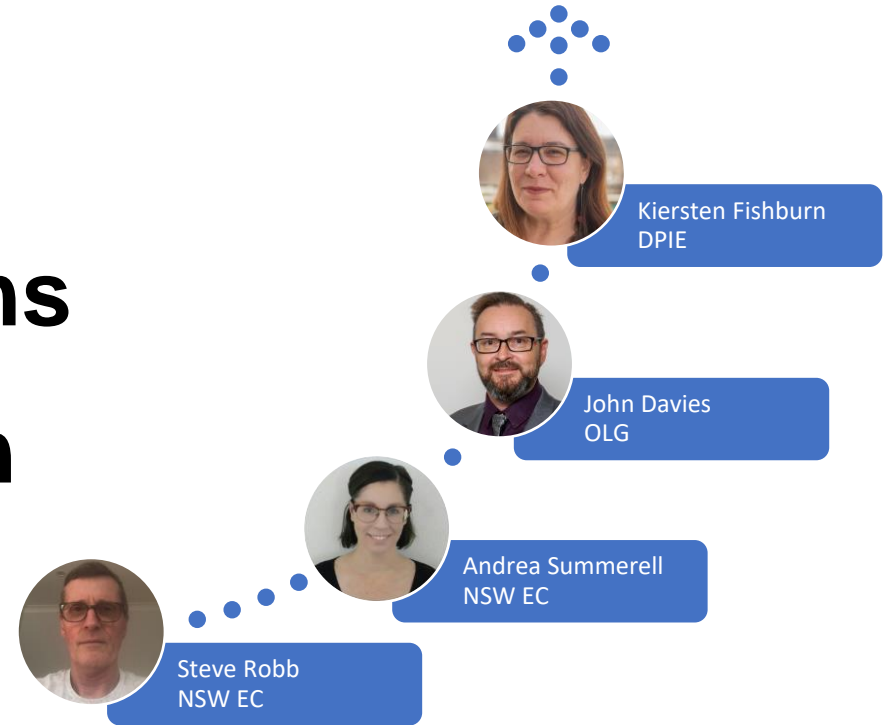


Planning,  
Industry &  
Environment

# 2021 Local Government Elections with NSW Electoral Commission

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INFORMATION WEBINAR



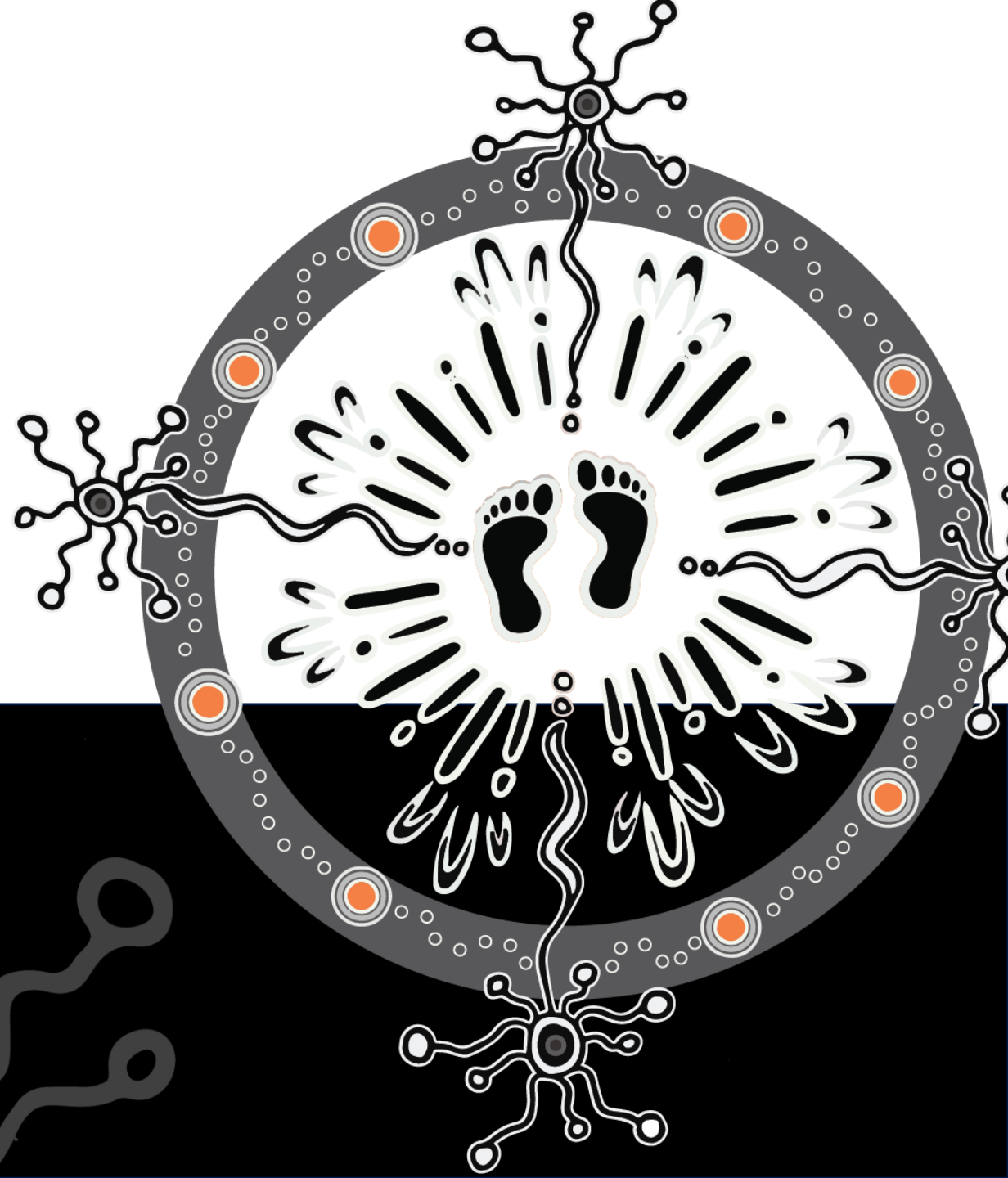
Office of Local  
Government



