

**Submission
No 49**

2012 LOCAL GOVERNMENT ELECTIONS

Organisation: Canterbury City Council
Name: Mr Jim Montague
Position: General Manager
Date Received: 25/01/2013



City of Canterbury

City of Cultural Diversity

Our Reference:

E-22-3

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Mr Jai Rowell MP
The Chair
Committee on Electoral Matters
Parliament of NSW
Macquarie Street
SYDNEY NSW 2000

Dear Mr Rowell

Subject Submission to Inquiry into the 2012 Local Government Elections

I refer to your correspondence to our Mayor, Councillor Brian Robson, on 20 December 2012 regarding the establishment of the Inquiry into the 2012 Local Government Elections and inviting submissions to the Inquiry.

On behalf of the City of Canterbury, I am pleased to submit the following comments. I have noted the Terms of Reference for the Inquiry and have addressed these in turn.

(a) Cost of the elections

Council is of the opinion that the cost to conduct Local Government Elections is becoming increasingly prohibitive and imposes an unacceptable financial burden on local residents.

Council received advice from the Electoral Commission NSW on 30 January 2013 that the total cost to conduct the 2012 election for the City of Canterbury was \$598,555.10. While the Electoral Commission points out that the state wide cost of conducting the Local Government Elections was 4.1% below budget, the cost to Canterbury's residents is considered to be excessive. The following expenditure types included in the above total are of particular concern.

Venue procurement	\$49,369
Logistics	\$41,158
Administration (65 cents per elector)	\$56,382

While these costs may be perfectly valid it would be interesting to compare these items with the costs incurred by those councils across NSW who conducted their own elections.

Council is concerned that the costs associated with the Commission's conduct of future Local Government Elections will continue to increase in the absence of more detailed cost estimates prior to elections and more scrutiny of the Commission's actual costs.

Council suggests that before the 2016 elections the Commission be requested to supply comparative cost information for 2012 of its costs and those of councils who conducted their own elections.

This would enable councils to more reliably make a choice between the Commission or Council run elections. At the very least, the Commission should be requested to explore all avenues to reduce the total costs associated with the conduct of Local Government elections across NSW to ensure value for money for local communities.

(b) Possible legislation changes to improve the efficiency of and participation in Local Government elections

- Availability of Electronic Voter information (Regulations 284A)
It is noted that even with the early closure of the Electoral Roll in 2012, enrolment information was only provided to candidates late in the campaign and was therefore of little value to candidates.

Further, the information provided did not include information such as details of those electors who had registered for postal votes. Having timely access to this information would have aided additional campaigning opportunities for candidates.

- Electoral material size and colour (Regulations 356B+)
It was noted during the running of the City of Canterbury local government election that some electoral material produced was confusing for voters, particularly those with vision impairment, as it was of similar colour and dimensions to the ballot papers. Electoral material should be easily identifiable as such and restrictions placed on candidates 'How to Vote' material to avoid confusion.
- Location of Pre-Poll (Regulations 326)
It is noted that the Local Government (General) Regulations provide that the office of the returning officer is to be used for pre-poll and that other voting facilities may be established for pre-polling. The location of pre-poll facilities should be considered for ease of access by voters. This should take into consideration the availability of public transport, parking and disability access to the facility.
- Disability access (Regulations 297-8)
While it is noted that polling places providing disability access are identified for each election, the number of disability access facilities is limited in most cases. Disability access should be provided at a majority of the polling place locations and distributed across all Wards of the City.

- E-voting for disabled and absentee voters (Regulations 338 and 313(k))
The Local Government Act (Cl 312) states that it is an offence not to vote. While it is recognised that pre-poll and postal votes are available for voters who cannot attend a polling place, this falls short of suitable alternatives being offered for voters who are disabled or who are away from the electorate on voting day. The implementation of e-voting should be investigated as a voting method in future elections.

(c) Nonresidential voting in Local Government elections

No comment

(d) The impact of the requirements under the Election Funding, Expenditure and Disclosures Act 1981 on participation by candidates in Local Government elections and possible legislative changes to remove barriers to participation

- Registration of Agent for Candidate/Councillor
According to the Electoral Funding Authority a candidate must have a registered Agent. After the 2008 local government election the Registered Agent continued as the agent and was able to submit the required documentation for candidates and elected Councillors until the following election.

Now it appears that if you are elected as either Mayor or Councillor you must re-register your agent as you are no longer a candidate but an elected official.

- Requirement to accept donations only from individuals on the electoral role and not organisations.
 - It is recognized that this requirement was designed to prohibit unions and businesses from donating to election campaigns. However it prohibits other organisation types (such as cultural groups like the Korean Society, Chinese Australian Services Society or Lebanese Moslem Association) from making a donation to the campaign of their choice.
 - An Agent is responsible to ensure that all monies received come from an individual on the Electoral role. This creates problems on two levels:
 - It means that a person who is not yet an Australian Citizen, or who has not registered to vote, is prohibited from making a donation to a cause that they wish to support.
 - The only way for an Agent to protect themselves from accepting a donation from someone not on the Electoral Roll is to ask them to fill in a declaration form which the Agent has to assume is correct. If the Agent has access to the Electoral Roll for their Local Government Area (only available to candidates some time after the Electoral Roll has closed), they can validate the details of donors who are registered in their LGA but they do not have access to details of donors who are registered elsewhere. There is nothing to stop a donor from providing false information. If a declaration later proved to be false or incorrect, as far as we are aware, the Agent is held responsible.

(e) Any other related matter

- **Public awareness of local government election**
It is a fact that local government elections are not well publicised and that voter turnout is poor. While it is recognised that public awareness campaigns are implemented, they do not go far enough. It is suggested that the public awareness campaign be reviewed and extended to reach as many voters as possible. It is suggested generic notices advising an upcoming local government election be developed by the NSW Electoral Commission for inclusion with the Rates notice distributed immediately prior to the election. It is also essential that this information be provided in community languages and in a variety of formats (CD, online, Braille) to assist people with a disability.
- **Pre and post-election education for candidates**
Pre-election education of candidates should be expanded to provide a broad range of information re the role of a Councillor and appropriate candidate behavior throughout the election process.

Thank you for the opportunity to participate in the Inquiry. If you require further information on any of these matters, please contact my office on 9789 9447.

Yours sincerely



Jim Montague PSM
GENERAL MANAGER

21 January 2013