

STAND FOR YOUR COMMUNITY

All you need to know
about becoming a
councillor in NSW

MAY 2021



Office of
Local Government



ACCESS TO SERVICES

The Office of Local Government is located at:

Levels 1 and 2
5 O'Keefe Avenue
NOWRA NSW 2541

Locked Bag 3015
NOWRA NSW 2541

Phone (02) 4428 4100
Fax (02) 4428 4199
TTY (02) 4428 4209

Level 16, 320 Pitt Street
SYDNEY NSW 2000

4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

Email olg@olg.nsw.gov.au
Website www.olg.nsw.gov.au

OFFICE HOURS

Monday to Friday 8.30am to 5.00pm
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© NSW Office of Local Government, 2021
ISBN 978-1-922001-07-8

Produced by the Office of
Local Government.

ACKNOWLEDGEMENTS

The Office of Local Government thanks the NSW Electoral Commission for its assistance in reviewing and providing information for the update of this publication.



Foreword from the Minister for Local Government



“Local residents who know the area and can offer solutions to issues that are causing concern in the community are ideal candidates to be councillors.”

Local councils play an important role in leading and shaping their communities

Local councils provide the infrastructure and services that local people need, and they ensure that community resources are managed responsibly.

Statewide, local councils spend nearly \$11.5 billion per year on services and facilities and provide employment for 45,000 people.

Serving your community by becoming a councillor is a rewarding and challenging experience. Local councils need leaders who reflect the diverse nature of their communities and understand what matters to local people – leaders who are willing to stand up and make a positive difference.

There are nearly 1,300 councillors across NSW and they come from all walks of life. But some groups are currently under-represented and we need to do more to ensure councils reflect the diversity of their communities.

In the 2016 and 2017 local government elections, women made up just 31% of local councillors and only 28% of mayors, even though half of the state's population are women. Only 2% of councillors identified as Aboriginal or Torres Strait Islanders. Only 8% of councillors spoke a language other than English at home and just 4% of councillors were aged under 30. Clearly, some voices are not being heard.

The NSW Government is committed to improving opportunities for all community members to participate in local leadership. I would encourage prospective candidates to read this guide and reflect on the role they might play in helping to shape their community.

Many people hesitate to stand for office because they are unsure of what the role involves, or whether they have the right skills to become a councillor. In recognition of this, the Government has made important legislative changes to ensure that people elected to office receive the help and support they need to develop their leadership and professional skills.

If you have a passion for your community, and a willingness to learn new skills and work with others to make a positive difference, then I would encourage you to consider standing for your local council.

The Hon. Shelley Hancock MP
Minister for Local Government

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**Councillors:
ordinary
people
with an
extraordinary
passion
for their
community**

Who can be a councillor?



If you are passionate about your local community then you already have what it takes to become a councillor. Everything else you need to know about taking the step and nominating for election is in this guide.

There are no special qualifications to become a councillor other than a desire to serve your community. If you are eligible to vote at an election for your council, you can also stand as a candidate for election to the council. You'll benefit from the skills you develop – and you can learn most of these skills on the job.

“ **A councillor's role is important. The decisions a council makes and the services it provides can change local communities and environments.** ”

Being a councillor is a rewarding opportunity to:

- make decisions that help people in your local community
- influence the long term vision and direction for your community
- learn new skills, such as leadership, public speaking and advocacy
- work with diverse and passionate people on a range of issues
- balance the needs and priorities of your community
- show leadership and make the best decisions for your community.

More information about who can be a councillor is contained later in this guide.

Being a voice for the local community: why is diverse representation on council important?



Diverse representation helps to ensure the needs of different groups in the local community are taken into account when council makes decisions.

NSW is one of the most diverse and inclusive societies in the world.

Across the state, local communities are made up of a mix of people from a diverse range of backgrounds with different needs and interests. These groups include Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse backgrounds, people with a disability, women and young people.

However, there is an under representation of diverse groups of people among elected representatives and in the workforce of many NSW councils.

Local councils need diversity among councillors to reflect the diverse needs of community members.

If a community is diverse, their councillors should be too. This will lead to better leadership and decision making to create stronger councils and better outcomes for local communities.

Information and statistics on local government representation can be found in the Candidates and Councillors 2017 Report available at www.olg.nsw.gov.au.



Do you have what it takes to be a councillor?

As well as enthusiasm and a passion to improve your local community, you should be willing to embrace new skills and training to make being a councillor easier.