**MC - Kiersten Fishburn**  
Coordinator General – Planning  
Delivery and Local Government

# Postponement of the 2021 Local Government Elections

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# Overview

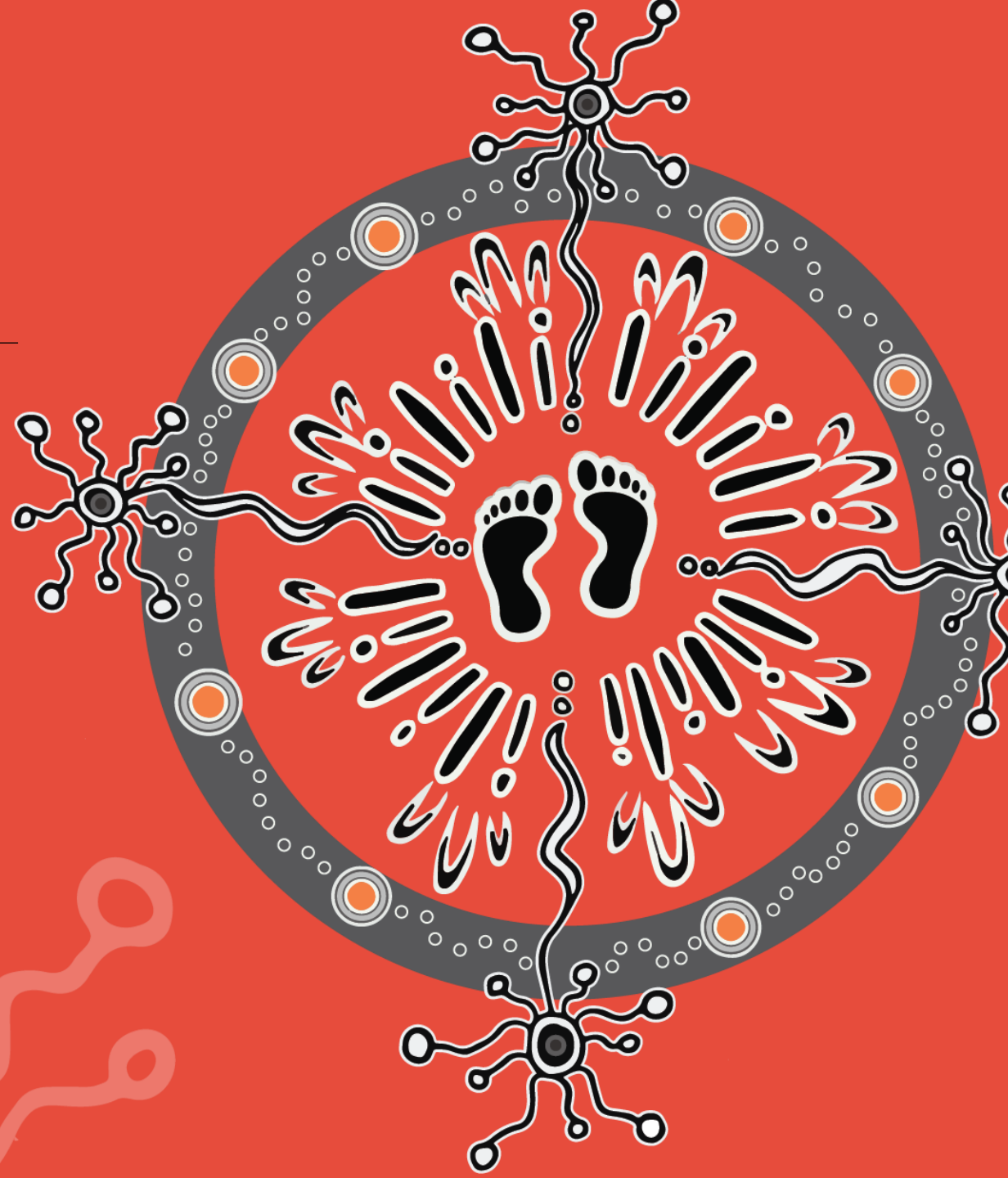
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How does the order work?

