

LOCAL  
GOVERNMENT  
ELECTIONS

# 2016



# MEDIA GUIDE

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# Foreword

Victoria's 2016 local council elections will be our State's largest single election program. Around 4.5 million enrolled voters and 2,000 candidates will participate in 260 individual elections across 78 councils.

With the community focus of these elections, the partnership of local and statewide media is highly valued by the Victorian Electoral Commission (VEC), as we go about informing voters of their rights and obligations.

This handbook outlines the election arrangements to assist media coverage, including key changes to council elections, important election dates and details, and where to go for further resources and information.



The Victorian Parliament recently amended the *Local Government Act 1989* to establish the VEC as the statutory election service provider for Victorian council elections. The legislation has also introduced new aspects to the election program and changed or removed requirements in other parts of the election. More so than ever, it is incumbent on the VEC to deliver these local council elections to the highest levels of integrity and in the interests of all Victorians.

I look forward to working alongside the media as we deliver such a significant program of elections.

A handwritten signature in black ink, which appears to read 'Warwick Gately'. The signature is written in a cursive style and is positioned to the left of a vertical line.

Warwick Gately, AM  
Electoral Commissioner

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# 1. Essential media information

## Latest news

Keep up to date with the latest council elections information via:

- the VEC Media Centre—  
[vec.vic.gov.au/Media](http://vec.vic.gov.au/Media)
- Twitter—[@electionsvic](https://twitter.com/electionsvic)
- subscribing to VEC media releases—email  
[communication@vec.vic.gov.au](mailto:communication@vec.vic.gov.au) and  
specify if you would like particular council  
and/or statewide releases

## VEC media centre

The VEC [Media Centre](#) provides a hub of useful resources, links and media releases for journalists during the 2016 local council elections.

## Election information

### Individual elections

All 78 local councils undergoing elections during October will have a dedicated page on the VEC website, with information on enrolment, voting, nominations and results as they become available. Visit:

[vec.vic.gov.au/Elections/CurrentElections.html](http://vec.vic.gov.au/Elections/CurrentElections.html)

For summary profile information on each council, see Appendix 3.

For electoral maps of each council, visit [vec.vic.gov.au](http://vec.vic.gov.au).

### Results

Official results declarations will take place between Monday 31 October and Friday 4 November.

Counting and results timelines for individual councils will be made available following the close of nominations.

## Media enquiries

### General enquiries

Before Wednesday 14 September and for all general media enquiries, contact the VEC's Communication Team:

- [communication@vec.vic.gov.au](mailto:communication@vec.vic.gov.au)
- (03) 8620 1196

Contact details for individual Communication Team staff are available on the [Media Centre](#).

### Individual elections

From the opening of election offices on Wednesday 14 September, media enquiries relating to a specific election should be directed to the relevant Returning Officer on the election office number that will be available via the VEC website and media releases in September.

### Melbourne City Council elections

For all Melbourne City Council elections enquiries before 14 September, please contact Mike Lagastes, Communication Team Leader:

- [mike.lagastes@vec.vic.gov.au](mailto:mike.lagastes@vec.vic.gov.au)
- (03) 8620 1189

From 14 September, contact the Returning Officer.

### Contacting candidates

The names and contact information (where provided) of candidates will be progressively available on the VEC website during the nomination period, Thursday 15 to 12 noon Tuesday 20 September.

The final list of candidates, in ballot paper order, will be available online late Tuesday 20 September (Thursday 22 September for Melbourne City Council elections).

The VEC does not gather or provide demographic information on candidates.

## 2. Key changes

Recent legislative changes, electoral structure reviews and service improvements by the VEC have resulted in a number of changes since the 2012 council elections.

### Enrolment

- **Online enrolment:** Australian citizens aged 18 or over residing within a Victorian council area—the majority of council election voters—can enrol or update their enrolment entirely through the VEC website.
- **Removal of exhibition roll requirement:** physical copies of the voters' roll are no longer displayed prior to the entitlement date.

### Nominations

- **Enrolment requirement:** candidates must be enrolled for the council they wish to stand in (this includes council-enrolled voters such as non-resident property owners). Previously, candidates who could not be found on the voters' roll were able to nominate with a declaration of their eligibility to be enrolled.
- **Candidate questionnaire:** candidates now have the option of completing a questionnaire as part of their nomination, the answers to which will be made available on the VEC website. The questions are prescribed by legislation.

### Voting

- **Extended postal vote receipt:** the period for the Returning Officer to receive and include postal votes completed and mailed by the close of voting has been extended to five working days. This applies to both attendance and postal elections.
- **Online postal vote application:** voters in attendance elections can now apply for a postal vote on the VEC website, speeding up the turnaround of postal ballots.

### Voter services

- **Voters Voice:** in conjunction with Scope, the VEC has developed a world-first iPad app for voters with complex communication needs, launching 8 August 2016.
- **Vic Election Alerts:** voters can now register online to receive important election information to their personal devices at key points during the local council elections.

### Council electoral structures

In 2015–16, the VEC conducted electoral representation reviews for 24 of Victoria's 79 local councils, and subdivision reviews for a further six councils.

For most of these councils, internal ward boundaries will be adjusted for the 2016 elections. For some, the number of councillors and overall electoral structure will change. Some voters may now be located in a new ward or have a different number of candidates to vote for.

Details of council electoral structures are listed in Appendix 3.

### Results timeline

With the extension for the receipt of postal ballots to five working days after the voting deadline, results timelines for council elections will vary and extend compared to the 2012 council elections.

Official results declarations will take place between Monday 31 October and Friday 4 November, accommodating the Melbourne Cup Day public holiday and possible recount requests.

Counting and results timelines for individual councils will be made available following the close of nominations.