Helpful attributes for councillors include:

- communication skills, including listening and interpersonal skills, public speaking, networking, respecting different opinions, negotiation, mediation, and knowledge of conflict resolution
- problem solving skills and the ability to get to the core of problems and find solutions
- willingness to work as a team for the benefit of the community
- good organisation skills like time management and priority setting
- ability to understand financial reports, including budget processes
- readiness to engage effectively with the community
- understanding of social justice principles

- understanding of the role and services of local government and an ability to understand relevant state government legislation
- leadership qualities, including energy, motivation, resilience, confidence, assertiveness, strategic thinking and advocacy skills
- ethical and accountable behaviour, and a commitment to act in the best interests of the community as a whole.

While this may seem like a long list, as a councillor you will receive information and training to help you develop these skills. Being elected as a councillor is an opportunity to serve your community, and this opportunity involves a commitment of your time.

There is a range of factors that determine how many hours councillors spend each week on council activities, including the size of the council and the issues that arise.

Being a councillor is not without its challenges, including:

- substantial time commitment
- making decisions that are not always popular with the community
- being a single issue candidate, but not a single issue councillor
- balancing individual constituent needs with those of the wider community

- working with other councillors and people who may hold very different views to you
- balancing your commitments to the council and the community with your own family and work obligations
- experiencing an initial steep learning curve.

If you are elected as a councillor in September 2021, you will be required to make a three-year commitment. It will absorb a lot of your time as councillors are expected to attend all council meetings. You may be able to attend some meetings remotely.

The exact number of meetings depends on individual councils, but each council must meet at least 10 times a year. If you miss three consecutive council meetings without getting a leave of absence from the council, your office will automatically become vacant.

In the end, standing for council is a personal choice. Only you can understand your own circumstances and what the time commitment means for you. It is a good idea to talk to your family and friends about your plans to serve your community and run for election.



To get a good idea of the time it takes to be a councillor in your area, talk to a past or present local councillor.

How do councillors serve their communities?

Councillors work together to make decisions about what the council will do to meet community needs and how money should be spent in the best interests of the whole community.

Councillors are not involved in the day-to-day running of the council. That is the role of the general manager. More information about the role of a general manager is detailed later in this guide.

Different communities have different needs, and councillors can be involved in a range of issues. The size and make up of local communities, and whether they are in metropolitan, regional or rural areas, can impact the issues that councillors are involved in.



Councillors serve their communities by listening to people in the local area and then representing those views on council.

A councillor's role includes:

- attending council meetings (possibly by audio-visual link if available), often in the evenings and usually at least once a month
- reading council business papers and preparing for council meetings
- reviewing council's strategic plans, policies and budget on a regular basis to check if progress is on target
- speaking to members of the community about their needs and concerns.

Other activities that a councillor might become involved in are:

- taking part in special council committees, such as local traffic or planning committees
- inspecting progress on council projects like road works or building a new library
- being aware of problems with council assets that need to be reported, such as damage to sports fields or broken signs
- participating in civic events, like presenting sporting and other awards and attending citizenship ceremonies
- representing council at events and conferences, such as the Local Government NSW Annual Conference.

What are councillors' ethical obligations?

Councillors are expected to comply with the ethical standards outlined in the Model Code of Conduct for Local Councils in NSW.

It is important that communities have confidence in the integrity of their local councils, the councillors they elect and the decisions those councillors make. Councillor misconduct can erode that trust.

Serious breaches of councils' codes of conduct can carry significant penalties including suspension from office for up to six months. Councillors who are suspended on three or more occasions are disqualified from holding office in a council for five years.

Councillors must be mindful that their actions, including when acting in a private capacity, may have the potential to reflect badly on their council. For this reason, councillors are expected to observe the highest standards of personal conduct at all times.

More information about councillors' ethical obligations is available at www.olg.nsw.gov.au.



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Local government: what it is and why it matters



Councils in NSW provide a wide range of services and activities. What often first springs to mind when people think about the role of local government are services such as garbage collection. However, councils have a much wider and more important role than many people realise.

The big picture: How do federal, state and local governments relate?

Local government does not exist in isolation. It is important for councils to maintain strong relationships across different levels of government, between and within councils, and within the community.

