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Our Ref: EDRM039-1971856970-5388

30 September 2020

Mr Kelvin Tori  
Chief Executive Officer  
Melton City Council  
PO Box 21  
MELTON VIC 3337

Dear Mr Tori

Today the Governor in Council made changes to the Local Government (Electoral) Regulations 2020 (**the Regulations**), with relevance to the current local government postal voting election program.

The revised Regulations provide greater clarity of mitigation options for any disruptions to the voting timeline, including delays across the postal network that could threaten the integrity of the current elections. The changes allow me to alter the last day of voting and/or the extended postal vote receipt deadline if necessary, to maintain and protect election integrity.

Regulation 60 of the Regulations previously provided for the Election Manager to alter the last day of voting in certain circumstances. It was not explicitly clear how these circumstances could be applied across the entirety of a local government elections program. Similarly, Regulation 57 allows for the extended postal vote receipt period and was previously fixed according to the election date, regardless of any change to the last day of voting.

I welcome this change given the COVID-19 pandemic, its impact on Victoria and the consequent delays to the mail services provided by Australia Post. I consider the change to be very important. It is a responsible and an appropriate contingency option to have available.

I will approach any decision to exercise the authority granted under Regulation 60 and any decision to change the extended postal vote receipt deadline under Regulation 57 very cautiously, but I acknowledge that these elections are entirely dependent on a fully functional postal system. I will continue to monitor the performance of Australia Post across Victoria and work closely with Australia Post's management to establish metrics to inform any future decision.

I appreciate the likely concern of all participants in the election program if I must change the voting or postal vote receipt deadlines. However, I will take all action available to me to preserve the election program and the integrity of each election now underway across the State. To do otherwise would be an abrogation of my responsibilities to the community.

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I am also very aware of the potential pressure any delays in the established election program could have on your arrangements for the incoming elected members after the election. In the event these provisions become necessary, I commit to notify councils as early as possible to try and minimise any disruption and allow for adjustments to your induction plans.

Yours sincerely

  
Warwick Gately AM  
Electoral Commissioner