ADMINISTRATION OF THE 2023 NSW STATE ELECTION AND OTHER MATTERS

Name: Mr Ben Raue

Date Received: 13 February 2024

Joint Standing Committee on Electoral Matters
Parliament House
Macquarie Street
SYDNEY NSW 2000

Inquiry into the 2023 New South Wales state election

Thank you for the opportunity to make this submission regarding the 2023 New South Wales state election.

In this submission, I run through a number of issues and make a number of recommendations.

This is by no means a comprehensive list of every potential improvement that could be made to the electoral system for NSW state elections, but includes minor and significant changes that I believe to be timely.

The recent state election showed a continuing shift away from the domination of the major parties, a trend that has been taking place for a number of decades. This has raised a number of issues, some small and some large, with our electoral system.

In the aftermath of this election, and with a new government, this is the perfect opportunity to start the conversation about some significant changes to our system.

I am available to attend a hearing if the committee wishes to hear more about the issues raised in this submission.

Regards,

Ben Raue
3 February 2024

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Recommendation 2: The size of the Legislative Assembly should be expanded to include at least 110 members.

Recommendation 3: A referendum be held to repeal the Sixth Schedule of the NSW Constitution Act and replace it with a general guarantee that elections to the Legislative Council shall be at large and by a method of proportional representation.

Recommendation 4: Subsequent to any such referendum, that the current electoral system for the Legislative Council be replaced with a system of list proportional representation, either using a closed, open or flexible list.

Recommendation 5: A referendum be held to reduce the term of Members of the Legislative Council to four years, with the entire chamber elected as a single cohort every four years.

Recommendation 6: A referendum be held to remove the constitutional requirement that members of the Legislative Assembly be elected from single-member districts, to allow for the creation of five-member districts elected using the single transferable vote method of proportional representation.

Recommendation 7: An inquiry be held into the electoral system used for local government in New South Wales.

Author background

I am an electoral analyst based in Sydney. I run a website called the Tally Room, as well as a podcast of the same name. Through this website, I analyse Australian elections (federal, state and local), writing seat-level guides for upcoming elections, analysing results and looking for trends in the data.

From time to time I also appear in other media publications analysing election results, including ABC Radio, the Guardian Australia and the 7AM podcast.

I have also written chapters on the results in the House of Representatives for three successive academic publications analysing Australian federal elections: *Double Disillusion*, *Morrison's Miracle* and *Watershed*.

I have written this submission in a private capacity. I am not a member of any political party.

Names above the line for independent Legislative Council groups

There is a serious inequity in how independent and party Legislative Council candidates are treated which does not apply in the Legislative Assembly.

On the Assembly ballot paper, the name of the candidate is emphasised, with a party name listed below, and a non-affiliated candidate has the option of having the word 'Independent' printed under their name in the same space used for the party name.

On the Council ballot paper, in contrast, the focus is drawn to the group boxes above the line. Parties have a name above the line, but independents do not have anything other than the letter of their group.

This creates two problems. Firstly, it incentivises the creation of parties simply for the purpose of ensuring a name above the line. These parties aren't intended to contest elections more generally or have internal democratic structures – they are simply used to allow an independent candidate to have their name above the line. An example in 2023 was Elizabeth Farrelly Independents, but there have been other examples. This practice is quite common in local government.

Yet despite this phenomenon, there are other independent groups who still don't have a name above the line. Groups headed by Lyle Shelton and Riccardo Bosi had no identification above the line in 2023.

There is substantial evidence to suggest that voters are confused by this inconsistency at state, local and federal level, leading to unusual preference patterns which favour less-like-minded parties over more like-minded independents, and these independent groups often have a much higher proportion of below-the-line votes than other groups, due to voters casting a ballot below the line where the candidate's name appears.[1]

Independent candidates shouldn't be able to use a party name or slogan above the line – those privileges should be preserved for political parties – but a complete absence of information about who is running above the line is not equitable. The inclusion of the name of the lead candidate (or alternatively the surname of the first two candidates) is reasonable.

Recommendation 1: Legislative Council groups who are not affiliated with a political party should have the option to have the full name of the group's lead candidate, or alternatively the surnames of the first two candidates, printed above the line in the equivalent position to where party groups have their party name.

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[1] "No names above the line hurt independents", Ben Raue, *The Tally Room*, 12 September 2019
https://www.tallyroom.com.au/38987

Expanding the size of the Legislative Assembly

It is time for the size of the NSW Legislative Assembly to be expanded, to ensure that members are closer to their constituents and to allow for greater political and demographic diversity within the membership of the chamber.