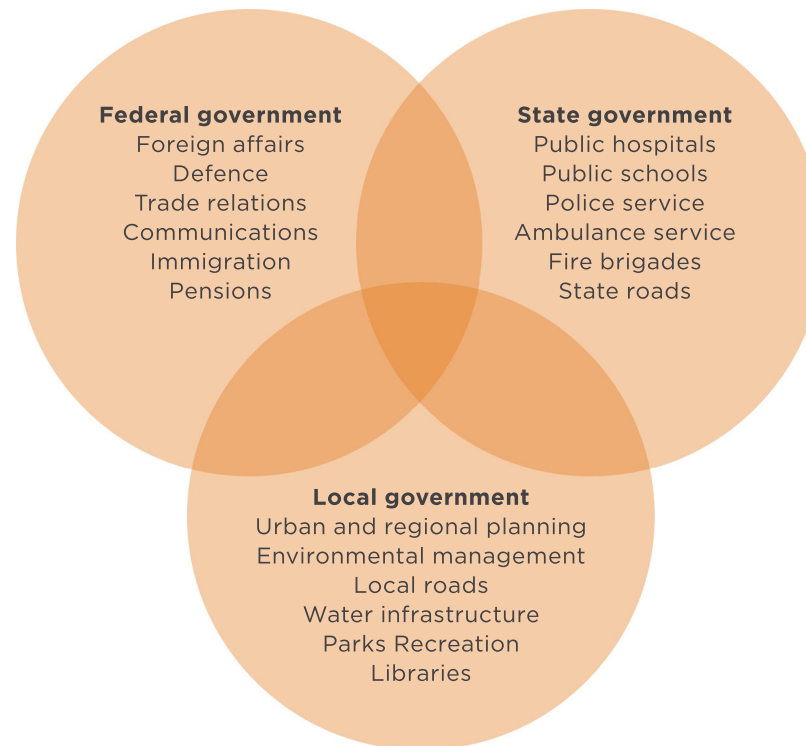
Federal, state and local governments each play distinct and important roles. The diagram below gives examples of the typical responsibilities of the three spheres of government in Australia.

The NSW Department of Planning, Industry and Environment oversees and works closely with councils in areas ranging from council performance and statutory compliance, planning and development, environmental management and regional development.

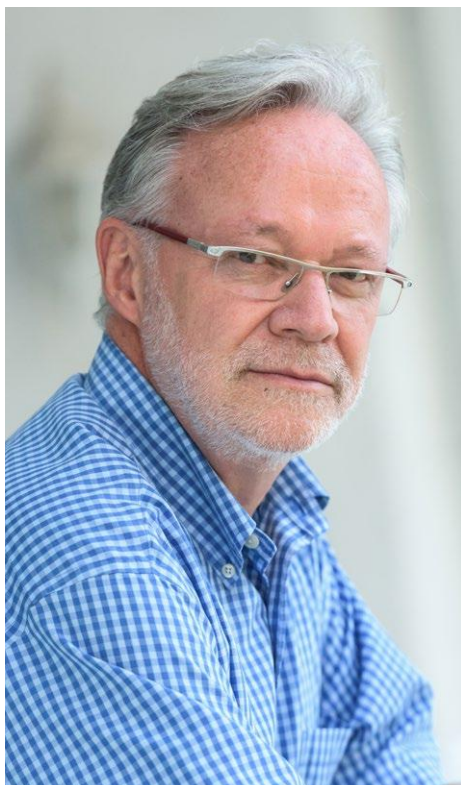
Councils in NSW also have important working relationships with groups such as:

- Local Government NSW
- Local Government Professionals Australia (NSW)
- Australian Local Government Women's Association.

Three spheres of government



Guiding principles: How should councils operate?



The Local Government Act 1993 (the Act) outlines principles to help councils operate in a way that promotes strong, healthy and prosperous communities.

When exercising their functions, councils should:

- provide strong and effective representation, leadership, planning and decision-making
- carry out functions in a way that provides the best possible value for residents and ratepayers
- plan strategically, using the integrated planning and reporting framework to provide effective and efficient services and regulations to meet the diverse needs of the local community
- apply the integrated planning and reporting framework to achieve desired outcomes and continuous improvements
- co-operate with other councils and the state government to achieve desired outcomes
- manage lands and other assets to meet current and future community needs in an affordable way
- work with others to secure appropriate community services

- act fairly, ethically and without bias in the interests of the local community
- be responsible employers and provide a consultative and supportive working environment for staff.

In making decisions, councils should:

- recognise diverse local community needs and interests
- consider social justice principles
- consider the long term and cumulative effects of actions on future generations
- consider the principles of ecologically sustainable development
- ensure decision making is transparent and decision makers are accountable.

In exercising their functions, councils should actively engage with communities through the integrated planning and reporting framework and other measures.

Councils should also consider the principles of sound financial management prescribed by the Act in exercising their functions.

The community benefits: what services and functions do councils provide?

Councils provide services that fall under five broad categories. The list below provides a sample of some of the services provided by councils – but there are many other activities councils undertake.

The range and quality of services provided by a council is shaped by a number of factors, including the:

- availability of funds
- size, location and demographics of the area
- commitment to maintain existing services
- views, wishes and needs of the community.



Planning for sustainable development

Councils play a role in providing long term strategic planning for local government areas, as well as in town planning, zoning and subdivisions. In addition, councils are responsible for processing most development applications, building site and compliance inspections, building regulations and connections to water and sewerage.



Providing and maintaining infrastructure

Providing local infrastructure is an important contribution councils make to their communities. For example, councils provide and maintain local roads and bridges, public car parks, footpaths, sporting fields, parks, libraries and art galleries. Councils must consult with their communities about providing and maintaining these assets.



