

**Submission  
No 58**

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

**Organisation:** Ashfield Council, Office of the Mayor

**Name:** Mr Ted Cassidy PSM

**Position:** Mayor

**Date Received:** 22/05/2009

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**Ashfield  
Council**

# Office of the Mayor



**Joint Standing Committee on Electoral Matters Legislative Assembly  
Parliament House  
Macquarie Street,  
Sydney NSW 2000**

**To Members of the Joint Standing Committee on Electoral Matters**

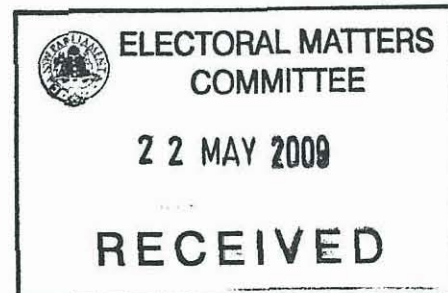
**Re: Submission on conduct of Ashfield Council Elections - NSW Local Government  
Elections 13<sup>th</sup> September 2008**

**Attached submission on conduct of Elections held on 13<sup>th</sup> September 2008 for  
Ashfield Council.**

**Yours faithfully,**

**Ted Cassidy PSM  
Mayor**

**20/05/09**



## Submission to the NSW Electoral Commission

### Local Government Elections 13<sup>th</sup> September 2008

- 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 therefor cast an "Informal" vote. Many "Informal" votes were cast because of this anomaly.

This was clearly aimed to advantage 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. Surely totally over the top for candidates who have not received any donations whatsoever.

This requirement was clearly 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 beaurocratic blundering was 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.

Councillor Ted Cassidy PSM  
Mayor  
Ashfield Council  
20/05/09

*Ted Cassidy*