At the time of federation in 1901, the NSW Legislative Assembly had 125 members. A referendum in 1903 reduced the size of the chamber to 90. The size of the chamber expanded to 94 seats in 1950, to 96 seats in 1971 and to 99 seats in 1973. The chamber remained stuck at 99 until it was briefly expanded to 109 in 1988, and then returned to 99 in 1991.

The current number of 93 seats was set in 1999, reducing the parliament to its smallest size since 1947.

Over that time, the average number of enrolled voters per member of parliament has increased many times over.

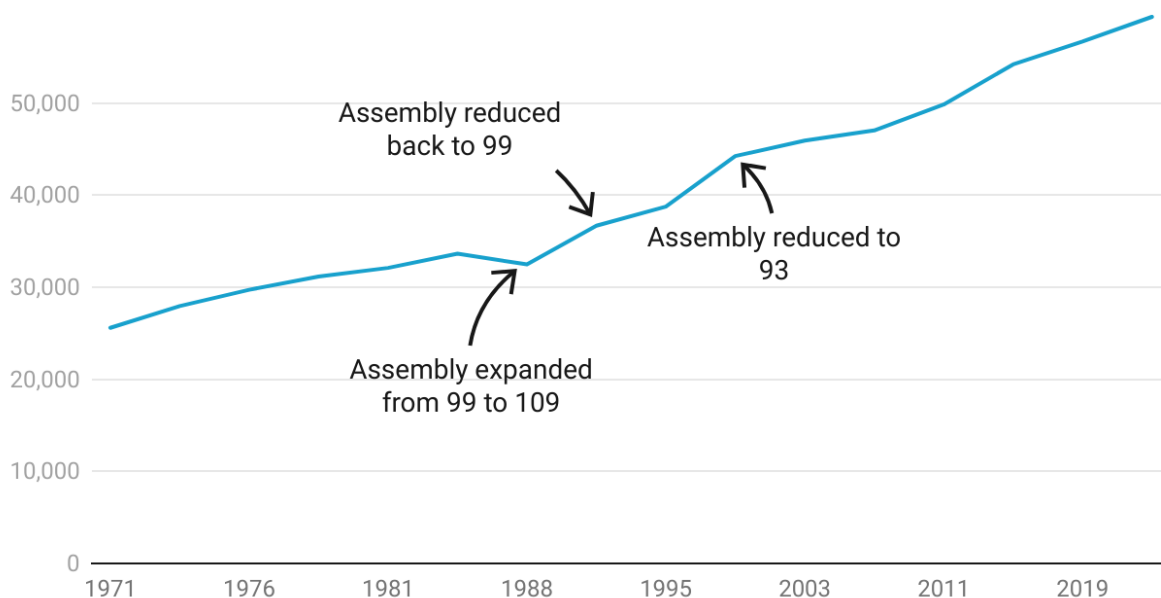**Average enrolment per seat, NSW Legislative Assembly 1971-2023**

Chart: Ben Raue • Created with Datawrapper

The average enrolment per electorate in 2023 was 59,373. This is more than twice the average enrolment as in 1973.

A larger parliament has a direct impact on the diversity and representativeness of the membership.

There is substantial international evidence that the number of seats in a parliamentary chamber (along with the average number of members elected per district) is predictive of

the effective number of parties in the parliament, but also on the effective number of vote-winning parties at the election. More seats in parliament tends to lead to more parties attracting substantial number of votes and winning seats.[2]

There is also evidence that a larger tends to result in the election of more women and other under-represented groups.[3]

It's worth noting that there has been slow but steady progress with the number of women elected to the Legislative Assembly at all but one election since 1984. One of the major barriers to equal representation is the continuing tenure of incumbent MPs. Since most MPs used to be men, long-term incumbents help maintain the proportion of men in the Assembly as well over 50%.[4]

A substantial expansion in the size of the Assembly would create a number of extra open electorates without incumbents, and would allow a significant acceleration in the progress of the number of women approaching 50% of the Assembly.

It's also worth noting that this would be of a particular benefit to rural voters and MPs. There are regular complaints about the ballooning land area of some regional electorates like Barwon and Murray. An expansion of the Assembly would help address these issues and prevent the continuing decline in the number of seats west of the dividing range.

Arguments for more politicians often founder on populist rebuttals that are either anti-politician, or argue about the cost.

The cost of adding a few more seats to Parliament is not significant when you consider the scale of the entire state budget. The Parliament has a crucial job to do in overseeing the activities of government and how taxpayer money is spent. Spending more money to improve its functions is a trivial cost in comparison to the money that it oversees.

It should also be clear that bringing the politicians closer to the people with smaller electorates is a pro-democratic move. Indeed often smaller legislative chambers are easier for powers in government to control and make Parliament less able to express the views of the people. Anyone who is unhappy with how government functions should be arguing for more members of parliament.