Protecting the environment

Councils regularly assess the state of their local environments, provide environmental programs and use their regulatory powers to prevent pollution or restore degraded environments. They carry out activities such as garbage collection and recycling, street cleaning, regulating parking, controlling dogs and cats and controlling noxious weeds.



Providing community services and development

Councils consult with and assess the needs of their communities, and use the information to target community development activities. They provide a range of services, including some aimed at groups in the community with special needs. Community services include libraries, retirement homes, home care services such as Meals on Wheels, swimming pools, playground facilities and child care centres.



Safeguarding public health

Councils help maintain high standards of public health and reduce the risk of exposure to a wide range of diseases through activities such as inspections of cafes and restaurants, waste management, pest and vermin control and hazardous material containment.



Money matters: services cost money, but where does it come from?

Councils raise money from the local community through rates, charges and fees. They can also borrow and invest money.

All councils receive a Financial Assistance Grant each year, which is paid by the federal government through the state government via the NSW Grants Commission.

The amount of the grant varies from council to council. Councils may also be eligible to receive grants from a variety of other sources.

3

Local government: how it works

Working relationships: how do councillors and staff work together?

A good working relationship between councillors, the mayor, the general manager and other council staff is fundamental to an effective council.

The roles of key people in councils, including councillors and the general manager, are carefully defined in the *Local Government Act 1993* to avoid any confusion.

What is the role of the governing body?

Councillors collectively comprise the governing body of a council.

Under the Act, the role of the governing body is to:

- direct and control the affairs of council in consultation with the general manager
- provide effective civic leadership
- ensure as far as possible the financial sustainability of council
- ensure as far as possible that council acts in accordance with the principles prescribed under the Act and other relevant plans, programs, strategies and policies of council
- develop and endorse the community strategic plan, and delivery program and other plans, programs, strategies and policies of council
- determine and adopt a rating and revenue policy and operational plans to ensure council resources are allocated appropriately
- regularly review council's performance, including service delivery
- make decisions that support the proper exercise of council's regulatory functions
- determine the process for appointing the general manager and managing their performance
- determine senior staff positions within the organisation structure of council
- consult with community organisations and stakeholders about council decisions and activities
- ensure council acts honestly, efficiently and appropriately.

What is the role of individual councillors?

Under the Act, each councillor has a responsibility to:

- be an active and contributing member of the governing body
- make considered and well informed decisions
- participate in developing council's integrated planning and reporting framework
- represent the collective interests of residents, ratepayers and the local community
- facilitate communication between the local community and the governing body
- uphold and accurately represent the policies and decisions of the governing body
- make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.

Councillors are both individually and collectively accountable to the local community for the performance of the council.

Oath of Office

Under the Act, councillors are obliged to take an oath or affirmation of office either at or before the first council meeting after they are elected.

Councillors are required to swear or affirm they will carry out the duties of the office of councillor in the best interests of the local community and the council.

They must also swear or affirm they will faithfully and impartially carry out the functions of councillor to the best of their abilities.

This oath or affirmation is a mechanism for inducting councillors into the role. It also reinforces the seriousness of the responsibilities and duties of being a councillor.

A councillor who fails to take the oath or affirmation of office without a reasonable excuse, will not be entitled to attend council meetings until they do so.

If they miss three consecutive ordinary council meetings without a reasonable excuse, their office is automatically declared vacant and a by-election or count back (where available) will be held to fill the vacancy.

What is the role of the mayor?

The mayor is often considered the voice of the council and the leader of the community.

While the mayor essentially has the same roles and responsibilities as a councillor, they are also expected to exercise a leadership role. This is reflected in their additional responsibilities.

Under the Act, the Mayor's role is to:

- be the leader of the council and a leader in the local community
- advance community cohesion and promote civic awareness
- be the principal member and spokesperson of the governing body, including representing the views of council about local priorities
- exercise the policy-making functions of the governing body between meetings of the council, where necessary
- preside at council meetings and ensure they are conducted efficiently, effectively and in accordance with the Act

- ensure council's strategic plans, programs and policies are developed and adopted in a timely way
- promote the effective and consistent implementation of council's strategic plans, programs and policies
- promote partnerships between council and key stakeholders
- advise, consult with, and provide strategic direction to the general manager about council's strategic plans and policies
- together with the general manager, ensure there are adequate opportunities and mechanisms for engagement between council and the local community
- perform civic and ceremonial functions
- represent the council on regional organisations and at regional, state and federal inter-governmental forums
- in consultation with councillors, lead performance appraisals of the general manager
- exercise any other functions that the council determines.

Mayors can either be elected by the community or by the councillors. If elected by the community, mayors hold office for the full council term. Mayors that are elected by councillors hold office for two years.

