

Circular Details	Circular No 19-31 / 20 December 2019 / A685947
Previous Circular	19-22 - <i>Government response to IPART's review of local government election costs</i>
Who should read this	Councillors / General Managers / Council Governance staff
Contact	Council Governance - (02) 4428 4100 / olg@nsw.gov.au
Action required	Information

Amendments to the electoral provisions of the *Local Government (General) Regulation 2005*

What's new or changing?

- Amendments have been made to the electoral provisions of the *Local Government (General) Regulation 2005* (the Regulation). The amendments give effect to the Government's commitment, made in its response to the Independent Pricing and Regulatory Tribunal's review of local government election costs, to modernise the electoral provisions of the Regulation and to align them with the more contemporary and efficient practices used at State elections in time for the September 2020 council elections.
- The amendments also give effect to amendments made to the *Local Government Act 1993* earlier this year removing the ability of councils' general managers to administer their councils' elections, and requiring councils to engage an electoral services provider to administer their elections where they do not enter into an election arrangement with the NSW Electoral Commissioner.
- The amendments also update and make refinements to improve the efficacy and clarity of provisions relating to postal voting, the administration of countback elections and the procedures for counting votes under the optional preferential, and the proportional systems and the publication of data in relation to counts.

What this will mean for your council

- Among other things, the amendments will improve the efficiency of elections and reduce costs by:
 - removing the requirement for notices to be advertised in newspapers
 - further supporting the centralisation of council election operations to achieve efficiencies
 - moving away from "paper based" prescription and removing red tape
 - aligning local government electoral practices with State electoral practices thereby reducing the NSW Electoral Commission's (NSWEC) operating costs in relation to the administration of council elections
 - reducing data and other storage costs by allowing election data and materials to be disposed of after six months unless the council has resolved to fill vacancies using a countback
 - allowing consultation by election managers with client councils in the exercise of their functions in relation to the administration of elections.

Key points

- The amendments give effect to the Government's ongoing commitment to reduce councils' election costs.
- Amendments were made to the Regulation last year to give councils the option of avoiding the cost of by-elections in the first 18 months of councils' terms by filling vacancies by a countback. The option of countbacks will be available to councils following the September 2020 ordinary elections.
- Councils are reminded that amendments were also made to [clause 326 of the Regulation](#) last year to give election managers greater flexibility to determine the days and hours of operation of pre-poll voting offices between the twelfth and first days before election day.
- Earlier this year, the Government contributed close to \$20m to the NSWEC's corporate overheads for the September 2020 local government elections to ensure these costs are not passed on to councils.
- Early next year, the Government will be consulting with the local government sector on extending to all councils the option of conducting their elections by universal postal voting instead of attendance voting from the 2024 elections.

Where to go for further information

- Contact OLG's Council Governance Team by phone on (02) 4428 4100 or by email at olg@olg.nsw.gov.au.



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