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[2] Yuhui Li and Matthew S. Shugart, "The Seat Product Model of the Effective Number of Parties: A Case for Applied Political Science", Electoral Studies 41 (March, 2016: 23-34).
https://www.sciencedirect.com/science/article/abs/pii/S0261379415001845
[3] Geoff Allen and Heather Stoll, "A number most convenient? The representational consequences of legislative size", Electoral Studies 82 (April, 2023: 102594).
https://www.sciencedirect.com/science/article/pii/S0261379423000161
[4] "NSW 2023 – gender balance in the new parliament", Ben Raue, *The Tally Room*, 6 April 2023
https://www.tallyroom.com.au/51359

In my recommendation I have suggested expanding the Assembly to 110. There is a political science concept called the Cube Root Rule[5] which points out that the size of democratic lower houses around the world tends to be the cube root of the country's population. If you applied the cube root of the population of NSW you would end up with an Assembly of just over 200 members. So 110 would be a modest increase.

A chamber of 110 would result in an average enrolment of just over 50,000. That would take the size of electorates back to 2011 levels. It would be quite a modest change.

Recommendation 2: The size of the Legislative Assembly should be expanded to include at least 110 members.

Implement list PR for the Legislative Council

In broad strokes, the NSW Legislative Council has a very fair and democratic electoral system. It is very proportional, and the share of seats accurately reflects how the community votes. With the exception of the overlap caused by the 8-year terms, the chamber generally reflects how the state has voted, but does not provide a majority to the government, thus providing the ability for real checks and balances. It is a leading example of the "semi-parliamentary" model of representation, which pairs the collective accountability of parliamentary government with the separation between executive and legislature which is so attractive about presidential government.[6]

Unfortunately when we get into the details of the electoral system there are details which significantly increase the burden on voters, parties and the vote-counters, without much benefit in making the result more representative or democratic.

The electoral system for the Legislative Council is embedded in the Constitution, and requires a referendum to change. Unfortunately there is quite a lot of out-of-date detail which we currently have to live with.

The Legislative Council continues to be counted with random sampling, an out-of-date system developed in an era when votes were counted by hand. This committee, with my assistance, recommended a change which ended random sampling prior to the 2021 local government elections, instead moving to the Weighted Inclusive Gregory system[7]. Yet no such change can be made for the upper house without a referendum.

Likewise the requirement for 15 candidates to run for a group to have a box above the line is a relic of the original requirement that candidates number 15 boxes for their vote to be

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[5] See Wikipedia page "Cube Root Rule" which compares 2019 population to 2019 size of lower house of parliament for 37 OECD countries
https://en.wikipedia.org/wiki/Cube_root_rule#Table_comparing_OECD_nations_in_2019
[6] Steffen Ganghof, "Beyond Presidentialism and Parliamentarism: Democratic Design and the Separation of Powers", Oxford, 2021 https://library.oapen.org/handle/20.500.12657/52156
[7] "NSW government moves to end random sampling in council elections", Ben Raue, *The Tally Room*, 23 May 2018 https://www.tallyroom.com.au/34320

formal, in an era when there was no above the line voting. This requirement was originally intended to reduce the number of votes exhausting but now it does nothing of the sort, since any serious party will have run enough candidates for a voter to fulfill this obligation without preferencing another party.

The 15-candidate rule has led to the ballot paper ballooning out to an enormous size without really giving voters much choice. A majority of candidates on the ballot paper are only running to support someone else and have no hope or intention of becoming a member of Parliament.

Most groups would do just fine running two candidates each, with the larger minor parties not needing to run more than six candidates – giving them more than enough candidates to fill any seats they win. Even the major parties don't really need to run fifteen candidates.

We also saw a new phenomenon in 2023 where there was a large number of groups who contested the election without an above-the-line box, since they did not nominate the required fifteen candidates. Two groups had nominated in such a way in 2015 and one in 2019 (and none in the previous three elections), but six nominated in 2023.[8]

Groups running less than fifteen candidates are effectively forfeiting their involvement in the contest. They have no chance of winning a seat, yet they took up more than a quarter of the ballot paper.

Once we consider a referendum to change the constitution to remove the requirement for fifteen candidates and random sampling, it is worth considering if broader reforms might be useful.

Two other features of the Legislative Council electoral system add significantly to the complexity of the system without having a big impact on the results: below-the-line voting and preferences between groups.

Since the introduction of ticket voting for NSW Legislative Council elections, there has not been a single candidate who has been elected outside of their party ticket order. Every result would have been exactly the same if below-the-line votes had been cast in the party order, as they are above the line.

The number of below-the-line votes is very low at New South Wales elections, and it's not hard to see why. While a voter above the line can fulfill their responsibilities with a single '1', a voter below the line must mark at least fifteen preferences. And if they wish to make their vote more effective by preferencing multiple parties, they must either have the knowledge to only bother to mark preferences for candidates with a chance at winning, or must number many more boxes.

