

## **INQUIRY INTO 2008 LOCAL GOVERNMENT ELECTIONS**

**Organisation:** Griffith City Council  
**Name:** Mr Peter Brooks  
**Position:** General Manager  
**Date Received:** 14/05/2009

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DM:DM

11 May 2009



Joint Standing Committee on Electoral Matters  
Parliament House  
Macquarie St  
Sydney NSW 2000

Dear Sir/Madam,

**Submission by Griffith City Council into the Joint Standing Committee Enquiry into the 2008 Local Government Elections**

Griffith City Council hereby makes the following submission to the Joint Standing Committee on Electoral Matters – Inquiry into 2008 Local Government Elections.

**Background**

Griffith City Council has 15,607 electors enrolled in the electorate. On September 13 2008, 13,571 of these voted to elect 11 Councillors and 1 popularly elected mayor to represent them on the Griffith City Council.

Voters were able to vote at one of 10 polling booths within Griffith City and the surrounding villages.

For the first time an individual returning officer was not in place at Griffith. The NSW Electoral Commission engaged one joint Returning Officer who was responsible for the following electorates:

Griffith City Council  
Hay Shire  
Leeton Shire  
Murrumbidgee Shire  
Narrandera Shire  
Bland Shire  
Carrathool Shire

## **Issues Identified in the 2008 Local Government Election**

### **1) Cost**

2004 Election Cost     \$49,637  
2008 Election Cost     \$121,000

**Increase                \$71,363**

The increase of \$71,363 (representing a 143% increase in costs) is staggering by any measurement. When Council's state-wide are limited to 3-4% annual increases in rate levies as dictated by the State Government (rate pegging) an increase by a State Government Department of this magnitude is very difficult to swallow for a local council. The end result is that local government have fewer funds available for critical projects, and maintenance in areas such as roads, parks, libraries, and pools.

The Electoral Commissioner has commented that the increase reflects the true cost of having a totally independent election run independent of local government (that is no costs have been absorbed internally by Councils). Council disputes this and on many occasions during the election process Council staff were required to provide assistance to the Returning officer in which all costs were absorbed internally by our Council. I can assure you that all costs to conduct the 2004 election were included in the figure of \$49,637. If this is being disputed by the Electoral Office then they should provide appropriate documentation to Council accordingly. Council would then be in a position to review these documents and provide appropriate comments to the Electoral Office.

Council also strongly queries the statement by the Electoral Commission that the elections were not previously independent. In the 2004 election the Returning Officer was employed externally by the Electoral Commissioner (i.e. was not a Griffith City Council staff member). The Returning Officer during that election utilised internal administration staff to be of assistance with photocopying, mailing and other duties during that election process. Council believes the integrity of the election was not compromised in any manner whatsoever and the final cost of that election (\$49,637) was far more realistic for the services delivered when compared to the exorbitant cost of \$121,000 for the 2008 election.

### **2) Timeliness of Results**

In the 2004 Council elections (held on the 27 March) the following timetable was achieved for the finalisation of the poll.

- 6-00pm 27 March - voting booths close.
- 5-00pm 29 March – postal votes close
- 11-00pm 29 March – final count concluded (Monday evening after election)

In the 2008 Council elections the following occurred:

- 6-00pm 13 September - voting booths close.
- 5-00pm 15 September – postal votes close
- 11-00pm 19 September – final count concluded.(Thursday after election)

The length of time taken to have the count concluded by the State Electoral Office was considered unsatisfactory particularly when the huge increase in cost is considered. The delay in the result required Council to cancel one of its scheduled Ordinary Council meetings. Following the results of the election and prior to the first meeting of the new

Council substantial induction work is undertaken by Council staff with the new Council. The induction includes information in key areas such as:

- Council overview
- Code of Conduct
- Code of Meeting Practice
- Pecuniary interests

All of the above is critical information that has to be provided to new Councils in detail prior to the Councillors making legally binding decisions at Council meetings. The delay in Council receiving the results made this process even more difficult to manage appropriately.

The community also has an expectation that results of the election be delivered in a short a timeframe as possible. Generally at the State and Federal Elections the results are known on the same night whereas in the 2008 local election it was the best part of a week before the final results were known. At the local level with Council previously having its own returning officer the performances have shown that the model of the local Returning Officer produced the more efficient counting process.

### **3) Accessibility of Candidates to the Returning Officer**

The Returning Officer's office was located in Narrandera some 100km from Griffith. Many candidates expressed their frustration at not being able to meet face to face with the Returning Officer (as has occurred in the past) when required. The issue of scrutineers was also of great concern as the count was conducted in Narrandera thus making it very difficult for candidates to have scrutineers on site to view the count.

Council (following a resolution of the full Council on the 10 June 2008) wrote to the Electoral Commissioner on the 17 June 2008 expressing concerns over the above two points (letter attached).

A response letter was received from Mr Colin Barry, Electoral Commissioner, dated 1 July 2008 (copy attached). This letter states "As Griffith City Council has above the line voting, the ballot papers will be counted by the NSWEC in Sydney". This was not the case and the papers were counted in Narrandera making it, as suggested in our letter, very difficult for candidates to provide scrutineers.

