

## **INQUIRY INTO LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL 2025**

**Organisation:** Fairfield City Council

**Date Received:** 8 July 2025

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In reply please quote: 09/01989  
Your Ref:

8 July 2025

The Director  
Standing Committee on State Development  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Sir/Madam

### **INQUIRY INTO LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL 2025**

Fairfield City Council (Council) appreciates the opportunity to make a submission to the NSW Legislative Council's Standing Committee on State Development on the Inquiry into the Local Government Amendment (Elections) Bill 2025 (Bill).

Fairfield City Council is one of the most culturally diverse cities with more than half of the population born overseas and more than 70% of its residents speaking a language other than English at home. Its residents largely work in the industrial sector with varied patterns of work, including shift work and weekends. Therefore, the community requires a tailored Local Government election solution to accommodate its unique needs.

Council does **not** support the proposed amendment to the Local Government Act that would require councils to enter into an agreement with the NSWEC to administer all local government elections because it does not provide the best value for money solution for the community.

In Fairfield City Council's experience, the private electoral service provider has demonstrated their capacity to deliver efficient and well administered elections. There are several benefits gained from private service providers, including:

- Election costs are less than the NSWEC – The NSWEC has previously provided cost estimates that exceeded the private electoral service providers costs.
- Cost containment from competition – Council has historically experienced a significant increase in costs when the State Government has become the sole service provider.
- More efficient administration of elections – The private electoral services provider has consistently provided Council with an efficient and timely election service with a greater level of service than that offered by the NSWEC.
- Tailored solution for the community – the private electoral services provider delivers a more comprehensive service tailored to community needs. It's important that the unique needs of Council's community be recognised.

- Flexibility to respond to issues in a timely manner – Council was able to respond to late notice by the State Government that the pre-polling period had been reduced from 14 days to 7 days at the last local government election by introducing Sunday polling, extending weekday hours and having more pre-poll locations. The late notice could have led to long queues, but Council was able to dynamically respond and work with the private service provider to achieve an increase in pre-poll votes compared to the previous election. This was achieved without long wait times and made pre-polling a success in Fairfield as residents took advantage of the extended hours to record the highest number of pre-poll votes at the 2024 election.
- Increased independence and integrity in electoral system – an external company operating at arm's length is arguably more independent than a State Government agency administering State Government elections.

Council has a history of well administered elections achieved using a private electoral service provider. Therefore, it comes as a surprise that the Bill proposes to make it mandatory for the NSWEC to administer all local government elections because there has been no consultation with Council during the past three local government elections concerning the conduct of its elections, and concerns have not been raised about delayed voting, long queues and the accuracy of polling booth information.

The proposal to reduce the pre-polling period and not include weekend voting under the Local Government Amendment (Elections) Bill 2025 fails to acknowledge the Fairfield community's weekend commitments and number of pensioners who require the support of family members to vote. Therefore, reducing the pre-poll period in order to assist a small number of candidates is reducing the service for a community of greater than 200,000 residents who have demonstrated their need for this service with large pre-poll numbers.

Council reflects the views of both elected representatives and staff, with reference to the Inquiry's Terms of Reference. Council's feedback is based on its direct experience managing and delivering local government elections and aims to contribute constructively to discussions around electoral efficiency, transparency, and community engagement.

### **Administration of Elections**

By way of background, Council has a strong track record of successfully managing its local government elections. This has included administering the elections in-house (2012, 2016) or engaged an electoral services provider (2012, 2016, 2021, 2024) to conduct all or part of the electoral process. On each occasion, Council has demonstrated its capacity and competence in delivering elections that are efficient, compliant, and responsive to the needs of our local community.

In all instances, the NSW Electoral Commission has provided administrative support, including the supply of electoral rolls, certified lists, and official materials, helping to ensure the integrity and credibility of the process while allowing for a flexible and cost-effective delivery model.