### 3. Key dates

Time and Date	Activity
Saturday 6 to Friday 12 August	<b>Notice of entitlement</b> Voter information campaign commences with advertisements and releases containing enrolment information.
4.00 pm Friday 26 August	<b>Entitlement date (close of enrolment)</b> People must be enrolled by this date to be eligible to vote or stand as a candidate, 57 days before election day.
Wednesday 14 September	<b>Election offices open to the public</b>
9.00 am Thursday 15 September to 12 noon Tuesday 20 September	<b>Nomination period</b> Anyone wishing to stand as a candidate must lodge their nomination in person with the Returning Officer during this period. Ballot draws to determine ballot paper orders are held following the close of nominations.
Wednesday 21 September	<b>Opening of early and postal voting (attendance elections)</b> Voters in attendance elections can vote at an early voting centre or apply for a postal vote online from this date.
Friday 23 September	<b>EasyVote letter mail out (attendance elections)</b> All enrolled voters in contested attendance elections will be sent an <i>EasyVote</i> letter with voting options and nearby voting centres listed.
Tuesday 4 October to Thursday 6 October	<b>Ballot packs distributed (postal elections)</b> Ballot packs are mailed to all enrolled voters in contested postal elections in a random order over three days.
Monday 10 October	<b>Additional early voting centres open (attendance elections)</b> Additional early voting centre locations will open from this date for most attendance elections.
6.00 pm Friday 21 October	<b>Close of voting (postal elections)</b> Voters in postal elections must have posted or hand-delivered their completed ballot material by this time for their vote to count. <b>Close of early voting (attendance elections)</b> Early voting centres for attendance elections close at this time.
Saturday 22 October	<b>Election day (attendance elections)</b> Election day voting centres for attendance elections are open between 8.00 am and 6.00 pm. There is <b>no voting on election day for postal elections.</b>
12 noon Friday 28 October	<b>Deadline for inclusion of postal votes</b> The Returning Officer can accept postal votes received up to this time into the count. Only votes posted before the close of voting can be accepted.
Monday 31 October to Friday 4 November	<b>Results declarations</b> Results for all elections will be officially declared during this period.

Variations to this timeline apply for Melbourne City Council elections (see Appendix 2).

## 4. Types of elections

Councils choose to conduct their election by postal or attendance voting. In 2016, 72 of the 78 councils undergoing a general election will be holding postal elections, including all non-metropolitan councils.

Six metropolitan councils will be holding attendance elections:

- Banyule City Council
- Greater Dandenong City Council
- Knox City Council
- Moreland City Council
- Port Phillip City Council
- Yarra City Council

Greater Geelong City Council is not having a general election this October. The next general election for Greater Geelong City Council is currently scheduled for October 2017.

Melbourne City Council elections are different from the other Victorian council elections, due to provisions in the *City of Melbourne Act 2001*—please see Appendix 2.

### Postal elections

Elections conducted entirely by post were first used in Victorian council elections in 1996. Generally, postal elections have higher voter turnout rates and lower informal voting rates compared to attendance elections.

The average voter turnout rate in the 2012 council elections conducted by post was 72.53%, with an average informality rate of 4.65%.

To vote in a postal election, voters:

- confirm they are enrolled on the voters' roll
- receive a ballot pack in the mail with voting instructions, candidate information, a ballot paper, ballot paper envelope and a reply-paid envelope for returning the ballot paper
- complete the ballot paper by numbering all the boxes in order of their preference

- insert the completed ballot paper into the ballot paper envelope, which is then inserted into a pre-addressed reply-paid envelope
- mail or hand-deliver the completed ballot material by 6.00 pm Friday 21 October.

### Attendance elections

At attendance elections, the majority of voters will cast their vote at voting centres on election day, Saturday 22 October. Early and postal voting is also available from Wednesday 21 September for those who cannot vote on election day.

The average voter turnout rate in the 2012 council elections conducted by attendance was 63.62%, with an average informality rate of 10.09%.

To vote in an attendance election, voters:

- confirm they are enrolled on the voters' roll
- visit a voting centre, where an election official marks them off the roll before issuing the ballot paper for their ward
- complete the ballot paper at a voting screen, by numbering all the boxes in order of their preference
- place the ballot paper in the ballot box.

The location of early and election day voting centres for attendance councils will be made available on the VEC website in early September and via council-specific media releases. Voters will be advised of these details through the *EasyVote* letter mailed on 23 September.

### Councils changing method

In 2016, Stonnington City Council and Glen Eira City Council have resolved to hold postal elections, having held attendance elections in 2012. Brimbank City Council will also move to the postal method, after its last election in 2008 was held by attendance voting.

## 5. Roles and responsibilities

### Returning Officer

A Returning Officer is appointed by the VEC to run each general election and has a legal responsibility for the conduct of the election.

The Returning Officer is responsible for the management of nominations, registration of how-to-vote cards for attendance elections, public enquiries, vote counting and results declarations for their election.

Media and public enquiries for a specific election should be directed to the relevant Returning Officer once the election office opens from Wednesday 14 September.

### Victorian Electoral Commission

The VEC is the statutory provider for Victorian council elections. As the sole provider of election services to Victorian councils since 2004, the VEC has a long history of working in partnership with the local government sector.

The VEC:

- prepares and certifies the voters' roll for the election, compiled through council-enrolled (CEO list) voters and State-enrolled voters
- appoints, trains and oversees the Returning Officer
- provides infrastructure and support for the Returning Officer
- provides compulsory voting enforcement services.

Media enquiries about the arrangements for and administration of its council election program should be directed to the VEC.

### Local Government Investigations and Compliance Inspectorate

The Local Government Investigations and Compliance Inspectorate is responsible for

investigating any alleged breaches of the *Local Government Act 1989*. Complaints received by the Returning Officer or the VEC that allege a breach of the Act will be referred to the Inspectorate.

### Councils

Individual councils provide council-enrolled voter data to the VEC for inclusion on the voters' roll. Councils also decide on their election method (postal or attendance) and work with the VEC to finalise local election delivery arrangements.

Councils are responsible for enforcing local laws in relation to candidate signage and other publicly displayed election matter.

## 6. Enrolment

There are several entitlement categories and thus more people entitled to vote in Victorian council elections, compared to the relatively straightforward residential and citizenship requirements for State and Federal elections.

The majority of enrolled voters will be Australian citizens, aged 18 or over, residing in a council area going to an election. People enrolled in this way are referred to as 'State-enrolled voters' or being on the State electoral roll. These voters accounted for 85.94% of total enrolments in the 2012 council elections.

