

<b>Circular Details</b>	21-24 / 13 August 2021 / A784280
<b>Previous Circular</b>	21-20 Postponement of the local government elections to 4 December 2021
<b>Who should read this</b>	Councillors / General Managers / Governance staff
<b>Contact</b>	Council Governance Team / 02 4428 4100/ <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Council to Implement

## September 2021 mayoral elections

### What's new or changing

- Mayoral elections must be held in September 2021 for mayors elected in September 2019 when their two year-terms expire (see sections 230(1) and 290(1)(b) of the *Local Government Act 1993*).
- Mayors elected in September 2020 will continue to hold office until council elections are held on 4 December 2021.
- The civic offices of all mayors elected by councillors will expire on election day 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. It should be noted however, that councils are not required to have a deputy mayor.

### What this will mean for your council

- Mayoral elections must be conducted in accordance with Schedule 7 of the *Local Government (General) Regulation 2005*.
- Schedule 7 prescribes three methods of election of mayors:
  - open ballot (eg a show of hands)
  - ordinary ballot, or
  - preferential ballot.
- Open ballots can be undertaken remotely where a council is conducting its meetings by audio visual link.
- Ordinary and preferential ballots are secret ballots and councillors will need to attend the meeting in person if the election is to be held by way of an ordinary or preferential ballot.

### Key points

- In deciding which voting method to use for the mayoral election, councils should consider the personal circumstances of their councillors to ensure that all councillors can participate in the mayoral election.
- Councillors may attend council meetings in person under the *Public Health (COVID-19 Gathering Restrictions) Order (No 2) 2021* and the *Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Order 2021* (Public Health Orders) for the purposes of participating in a mayoral election and staff may attend for the purposes of conducting the election.

- In areas subject to stay at home restrictions under the Public Health Orders a person may leave their home for the purpose of undertaking any legal obligations and a person engaged in local government elections is an “authorised worker” for the purpose of the Public Health Orders.
- Councils must comply with the Public Health Orders when holding a Mayoral election and should observe appropriate social distancing and take any other steps necessary to minimise the risk of infection by the COVID-19 virus and to ensure the health and safety of all attendees.

#### **Where to go for further information**

- The Office of Local Government has issued a fact sheet on conducting mayoral elections which is available [here](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).



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