

// **SUBMISSION**



The Justice Select Committee's Inquiry into the 2025 local elections

// Local Government New Zealand's submission

// Draft for members: 12 February 2026



About LGNZ

LGNZ champions, connects and supports local government. We represent the national interests of councils.

Key issues

This submission is informed by the [final report](#) of LGNZ's Electoral Review Working Group, which sets out more of our thinking on the change needed for local elections.

Voting processes

- The Electoral Commission should provide more information to residents about the importance of updating their enrolment details. This should include what is likely to happen if a resident fails to update their details within the required time frame. We also believe that the process for non-residential ratepayers to register on the roll and exercise their franchise should be streamlined by allowing the use of digital technology.

Special votes

- We are concerned about the high number of special votes not counted. This should be further investigated and its causes addressed. We also believe that the Local Electoral Act 2001 should be amended to require that electoral officers make reasonable efforts to inform residents whose special votes are classified as invalid that their vote did not count.

Recent changes to the delivery of voting papers

- Until a change in voting method is made, councils should be supported to continue and expand availability of alternative ballot drop-off points. This includes methods such as 'orange bins' at supermarkets and drive-through drop-off points. Central government should be encouraged to contribute to this financially.
- Guidelines should be developed to guide the use of mobile voting booths to ensure that communities have equitable opportunity to post or deliver their completed voting papers.

Voting methods

- There should be a move to a nationally consistent system of in-person voting for all local elections in 2028 that is as similar as possible to parliamentary elections. This should include a two-week timeframe in which to vote, with polling booths in venues where people frequently visit.
- The Local Electoral Act should be amended to enable overseas voters to use the same electronic voting approach as central government elections. It should also be easier for voters to have voting papers reissued if they do not arrive.
- Greater use should be made of voice-activated technologies to assist the vision-impaired to vote.

Electoral Integrity

- The Government should amend the Electoral Act and Local Electoral Act to put the Electoral Commission in charge of administering and promoting local elections. This new role should come with the following requirements:
 - At least one member of the board of the Electoral Commission should possess knowledge and experience of local government and local elections;
 - The board should expand to at least five members; and (like similar appointments) Local Government New Zealand should be consulted by the Minister prior to this appointment;
- The Electoral Commission should be required to engage with councils on key decisions and processes on the running of local elections. Local elections should utilise the same branding as central government elections, including the 'orange man' and his dog.
- The Local Government Act 2002 should be amended to require the Secretary for Local Government to support public understanding of how local government works and how it affects people's lives.



Introduction

LGNZ is committed to New Zealand having a healthy local democracy. Our primary focus is on promoting turnout, encouraging citizens to put themselves forward as candidates, and generally raising the profile of local government. We also provide support to newly elected members. This submission focuses on matters concerned with turnout and the performance of the electoral system as a whole.

In 2025 LGNZ established an Electoral Reform Working Group, chaired by Mayor Hon Dr Nick Smith, to review the state of local elections and how they might be improved. The working group reported back in mid-2025 with 20 recommendations. Where relevant to the Committee's terms of reference, we have incorporated the working group's findings and recommendations.

Our submission

Voting processes

Changes to the roll

It is our understanding that most roll change issues this election arose because people did not know how to update roll details. There was also a lack of understanding of the implications of failing to update those details within the defined period. In response to media inquiries, the Electoral Commission said:

- That people may have been moved to the dormant roll. This can occur when Commission staff lose contact with a registered voter, despite asking them to update their details through email or text.
- That some residents who had not received their voting papers were not aware that they could ask for a replacement by contacting their council's electoral officer.

Problems with updating enrolment details can also occur for people on the “non-resident ratepayer” roll.

The non-residential ratepayer roll

A specific and longstanding issue with local elections concerns how hard it is for non-residential ratepayers to vote. The current process is time-consuming, confusing and needs to be modernised, which may explain the small numbers on the roll. Looking at the 2022 elections:

Roll	Number on roll	Average turnout
Residential electoral roll	3,365,622	45.7%
Non-residential roll	7,277	85%

The small numbers on the non-residential ratepayers roll is likely to reflect the complexity of the enrolment process. Having gone through the enrolment process, most of those enrolled vote. In some districts turnout is 100%, although in those cases the number enrolled is small. For example, turnout of non-residential electors in Timaru District is 100 but only nine people are on the role.