The bulk of remaining enrolments will be non-resident property owners who are automatically enrolled by council based on rates records. The minority of remaining enrolments will be voters who apply directly to council to enrol under a council-administered entitlement category. People enrolled in these ways are referred to as 'council-enrolled voters'.

Enrolment in all categories closes on the entitlement date—4.00 pm Friday 26 August 2016.

### Who is automatically enrolled?

People are automatically enrolled if they will be 18 years of age or over on 22 October and:

- live in a council area and are on the State electoral roll for their current address
- own property in a council area but don't live there and are the first or second-named person on council's rate records.

### Who has to enrol?

Australian citizens, aged 18 or over on 22 October 2016, living in Victoria, must enrol if they:

- have never enrolled

- have lived at their present residential address for at least a month and have not updated their enrolment details.

These voters can enrol, check or update their State enrolment details at [vec.vic.gov.au](http://vec.vic.gov.au).

### Who can apply to council to enrol?

People can apply directly to council if they:

- are non-Australian citizens who live and pay rates in the council area
- pay rates on a property they occupy in the council area (typically business tenants)
- are a director or company secretary of a corporation that pays rates to the council.

For one of these council-administered voting entitlements, people need to contact their council directly.

Any person who applied to council under one of these categories for previous council elections must reapply for 2016.

### One vote per council

A person is entitled to only one vote per council, regardless of how many entitlements they may have. Entitlements are hierarchical, with a person's State enrolment taking precedence.

People can enrol and vote in more than one council election if they have the necessary entitlements, for example, voting as a resident in one council, and as a non-resident property owner for a holiday home in another council.

### Provision to candidates

On request, the VEC will provide each candidate with a copy of the voters' roll for the election in which the candidate has nominated. The roll is provided for election campaign purposes only.

## 7. Nominations and candidates

### Nominations

To nominate, a person must be:

- enrolled as a voter for the council they wish to stand for (this includes council-enrolled voters who may be non-residents)
- an Australian citizen or qualified British subject
- not otherwise disqualified under the *Local Government Act 1989*.

Certain conditions disqualify a person from nominating, for example if they are:

- a member of any Australian Parliament
- a councillor for another Australian council
- a member of council staff for the council they are nominating for
- convicted of certain criminal offences
- an undischarged bankrupt.

This list is not exhaustive, further details are outlined in the [Local Government Act 1989](#).

Candidates may seek relief from some categories of disqualification through the Victorian Civil and Administrative Tribunal.

Candidates for subdivided councils can stand for election for any ward, even if their enrolled address is in a different ward within the council.

### Nominating

Candidates must nominate **in person** with the Returning Officer. There is a short period for nominating of three and a half working days.

To nominate, candidates complete and then lodge a nomination form, together with the \$250 nomination fee, in person with the Returning Officer, during business hours from Thursday 15 September until 12 noon Tuesday 20 September at the election office.

The nomination fee is returned if the candidate is declared elected or receives over 4% of the first preference vote for the election.

A list of nominations (including candidate contact information, where supplied) for each election will be updated regularly during the nomination period on the VEC website.

### Ballot paper order

The order of names on the ballot paper is determined by a computerised single random draw, or in some cases, a manual draw. The Returning Officer will conduct the draw at the election office following the close of nominations.

The final list of candidates in ballot paper order will be available on the VEC website late Tuesday 20 September (Thursday 22 September for Melbourne City Council elections).

### Candidate information

#### Postal elections

For postal elections, candidates can submit a photograph and a statement of up to 200 words to be included in the ballot pack.

This information will also be available on the VEC website after ballot packs have been printed.

#### Attendance elections

For attendance elections, people must register any material that is to be handed out at voting centres that shows how they would like voters to fill in their ballot papers.

Registered how-to-vote cards (HTVCs) are the only form of printed electoral material that may be lawfully distributed within 400 metres of an early or election day voting centre. Anyone can register a HTVC—a member of the public, a candidate, an organisation, etc.

Registered HTVCs can be viewed at the election office. Details of who has registered HTVCs will be published on the VEC website.

### Candidate questionnaire

In 2016, all candidates have the option of completing a questionnaire for publication on the VEC website, which will allow voters to make a comparison of each candidate's experience. The questions are prescribed by legislation.

Answers to the candidate questionnaire will be published on the VEC website from Thursday 22 September.

### Endorsements

Candidate statements, questionnaire answers and HTVCs where a candidate claims endorsement or support from a person, organisation or party, must be lodged alongside written evidence of consent to the claim by the person, organisation or party.

#### **MYTH: political parties run candidates for council elections**

**FACT:** the *Local Government Act 1989* does not recognise the formal participation of political parties in council elections, and no party affiliations are included on ballot material. Candidates are, however, free to seek endorsement from any party, group or organisation. Evidence is required if this endorsement is included in formal election material.

### Uncontested elections

If, at the close of nominations, the number of candidates is equal to or less than the number of vacancies for any election, this is an uncontested election.

The Returning Officer will declare these candidates elected on or after election day, and provide public notice of their election.

Voters in an uncontested ward will be mailed an uncontested election leaflet informing them of the outcome. If the election for an unsubdivided council is uncontested, the outcome will be advised via advertisement.

If the uncontested election leaves further vacancies to be filled on the council, a

by-election will be required to fill the remaining vacancies.

## 8. Voting and the election process

### Compulsory voting

**MYTH:** *voting is optional in local council elections*

**FACT:** compulsory voting provisions apply for Victorian council elections—if you are required to vote, don't vote and aren't excused, you will be fined.

Voting is compulsory in Victorian council elections for all voters enrolled on the State electoral roll at 4.00 pm Friday 26 August.

Voters aged 70 years or older and council-enrolled voters are encouraged to vote but will not be fined if they don't vote.<sup>1</sup>

### Filling in the ballot paper

In all council elections except Melbourne City Council (see Appendix 2), voters receive the same kind of ballot paper, with candidates listed according to the ballot draw. Full preferential voting is used, where voters vote by numbering all the boxes in order of their preference.

### Voting in postal elections

In postal elections, ballot packs are mailed to enrolled voters between Tuesday 4 and Thursday 6 October in random order—voters in the same household may receive their ballot packs on different days.