What does it mean for the current terms of councils, mayors and councillors?

What happens now?

What happens after the election?



## How does the order work?

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- The September elections have been postponed under an order made under section 318C of the *Local Government Act 1993*.
- The order revokes the former order made under section 318B of the Act, (which postponed the election requirements of the Act for all councils to 4 September 2021), and appoints 4 December 2021 as the day on which ordinary elections for all councils are to be held.
- An order under section 318C can only be made once.
- The order also appoints 4 December 2021 as the day on which by-elections are to be held to fill casual vacancies occurring between the date of the order (24 July 2021) and 4 December 2021 – this means that casual vacancies will be filled at the ordinary elections on 4 December.
- In practical terms, this means that councils are not required to hold by-elections to fill casual vacancies between 24 July and 4 December 2021 or to apply to the Minister to dispense with this requirement.
- However general managers must still notify OLG, LGNSW and the NSWEC of vacancies within 7 days.

## What does it mean for the current terms of councils, mayors and councillors?

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- Current councillors will continue to hold their civic offices until council elections are held on 4 December 2021.
- Popularly elected mayors will continue to hold their civic offices until council elections are held on 4 December 2021.
- The terms of mayors elected by councillors in September 2019 will expire in September 2021 and mayoral elections must held in September. Mayors elected in September 2021 will hold office until 4 December 2021.
- Mayors elected in September 2020 will continue to hold office until council elections are held on 4 December 2021.
- Deputy mayors hold their office for the term specified by the council's resolution. If a deputy mayor's term expires before election day on 4 December 2021, an election may need to be held for deputy mayor – councils are not required to have a deputy mayor.

## What does it mean for the current terms of councils, mayors and councillors?

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- Chairpersons of county councils now hold office for two years - Chairpersons of county councils elected in September 2020 will continue to hold office until council elections are held on 4 December 2021.
- The composition of joint organisation boards may need to change in September 2021 as a result of mayoral elections.
- Chairpersons of joint organisations elected in 2020 will continue to hold office until council elections are held on 4 December 2021.

## What happens now?

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- All current serving councillors, members of county councils and voting representatives of the boards of joint organisations must lodge a written return of interests with the general manager (or the executive officer in the case of joint organisations) before 30 September 2021 unless they have submitted a return within the previous three months.
- The caretaker period no longer commences on 6 August 2021 - the caretaker period for the 4 December 2021 elections will now commence on 5 November 2021 and end on 4 December 2021.
- The “regulated period” is the period commencing 40 days before elections in which rules regulating “electoral material” as defined by the Regulation come into effect. The regulated period no longer commences on 26 July 2021 - the “regulated period” will now commence on 25 October 2021 and end on 4 December 2021.
- The end of term report must be presented at the final meeting of the outgoing council before the elections on 4 December 2021.
- OLG will be issuing updated guidance on caretaker and other requirements.

## What happens after the election?

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- Elections are unlikely to be declared until 21 – 23 December 2021. Councils should schedule the timing of their first meetings following the election on this basis.
- Councils that elect their mayors are required to hold a mayoral election with 3 weeks after the declaration of the ordinary election and will be required to schedule a meeting for this purpose within 3 weeks of the declaration of the election.
- At the first council meeting after the election:
  - all councillors must take an oath or make an affirmation of office - councillors are not permitted to participate in meetings until they have done so
  - councils must, by resolution, declare that casual vacancies occurring in the office of a councillor within 18 months of the election are to be filled by a countback if councils want to fill vacancies by these means – councils that do not resolve to fill vacancies using a countback at their first meeting after the election will be required to fill vacancies using a by-election
  - councils that elect their mayors must hold a mayoral election and an election for deputy mayor where they have one.



