

INQUIRY INTO LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL 2025

Organisation: Liberal Party of Australia - NSW Division

Date Received: 8 July 2025

LIBERAL PARTY OF AUSTRALIA

NEW SOUTH WALES DIVISION

State Director

7 July 2025

The Hon Emily Suvaal MLC
Chair
Standing Committee on State Development
Parliament House
Macquarie Street
SYDNEY NSW 2000

Via email: State.Development@parliament.nsw.gov.au

Dear Ms Suvaal

Thank you for the opportunity to make a submission to the inquiry by the Standing Committee on State Development into the *Local Government Amendment (Elections) Bill 2025* ('Bill').

The Liberal Party of Australia, NSW Division ('Liberal Party') recognises the importance of ensuring integrity, transparency, and public confidence in the conduct of local government elections across NSW.

The Bill referred to the Standing Committee for inquiry and report seeks to:

1. Mandate the NSW Electoral Commissioner as the sole provider for administering all council elections, ending councils' ability to engage private electoral service providers.
2. Reduce the pre-poll voting period to five business days.
3. Require polling places to be located within the council's local government area.

In making this submission, the Liberal Party reaffirms its belief in free, open, honest and robustly democratic public institutions, in which respect for our forms of government coexists productively with public participation in, and criticism of, their processes and outcomes.

As Liberals, we believe in democratic government that protects the rights of Australians by a system of checks and balances and that, wherever possible, government should not compete with an efficient private sector.

We acknowledge the professionalism, experience and efforts of the NSW Electoral Commission (NSWEC) in preparing for and conducting elections. The Party seeks to maintain an effective, professional and constructive relationship with the NSWEC, not only during election campaigns, but throughout the electoral cycle, and we view this relationship as critical to the ongoing conduct of elections.

With this in mind, we note that when the NSW Liberals & Nationals were in office, then Premier Gladys Berejiklian asked the Independent Pricing and Regulatory Tribunal (IPART) to provide

then Minister for Local Government, the Hon Shelley Hancock MP, with advice on the cost of conducting local government elections.

In its Final Report to the then Minister in August 2019, IPART found that significant efficiency savings could be achieved through price regulation and greater competition in the market for election services. However, despite having the option available to them since 2011, we note that very few councils have used an alternative provider to administer their elections. At the September 2024 elections, just two councils – Fairfield and Liverpool City Councils – used providers other than the NSWEC.

While the Liberal Party acknowledges the objectives of the Bill are to improve consistency and transparency in local government elections, we believe it is vital these improvements do not come at the expense of councils' financial sustainability or place additional burdens on ratepayers, particularly across regional and rural NSW.

Pre-poll voting is an important provision to assist voters who are legitimately unable to vote on election day. However, it should not be a means of allowing all voters to simply get voting 'out of the way' at a more convenient time.

Regulation 321 of the *Local Government (General) Regulation 2021* details the circumstances for which a person is "qualified to vote before election day", i.e. they:

- (a) will not throughout the hours of polling on election day be within the ward or area for which the election is being held, or*
- (b) will not throughout the hours of polling on election day be within 8 kilometres by the nearest practicable route of any polling place at which he or she is entitled to vote, or*
- (c) will throughout the hours of polling on election day be travelling under conditions that prevent him or her from attending at any such polling place to vote, or*
 - (c1) is disabled and so will be prevented from attending at any such polling place to vote, or*
 - (c2) is prevented by approaching maternity from attending at any such polling place to vote, or*
 - (c3) is seriously ill or infirm, and by reason of such illness or infirmity will be precluded from attending at any polling place to vote, or*
 - (c4) is, by reason of his or her being kept in a correctional centre (within the meaning of the [Crimes \(Administration of Sentences\) Act 1999](#)), precluded from attending at any polling place to vote, or*
- (d) is, by reason of that person's membership of a religious order or religious beliefs, prevented from attending at any such polling place or prevented from voting throughout the hours of polling on election day or throughout the greater part of those hours, or*
- (e) will be, at a place other than a hospital, caring for another person who requires his or her care for medical reasons and so will be prevented from attending at any such polling place to vote, or*
- (f) will, by reason of being engaged for fee, gain or reward in any work throughout the hours of polling on election day, be prevented from attending at any such polling place to vote, or*
- (g) is a silent elector, or*
- (h) is a person with a disability (within the meaning of the [Anti-Discrimination Act 1977](#)), or*
- (i) believes that attending a polling place on election day will place the personal safety of the person or of members of the person's family at risk.*
- (j) (Repealed)*

(2), (3) (Repealed)

Further, Regulation 326 sets out pre-poll voting offices and times

- (1) The election manager is to determine the days and hours of operation of the pre-poll voting offices to be used to enable electors to vote in person before election day in accordance with this Subdivision, being days and hours between the seventh and first days before election day.*

As we have consistently argued in previous submissions, the electoral system in NSW (and indeed in Australia) is designed around a single election day when all electors are required to attend and cast their vote. Early voting is available as an acknowledgement that due to work, travel or other legitimate reasons, some electors may not be able to vote on election day, but it should not be used to facilitate a voting 'period' rather than a voting day. As such, we believe keeping early voting to only one week discourages the practice of electors voting early simply for convenience.

However, we do believe the Government should retain the option of including an additional day of pre-poll voting, to be held on the Saturday prior to the prescribed election date. This would improve voter participation and provide an additional option for those who may be unable to vote on election day or in the preceding week given the limited use of postal voting and absence of out of area voting. Further, this would align local government elections with state elections ensuring consistency across the electoral events administered by the NSWEC.

Given the legislative requirement that early voting be only made available in circumstances where an elector is not able to vote on election day, the Liberal Party believes that limiting the location of polling places within the council's local government area is entirely appropriate.

Fair, democratic elections are the cornerstone of the Australian and NSW political systems and as such the Party is naturally concerned with ensuring that elections, including preparations, are undertaken to the highest standard, both to ensure ongoing community confidence in NSW electoral processes and in enabling and assisting political organisations and candidates to contest elections in a fair and easy manner.

The Liberal Party thanks the Committee for considering this submission and welcome the opportunity for further engagement to support constructive improvements to the Bill for the benefit of communities across NSW.

Yours sincerely

Chris Stone
State Director