

**Submission
No 56**

INQUIRY INTO 2008 LOCAL GOVERNMENT ELECTIONS

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Ashfield Council

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Joint Standing Committee on Electoral Matters Legislative Assembly
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To Members of the Joint Standing Committee on Electoral Matters

Re: INQUIRY INTO THE 2008 LOCAL GOVERNMENT ELECTIONS

Ashfield Council, like many local councils across NSW, is being burdened with extra financial costs, predominately as a result of cost shifting from state government and their agencies. Council was exceptionally disappointed to find out that the final costs for election expenses were not only higher than the initial quote but significantly out of proportion to the previous election in 2004 at 2.3 times more expensive.

I would like to provide you with the following information relating to Ashfield Council:

1. The costs for the previous 2004 Local Government Election = \$85,600
2. An estimate received from NSW Electoral Commission, released May 2008 = \$204,000
3. The final expenses received, from NSW Electoral Commission, March 2009 = \$193,900 (2.3 times more expensive than the previous election)

It should also be noted that the timing of notifying Councils of the extra costs associated with the elections was poorly executed (the initial quote was received May 2008) as to comply with legislative requirements Council had already finalised the budget for 2008/09 and the latest estimate had the potential to jeopardise the impact on the allocation of funds for local initiatives.

Ashfield Council is a small, inner urban council, with a budget of 26M. An impost of \$200K for election costs is a significant additional burden to defray in one financial year. Therefore due to financial hardship Council requested permission from the Commission to pay the electoral costs over two financial years, Council still awaits an outcome of this request.

In the spirit of transparency it would be prudent for the Commission to provide Councils with further information on the methodology used in determining the election budget. It is also recognised that the service supplied in each local government area is duplicated and therefore it is reasonable to assume that costs could be further minimised through resource sharing and combined purchasing power of necessary materials as opposed to the Returning Officers in each local government area undertaking this on an individual basis.

In summary:-

- The final costs of the election are significant and far exceeding previous elections.
- Councils should be provided with further detail on the methodology used to determine the election budget.
- The timing of informing Councils of the extra financial burden was poor with budgets having already been finalised for the ensuing financial year.
- Consideration should be given to better resource sharing and utilisation of combined purchasing power for election materials and services.
- As at May 2009, Ashfield Council still awaits confirmation regarding the request to pay over two financial years.

I have also canvassed feedback from councillors who participated in the September 2008 local government elections for the Ashfield LGA and the following issues and statements reflect feedback from individual councillors:


- The administrative procedures in relation to acceptance of nominations from candidates were inconsistent: i.e. in one instance a nomination submitted by a candidate was rejected on the grounds that the first name of the candidate shown on the nomination form was not the same as the first name of the candidate as recorded on the Electoral Role. The name recorded on the Electoral Role was "Vicki". The Candidate requested that her name on the ballot paper be shown as "Vittoria". This was rejected by the Electoral Officer after consultation with the senior Officer of the Commission and thereby alienated the candidate "Vittoria" from her friends and members of her community. This decision was inconsistent with the decision of the Senior Commission officer who allowed another candidate whose name was recorded on the Electoral Role as "Edward" to have the name "Ted" placed on the ballot paper.
- Independent groups of candidates were prohibited from having the word "Independent" displayed on the Ballot paper next to their Group above the line, while groups of candidates of the Registered Political parties were allowed to have the name of their Party displayed both above and below the line. This gave a distinct advantage to Political Party candidates because an elector wanting to vote for an Independent candidate and looking for the word "Independent" on the ballot paper might put a number "1" next to their candidate's name below the line and not follow through with preferences and therefore cast an "Informal" vote. Many "Informal" votes were cast because of this anomaly. This appeared to favour Political Party candidates who have their Party name next to their Group above the line.
- Advice given regarding an Independent candidate's "How to Vote" was inconsistent when compared to "How to Vote" literature accepted for the 2004 Council Elections. Sample "How to Vote" was submitted to the Electorate Officer based on the 2004 example and initially accepted, only to be rejected 3 days later by the Senior Electoral Commission officer. In one instance the candidate had 6000 'How to Votes' printed on the initial information given. This inconsistency of advice not only created unnecessary expenditure by the Candidate, it also placed much additional work on the part of the candidate.
- Election night counting of votes resulted in a misleading trend in the number of votes candidates received, again mainly to the detriment of the "Independent" candidates. Votes were counted only for the "Above the Line" preference shown on the Ballot Paper. This meant that a Candidate whose valid "No.1" votes were largely 'Below the Line' were not counted for more than a week after Election Day and thus gave a totally incorrect indication of voting trends. Both "Above the Line" and "Below the Line" "No.1" valid votes should have been counted on Election Day night, as they

were in past elections, to give a fair indication to candidates and their Election Day workers of the election result.

- The requirement for Independent Candidates to have a trained and qualified 'Election Agent' is onerous when compared to a political party candidate. Political Party candidates were permitted to use their Head Office as the "Election Agent" by the Election Funding Authority. This clearly disadvantaged Independent Candidates relying wholly upon their own resources. Also, Political Party Candidates were not burdened with the need to individually submit a "Return" to the Election Funding Authority. This was done collectively by their 'Head Office'.
- Independent Candidates with expenditure above a certain amount were required not only to submit individual and group "Returns" to the Authority but were also required to have their expenditure audited not by just "any" Accountant but by an Auditor accredited by the Australian Securities Investment Corporation, difficult to find and also very expensive. This requirement would seem to be too onerous for candidates who have not received any donations whatsoever. This requirement could be interpreted as being aimed at discouraging "Independent" candidates from standing for election to their Council.
- There were too many "Forms" required to be completed for the entire Election process, particularly from the Election Funding Authority. "Forms" gave misleading and/or insufficient information which when completed and submitted by the Election Agent was repeatedly rejected by the Election Funding Authority. This bureaucratic process is another example of the lack of planning and understanding of the implications of the hastily implemented procedures put in place by the NSW Electorate Commission and the Election Funding Authority.
- The Central Polling Place for Ashfield Council Elections in September 2008 was remote, virtually on the border with the Municipality of Leichhardt, difficult to locate, and not readily accessed by public transport from the central parts of Ashfield Municipality. It disadvantaged and placed hardship on voters particularly the elderly, disabled and families with pre schoolers. The location of the Central Polling Place was not sufficiently publicised and a departure from the established "Town Hall" location which was central to all suburbs of the Municipality and had been the Central Polling Place for more than a century.

The Council looks forward to receiving further information on the deliberations of the Joint Standing Committee in due course.

Yours faithfully



Gabrielle Rennard
Manager Governance