## What happens after the election?

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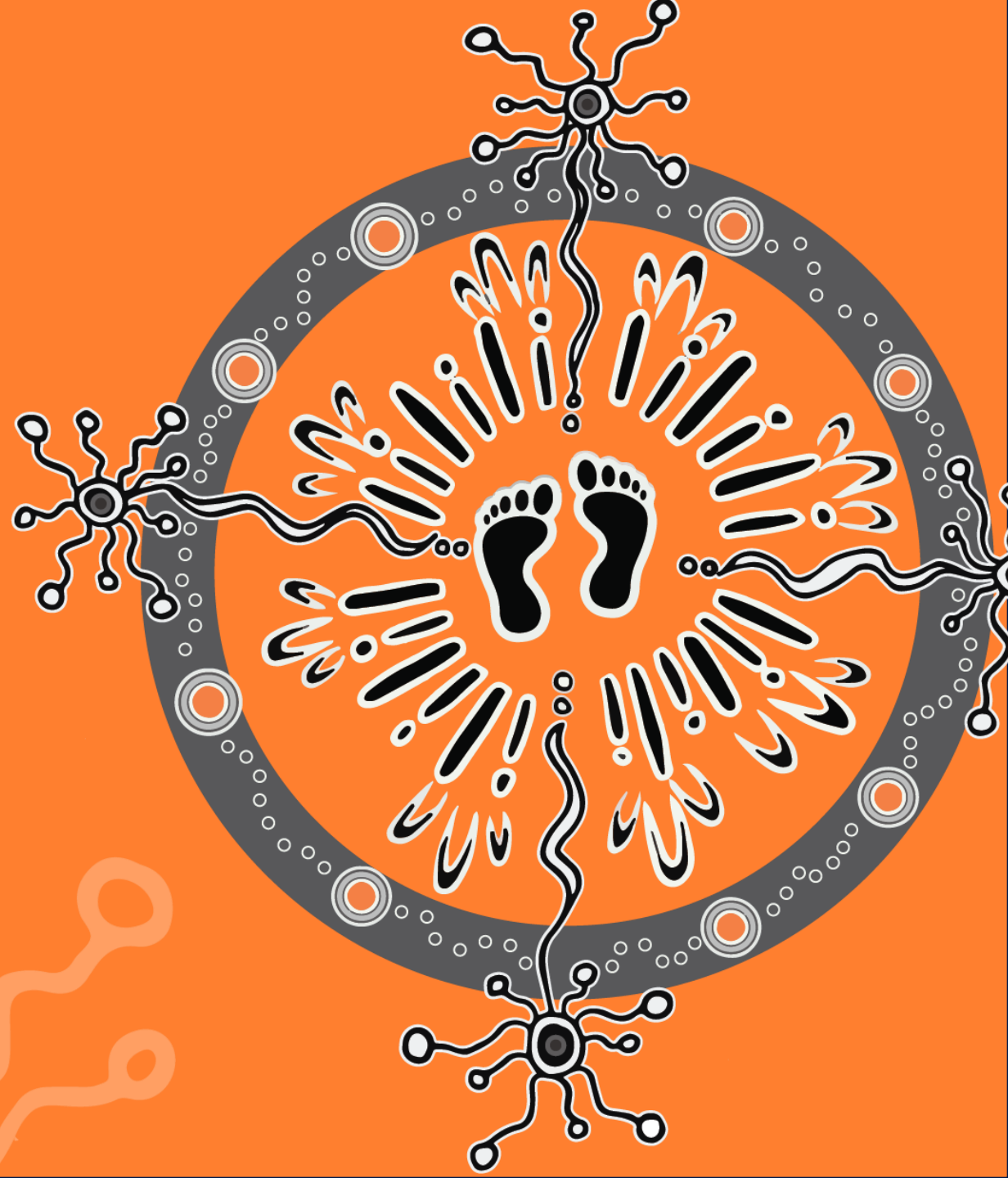
- At their first meetings after the election:
  - joint organisations must elect a new chairperson
  - county councils must elect a new chairperson and councillors must take an oath or make an affirmation of office.
- The postponement of the elections will not affect the timing of future council elections, and the subsequent ordinary local government elections will still proceed in September 2024 – this will mean the next term of councils will be for just under three years.
- Mayors elected by councillors will have shorter terms than the usual 2 years – mid term mayoral elections will need to be held in September 2023 and mayors elected at the mid-term mayoral election will hold office until the ordinary elections in September 2024.
- The postponement of the elections will not impact on councils' IP&R cycles - councils are still required to review the community strategic plan before 30 June 2022 and establish a new delivery program to cover their principal activities for the 4-year period commencing on 1 July 2022.