Check with your local council to learn how the mayor is elected.

What is the role of the general manager?

The general manager is responsible for implementing policies that are formulated and monitored by council.

They are the most senior council employee and the only member of staff selected and appointed by councillors.

The general manager is appointed on a renewable, fixed-term, performance-based contract for a maximum of five years.

Under the Act, the general manager's role is to:

- manage the day-to-day operation of council in accordance with council's strategic plans, programs, strategies and policies
- implement the lawful decisions of the council
- advise the mayor and governing body about council's strategic plans, programs, strategies and policies
- advise the mayor and governing body about consulting with the community

about council's strategic plans, programs, strategies, policies and other matters

- prepare the community strategic plan and council's community engagement strategy, resourcing strategy, delivery program, operational plan, and annual report in consultation with the mayor and governing body
- ensure the mayor and councillors are provided with timely information and advice and all necessary administrative and professional support
- exercise any functions of council that are delegated by council
- appoint, direct and dismiss staff in accordance with council's organisation structure and the resources approved by council
- implement council's workforce management strategy.

The general manager may delegate functions to other staff.

What is the role of council staff?

Councils employ staff such as town planners, engineers, building surveyors, librarians, environmental officers, rangers and childcare workers.

Council staff carry out the day-to-day operations of the council, and implement council policies and other decisions, as directed by the general manager.

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**Being a
councillor:
what help is
available to
you**

What fees are provided to councillors?

Under the Act councillors are entitled to an annual fee, paid in monthly instalments. The fee depends on the size of the council, the number of people it serves and the assets it manages. For example, in 2021 the fees ranged from \$9,370 per year for a small rural council to \$41,340 for councillors in the City of Sydney.

The mayor of a council also receives an additional fee.

The fees paid to councillors are subject to tax and may affect your assessable income for tax purposes. From 1 July 2022, councillors may also receive a superannuation contribution payment from their council in addition to their fee.

A council may decide to reduce or withhold fees if a councillor does not attend meetings and must do so if the councillor fails to attend for more than three months. Councillors who are suspended from office are not entitled to receive a fee.



What expenses and facilities can be accessed by councillors?

As well as setting councillor fees, the Act allows councils to cover some of the expenses that councillors incur in carrying out their duties, including travel and telephone expenses.

The range of expenses and facilities provided to councillors varies between councils. A council decides what expenses it will cover and what facilities it will provide to councillors.

Councillor expenses covered by councils may include:

- training courses
- conferences
- travel to and from meetings, conferences and training
- accommodation, meals and refreshments while on council business.
- phone calls and internet use associated with councillor duties
- child care and other caring expenses.

Councils may also provide facilities for councillors such as computers, fax machines, mobile phones, stationery or administrative assistance. Councils are also encouraged to provide equipment and facilities to assist councillors with disabilities and special needs to access the services and information they need to perform their role.



Councils are also encouraged to provide equipment and facilities to assist councillors with disabilities and special needs to access the services and information they need in order to perform their role.

What training and professional development is available to councillors?

One of the great benefits of being a councillor is the opportunity to undertake structured professional development.

Under the Act, councillors must make all reasonable efforts to acquire and maintain the skills necessary to perform their role.

Councils are required to provide induction training to the mayor and all councillors within 6 months of their election and ongoing professional development over the balance of their term to equip them with the knowledge, skills and capabilities to undertake their roles effectively.

As a new councillor, you will be encouraged to tell your council about your own training needs and to participate in training and professional development activities offered to you.

For more information on these requirements and the capabilities mayors and councilors need to undertake their roles see the Office of Local Government's Councillor Induction and

Professional Development Guidelines which are available at www.olg.nsw.gov.au.

Local Government NSW provides a range of support for councillors, including training and induction programs.

For example, Local Government NSW provides professional development and training specifically catered to the needs of councillors. These include:

Councillor Induction programs

- Elected Life, Councillor Induction for Councillors, 1 day workshop
- Elected Life, Councillor Induction for Councillors, Induction 2 day workshop
- Elected Life, Councillor Induction for Re-elected Councillors, 1 day workshop

Councillor Essential Skills workshops include:

- Understanding Local Government Financials
- Local Government Planning for Councillors
- Chairing & Effective Meeting Procedures

- Community & Stakeholder Engagement
- Code of Conduct for Councillors
- Communicating Council Priorities
- Managing Media Skills
- Social Media Skills
- Bullying & Harassment Prevention
- UTS/LGNSW Executive Certificate for Elected Members
- Integrated Planning and Reporting
- Speed Reading and Retention

Local Government NSW also provides a free mentoring service for mayors and councillors.

Information on these programs can be obtained by contacting Local Government NSW via the details provided at the end of this guide.



The Office of Local Government and Local Government NSW provide a range of support for councillors, including training and induction programs.