#### Redirection and replacement

Voters who will not be at their enrolled or mailing address during the voting period can arrange for their ballot material to be sent to another address by making a redirection request in writing by Thursday 15 September.

Returning Officers can also issue voters with a replacement ballot pack if they claim to have

<sup>1</sup> For Melbourne City Council, voting is compulsory for all voters under 70 who are on the voters' roll, even if they do not live within the City of Melbourne—see Appendix 2.

lost, spoilt or not received their ballot pack. The VEC's election management system ensures no voter is able to have more than one ballot paper admitted to the count.

#### Voting deadline

Voters must post their completed ballot material by 6.00 pm Friday 21 October for their vote to count. Alternatively, ballot material can be hand-delivered to the election office by the same time.

**MYTH:** *in-person voting is available on election day for postal elections*

**FACT:** no voting centres are open on Saturday 22 October for councils holding postal elections—ballot material must be posted or hand-delivered by 6.00 pm Friday 21 October at the latest.

### Voting in attendance elections

#### EasyVote letter

All enrolled voters in contested attendance elections will be mailed an *EasyVote* letter on Friday 23 September with information on voting options and locations.

Voters can also access an interactive map of early and election day voting centres on the VEC website.

#### Voting centres

Election day voting centres across the six councils with attendance voting will be open from 8.00 am to 6.00 pm Saturday 22 October.

The accessibility standards of voting centres are a high priority for the VEC—advertising and the VEC website will detail the accessibility ratings of all early and election day voting centres.

#### Voting early or by post

Voters who cannot vote on election day can visit an early voting centre or apply for a postal vote.

In 2016, voters can apply for postal votes online, reducing the turnaround time for the mail-out of ballot packs. Postal vote applicants and all voters registered as general postal voters for State elections will be sent postal ballots.

Early voting will be available at the election office from Wednesday 21 September and at additional early voting centres in most attendance councils from Monday 10 October until 6.00 pm Friday 21 October.

## Failure to vote

Compulsory voting enforcement, including the prosecution of non-voters, is now a mandatory requirement under the *Local Government Act 1989*.

The VEC will commence a compulsory voting enforcement program in early January 2017, with the distribution of apparent failure-to-vote notices to all voters who appear to have failed to vote and are not automatically exempt.

For the October council elections, the fine for not voting is \$78.00 (half a penalty unit).

If a person fails to respond to a notice for failing to vote, the VEC is responsible for pursuing the matter through the courts. This responsibility has previously sat with councils.

## Counting the votes

### Preferential counting

Preferential vote counting is used in single-councillor wards and for the Melbourne City Council Leadership Team:

- to win, a candidate must gain an absolute majority of the first preference votes (more than 50%) to be elected
- if no candidate receives an absolute majority of first preference votes, the second preferences (as marked by voters) of the candidate with the least number of first preference votes are distributed to all the remaining candidates

- the process continues until one candidate gains an absolute majority.

### Proportional counting

Proportional representation vote counting is used to elect councillors in unsubdivided councils and multi-councillor wards:

- to win, a candidate has to obtain a 'quota', determined by dividing the number of formal votes by one more than the number of vacancies to be filled, and then rounding up to the nearest whole number or adding '1' to the result (e.g. if there are 10,000 formal votes for three vacancies, the quota is 10,000 divided by four plus '1', equalling a quota of 2,501)
- a candidate who achieves the quota is elected, and then their surplus votes (votes above the quota) are transferred to the other candidates at a reduced value
- if there are still vacancies after all the surpluses have been transferred, the candidate with the fewest votes is excluded and their votes are transferred to the remaining candidates at the value received
- this process continues until all vacancies are filled.

More information, including slideshows explaining preferential and proportional counting, is available on the VEC website at [vec.vic.gov.au/Elections/CountingTheVotes.html](http://vec.vic.gov.au/Elections/CountingTheVotes.html)

## Obtaining the result

In the majority of cases, preferential vote counts will be done manually, and proportional vote counts will be conducted by computer.

Candidates can appoint scrutineers to observe the counting process.

### Counting and results timeline

Results can only be calculated once all ballots admissible to the count have been received. The extension of the deadline to admit postal votes into the count by five working days means results will be delayed accordingly.

Official results declarations will take place between Monday 31 October and Friday 4 November, varying according to the electoral structure and voting method (postal or attendance) of each council, the Melbourne Cup Day public holiday for parts of Victoria, and requirements for any recounts.

Detailed counting and results timelines for individual councils will be made available following the close of nominations.

## 9. Advertising and campaign material

Candidates, organisations and individuals may publish electoral material during a council election campaign. All published electoral material—such as advertisements, flyers, billboards and social media posts—must be authorised and comply with the *Local Government Act 1989*, to ensure voters are informed about the source of political advertising and not misled about how to cast their vote.

### Authorisation

Advertising and campaign material must be authorised, ensuring the producers of election material are accountable and contactable.

The authorisation statement must be at the end of the electoral material, as follows:

- 'Authorised by [authoriser's name], [authoriser's address]'.

This requirement applies to the printer, publisher or distributor of the material, and also to the person who causes, permits or authorises the same. The address included must be a physical address (a PO box or email address is not acceptable).

Authorisation requirements apply at all times—not just in the election period. This includes campaign material published through social and online media.

### Newspapers

Paid election advertisements in newspapers must be properly authorised and additionally be printed with the word 'advertisement' as a headline (in at least 10 point size).

During the election period, from close of nominations to election day (Tuesday 20 September to Saturday 22 October), all published articles or letters in a newspaper that contain electoral matter must include the author's name and address at the end. This

does not apply to leading articles. Letters to the editor only require the author's name and a suburb or locality where the address is located.

### Misleading or deceptive matter

During an election period, it is illegal to print, publish, distribute, permit or authorise:

- anything that is likely to mislead or deceive a voter in relation to the casting of their vote
- an electoral advertisement containing a representation of a ballot paper that is likely to induce a voter to vote otherwise than in accordance with the directions on the ballot paper.

