OVERVIEW & STRUCTURAL KEY DATES
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Introduction

The Victorian Electoral Commission (VEC) has conducted over 400 local government general elections since it began providing election services to councils in 1994. The VEC is well placed to support local government elections and has developed processes and systems in consultation with council officers.

Following recent changes to the Local Government Act 1989 (the Act), the VEC is now prescribed as the election service provider to Victoria's local government sector. The VEC established the 2016 local government elections in close partnership with the sector, through the development of the election service plan and the establishment of an electoral service agreement with each council. In 2016, 78 of 79 councils will be going to an election—the Greater Geelong City Council election has been postponed.

This publication introduces the structure of and key dates for the 2016 local government elections and outlines the services offered by the VEC. For more information on particular aspects of the program, this publication should be reviewed in consultation with the suite of material covered by the VEC's Local Government Election Information Series.

Legal requirements

The requirements for local government elections are principally prescribed in the Act. The City of Melbourne Act 2001 and City of Greater Geelong Act 1993 provide additional provisions specifically for Melbourne City Council and Greater Geelong City Council elections.

The procedures for local government elections are detailed in the Local Government (Electoral) Regulations 2016 and, for Melbourne City Council elections, in the City of Melbourne (Electoral) Regulations 2012.

The VEC is aware of the legal obligations and works closely with the agencies that are responsible for administering local government legislation.

Voting entitlements

The voters' roll at local government elections is made of voters from the State enrolment register within each council area and voters who are not on the State enrolment register within the council area but have a council-administered voting entitlement. An example of a council-administered voting entitlement is a person that owns and pays rates for an investment property within a council area, but lives elsewhere.

In most councils, approximately 85 per cent of voters have State entitlements and 15 per cent of voters are enrolled through a council-administered voting entitlement. The ratio is slightly different for councils that have high rates of commercial, investment or holiday properties.

Most voters are automatically enrolled to vote at local government elections, however, some voters must apply to the council if they want to use their council-administered voting entitlement. Voters who must apply to be included on the roll are:
• non-Australian citizens who live and pay rates in a council area in which an election is being held
• people who pay rates on a property they occupy and have no other voting entitlement in the council area, e.g. they are a shop tenant, and are either named on the council’s rates records to receive the rates notice, or have the written consent of the owner to vote in their place, and
• directors or company secretaries of corporations that pay rates in a council area in which an election is being held, and have no other voting entitlement within that council area.

Different enrolment criteria apply to the voters’ roll for Melbourne City Council elections.

Voting methods

Each council decides whether to conduct the election by postal or attendance voting. Councils are required to pass a resolution at least eight months before election day if they wish to change the method of voting from the method used at the previous general election.

At the 2016 local government elections, 72 council elections will be held by postal voting and six council elections will be held by attendance voting. The list of councils, including their method of voting for the 2016 local government elections, is available at Attachment 4.

Postal elections

The postal method of voting is when a council requires its election be conducted entirely by post. Full postal voting was first used in Victoria in 1996.

Postal elections tend to have higher participation rates and lower rates of informal voting than attendance elections. The average voter turnout for postal elections at the last local government elections in 2012 was 76.48%, with an average informality rate of 4.58%.

The following steps are involved in postal elections:

• Each voter is sent a ballot pack that contains voting instructions, candidate statements and indications of preferences, ballot paper(s), and envelopes for returning the completed ballot paper(s).

• After completing the ballot paper(s), the voter inserts them into the ballot paper envelope, which has an opaque lining and a detachable flap containing the voter’s details. Voters are required to sign a declaration on the flap.

• The ballot paper envelope is then inserted into a reply-paid return-addressed envelope.

• After receiving the returned ballot paper(s), the Returning Officer and election office staff are responsible for scanning the ballot paper envelope to mark the voter on the roll as having returned their vote. The Returning Officer then places the envelope in a security box until voting has closed.

Voting at postal elections closes at 6.00 pm on the Friday before election day. All ballot paper envelopes must be in the post or hand-delivered before the close of voting. Postal votes may be received by the Returning Officer through the post up to 12 noon on the fifth working day after the close of voting.

After the close of voting, the ballot paper envelope flaps are progressively removed from each ballot paper envelope before the ballot paper envelopes are opened. This process
guarantees the principle of a secret ballot so that no person can match a ballot paper envelope with any particular voter. Reconciliations occur at each point of this process to ensure that only admissible ballot paper envelopes are processed.

Once all accepted ballot paper envelopes have been opened, the ballot papers are counted by the Returning Officer and their counting staff.

**Attendance elections**

The attendance method of voting is when most voters will cast their vote at a voting centre on election day. There has, however, been a steady increase in the number of voters who choose to cast their vote at an early voting centre before election day or by applying to vote by post.

To explain the voting options and locations at an attendance election, each voter in a contested election is sent an *EasyVote* letter in the mail. Voters are encouraged to take their *EasyVote* letter with them when they go to vote as it may make it faster to mark them off the roll. Early voting options and voting centre locations are also advertised in local papers and listed on the VEC website.

The attendance method of voting is similar to Victorian State and Australian Federal elections.

The average voter turnout for attendance elections at the last local government elections in 2012 was 63.62%, with an average informal rate of 10.09%.

The following steps are involved when voting in person at attendance elections:

- Election officials at the voting centre or early voting centre mark the voter off the roll before issuing their ballot paper. The voter is directed to a voting compartment, where they complete their ballot paper in private.
- The voting compartment includes instructions on how voters should complete their ballot paper to cast a formal vote. The instructions are in English and translated into a number of other languages.
- After voting, the voter folds the ballot paper to conceal their vote and places it in the ballot box.
- All ballot boxes are kept secured until after the close of voting. Voting closes for attendance elections at 6.00 pm on election day.

**Postal voting**

An extended postal vote receipt period applies and postal votes may continue to be received by the Returning Officer up to 12 noon on the fifth working day after election day.
Compulsory voting

For all councils, voting is compulsory for people who are on the State electoral roll within the council area. Non-resident voters are encouraged to vote but will not be fined if they do not vote. However, all voters on the voters’ roll for Melbourne City Council elections are required to vote.

The Local Government (Electoral) Regulations 2016 allow voters aged 70 years or over at the time of the election to be automatically excused if they do not vote.

A fine for failing to vote will be issued where a voter either does not respond or fails to provide sufficient excuse for not voting. The penalty for failing to vote is half a penalty unit, which is currently set at $78.00 for the 2016 local government elections.
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