



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

## **BUDGET ESTIMATES 2024-2025**

### **Supplementary questions**

Portfolio Committee No. 1 – Premier and Finance

**NSW Electoral Commission**

Hearing: Wednesday 28 August 2024

**Answers due by: 5pm Wednesday 25 September 2024**

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## **BUDGET ESTIMATES 2024-2025**

### **SUPPLEMENTARY QUESTIONS**

<b>Questions from Hon Chris Rath MLC (on behalf of the Opposition)</b>
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#### **NSW Electoral Commission – Nominations Process**

- (1) During the 2021 local government elections, the NSW Electoral Commission reportedly initiated calls to candidates, to give them the opportunity to amend their nomination forms before the deadline. Why were similar courtesies not afforded in 2024, despite specific written requests for assistance prior to the close of nominations?
- (2) What steps are being taken to ensure that the IT systems used for candidate nominations accurately reflect the status of submissions?
- (3) How does the NSW Electoral Commission ensure that candidates can effectively monitor and rectify their nomination status, especially in the critical final hours before the nomination deadline?
- (4) How does the NSW Electoral Commission plan to streamline the nomination process to reduce its complexity and make it more accessible to all candidates, regardless of their technical proficiency or resources?
- (5) Is there an existing review mechanism within the NSW Electoral Commission to evaluate decisions made by staff that result in the rejection of candidate nominations, particularly when procedural inconsistencies are alleged?

#### **NSW Electoral Commission – Election Safeguards**

- (6) Are members of the Legislative Council entitled access to the full NSW Electoral Roll?
  - (a) Are members of the Legislative Assembly entitled access to the full NSW Electoral Roll or just the Electoral Roll for their electorate?
  - (b) Are businesses or the contact details of any businesses on the Electoral Roll?
  - (c) What contact details are on the Electoral Roll that members of parliament have access to?

- (7) For future elections, will the NSW Electoral Commission consider providing a time cut-off for queries regarding candidate's nomination forms, to ensure that errors on nomination forms are reduced before they are lodged at the official deadline?
- (a) Is the NSW Electoral Commission looking into raised concerns of misleading information on the website such as 'green lights after applications', which have led applicants to incorrectly assume they had filled in details correctly?
- (8) Is the CFMEU a prohibited donor?
- (a) Does the CFMEU meet the threshold to be classified as a property developer?
- (b) In 2017 the CFMEU gave owners consent for a planning proposal to double height limits on a property at 4-12 Railway Street, Lidcombe, as part of a deal conditional on Council approval. The deal enabled the CFMEU to exploit development consent and close it for a premium \$38 million. Did this make the CFMEU a prohibited donor at the time of the development?
- (c) The CFMEU has recently lodged two development applications in Brisbane. Does this make the CFMEU a prohibited donor?
- (d) CFMEU office bearers sit on the CBUS board which oversees CBUS property, an entity which promotes itself as a developer. Given that CFMEU officials are close associates of developers, are they also then prohibited donors?
- (e) What is the recourse if an entity has deliberately or inadvertently accepted donations from a prohibited donor?

<b>Questions from Ms Abigail Boyd MLC</b>
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**Accessible voting centres**

- (9) The NSWEC has 3 classifications for wheelchair accessibility (fully wheelchair accessible, assisted access, and no wheelchair access). How many voting centres for the upcoming LG election have no wheelchair access?
- (10) The NSWEC's Disability Inclusion Action Plan details the percentages of voting centres and early voting centres that were fully accessible at the 2023 State election. What is the NSWEC's definition of "fully accessible"?

- (a) What work has been done to increase the percentages of fully accessible venues for the 2024 Local Government election, and for the 2027 State election?
- (b) How many voting centres were not accessible
  - i. How many were only partially accessible in the 2023 election?
  - ii. Why is this not captured in the DIAP?

### **Quiet hour at voting locations**

- (11) In answers to supplementary questions from 22 Nov 2023 in relation to the viability of trialling quiet hours at future elections for people with sensory needs, the Electoral Commissioner said that “the NSW Electoral Commission has recently proposed similar arrangements under NSW legislation to allow voting to occur in this manner at the local government elections to be held in September 2024 and intends to propose such arrangements are also adopted for future state elections.” Is there any progress on this, or has there been any money invested in this?
- (a) Has the NSWEC done any costings on this?
  - (b) Please provide more detail in relation to the arrangements proposed by the NSWEC?
  - (c) Will this be trialled at this year's Local Government elections?
  - (d) Will this be trialled at the 2027 State election?

### **Disability Reference Group**

- (12) How many people are on the NSWEC's Equal Access to Democracy Disability Reference Group?
- (a) What is the process for which they are selected?

### **Reasonable adjustments for staff**

- (13) According to the NSWEC's Disability Inclusion Action Plan, for the 2023 NSW State election 742 staff advised that they were living with disability (a 27 per cent increase from the 2019 NSW State election), 141 of whom required reasonable adjustments to the workplace. What is the process for these reasonable adjustments and how are staff supported to make these requests?
- (a) What kind of adjustments are they?