The definition of misleading advertising in the *Local Government Act 1989* has been interpreted narrowly by the courts. The Act does not regulate the content or truthfulness of political messages contained in electoral matter; it is solely concerned with ensuring that electoral material does not mislead or deceive electors about the way in which a vote must be cast.

For example, material that suggests that someone should number the candidates on a ballot paper in a particular order to vote for candidate X, when in fact that order would see candidate X getting last preferences, would be likely to be considered misleading or deceptive by the courts.

In contrast, to suggest that a candidate has 'been in the area all his/her life' when they have lived somewhere else and just worked in the area, is not likely to be considered misleading or deceptive within the *Local Government Act 1989*.

### Media blackout

There is a restriction on any political advertising on radio and television from midnight on the

Wednesday before election day through until 6.00 pm on election day (midnight 19 October until 6.00 pm 22 October).

The broadcast on radio or television of all political and election matter (including election advertisements), must comply with the requirements set out in Schedule 2 of the *Broadcasting Services Act 1992 (Commonwealth)*.

The VEC is not in a position to offer any advice regarding the operation of Commonwealth legislation. Any enquiries concerning the operation of the above Commonwealth Act should be directed to the Australian Communications and Media Authority (ACMA).

## **Social and online media**

The use of online platforms (including social media) by candidates and others for campaigning purposes must conform with electoral law and terms and conditions of the platforms concerned.

Social media, websites, blogs and email containing electoral matter or content must be authorised. Advertisements, including sponsored links, published online must also carry or directly link to an authorisation message.

Candidates and other producers of such material should seek their own legal advice in this area.

## **Posters and billboards**

Posters and billboards must be properly authorised.

Candidates and other producers of such material should check with the council about any local laws that may apply to the display of advertising material, with VicRoads for provisions governing the display of material on roadways, and with Public Transport Victoria in relation to the display of material on public transport facilities.

## **Letters and direct mail**

Leaflets, flyers and other forms of unaddressed direct mail delivered to households must be properly authorised.

Producers and distributors should be aware of the rules relating to such material. It would be advisable to contact Australia Post.

Letters addressed to individual voters by name do not have to include an authorisation statement, but should clearly identify the originator of the letters.

A candidate or other campaigner who intends to distribute campaign material in public should check with the council for any local laws about the distribution of advertising material, and with any other relevant authorities.

## 10. Complaints

The VEC has a robust complaints process for receiving and responding to all complaints. If a complaint relates to:

1. a possible breach of the *Local Government Act 1989*—it will be referred to the Local Government Investigations and Compliance Inspectorate, who has responsibility for alleged breaches of local government electoral law
2. the administration of the election, including the actions and behaviours of Returning Officers and election staff—the Electoral Commissioner will respond on behalf of the Returning Officer
3. a possible breach of local laws—it will be referred to the CEO of the relevant local council
4. alleges a criminal offence—it will be referred to Victoria Police.

### Candidate conduct and advertising complaints

Complaints about candidate conduct and advertising material will most likely relate to the *Local Government Act 1989*, with some of the most common complaints including:

- Unauthorised material (section 55)—all election campaign material must have appropriate authorisation, as described in Section 9 above
- Misleading or deceptive material (section 55A)—strictly relates to material that misleads or deceives a voter in relation to how they cast their vote (i.e. if it causes a voter to vote informally, or unintentionally for another candidate). **Note: this section of the Act is not concerned with the accuracy or inaccuracy of electoral material**—for example, advertising that suggests a candidate has ‘been in the area all his/her life’ when they have lived somewhere else and just worked in the area, is not likely to be considered misleading or deceptive.

A section of the Act regarding false or defamatory statements in relation to a candidate was repealed following the 2012 council elections—candidates and individuals should remain aware of the legal provisions relating to defamation and seek legal advice.

### Confidentiality of complaints

The VEC and Returning Officers may comment on the complaints process, but will not comment on any specific complaints, or confirm whether a complaint has been made—to do so would infringe on the confidentiality of the complainant.

Parties to the complaint are free to discuss the complaint with the media.

Reporting on the number and category of complaints will be provided in the VEC’s post-election report.

# 11. Council communication schedule

The VEC will deliver a voter information campaign on a local and statewide basis, with advertising services, media relations, and election information on the VEC website.

Statewide media releases will be available on the VEC [Media Centre](#) throughout the election period. Individual council releases will be distributed to local publications according to the council communication schedule below.

Timing	Communication
Saturday 6 – Friday 12 August	<b>Notice of entitlement advertisements and media release</b> <ul style="list-style-type: none"> <li>▪ how to enrol and eligibility</li> <li>▪ council contact number for council enrolments</li> </ul>
Monday 22 August	<b>Enrolment reminder media release</b>
Monday 29 August – Saturday 3 September	<b>Notice of election advertisements</b> <ul style="list-style-type: none"> <li>▪ how to nominate as a candidate</li> <li>▪ candidate information session/s details</li> <li>▪ requesting redirection or large print / braille ballots (postal)</li> <li>▪ early and postal voting options (attendance)</li> </ul>
Monday 5 September	<b>Nominations open soon media release</b>
Wednesday 21 September	<b>Early voting commences media release (attendance)</b> <ul style="list-style-type: none"> <li>▪ early voting centre times and locations</li> <li>▪ postal vote applications</li> </ul>
Monday 26 September – Monday 3 October	<b>Voting details advertisements</b> <ul style="list-style-type: none"> <li>▪ postal voting instructions (postal)</li> <li>▪ where to vote on or before election day (attendance)</li> </ul>
Monday 3 October	<b>Ballots mailed media release (postal)</b>
Wednesday 12 – Tuesday 18 October	<b>Voting reminder advertisements</b>
Monday 17 October	<b>Voting deadline media release</b>
November	<b>Results advertisements and media advisories</b>