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**Making it
happen: how
you can stand
for election**



Check point: am I eligible to nominate as a candidate?

Anyone who is entitled to vote at council elections in NSW is also eligible to stand for election as a councillor.

Before setting off to become a councillor, ensure you are on the electoral roll for the council area and be clear that you're not disqualified from standing for office.

People disqualified from standing for office include people who are:

- currently serving a prison sentence
- convicted of certain election-related or criminal offences
- prohibited from managing companies
- suspended on three or more occasions for misconduct as a councillor
- current state members, if elected, may only hold office as a councillor if they resign from the Parliament before the first council meeting.

Serving judges, the returning officer for elections of the council and council employees are also excluded.



How do I nominate as a candidate?



Make sure you check and verify all information provided on nomination forms before lodgement, as it is an offence to make a false statement on election papers.

Getting the nomination process right is an essential step in becoming a councillor. It may sound like a complex process, but if you work through it step by step you will find it is much easier than it seems.

First, in order to nominate as a candidate, and to have your name appear on the ballot paper, you need to submit a nomination form and pay a nomination deposit during the nomination period.

The nomination form can be submitted in one of two ways:

- you can be proposed for nomination as a candidate by at least two eligible proposers enrolled for the same ward or area as the one for which you are being nominated. It is wise to have more than two nominators in case it turns out that one is not eligible
- you can be proposed for nomination by the registered officer of a registered political party.

As a candidate, it is your responsibility to ensure the nomination form is completed and lodged correctly and the nomination deposit is paid within the nomination period.

To assist candidates and groups to nominate, the NSW Electoral Commission has developed an online application system allowing candidates and groups to complete and lodge their nomination forms and to pay their nomination deposit online.

The nomination online management system will be accessible on the NSW Electoral Commission's website prior to the commencement of the nomination period.

The following resources are also available on the NSW Electoral Commission website:

- Access to the Nominations Online Management System
- Candidate Handbook
- Request for electronic roll form
- Scrutineer appointment form.

If a person chooses not to use the Nominations Online Management System, paper nomination forms will be available from the Returning Officer or by calling the candidate helpdesk on 1300 022 011.

Further information regarding the election processes is available on the NSW Electoral Commission website. www.elections.nsw.gov.au.

For information on the nomination process for council elections administered by providers other than the NSW Electoral Commission, please contact the relevant council or check its website.

How do I register as a candidate?



Make sure you do not accept political donations or make payments for electoral expenditure until you are registered.

Understanding when to be registered as a candidate for an election is an important part of your campaign. Registering for an election is a separate process to being nominated for an election.

Make sure you do not accept political donations or make payments for electoral expenditure until you are registered. There are important things you need to know about registering for an election:

- register with the NSW Electoral Commission before you accept any political donations or make payments for electoral expenditure
- if you are a member of a group of candidates your group must also be registered before accepting political donations and making payments for electoral expenditure
- candidates are legally responsible for managing and disclosing their own election campaign finances and operating their own campaign accounts.
- if you are a member of a group of candidates, the group's lead candidate is legally responsible for managing the group's election campaign finances and operating its campaign account.

To register as a candidate, or to register a group of candidates, you need to submit a registration form to the NSW Electoral Commission. Registration forms are available on the NSW Electoral Commission's website (www.elections.nsw.gov.au).

If you do not apply to be registered for an election you must still be nominated as a candidate to have your name included on a ballot paper. Candidate nominations open Monday 26 July 2021. See the NSW Electoral Commission's website for important deadlines such as when to lodge your nomination form.

Once registered, or if not registered, once you are nominated as a candidate for an election, you will need to make periodic disclosures of political donations and electoral expenditure.

Local government elections: when and how are they conducted?

Local government elections in NSW are generally held every four years on the second Saturday in September following a state government election.

The 2020 local government elections were postponed for 12 months because of the COVID pandemic. This means that councillors elected at the September 2021 local government elections will be elected for a three-year term. The following council elections will be held in September 2024.

Councils can choose whether elections are administered by the NSW Electoral Commissioner or another electoral services provider. The process for nominating and registering as a candidate is the same, regardless of who administers the elections.

Being ready: when and how will nominations be called?

