

## **2012 LOCAL GOVERNMENT ELECTIONS**

**Organisation:** Port Stephens Council  
**Name:** Mr Peter Gesling  
**Position:** General Manager  
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Mr Jai Rowell MP  
Chair  
Joint Standing Committee on Electoral Matters  
Email: [electoralmatters.committee@parliament.nsw.gov.au](mailto:electoralmatters.committee@parliament.nsw.gov.au)

Dear Mr Rowell

**SUBMISSION**  
**INQUIRY INTO 2012 LOCAL GOVERNMENT ELECTIONS**

Port Stephens Council was one of 14 Council that conducted its own election in 2012. This decision was taken following the costs and time delays experienced with the 2008 which was run by the Electoral Commission NSW. The 2008 election costs doubled from the 2004 election.

Council raises concerns in the following areas:

**Electoral Commission NSW (ECNSW)** – Council experienced a number of difficulties in dealing with the Commission as a result conducting its own election.

The following matters restricted the operational efficiency of conducting the election:

- The Returning Officer was restricted with the "look up" data facility for electors. This was only possible via a Council owned laptop. As the Returning Officer was not located within the Council Administration Building this presented an operational issue. This in turn restricted operational capacity and efficiency in relation to fundamental and critical activities involving nominations eligibility checking, enquiry management, the issue of postal votes and vote validation. Council received no advance notification that this would be the case.

Council provided a laptop on site however only having the use of one laptop this restricted the efficiency of staff and the service provided to electors and candidates.

Given the legislation allows for Councils to conduct their own elections, and the fact that contracts make provision for matters such as privacy and the like, it would make sense that the procedures of the ECNSW allow for those contractors who are engaged by Councils, to use any computer for the purposes of verifying electors details, Council owned or otherwise. This would improve the efficiency of running the election and also provide a high level of service to the electors and candidates.

- Councils were not able to access "soft" copies of the Rolls of electors, however candidates were provided with copies upon application.
- A restriction was placed on the Returning Officer (RO) with respect to email addresses. The ECNSW would only deal with the RO via a Council email address. This again is

administrative "red tape" given Council had advised the ECNSW of the contractor who would be conducting the election on behalf of Council.

- The customer service provided by the ECNSW was below standard with regards to the quality of the hard copy rolls provided to Council. Council was provided with second hand folders whilst those Councils engaged by the Commission, received a high quality. It appeared to Council that the Commission was not pleased with those Councils who chose to conduct their own elections and as a result the quality of service required to be provided to non ECNSW Councils was of a lesser standard.

**Group Voting** – The move away from the "House of Representatives" style voting to the Group Voting (above or below the line) has created a great deal of misunderstanding for the electors. Port Stephens Council had a high number of candidates (66), due to candidates being of the belief that they had a better chance of being elected under the "group ticket" method. It has been proven in past elections that this is not necessarily the case. There is also an increase in costs to the ratepayer and candidates with this style of voting. It is considered that it is not necessary in local government elections.

**Legislation** – The current requirement for Councils to tender for election services if they elect to conduct their own election, is considered a disadvantage for those Councils who are seeking to improve the service and reduce costs to its ratepayers.

The legislation does not provide a "level playing field" given the ECNSW is not required to tender and is not prepared to provide written estimates. It also gives the perception that the government agency has the "upper hand".

A number of legislative amendments were made in the lead up to the election. This also did not assist with the planning and preparation for the election. The amendments created the need to amend a number of forms and documents associated with the election.

The recent legislative amendment allowing electors to enrol on the day has created some confusion and also additional cost to Councils, by way of the need for additional staff on election day. Electors will now not see the need to ensure their details are updated/included prior to the close of rolls given the options now available.

#### **Improvements made by Council:**

The positive outcomes from Council conducting its own election are:

- Saving in costs of over \$53,000;
- Results of the election were known earlier than previous elections, which also included the first popularly elected mayoral result.
- Reintroduced a landline to returning officer's office – (previously removed by ECNSW). Council received a large number of complaints at the 2008 election due to the removal of the landline.

#### **Improvements for the election process**

The following improvements could be made to the election process:

1. Introduce postal voting and on line voting to replace the traditional polling place voting. As a staged approach, postal voting could be introduced similar to the Victorian model;
2. Amend legislation to require all election providers to comply with the Local Government (General) Regulations 2005, including the Electoral Commission NSW;



3. Amend legislation to remove "above the line" voting.

It is considered that this would result in an improved voting system with greater transparency and a reduction in costs for the ratepayer and candidates. It also has the potential to increase the number of electors participating and provides a level of convenience to the elector, as they would be able to vote at their convenience before the nominated close of voting deadline.

Council looks forward to the report from the Committee.

Yours faithfully

  
**Peter Gesling**  
**GENERAL MANAGER**

Date: 1 February 2013