# Appendix 1: Detailed election timelines

## LOCAL GOVERNMENT ELECTIONS 2016

### POSTAL ELECTION TIMELINE

Council primary enrolment data	JUL 11	MON	(Date fixed by Registrar)
Public notice of Entitlement Date (Published during this period)	AUG 6	SAT	
	AUG 12	FRI	
Entitlement Date	AUG 26	FRI	4.00 pm; 57 days before Election Day
Publication of Election Notice (Published during this period)	AUG 29	MON	
	SEP 3	SAT	
<b>Opening of election office</b>	SEP 14	WED	
Certification of voters' roll Opening of nominations	SEP 15	THU	
Nomination Day	SEP 20	TUE	Nominations close at 12 noon Ballot draw to follow
Lodgement of candidate statements, photographs and questionnaires	SEP 21	WED	Candidate statements, photos and questionnaires close at 12 noon
	SEP 30	FRI	(AFL Grand Final public holiday)
Mail-out of ballot packs/ Uncontested ward leaflets	OCT 4	TUE	
	OCT 5	WED	
	OCT 6	THU	
<b>CLOSE OF VOTING</b>	OCT 21	FRI	Voting closes at 6.00 pm
Election Day	OCT 22	SAT	
Postal vote receipt period	OCT 24	MON	
	OCT 28	FRI	Postal vote receipt closes at 12 noon
	NOV 1	TUE	(Melbourne Cup Day public holiday for parts of Victoria)

**All elections to be declared by Friday 4 November.**

## LOCAL GOVERNMENT ELECTIONS 2016

### ATTENDANCE ELECTION TIMELINE

Council primary enrolment data	JUL 11	MON	(Date fixed by Registrar)
Public Notice of Entitlement Date (Published during this period)	AUG 6	SAT	
	AUG 12	FRI	
Entitlement Date	AUG 26	FRI	4.00 pm; 57 days before Election Day
Publication of Election Notice (Published during this period)	AUG 29	MON	
	SEP 3	SAT	
<b>Opening of election office</b>	SEP 14	WED	
<b>Certification of voters' roll Opening of nominations</b>	SEP 15	THU	
<b>Nomination Day</b>	SEP 20	TUE	Nominations close at 12 noon Ballot draw to follow
Commence postal and early voting, and registration period for how-to-vote cards opens. Lodgement of candidate questionnaires	SEP 21	WED	Candidate questionnaires close at 12 noon
Mail-out for <i>EasyVote</i> letter and uncontested election leaflets	SEP 23	FRI	
	SEP 30	FRI	(AFL Grand Final public holiday)
Last day for registering how-to-vote cards	OCT 14	FRI	How-to-vote card registration closes at 12 noon
Close of postal voting application	OCT 20	THU	Postal voting applications close at 12 noon
Close of early voting	OCT 21	FRI	Early voting closes at 6.00 pm
<b>ELECTION DAY</b>	OCT 22	SAT	Voting closes at 6.00 pm
Postal vote receipt period	OCT 24	MON	
	OCT 28	FRI	Postal vote receipt closes at 12 noon
	NOV 1	TUE	(Melbourne Cup Day public holiday for parts of Victoria)

**All elections to be declared by Friday 4 November.**

## Appendix 2: Melbourne City Council elections

This year's Melbourne City Council elections will be held entirely by post.

Melbourne City Council elections are distinct to other Victorian council elections, due to provisions in the *City of Melbourne Act 2001*. Key differences include:

### Two simultaneous elections are held

Two simultaneous elections are held in October for Melbourne City Council—one to elect the Leadership Team (Lord Mayor and Deputy Lord Mayor) and the other to elect nine councillors.

Voters will receive two ballot papers in their ballot pack, one for each election.

### Non-ratepayer occupiers can enrol

Once they have lived at an address for a month, occupiers can apply directly to the Council to enrol, even if they are not ratepayers. Applications must be made to Melbourne City Council before the entitlement date.

### Corporations are entitled to two votes and must be enrolled

Under the *City of Melbourne Act 2001*, a corporation that solely or jointly owns or occupies rateable property in the municipality may appoint two representatives to vote on its behalf. Representatives must be a director or company secretary of a corporation, or hold an equivalent position.

If a corporation that solely owns or occupies rateable property in the City of Melbourne does not validly appoint two voting representatives by 4.00 pm on Friday 26 August 2016, the Council is required by law to enrol the first two of the following (to be taken in alphabetical order):

- the company secretaries of the corporation
- the directors of the corporation.

### Two voting methods are used

Separate voting methods apply for each election:

#### **Leadership Team**

Full preferential voting is used to elect the Leadership Team, where voters number all the boxes in order of their preference. Each Leadership Team can have a team name.

#### **Nine councillors**

The councillor ballot paper is similar to Federal Senate and Victorian Legislative Council ballot papers, allowing voters to vote either above the line for a group, or below the line for individuals. Candidates can form into groups and lodge group voting tickets, which determine the order of voting preferences for where a voter votes above the line.

Unlike Federal and State elections, voting below the line requires voters to number every box below the line.

### Voting is compulsory for all enrolled voters

Voting in the Melbourne City Council elections is compulsory for **everyone** under the age of 70 on the voters' roll—including non-Australian citizens and corporation voting representatives.

This is different to all other councils' elections, where non-residents are not obliged to vote. The voters' roll for Melbourne City Council elections is made up of:

- residents of Melbourne City Council
- owners of rateable property in the Council
- occupiers of rateable property in the Council
- representatives of corporations that own or occupy rateable property in the Council.

# Melbourne City Council elections timelines

## MELBOURNE CITY COUNCIL ELECTIONS 2016

### LEADERSHIP TEAM ELECTION TIMELINE

Council primary enrolment data	JUN 8	WED	(Date fixed by Registrar)
Public notice of Entitlement Date (Published during this period)	AUG 6	SAT	
	AUG 12	FRI	
Entitlement Date	AUG 26	FRI	4.00 pm; 57 days before Election Day
Publication of Election Notice (Published during this period)	AUG 29	MON	
	SEP 3	SAT	
Telephone enquiry service commences	SEP 05	MON	
<b>Opening of election office</b>	SEP 14	WED	
Certification of voters' roll Opening of nominations	SEP 15	THU	
Nomination Day	SEP 20	TUE	Nominations close at 12 noon
Team name registration	SEP 22	THU	Closes at 12 noon Ballot draw to follow
Lodgement of team statements, preferences and candidate questionnaires	SEP 26	MON	Close at 12 noon
	SEP 30	FRI	(AFL Grand Final public holiday)
Mail-out of ballot packs	OCT 4	TUE	
	OCT 5	WED	
	OCT 6	THU	
<b>CLOSE OF VOTING</b>	OCT 21	FRI	Voting closes at 6.00 pm
Election Day	OCT 22	SAT	
Postal vote receipt period	OCT 24	MON	
	OCT 28	FRI	Postal vote receipt closes at 12 noon
	NOV 1	TUE	(Melbourne Cup Day public holiday)