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[8] "NSW 2023 – Nominations close", Ben Raue, *The Tally Room*, 10 March 2023
https://www.tallyroom.com.au/51071

Below-the-line rate, NSW Legislative Council elections

What proportion of votes were cast below the line at NSW Legislative Council elections, and how many of those were cast for the first candidate in a group?

- BTL other candidates
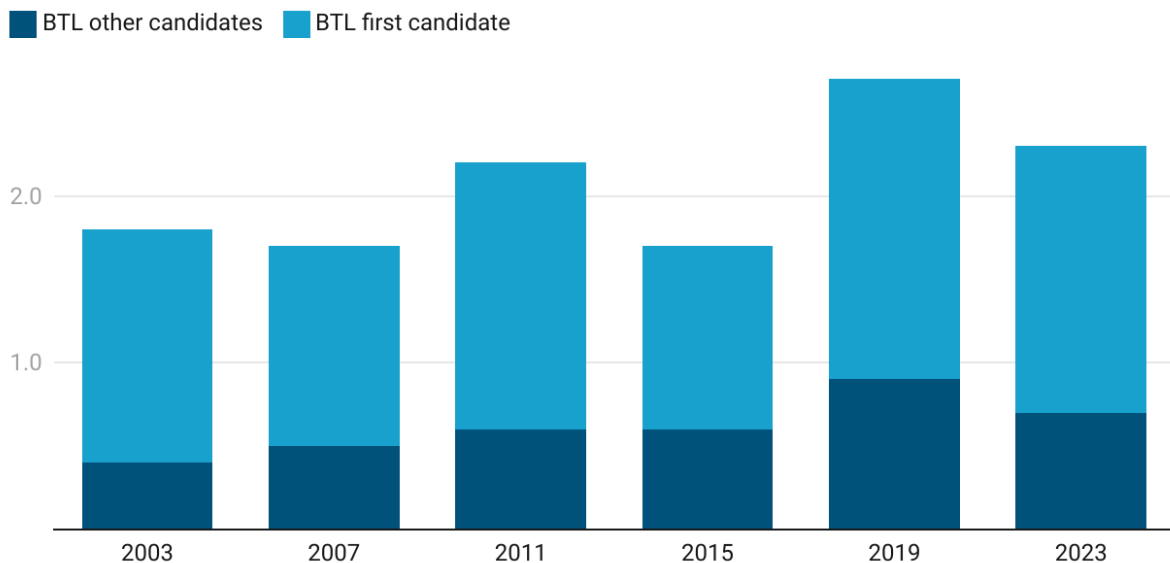- BTL first candidate

Chart: Ben Raue • Created with Datawrapper

Just 2.3% of formal votes were cast below-the-line in 2023, slightly down from the peak in 2019 and not far above the levels from 2003 to 2015.

Yet it's also worth noting that the majority of below-the-line votes were cast for the first candidate in a party group, who would have received that same vote if it had still been cast for their ticket above the line. If you just look at the numbers voting for other candidates, it peaked at less than 1% in 2019. Even if every one of these voters cast a ballot for the same candidate, they wouldn't have had a chance at winning.

For a feature that has absolutely no impact on the outcome (and is a long way from ever doing so), below-the-line voting is a substantial burden on both the voter and the electoral commission. Every voter must tackle an enormous ballot paper where the vast majority of space is taken up by below-the-line options. Well-informed voters know that they can cast just as powerful a vote with less effort above-the-line, but less informed voters are vulnerable to wasting their time numbering boxes for many unwinnable candidates, or even having their vote marked informal by just marking '1' in the wrong part of the ballot.

Once those votes are counted, every below-the-line vote must be transported to a central location in Sydney and data entered multiple times to ensure accuracy. This substantially contributes to the time taken to count the votes.

Above-the-line preferences can't be dismissed as pointless, but they aren't that far off.

The value of preferential voting gradually decreases as the magnitude of the election increases. In a single-member contest, vote-splitting can be a major issue, and preferential voting ensures that voters can cast a genuine vote for their favourite and then back up that

vote by marking preferences for those they would prefer if their favourite is unsuccessful. It's also not that hard to identify who has a serious chance of winning and marking preferences for all the important candidates (or even the entire ballot).

This logic mostly remains true for low-magnitude proportional elections. I am a big fan of using preferential voting for local council elections electing three, four or five councillors per ward, or for the magnitude-six Senate election.

But as magnitude increases, the benefits of preferential voting decline, and the burden increases. Once you are electing 21 members in a single electorate, many parties are competitive in themselves, and most seats will be decided by the primary vote.