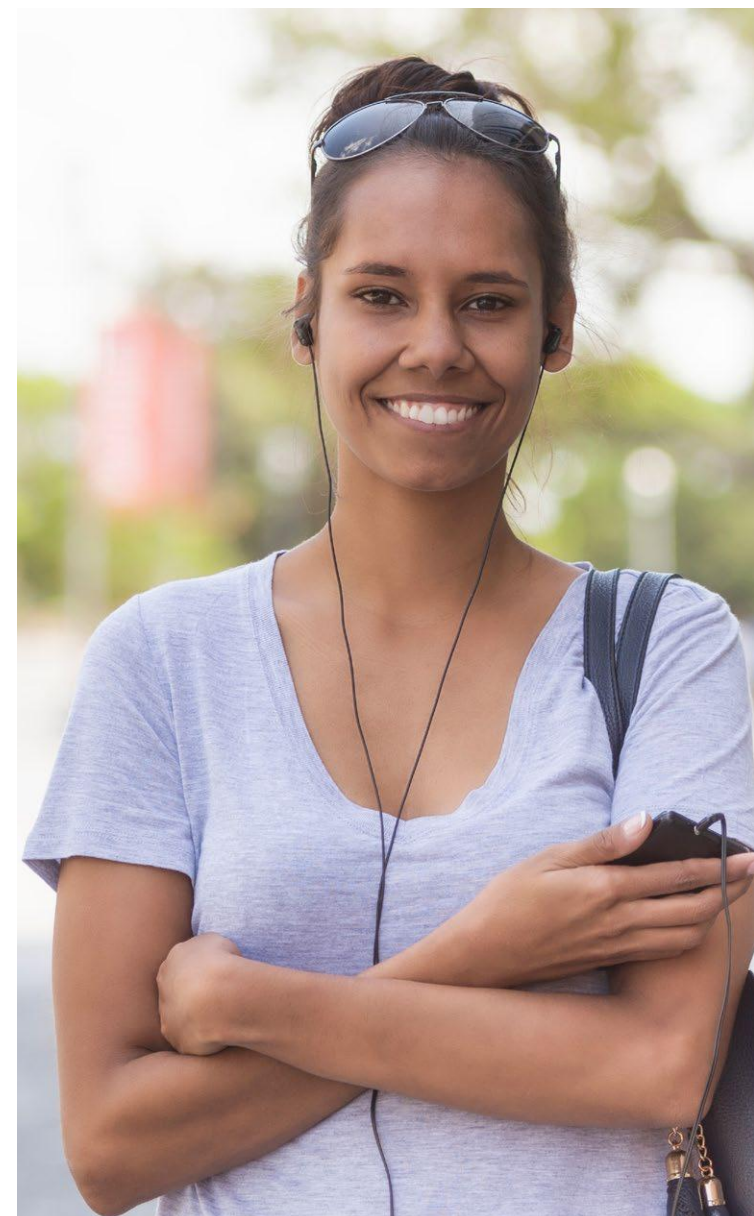
Public notice of a council election must be given at least one week before nomination day. Look out for notices of the elections and the call for nominations on the NSW Electoral Commission's website or the council's website if the council's election is being administered by another provider.

If there are more nominees than vacancies on council, public notice of a contested election is then given as soon as possible after the nomination day.

How are political parties registered for council elections?

While many candidates stand for election as independents, other candidates choose to affiliate themselves with a political party. Any party that has been registered with the NSW Electoral Commissioner 12 months prior to fortieth day before the election is entitled to nominate candidates for election. A party that is registered for state government elections is automatically registered for local government elections.

If you need further information on the registration of a political party, contact the NSW Electoral Commission, whose details are provided at the end of this guide.



What are the rules about election material?

To keep elections fair, and ensure voters are not misled, there are strict rules about the information that candidates and their supporters can publish or distribute.

All election material published or distributed from the day the election rolls close until election day must contain the name and address of the person who authorised the material and the name and address of the printer.

For councils whose elections are administered by a provider other than the NSW Electoral Commission, the electoral material must be registered with the returning officer for that council.

All election material distributed on election day, including 'how to vote' cards, must be registered with the NSW Electoral Commission or, in the case of election administered by another provider, with the returning officer.

Applications to register electoral material commences nomination day and closes 5pm on the Friday eight days prior to election day.

The legislation contains requirements relating to the content, type, placement and distribution of electoral material (including posters) during the regulated election period.

Rules also apply to where electoral material can be placed. A person who publishes and distributes electoral material unlawfully can be fined or even dismissed from civic office under certain circumstances. Further information regarding electoral material is available on the NSW Electoral Commission website www.elections.nsw.gov.au.



Counting the votes: how is it done?

In local government elections, votes are counted under either the proportional system or the optional preferential system.

Under the proportional system a candidate is required to gain a quota of votes, either directly or by transfer, in order to be elected. The percentage of votes required to be elected will vary, depending on the number of councillors to be elected. For example, if three councillors are to be elected to a ward, a candidate is required to receive just over 25 per cent of the votes to be elected.

Under the optional preferential system a candidate must receive an absolute majority of votes (50 per cent plus one), either directly or by transfer, in order to be elected.

The voting system used will depend on the number of vacancies to be filled in a ward or undivided area. The NSW Electoral Commission website has more information on voting systems.