**Election to be declared by Friday 4 November.**

## MELBOURNE CITY COUNCIL ELECTIONS 2016

### COUNCILLOR ELECTION TIMELINE

Council primary enrolment data	JUN 8	WED	(Date fixed by Registrar)
Public notice of Entitlement Date (Published during this period)	AUG 6	SAT	
	AUG 12	FRI	
Entitlement Date	AUG 26	FRI	4.00 pm; 57 days before Election Day
Publication of Election Notice (Published during this period)	AUG 29	MON	
	SEP 3	SAT	
Telephone enquiry service commences	SEP 05	MON	
<b>Opening of election office</b>	SEP 14	WED	
Certification of voters' roll Opening of nominations	SEP 15	THU	
Nomination Day	SEP 20	TUE	Nominations close at 12 noon
Candidate groups and name registration	SEP 22	THU	Close at 12 noon Ballot draw to follow
Lodgement of statements, group voting tickets, ungrouped indications of preferences, and questionnaires	SEP 26	MON	Close at 12 noon
	SEP 30	FRI	(AFL Grand Final public holiday)
Mail-out of ballot packs	OCT 4	TUE	
	OCT 5	WED	
	OCT 6	THU	
<b>CLOSE OF VOTING</b>	OCT 21	FRI	Voting closes at 6.00 pm
Election Day	OCT 22	SAT	
Postal vote receipt period	OCT 24	MON	
	OCT 28	FRI	Postal vote receipt closes at 12 noon
	NOV 1	TUE	(Melbourne Cup Day public holiday)

**Election to be declared by Friday 4 November.**

## Appendix 3: Profile summary of councils holding elections in October

The 2016 estimate of voters for each council is based on preliminary information prepared in June 2016, and is subject to change following the close of enrolment on Friday 26 August 2016.

The VEC completed an electoral representation review of this municipality in 2015–16.

The VEC completed a subdivision review of this municipality in 2015–16.

Municipality	Area (km <sup>2</sup> )	2016 estimate of voters	2012 enrolled voters	No. Cr	Electoral structure	Election method
<b>Alpine Shire Council</b>	4,788	11,676	11,522	7	Unsubdivided	postal
<b>Ararat Rural City Council</b>	4,211	9,185	9,081	7	Unsubdivided	postal
<b>Ballarat City Council</b>	739	79,391	72,725	9	3 x three-councillor wards	postal
<b>Banyule City Council</b>	63	94,989	93,276	7	7 x single-councillor wards	attendance
<b>Bass Coast Shire Council</b>	865	43,593	40,887	9	3 x three-councillor wards	postal
<b>Baw Baw Shire Council</b>	4,031	38,556	34,853	9	3 x three-councillor wards	postal
<b>Bayside City Council</b>	37	74,879	71,176	7	1 x three-councillor ward 2 x two-councillor wards	postal
<b>Benalla Rural City Council</b>	2,353	11,730	11,335	7	Unsubdivided	postal
<b>Boroondara City Council</b>	60	126,209	122,821	10	10 x single-councillor wards	postal
<b>Borough of Queenscliffe</b>	9	4,186	4,268	5	Unsubdivided	postal

<b>Brimbank City Council</b>	123	133,820	n/a	11	3 x three-councillor wards 1 x two-councillor ward	postal
<b>Buloke Shire Council</b>	8,000	5,837	5,966	7	1 x three-councillor ward 2 x two-councillor wards	postal
<b>Campaspe Shire Council</b>	4,519	29,869	28,820	9	2 x three-councillor wards 3 x single-councillor wards	postal
<b>Cardinia Shire Council</b>	1,282	68,209	56,379	9	1 x four-councillor ward 1 x three-councillor ward 1 x two-councillor ward	postal
<b>Casey City Council</b>	409	193,948	169,519	11	5 x two-councillor wards 1 x single-councillor ward	postal
<b>Central Goldfields Shire Council</b>	1,533	11,078	10,858	7	1 x four-councillor ward 3 x single-councillor wards	postal
<b>Colac Otway Shire Council</b>	3,438	20,045	19,799	7	Unsubdivided	postal
<b>Corangamite Shire Council</b>	4,408	13,426	13,332	7	1 x three-councillor ward 4 x single-councillor wards	postal
<b>Darebin City Council</b>	54	108,599	102,100	9	3 x three-councillor wards	postal
<b>East Gippsland Shire Council</b>	20,940	41,459	39,642	9	Unsubdivided	postal
<b>Frankston City Council</b>	130	104,658	97,191	9	3 x three-councillor wards	postal
<b>Gannawarra Shire Council</b>	3,735	8,966	8,912	7	1 x three-councillor ward 1 x two-councillor ward 2 x single-councillor wards	postal
<b>Glen Eira City Council</b>	39	102,954	98,109	9	3 x three-councillor wards	postal
<b>Glenelg Shire Council</b>	6,218	17,274	16,811	7	Unsubdivided	postal
<b>Golden Plains Shire Council</b>	2,703	17,407	16,080	7	Unsubdivided	postal
<b>Greater Bendigo City Council</b>	3,000	86,173	79,736	9	3 x three-councillor wards	postal

