

**Submission  
No 37**

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

**Organisation:** Auburn Council  
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*In reply quote:* E-03-01/08

The Chair  
Joint Standing Committee on Electoral Matters

*Contact Name:* B Cockayne - [REDACTED]

**By email:**  
**electoralmatters.committee@parliament.nsw.gov.au**

*TRIM No:* T035696/2009

May 13, 2009

Dear Sir

**SUBJECT: 2008 LOCAL GOVERNMENT ELECTIONS**

The Council welcomes the opportunity to make a submission in respect to the above to the Joint Standing Committee and it wishes to convey its concerns in relation to the following issues –

- Inordinate increase in and the final quantum of charges levied by the NSW Electoral Commission (NSWEC).
- Duplications of overheads in managing the conduct of elections.
- Lack of discretion for Local Government Councils to achieve greater efficiencies.
- Lack of clarity in levied charges.
- Operational difficulties on election day.

The following comments are accordingly provided for the Committee's consideration:-

Increases in costs

The Council's costs for the conduct of the 2004 Local Government Elections were approximately \$75,000. That amount included a charge by the NSWEC of \$30,396.45 for the services which the Commission provided.

By contrast, the charges levied on Council for the conduct of the 2008 Local Government Election were \$235,800.00. The 2008 costs included the overheads associated with the NSWEC election management fees, information technology, financial services and information services, the rental of accommodation for the Returning Officer and the printing of all election papers, ballot papers, etc.

The charge for 2008 represents an increase of approximately 310% over the four years from 2004 to 2008, an amount totally disproportionate to the general increase in costs within the community over that period which was reflected by the movement in the Consumer Price Index (CPI).

AR BLUETT MEMORIAL AWARD WINNER 2007/08

The factors which have clearly influenced that increase beyond what would reasonably be expected from the increase in the CPI are surely due to the following issues—

The NSWEC arranging all services (eg, supply of equipment such as facsimile units, photocopiers, security, Returning Officer's accommodation, etc) under bulk arrangements. That contrasts from the previous election when Councils were able to provide many of these services by the temporary re-allocation of their own resources, from their dealings with their own regular suppliers, or by utilising local knowledge which it is considered would enable greater efficiencies.

Certainly, in the case of Auburn Council's elections for the 2004 election, it was able to obtain advantage by negotiating its own equipment and accommodation requirements.

Local Government Councils would surely be able to achieve significant savings if they could exercise the flexibility to make their own arrangements for such services.

#### Duplication of Overheads

The arbitrary charges for overhead items by the NSWEC are surely inequitable when they are transferred on a pro rata or fixed rate basis to Local Government. The NSWEC is an instrumentality formed out of the need primarily to conduct elections for State Government.

The necessary overheads (eg. Management Services, Financial Services, Information Technology, etc.) are therefore in place for that primary purpose and levying a charge on Local Councils on an opportunity basis is not justifiable as the overhead resources are already in place.

#### Discretion for Local Government to provide services

This inequity is compounded by the fact that local councils already have in place similar resources (eg. Financial Services, Information Technology) and a Management Structure, which would be able to encompass the need for an election. The imposition of an overhead charge by the NSWEC without some discretion for local councils to provide at least some of its own resources is therefore unreasonable.

In the case of Auburn Council, some \$44,000.00 of the total charge of \$235,880.00 or about 20% is comprised of fixed overhead costs which have no direct relevance to the conduct of the 2008 election in its own Local Government Area.

### Clarity of Charges

Further to the above comments, Councils are again being expected to accept charges which are not transparent in relation to their basis of calculation or able to be assessed as being reasonable and justifiable, other than as having been levied by a State authority.

That may be reasonable if the quantum of the charges was moderate, but having regard to the inordinate increase in the levy by the NSWEC over the period 2004 to 2008, it is considered most unacceptable.

### Operational Difficulties on Election Day

The Council received several reports of issues which arose on Election Day which, it considers, were due to an inability of the NSWEC management process to respond to adequately.

These included instances of :-

- i) Candidates support staff not complying with regulations as to handing out candidate information too close to the Polling Booth.
- ii) Non compliance with requirements as to the display of candidate information.
- iii) Lack of supervision as to the authorisation or not, of candidate information.

The Council contends that the participation of local councils in operational aspects on the election day would facilitate a ready and appropriate response when such issues arise, thus doing much to assist in the proper conduct of the election. The NSWEC management structure, and resource allocation does not enable such a ready response and therefore compromises the conduct of the election.

The Council commends your consideration of these issues and looks forward to your report.

Yours faithfully



**BARRY COCKAYNE**  
**MANAGER - ADMINISTRATION**