A candidate can make a written request for a vote recount up to 24 hours after being notified of the original count result. The Election Manager, that is the person administering the conduct of the election on behalf of the council, must approve any recount request.

How are electoral expenses and donations managed and disclosed?

The election campaign finances of political parties, candidates, groups of candidates, councillors and others must comply with the requirements of the *Electoral Funding Act 2018*.

The objectives of the Act are to establish a fair and transparent election funding, expenditure and disclosure scheme in NSW; promote compliance with that scheme; and facilitate public awareness about political donations.

There are strict rules about who can make political donations in NSW and there are caps on political donations and electoral expenditure.

The NSW Electoral Commission regulates the Act and has the power to investigate and enforce breaches under the Act.

All candidates and groups of candidates must be registered with the NSW Electoral Commission for a local government election prior to accepting political donations or making payments for electoral expenditure.

If a group or candidate accepts \$1,000 or more in political donations or incurs \$1,000 or more in electoral expenditure in the period following the last ordinary election, a campaign account must be used to manage these electoral finances. The campaign account must be a separate account held in Australian dollars with a financial institution.

Candidates are legally responsible for managing their own election campaign finances and operating their own campaign account. A group's lead candidate is legally responsible for managing the group's election campaign finances and operating its campaign account.

The political donations and electoral expenditure of political parties, candidates, groups of candidates, councillors and others must be disclosed to the NSW Electoral Commission on a periodic basis. When you register for an election, the NSW Electoral Commission will provide information about your disclosure obligations.

The NSW Electoral Commission provides support and assistance to candidates and councillors to help them understand their legal obligations regarding political donations and electoral expenditure including information about the expenditure cap that applies to their campaign.

Go to the NSW Electoral Commission's website at www.elections.nsw.gov.au for more information.



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Next steps: where to get more information

This guide has been prepared as an introduction to the role of councillors and the operation of councils. It is a starting point to help you decide whether you'd like to run in the next council election.

For more information about registration, nomination, election campaign finances, voting and other election processes, as well as important dates and deadlines, go to the NSW Electoral Commission website at www.elections.nsw.gov.au.

For council elections administered by providers other than the NSW Electoral Commission, please contact the relevant council or check its website.

Further information on becoming a councillor in NSW can be obtained from the Office of Local Government and other organisations listed on the following pages.

Office of Local Government

Street address:

5 O'Keefe Avenue
NOWRA NSW 2541

Postal Address:

Locked Bag 3015
NOWRA NSW 2541

Phone: (02) 4428 4100
Facsimile: (02) 4428 4199
TTY: (02) 4428 4209

Email: olg@olg.nsw.gov.au
Website: www.olg.nsw.gov.au

Local Government NSW

Street address:

Level 8, 28 Margaret Street
SYDNEY NSW 2000

Postal Address:

GPO Box 7003
SYDNEY NSW 2001

Phone: (02) 9242 4000
Facsimile: (02) 9242 4111

Email: lgsw@lgsw.org.au
Website: www.lgsw.org.au

NSW Electoral Commission

Street address:

231 Elizabeth Street
SYDNEY NSW 2000

Postal Address:

GPO Box 832
SYDNEY NSW 2001

Candidate and councillor enquiries:
1300 022 011
TTY: 133 677 then ask for 1300 022 011

Email: candidates@elections.nsw.gov.au
Website: www.elections.nsw.gov.au

Independent Commission Against Corruption

Street address:

Level 7, 255 Elizabeth Street
SYDNEY NSW 2000

Postal Address:

GPO Box 500
SYDNEY NSW 2001

Toll Free: 1800 463 909
Phone: (02) 8281 5999
Facsimile: (02) 9264 5364

Email: icac@icac.nsw.gov.au
Website: www.icac.nsw.gov.au

NSW Ombudsman

Street address:

Level 24, 580 George St
SYDNEY NSW 2000

Postal Address:

As for street address

Toll Free: 1800 451 524
Phone: (02) 9286 1000
Facsimile: (02) 9283 2911

Email: nswombo@ombo.nsw.gov.au
Website: www.ombo.nsw.gov.au

Multicultural NSW

Street address:

Level 8
56 Station St East
Parramatta NSW 2150

Postal Address:

PO Box 618
Parramatta NSW 2124

Phone: (02) 8255 6767
Facsimile: (02) 8255 6868
TTY: (02) 8255 6758

Email: info@multicultural.nsw.gov.au
Website: www.multicultural.nsw.gov.au

Australian Local Government Women's Association (NSW Branch)

Contact details for the President and other office bearers are available on the website.

Website: www.algwa.org.au

Council websites

NSW councils have their own websites. These may be accessed by searching by the council's name, or via the website of the Local Government NSW (under 'Council websites') or from the Office of Local Government's website (under 'Local Government Directory').



www.olg.nsw.gov.au