# Questions?

**John Davies, Manager  
Council Governance**

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# 2021 Local Government elections

NSW Electoral Commission

Andrea Summerell – Director Election Operations

# Election Timetable + 3 months

The election timetable can be found on the NSW Electoral Commission website [elections.nsw.gov.au](https://elections.nsw.gov.au)

Date	Activity
17 October	Returning Officers commence full time
25 October	<ul style="list-style-type: none"><li>• Close of Roll</li><li>• Nominations Open</li><li>• Commencement of regulated period</li></ul>
26 October	Postal Vote Applications Open
3 November	Nominations Close
4 November	Ballot paper draw
22 November	Early Voting commences (pre-poll & iVote)
29 November	Close of postal vote applications
4 December	Election Day
17 December	Close of return of postal votes
20-22 December	Progressive Distribution of Preferences
21-23 December	Progressive declaration of results

# Candidate Information

- Bulletin issued to all registered candidates and political parties providing updates and new key dates
- Planning for a webinar on 9 August to take candidates through impacts and provide a Q&A session
- Candidate enquiries should be directed to the candidate helpdesk telephone **1300 022 011** or the 'Contact Us' page of our website [elections.nsw.gov.au/Contact-us](https://elections.nsw.gov.au/Contact-us)
- Questions regarding expenditure and political donations should also be directed to the Candidate Helpdesk or email [fdc@elections.nsw.gov.au](mailto:fdc@elections.nsw.gov.au)



# Electoral Information

- NSWEC website updated to reflect new election timetable
- NSWEC Social media posts advising postponement



- New postal vote application period will apply – open 26 Oct
- Venue replanning underway – looking to maintain venue locations will seek support of Councils for this process

# Electors Information – Voting options

- Postal Voting same criteria as previous elections plus
  - are a permanent or temporary resident of a declared facility
  - are self-isolating because of COVID-19 related reasons
  - reasonably believe that attending a polling place will pose a risk to the health or safety of yourself or people around you, because of the COVID-19 pandemic.
- iVote – eligibility criteria applies (same as State)
  - are blind or have low vision
  - require assistance to vote because you are unable to read or write
  - are a silent elector
  - have a disability
  - are not within 20 km of a polling place
  - outside council area
- Pre-poll Voting – all electors eligible for LG21
- Election Day



# COVID-19 Safe Planning

- Covid Safe Working Group
- Covid Action Plan – updated regularly
- Videos for electors and candidates



- Visit our website for more COVID-19 safety measures in place for LG21: <https://www.elections.nsw.gov.au/Elections/Local-government-elections/Local-Government-Elections-2021/COVID-19-safety-measures-at-this-election>

 <p><b>Check-in and out</b> Check in and check out using the QR code.</p>	 <p><b>Face masks</b> Wear a face mask. It's a condition of entry.</p>
 <p><b>Physical Distancing</b> Physical distancing must be maintained at all times.</p>	 <p><b>Single Use Pens</b> Bring your own pen. Single use pens will be available.</p>
 <p><b>Queue Management</b> Staff will manage queues and use separate entry and exit points where possible.</p>	 <p><b>Hand Hygiene</b> Hand sanitiser will be available at entry and exit points.</p>
 <p><b>Cleaning</b> High-touch areas will be cleaned regularly by election officials.</p>	 <p><b>Unwell</b> Stay home if you are unwell.</p>
 <p><b>Voting Screen Inserts</b> Screen inserts will be regularly cleaned and electoral material removed.</p>	



# Questions and Answers



# 2021 Local Government elections – part 2

**NSW Electoral Commission**

Steve Robb – Director Customer Service



# Council Impacts

- **Non-residential rolls**

- Close of rolls now 6pm October 25
- Existing applications remain, but checked prior to close of rolls
- Additional applications can be taken

- **Non-resident candidates**

- Inclusion of the online nominations system

- **Polls and Referenda**

- Resolutions & questions to NSWEC by 12 noon October 25

# Council Impacts continued

- **Election venues**

- All venues to be rescheduled/rebooked
- Council-owned venues – need to streamline the process

- **Service contracts**

- Date to be revised

- **Cost of postponing the LG21 elections**

# Questions and Answers



# Thank you

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[elections.nsw.gov.au](https://elections.nsw.gov.au)