It is also harder to maximise the value of your vote. The best way to vote is to mark every box (at least every above-the-line box), but that is a substantially bigger burden and we rightfully don't demand this of every voter. In this way we give a subtle boost in voting power to the well-informed voter who has the time to think through their vote.

And at the end of all the voting, it takes us weeks to know the outcome. Every vote with more than one preference must be centrally data-entered, and the picture remains unclear until the button is pushed weeks later. And when that outcome comes, the result is usually almost exactly the same as it would have been if we had ignored every second and subsequent preference. At the 2003, 2007 and 2023 elections, the 21 elected candidates were all in the top 21 positions based on the primary vote. In 2011, 2015 and 2019, a single candidate who was in the top 21 on primary votes was knocked out. It's a lot of pain for not much gain.

To find a solution, we need to widen our perspective outside of our experience of elections in Australia, and look beyond preferential voting systems.

I would argue that the current system should be replaced by a system of list proportional representation (or "List PR") where voters cast their ballot for a single party or candidate. There would be no preferences: rather parties would receive seats in proportion to the votes the party has received.

List PR systems are used for many elections all across the world and are very fair ways to allocate seats between parties. They are much more suitable to electing 21 candidates at large.

Firstly, it would be much easier for voters to cast a ballot. They simply make one mark. Depending on the exact model, they could vote for the party or for the candidate.

It would also be much easier to count and understand the results. Every ballot could be counted in the local polling place. No data entry of individual ballot papers would be necessary, since there would be just one mark on each ballot paper. The number of ballot papers cast for each party/candidate in each booth would be lodged, and the totals could be added up by anyone with a spreadsheet.

There are a number of varieties of List PR that could be chosen.

New South Wales could use closed list PR (CLPR), under which each group would lodge a list of candidates, and voters would cast a single vote for a group. In practice this would not reduce the amount of choice that voters have, since below-the-line voting at the moment doesn't have any practical effect. The ballot paper could be much smaller.

Alternatively we could use open list PR (OLPR), where voters can cast their vote for an individual candidate rather than the party. The ballot paper would look similar to our current ballot (although without an obligation that groups run so many candidates). All votes for the party's candidates are added up, and each party receives a particular number of seats based on the party totals, and those seats are given to the individual candidates with the most votes.

There are also a variety of flexible list systems that lie in between, where parties can have pre-determined lists but allow candidates to win a seat if they meet a particular threshold of individual votes. This threshold could be more easily met if casting an individual vote is easier than the current below-the-line system.

List PR systems have been proposed for state upper houses in Australia on at least two occasions. Labor governments in South Australia and New South Wales set about democratising their upper houses first by introducing systems of list PR.

The Dunstan government in 1973 passed legislation to elect the South Australian Legislative Council by a peculiar form of list PR which involved marking preferences between parties (not individual candidates). The preferences were used to redistribute votes from parties that polled too low to win seats, and to decide the final seats. This system in 1981 was replaced by a single transferable vote system involving individual candidates, with group voting tickets introduced in 1985.

In 1977, the first-term Wran government moved to reform the NSW Legislative Council, up until that point elected by a joint sitting of both houses and lacking its own democratic mandate.

The Wran government's original proposal was for another form of closed list PR, not involving the use of preferences. As a compromise with the Liberal-Country opposition, the single transferable vote was implemented instead.[9] Above-the-line voting came later.

There is a strong attachment to the use of preferences amongst the politically savvy in Australia. I include those who are active in politics, including politicians, as well as media and activists. I am a big fan of preferences, but there are limits to it as an electoral system. Many countries have well-functioning democratic systems without using preferences. At a certain

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[9] "Connecting with the People: The 1978 reconstitution of the Legislative Council", David Clune, NSW Legislative Council oral history project, 2016
https://www.parliament.nsw.gov.au/lc/roleandhistory/Documents/Connecting%20with%20the%20People%20-%201978%20Reconstitution.pdf

point the complexity and difficulty in casting a vote outweigh the theoretical value of ensuring that your vote will always stay in the count until it has been fully used up.

Recommendation 3: A referendum be held to repeal the Sixth Schedule of the NSW Constitution Act and replace it with a general guarantee that elections to the Legislative Council shall be at large and by a method of proportional representation.

Recommendation 4: Subsequent to any such referendum, that the current electoral system for the Legislative Council be replaced with a system of list proportional representation, either using a closed, open or flexible list.

Reduce Legislative Council terms to four years

When responsible government and bicameral parliaments were introduced in New South Wales and its neighbouring colonies in the 1850s, the Legislative Councils were explicitly designed as conservative institutions, as bulwarks to the more democratic assemblies. In some colonies, the Councils were elected on a restricted franchise, while in others they were appointed.