<b>Greater Dandenong City Council</b>	130	101,652	95,503	11	3 x three-councillor wards 1 x two-councillor ward	attendance
<b>Greater Shepparton City Council</b>	2,422	45,159	43,372	9	Unsubdivided	postal
<b>Hepburn Shire Council</b>	1,473	14,977	14,682	7	2 x two-councillor wards 3 x single-councillor wards	postal
<b>Hindmarsh Shire Council</b>	7,524	4,951	5,051	6	3 x two-councillor wards	postal
<b>Hobsons Bay City Council</b>	64	66,985	63,862	7	1 x three-councillor ward 2 x two-councillor wards	postal
<b>Horsham Rural City Council</b>	4,267	16,025	15,445	7	Unsubdivided	postal
<b>Hume City Council</b>	504	131,126	115,038	11	2 x four-councillor wards 1 x three-councillor ward	postal
<b>Indigo Shire Council</b>	2,040	13,184	12,865	7	Unsubdivided	postal
<b>Kingston City Council</b>	91	117,199	112,137	9	3 x three-councillor wards	postal
<b>Knox City Council</b>	114	116,818	113,783	9	9 x single-councillor wards	attendance
<b>Latrobe City Council</b>	1,426	56,315	54,385	9	1 x four-councillor ward 2 x two-councillor wards 1 x single-councillor ward	postal
<b>Loddon Shire Council</b>	6,696	7,589	7,580	5	5 x single-councillor wards	postal
<b>Macedon Ranges Shire Council</b>	1,748	36,243	33,712	9	3 x three-councillor wards	postal
<b>Manningham City Council</b>	113	87,405	87,331	9	3 x three-councillor wards	postal
<b>Mansfield Shire Council</b>	3,844	10,515	10,043	5	1 x two-councillor ward 3 x single-councillor wards	postal
<b>Maribyrnong City Council</b>	31	60,542	53,816	7	1 x three-councillor ward 2 x two-councillor wards	postal
<b>Maroondah City Council</b>	61	84,467	80,417	9	3 x three-councillor wards	postal
<b>Melbourne City Council</b>	37	110,795	108,434	9Cr 1LM 1DLM	Lord Mayor and Deputy Lord Mayor directly elected by the voters at-large Unsubdivided (9 councillors)	postal

<b>Melton City Council</b>	528	89,947	76,026	9	1 x four-councillor ward 1 x three-councillor ward 1 x two-councillor ward	postal
<b>Mildura Rural City Council</b>	22,083	39,568	38,063	9	Unsubdivided	postal
<b>Mitchell Shire Council</b>	2,862	30,218	26,962	9	3 x three-councillor wards	postal
<b>Moira Shire Council</b>	4,047	24,093	23,427	9	Unsubdivided	postal
<b>Monash City Council</b>	82	123,157	121,082	11	3 x three-councillor wards 1 x two-councillor ward	postal
<b>Moonee Valley City Council</b>	43	90,002	84,740	9	3 x three-councillor wards	postal
<b>Moorabool Shire Council</b>	2,111	25,363	23,551	7	1 x four-councillor ward 3 x single-councillor wards	postal
<b>Moreland City Council</b>	51	122,376	111,986	11	2 x four-councillor wards 1 x three-councillor ward	attendance
<b>Mornington Peninsula Shire Council</b>	724	155,593	145,378	11	2 x three-councillor wards 1 x two-councillor ward 3 x single-councillor wards	postal
<b>Mount Alexander Shire Council</b>	1,530	16,153	15,475	7	1 x three-councillor ward 4 x single-councillor wards	postal
<b>Moyne Shire Council</b>	5,482	13,618	14,124	7	Unsubdivided	postal
<b>Murrindindi Shire Council</b>	3,879	13,967	13,629	7	7 x single-councillor wards	postal
<b>Nillumbik Shire Council</b>	432	47,882	46,373	7	7 x single-councillor wards	postal
<b>Northern Grampians Shire Council</b>	5,728	10,871	10,864	7	1 x three-councillor ward 1 x two-councillor ward 2 x single-councillor wards	postal
<b>Port Phillip City Council</b>	21	87,659	79,618	9	3 x three-councillor wards	attendance
<b>Pyrenees Shire Council</b>	3,435	7,306	7,103	5	5 x single-councillor wards	postal
<b>South Gippsland Shire Council</b>	3,297	28,452	27,812	9	3 x three-councillor wards	postal
<b>Southern Grampians Shire Council</b>	6,655	13,165	13,405	7	Unsubdivided	postal

<b>Stonnington City Council</b>	26	88,823	80,674	9	3 x three-councillor wards	postal
<b>Strathbogie Shire Council</b>	3,303	9,712	9,303	7	2 x two-councillor wards 3 x single-councillor wards	postal
<b>Surf Coast Shire Council</b>	1,553	32,486	29,947	9	1 x four-councillor ward 2 x two-councillor wards 1 x single-councillor ward	postal
<b>Swan Hill Rural City Council</b>	6,115	14,552	14,469	7	1 x four-councillor ward 3 x single-councillor wards	postal
<b>Towong Shire Council</b>	6,675	5,438	5,486	5	Unsubdivided	postal
<b>Wangaratta Rural City Council</b>	3,645	22,633	21,738	7	1 x four-councillor ward 3 x single-councillor wards	postal
<b>Warrnambool City Council</b>	121	26,474	25,134	7	Unsubdivided	postal
<b>Wellington Shire Council</b>	10,817	41,989	42,193	9	3 x three-councillor wards	postal
<b>West Wimmera Shire Council</b>	9,108	3,805	4,018	5	Unsubdivided	postal
<b>Whitehorse City Council</b>	64	114,803	112,490	10	5 x two-councillor wards	postal
<b>Whittlesea City Council</b>	490	136,862	116,548	11	2 x four-councillor wards 1 x three-councillor ward	postal
<b>Wodonga Rural City Council</b>	433	29,643	27,076	7	Unsubdivided	postal
<b>Wyndham City Council</b>	542	135,845	114,376	11	2 x four-councillor wards 1 x three-councillor ward	postal
<b>Yarra City Council</b>	19	75,662	66,518	9	3 x three-councillor wards	attendance
<b>Yarra Ranges Shire Council</b>	2,466	115,171	108,942	9	9 x single-councillor wards	postal
<b>Yarriambiack Shire Council</b>	7,326	6,013	6,254	7	1 x three-councillor ward 2 x two-councillor wards	postal
<b>TOTAL</b>		4,339,364	3,927,438*	637		

\*The total number of voters for all general elections held in 2012 (including Greater Geelong City Council, which is not holding a general election this year) was 4,097,846.







Victorian Electoral Commission

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2016