

**Submission
No 1**

INQUIRY INTO LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL 2025

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Standing Committee on State Development
Legislative Council
Parliament House
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Inquiry into the Local Government Amendment (Elections) Bill 2025

Thank you for the opportunity to make this submission regarding the Local Government Amendment (Elections) Bill 2025.

I write to you as a prominent election analyst who has commented extensively on elections in Australia, and with a particular expertise and interest in local government elections in New South Wales. I have written extensive profiles of the more populous local councils in New South Wales for every local government election cycle since 2016, and have commented extensively on the mechanics of local government elections, including the use of private election providers to run elections.

In a past life I was also a paid election coordinator for the Greens NSW. In particular, I was state campaign coordinator for the 2012 local government elections, the first to use private election providers.

I can comment on the experience of interacting with private election providers as opposed to the New South Wales Electoral Commission (NSWEC) in both capacities.

My strong recommendation is that the Parliament legislate to ensure that all NSW local government elections are conducted by the NSWEC.

I will comment on the other elements of the bill briefly, and also highlight the need for a broader inquiry into the conduct of local government elections.

Regards,

Ben Raue
27 June 2025

The use of private election providers

The option for NSW local councils to use a private election provider first emerged following the 2008 NSW local government elections, when a significant increase in the costs passed on from the NSWEC led to an outcry from councils, and a promise from then-leader of the opposition Barry O'Farrell to allow for an alternative.

This promise was legislated and was first available to local councils in 2012. Fourteen councils used this option in 2012. This number dropped to six across the 2016-17 cycle. Only two councils have used this option at each of the 2021 and 2024 elections.

I do not wish to disparage the work of those who run elections for private companies, but there is a difference in the standard of transparency, consistency of procedures and provision of information between the NSWEC and these providers. Overall I believe that using someone other than the NSWEC leads to a poorer level of election service for voters, candidates, political parties and those observing and analysing the elections.

In my role as a statewide campaign coordinator for the Greens NSW in 2012, I encountered a number of local councils employing a private election provider. I found that the experience was often quite inconsistent. Despite the same company being contracted for a number of different councils, their returning officers often issued contradictory decisions on matters such as the correct form of a how-to-vote card. While NSWEC returning officers were ultimately accountable to the state hierarchy, each private returning officer was the final decision-maker.

The isolation of a council running its elections separately from the rest of the state can make it harder to find information about the election. Local government elections are not held in isolation, particularly in urban areas. Friends, family and work colleagues will be voting in other local council areas, but consistent procedure and a single place to find information about the election can help voters know what is going on.

As an election analyst, I have also found that it more difficult to get access to data on election results for elections not conducted by the NSWEC.

One of the concerns that has led to councils choosing to use a private provider was to save money. This is understandable in a situation where local government budgets are under significant pressure. A better solution to this dilemma is to have the state subsidise the costs of these elections. There is a broader interest in ensuring high-quality democratic processes at a local level and the state should invest in those processes.

The need for a broader inquiry into local government elections

It is standard for the Joint Standing Committee on Electoral Matters (JSCEM) to hold a general inquiry into the conduct of each state election, but the same is not true for local government elections.

In my submission to that very inquiry into the 2023 state election I asked for an inquiry into local government elections which could deal with a broad range of issues.

In particular I think the following issues need to be addressed:

- The lack of independence in the redistribution of ward boundaries.
- The limited use of countbacks for filling council vacancies.
- The existence of two-member wards.