One feature used to hold back the tide of progress was to have upper houses elected on longer terms, with overlapping terms too.

When the NSW Legislative Council became an indirectly-elected body in 1933, it was based on elections every three years for one third of the council, with members serving for a nine-year term. This continued for the elected Council in 1978. When four-year terms were implemented after 1984, this meant that members of the Legislative Council (MLCs) would serve for a twelve-year term. The Council was then reformed in 1991 to consist of two halves, with MLCs serving an eight-year term.

No elected official in Australia serves a term greater than eight years. Eight-year terms only remain for the New South Wales and South Australian upper houses. I believe that a term of this length is insufficiently democratic and unacceptable in our modern political system, and would not be implemented in a new political institution.

Electing the Council in halves could theoretically restrain the power of a government, but it does not do a good job at this. For a start, it can only perform that role in a first term. Once a government wins a second term, the overlap loses its relevance.

Secondly, we have thankfully found a different way to ensure enough difference between the houses to allow for checks and balances: proportional representation. In the modern party system, governments don't come close to winning a majority in the upper house, but PR ensures that the members elected at the same time as a government are broadly sympathetic without being signed up to the government's agenda – eg Coalition governments tend to have minor right-wing parties in the balance of power, while minor left-wing parties hold the balance of power during Labor governments. The only thing that disrupts this pattern is the unwelcome intrusion of MLCs elected four years earlier.

The election of the entire cohort of 42 MLCs in one election would also make the result more proportional, and wouldn't be a greater administrative burden if the current electoral system were replaced with list PR as recommended in the previous section.

If the Council was refreshed every four years, it would also minimise democratic concerns that come from MLCs being appointed to fill vacancies for such long periods of time, or continuing to serve for such long periods after falling out with their party. While by-elections are held in the Assembly, they are not appropriate in the Council, which means you can sometimes see a person appointed for close to eight years without facing the voters.

In recent years we have seen MLCs resign their seats to contest the Assembly election, only to be reappointed to their own seat after their defeat. We have also seen MLCs resign their seat to seek another eight-year mandate at a politically convenient time with four years remaining on their original mandate. All of this will become irrelevant if the entire chamber serves a four year term.

Recommendation 5: A referendum be held to reduce the term of Members of the Legislative Council to four years, with the entire chamber elected as a single cohort every four years.

Implement single transferable vote for the Legislative Assembly

The Legislative Assembly election in 2023 was highly disproportionate, if not quite as high as it had been in the 1999-2011 era.

The Gallagher index measures how much each party's share of the vote differs from its share of the seats, with a score of 0 indicating a perfectly proportional result.

Disproportionality of NSW elections, 1950-2023

Based on the Gallagher index of least squares. Liberals and Country/Nationals treated as separate parties for Assembly elections.
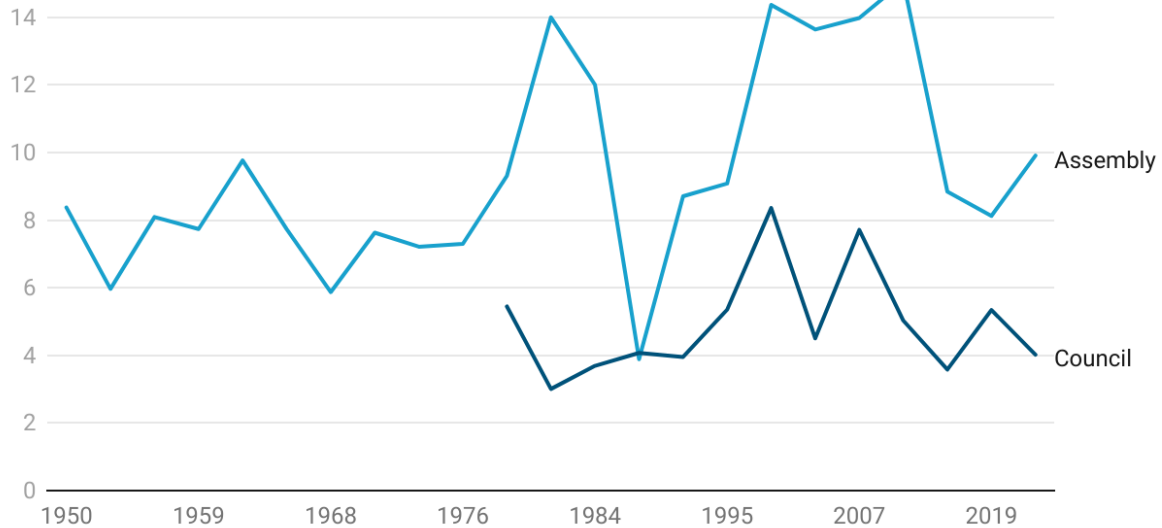
While the Legislative Council has generally hovered around an acceptable score of 5, the Assembly has reached 14 from 1999 until 2011, and is now around 10.