In administering its elections, Council met its objectives, delivering outcomes that were effective, efficient, and timely. Council's approach has demonstrated strong performance across key areas:

- Substantial financial savings were achieved compared with estimated costs from the NSWEC, aligning with Council's objective to minimize the financial burden of election delivery and to maintain the lowest rates in Western Sydney.
- Council received favorable feedback from stakeholders and the community on the overall outcome of its performance in managing the elections.
- The level of service and responsiveness, particularly in managing long queues and declaring results in a timely manner, reflect a high standard of accountability and operational efficiency. Fairfield Council did not experience issues with long wait times at polling booths and should not be penalized for issues experienced in Liverpool at the last Local Government election. Just as the NSWEC has not been penalized for long queues at polling booths in electorates administered by them.
- By delivering some services in-house, Council was able to reduce costs from the electoral pricing schedule with the electoral services provider. Council was able to source cost effective services and premises through its local knowledge. This process highlighted a number of instances of excessive rent being paid by the NSWEC because they do not have local knowledge and the flexibility to tailor its service.
- Many of the staff involved in administering the elections are residents with a knowledge of the community, contributing to a positive customer experience for electors.
- Council also achieved a high elector participation rate, compared to neighboring councils. This is the result of a tailored solution to accommodate community needs. Reducing the pre-poll period will most likely have a negative impact on this.

It is noted that the NSWEC did not provide cost estimates for all elections. Unfortunately, in several instances Council was not made aware of the cost until after the election had taken place. This posed challenges for budgeting and planning purposes.

From Council's experience, the services offered by the private electoral services provider have proven to be superior. The provider delivers comprehensive election solutions, with a great level of service, responsiveness, and flexibility. They respond to meet the unique needs of our community resulting in a cost-effective use of Council's facilities and resources.

Council is concerned that removing the option to choose between engaging the NSWEC or an electoral services provider will not only increase costs for all councils, but also risks reducing the independence of the way in which democratic voting processes are managed.

It is Council's view that any legislation governing the administration of local government elections should ensure that the NSWEC comply with the same requirements as other service providers, including outlining its expertise, scope of service and pricing structure to enable councils to make an informed decision about electoral arrangements in order to secure the best value for money service, and to enable Council to make service providers accountable.

## **Pre-poll Period**

Council does **not** support the proposal that pre-poll voting be restricted to only the five (5) business days immediately preceding election day.

Pre-poll voting has been well received by the community noting that at each election there is an increase in the number of votes taken prior to election day.

During the 2024 elections, Fairfield Council recorded the highest number of pre-poll votes taken over seven (7) day prior to the election day across the state, and is an indication of community demand, the changing voter needs and lifestyles, particularly among shift workers, the elderly etc who may require greater flexibility.

Council strongly recommends that, at a minimum, the pre-poll period commence on the weekend (including Sunday) prior to election day, providing seven (7) calendar days for electors to cast their vote. Further, daily operating hours should be flexible and tailored to meet the needs of the community.

## **Polling Places**

Council supports the draft provision that polling places for a council election must not be located outside the council's local government area. This ensures that voting remains accessible to the local community it serves.

The increasing number of voters choosing postal or pre-poll options has reduced the number of polling places, resulting in reduced staffing costs.

Furthermore, Council has found that the use of its own facilities for polling has been cost effective, and Council has avoided excessive rental or daily venue hire fees.

## **Vacancy**

Council supports the current provisions in the Local Government Act that require a countback election to fill a casual vacancy to be administered by a returning officer appointed by the Electoral Commissioner or the electoral services provider.

This approach ensures that the process is conducted independently, transparently, and in accordance with legislative requirements.

Council supports the introduction of the new provision (291B) for the filling of casual vacancies to be from the same group on the ballot paper from where the vacancy in the office of a councillor occurred, and not necessarily the candidate that had the next highest number of votes. This new provision supports good governance by ensuring that council continues to make decisions in the best interest of its community.



## **Conclusion**

Council maintains that by engaging an electoral services provider, it has been able to address challenges, deliver a superior level of service to its community and candidates, and achieve cost savings. In addition, Council has gained valuable experience and confidence in its abilities to administer local government elections effectively and efficiently.

In addition, Council proposes that rather than banning private electoral service providers outright, reforms should focus on improving oversight, transparency, and accountability standards, regardless of who delivers the service. A hybrid model would ensure elections are not only secure and fair but also truly accessible and efficient for all.

Council appreciates the opportunity to provide feedback to the Standing Committee on State Development as part of the Inquiry into the Local Government Amendment (Elections) Bill 2025. Should the Committee require further information, Council representatives would be available to provide further evidence at a hearing, if required.

Should you require further information or clarification on this submission, please contact Sonja Drca, Executive Manager on 9725 0226.

Yours faithfully

Lachlan Gunn  
**ACTING GENERAL MANAGER**