Note: The Returning Officer for Griffith was Mr Ken Murphy (ex General Manager of Narrandera Council). This submission is in no manner intended to be interpreted as a criticism of Mr Murphy's handling of the role of Returning Officer. Mr Murphy carried out the role to the highest standard he was allowed to by the Electoral Office. Our concerns are about the processes that had been put in place by the State Electoral Office and the resulting lowering of service received. This coupled with an exorbitant increase in costs (143%) left Griffith City Council with some serious concerns on how the 2008 Local Government Elections were handled.

### **4) Future Options**

The State Government of New South Wales must consider the introduction of postal voting at local government elections in New South Wales. Postal voting is used in Victoria and other states and a cost/benefit analysis of this system is urgently required to determine if this may be a better method of delivering an efficient local government election process in New South Wales.

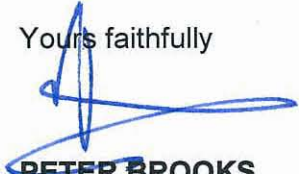
The State Government also needs to investigate the running of the Local Government Elections in relation to National Competition Policy. As is good practice, the whole

process of conducting elections for local government should be market tested by going to tender. Local government is required by legislation to go into a formal tender process for any contract over \$150,000. State Government should be required to follow the same legislation.

Council appreciates the Joint Standing Committee's consideration of Griffith City Council's submission.

For further information in relation to the above matter, please contact me on

Yours faithfully



**PETER BROOKS**  
**GENERAL MANAGER**

# ATTACHMENT

DM:LT

17 June 2008

State Electoral Office  
Level 25  
201 Kent Street  
Sydney NSW 2000

Dear Sir/Madam

## **RETURNING OFFICERS OFFICE BASED IN NARRANDERA**

Griffith City Council has recently been informed that the Returning Officer for the upcoming September Local Government Elections will have his office based in Narrandera.

Council resolved at its Ordinary Meeting of Council on 10 June 2008 to write to the State Electoral Office to determine the basis of this decision.

The decision to base this office in Narrandera concerns the Council for the following reasons:

1. Access of candidates to information available from the Returning Officer prior to the election will be restricted.
2. The ability of candidates to witness the draw for positions on the ballot paper will involve candidates having to drive to Narrandera (some 100km away).
3. Scrutineers - it is understood the primary count of ballot papers will occur on the Saturday of the election at each individual polling booth. These figures will be phoned through to the Returning Officer in Narrandera who will post them on the Elections website so primary votes can be viewed that evening. Scrutineers will of course be able to be present at the individual polling booth counts that Saturday evening (at the local level).

The concern regarding the involvement of scrutineers comes from the difficulty they will have in attending the following:

- Check count of primary votes – understood to be going to occur on Sunday 14 September in Narrandera (at the Regional Returning Officers office)
- The distribution of preferences – understood to be occurring on Tuesday, 16 September following closure of postal voting (6.00pm Monday, 15 September)

This is indeed a critical process and one in which scrutineers have been well attended previously at a local level.

# ATTACHMENT

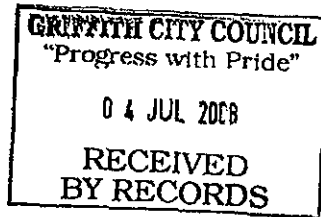
The scrutineers in both above processes will be required to drive from Griffith to Narrandera and return home again. This is a round trip of 200km.

Could the State Electoral Office provide Council with the reasons behind its decision to have the Returning Officers' office located in Narrandera and also of any strategies it may have in place to facilitate the easing of the issues raised above.

Your response to this request is appreciated.

Yours sincerely

**PETER BROOKS**  
**GENERAL MANAGER**



2007/1070

1 July 2008

**REGISTERED**

Mr Peter Brooks  
General Manager  
Griffith City Council  
PO Box 485  
GRIFFITH NSW 2680

**ATTACHMENT**

Dear Mr Brooks

**Returning Officer's Office in Narrandera**

I acknowledge receipt of your letter of 17 June 2008 regarding the location of the Returning Officer's office in Narrandera.

When the New South Wales Electoral Commission (NSWEC) held interviews for the position of Returning Officer for Griffith City, Hay Shire, Leeton Shire, Murrumbidgee Shire, Narrandera Shire, Bland Shire and Carrathool Shire Councils the most suitable applicant resided in Narrandera. If the Returning Officer's office had been retained in Griffith it would have resulted in more costs for all councils to cover travel each day.

Candidates are not required to attend the Returning Officer's office. They can lodge their nomination form by fax and post the deposit. In developing this proposal, we acknowledge there is a trade off in that some candidates would have to travel further if they wish to meet personally with the Returning Officer. I do not believe it would deter serious candidates, as candidates have to travel distances to nominate at State and Federal elections and to witness the draw for positions on the ballot paper. Candidates will be able to contact the Returning Officer by phone, fax or email. As well, the NSWEC will establish a candidate information centre in Sydney where any candidate can seek information on any election issue.

You have raised concerns about scrutineers. As Griffith City Council has above the line voting, the ballot papers will be counted by the NSWEC in Sydney.

I trust the above information assists you.

Yours sincerely

  
Colin Barry  
Electoral Commissioner