Meanwhile we have seen a continuing decline in support for the major parties, indicating that the old two-party system is well and truly a thing of the past.

While the current NSW government is technically in minority, there is little evidence of recognition that the current government received a smaller primary vote than any recent election winner. There is a danger of NSW democracy suffering a legitimacy crisis if there continues to be such a strong disconnect between how people vote and the governments that take power.

Major party vote share, NSW lower house elections 1950-2023

What share of the primary vote for Legislative Assembly elections went to the Liberal and Country/National parties or to Labor at elections from 1950 until 2023?
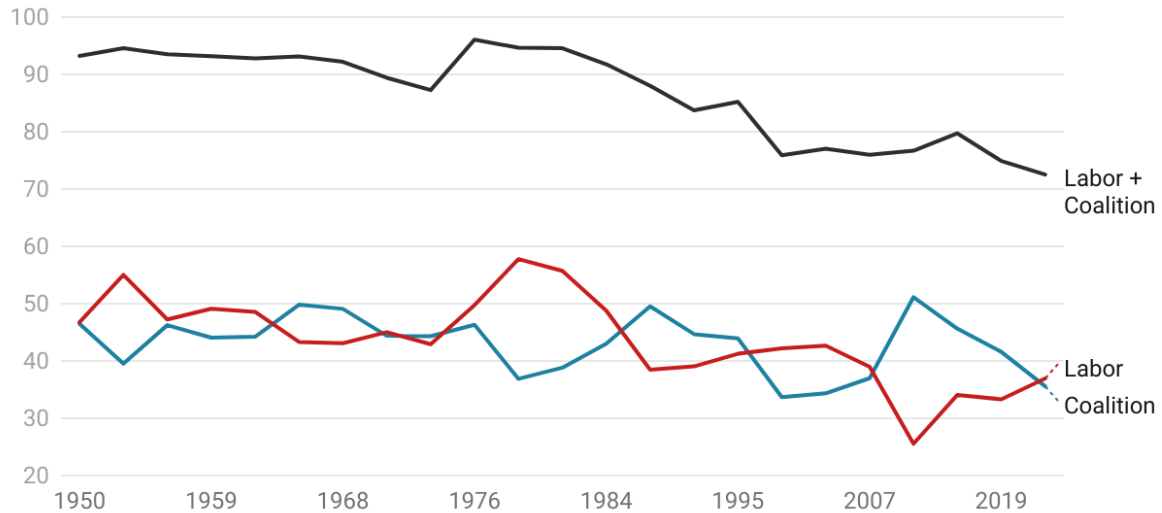

Chart: Ben Raue • Created with Datawrapper

The number of non-classic races (where the top two are anything other than Labor and Coalition) reached 22 out of 93 seats, only ranking behind the 27 seats at the 2011 election.

The current system is inadequate for an increasingly complex and multipolar party system.

New South Wales has experience with the single transferable vote in the Legislative Assembly before. It was used for three elections in the 1920s, with three- or five-member districts used. The results were remarkably close to proportional, with most seats going to one of three larger parties.

A system of multi-member districts with a low district magnitude of 3-7 members per seat would ensure the best of both worlds – an accurate representation of how people vote and responsive governments, but also accountable government and a relatively small number of parties in government. This district magnitude hits an "electoral sweet spot" which achieves much of the positive outcomes of both proportional and majoritarian systems.[10]

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[10] John M Carey and Simon Hix, "The Electoral Sweet Spot: Low-Magnitude Proportional Electoral Systems", Americal Journal of Political Science, 1 February 2011. https://onlinelibrary.wiley.com/doi/full/10.1111/j.1540-5907.2010.00495.x

FIGURE 5   District Magnitude and the
Probability of Lower-than-Median
Outcomes
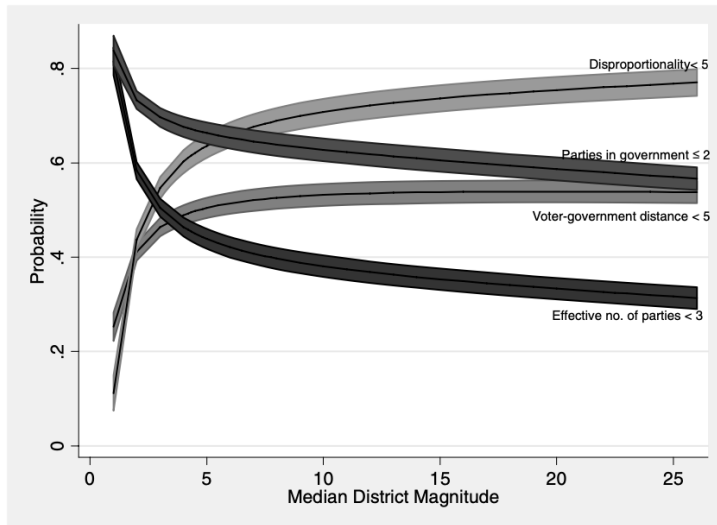
Note: The figure plots the predicted probabilities that an election produced a lower-than-median outcome in the relevant variable, fitting an asymptotic model to the predicted values, with 95% confidence intervals shaded.

