

2012 LOCAL GOVERNMENT ELECTIONS

Organisation: Randwick City Council
Name: Mr David Kelly
Position: Manager Administrative Services and Council
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15th January 2013

The Chairman
Joint Standing Committee on Electoral Matters
Parliament of New South Wales
Macquarie Street
Sydney NSW 2000

Dear Chairman,

**Re: Randwick City Council Submission to Joint Standing Committee on
Electoral Matters**

Thank you for the opportunity to make a submission to the Committee into the Electoral Commission's conduct of the 2012 Local Government Election. The General Manager has asked me to respond to you on his behalf. Whilst Randwick Council was generally pleased with the conduct of the election and the performance of our assigned Returning Officer, there were two areas where we were extremely disappointed.

The first was the time taken to declare Randwick Council's election results. Whilst we were verbally advised that it would be on the Thursday after the election, it was not declared until the Monday week after the election. This resulted in the Mayoral Election having to be postponed at the last minute as well as the deferral and rescheduling of a multitude of Councillor Briefing sessions which were scheduled to take place.

The inconvenience and more importantly the cost of having to do this was unacceptable in our view. Considering Randwick is a major metropolitan Council we would have thought the counting of results could have been prioritised to assist us in getting the handover to the new Council going as soon as possible.

The other major issue of concern was the allocation of polling booths. There were two booths that Randwick Council did not want and our State Members of Parliament advised strongly that they did not want them either as they were on the border with a neighbouring Council, caused confusion and there were other booths nearby that could've catered for the numbers involved. We were simply advised by the Electoral Commission that these booths were to open with poor explanations as to why.

Surely the decision as to what booths are to cater for the election should rest solely with the Council and not the Electoral Commission. Not only did this inconvenience Council and our residents, it has added to our costs of running the election. The decision should be Councils alone.

As the final costs of the election are unknown at this point I cannot make a comment on those.

Finally, during the application process for people to register for inclusion on the Non Residential Roll for the election, Randwick had the vast majority of people incorrectly complete the form or unable to be verified as being on the electoral roll elsewhere, meaning they were excluded as we did not have the time to contact them prior to the deadline for submissions.

Below are comments on the form itself and suggestions for amendments which will ease confusion and make the process easier for applicants and Council officials.

Section 1 – Applicants claim for enrolment

1. Amend residential line to include an area for a Postcode.
2. Delete the section to state which ward they wish to be enrolled in – this causes confusion amongst people just wanting to be on the roll as opposed to those that want to run as a candidate in a Ward different to the address of the subject property. This form is for getting on the NRR not for electing which Ward a Candidate may wish to stand for.

Section 2 Nomination of Elector – 2nd box

3. If the owner/s is a corporation make a note on page 2 that they must submit a company search indicating who the Directors, Secretary, Officers are. (See also 13 below).
4. On the residential line make provision to include Post Code.
5. After the area for nominating the Ward and identifying the Council underneath, have a requirement for the Nominator to include their email address and contact numbers.
6. Put a note under * Please provide copy of lease to substantiate claim for continuous occupation or requirement to pay land rates
7. Under signed/sealed section provide space for signatories to print their name – if 2 or more people own the property how can you distinguish the signatures against the names of the owners.
8. Under Signed/seal line make provision to include Email address and phone number – if there is an error on the form and the person has a silent phone number or is not in the phone book how do you contact them in a timely manner? – This could also be repeated in Section 1 under the residential address of the applicant however a second entry is probably superfluous.

Section 3 – Statement of witness

9. After witness name include the words (Please print)

Footer

10. Before the word "Processed" make a provision for the words "Received and Name – Received and processed may occur on different days and by different people.
11. After the word "Processed" change initials to "Name."

Page 2

12. For Councils with Wards - Make a note that the person must be on the NRR for the Ward in which the property is located.
13. Under "Who is an Owner" section make it clearer for Corporations. If the owner is a corporation there should be a note that the corporation must nominate the applicant and the name and the position of the person within the corporation signing and as to whether they have authority to do so, i.e. can the Secretary, Director or CEO nominate? Also the form provides for the seal, is this necessary?

If so it must be stated. – (Also see comments in 3 above) Refer S 127 (1) & 129 (5) of the Corporations Act 2001 (CTH).

General

14. When registering people for enrolment and they are not recorded as living at the address they stated on the form are we supposed to follow-up and ask for proof that they are enrolled at the address indicated and therefore eligible to be on the NRR or is this the domain of the Electoral Commission once Council's finish the on-line registration? Should people attach documentation as proof of their residence? In other words do we register by skip roll check or reject the application?

15. In the 2nd section there should be a provision for the owner to state (and print) their name rather than just the address?

It would be appreciated if the Committee could take on board the above suggestions to overcome confusion not only for persons seeking to be on the NRR just to vote but also for those persons wishing to be on the NRR with a view to standing as a candidate for election. The amendments would also give better direction to Council Officers in charge of receipting and processing NRR applications.

Thank you gain for the opportunity to make this submission and I wish the Committee well in its considerations.

Yours faithfully,

A black rectangular box redacting the signature of David Kelly.

David Kelly
Manager Administrative Services and Council contact for the 2012 election