I suggest implementing a system of five-member districts. If my previous suggestion of expanding the Assembly to 110 seats was adopted, this would mean the creation of 22 multi-member districts.

I would also note that this would help deal with the numbers of votes that currently exhaust. Almost 11.5% of all formal votes exhausted before reaching the final two in the two-candidate-preferred counts in each seats. A more proportional result would mean more of those votes would help elect a candidate. If you look at the two-party-preferred vote (often used as a backup claim to justify government by a party that didn't come close to winning a majority of the primary vote), 13.7% of all votes exhausted before reaching a Labor or Coalition candidate.

When you consider the exhausted votes, you realise that we don't get parties winning a majority of the two-party-preferred vote. Since 1988, the Coalition has only managed a majority of the two-party-preferred vote in their landslide years of 1988 and 2011. Labor has never managed this feat, coming closest with 48.9% in 2003.

Two-party-preferred vote, NSW elections 1988-2023

Labor ▮ Exhaust ▮ Coalition

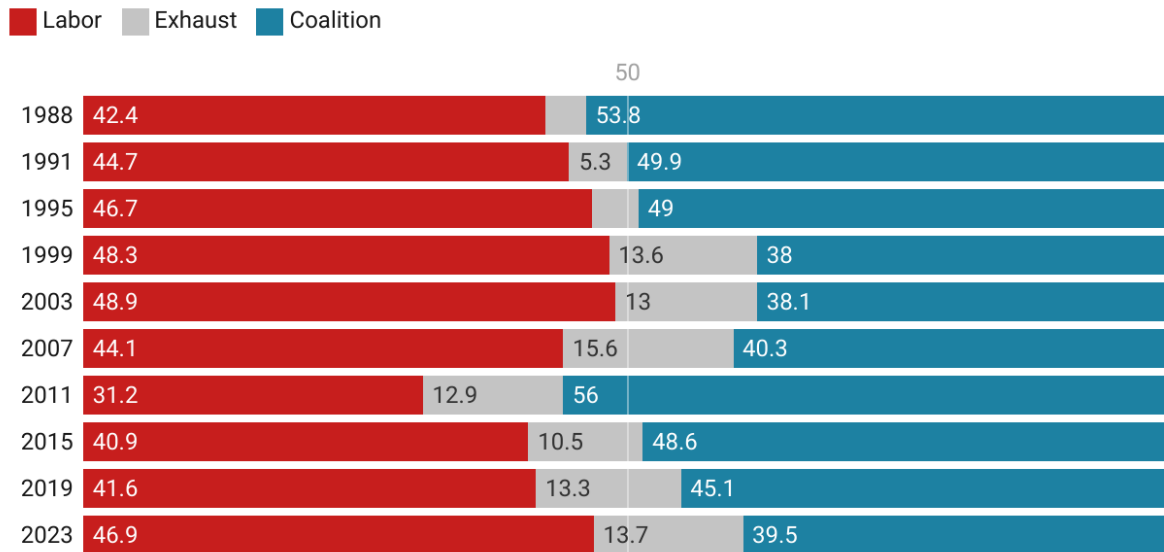| Year	Labor	Exhaust	Coalition
1988	42.4		53.8
1991	44.7	5.3	49.9
1995	46.7		49
1999	48.3	13.6	38
2003	48.9	13	38.1
2007	44.1	15.6	40.3
2011	31.2	12.9	56
2015	40.9	10.5	48.6
2019	41.6	13.3	45.1
2023	46.9	13.7	39.5

Chart: Ben Raue • Created with Datawrapper

Governments relying on a mandate of a majority of the electorate has not been a thing in New South Wales for a long time. An overhaul of the electoral system would allow for such a thing to be achieved.

Recommendation 6: A referendum be held to remove the constitutional requirement that members of the Legislative Assembly be elected from single-member districts, to allow for the creation of five-member districts elected using the single transferable vote method of proportional representation.

Review into NSW local government elections

I would also like to suggest that this committee hold an inquiry in the near future into the electoral system for NSW local government.

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.

I will spare the committee's time by not going into these issues in depth at this time.

Recommendation 7: An inquiry be held into the electoral system used for local government in New South Wales.