A survey undertaken by Taituarā on behalf of the electoral officers identified the following problems:

- confusion about ratepayer vs residential enrolment
- incorrect assumptions about automatic enrolment
- communication and messaging issues
- delivery and timing problems for voting papers
- administrative burden and inefficiency
- eligibility criteria are tricky to explain

The survey results highlight the need to modernise the Local Electoral Regulations to provide for greater use of technology when enrolling non-residential ratepayers.

Recommendations

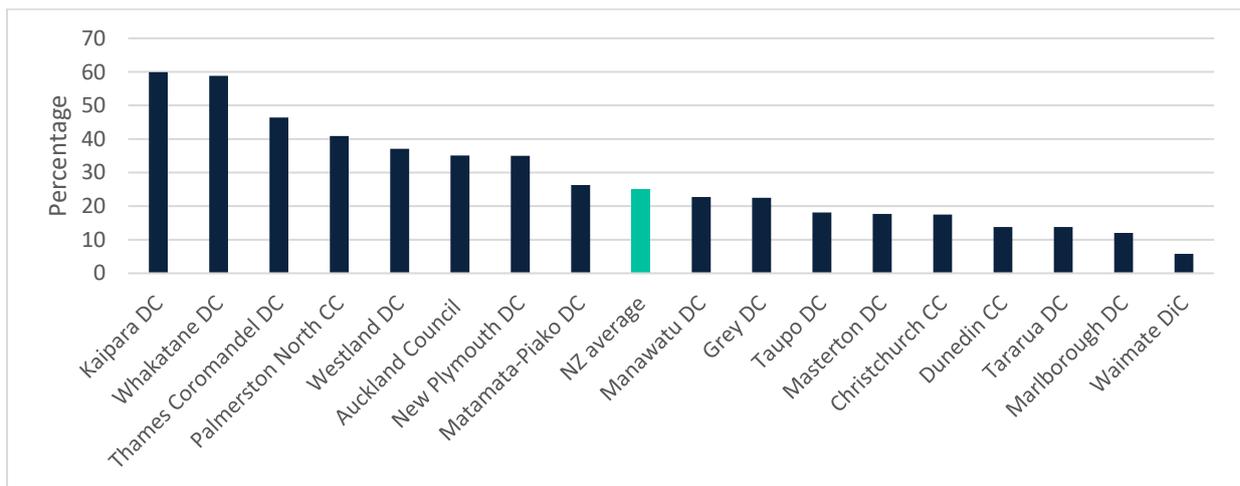
- That the Electoral Commission provides more information to residents about the importance of updating their enrolment details and what is likely to occur if a resident fails to update their details within the required time frame.
- That the process for non-residential ratepayers to register on the roll and exercise their franchise is streamlined by allowing the use of digital technology.

Special votes

We welcome the committee focusing on “special votes” as an area of interest. In 2025 there appeared to be significant variance between councils in the percentage of special votes disallowed. Concerns have also been raised that there is no requirement to inform people whose special vote was disallowed.

The best information we have on the variability of disallowed special votes between councils comes from the triennial survey of electoral officers undertaken by Taituarā (see figure 1 for a representative sample of councils). At one extreme, Kaipara District had 60% of its special votes disallowed; while at the other extreme only 5% of special votes were disallowed in Waimate District.

Figure 1: Percentage of special votes disallowed



As LGNZ’s role in elections is primarily concerned with promoting candidacy and turnout, we lack the operational information to explain the variations highlighted in figure 1. However, the variation is sufficiently material that to strengthen public trust in New Zealand’s local democratic processes, a more detailed examination is needed, particularly as to why the special votes were rejected.

We understand that voters whose votes have been disallowed are not informed of this fact. People should know whether their votes have been counted or not. At the local level, this is not the case. As

one electoral officer explained when replying to a media inquiry on this issue: “If a special vote is invalid/not counted, we do not advise the elector of this as it is not a legislative requirement.”

Recommendations

- That officials investigate the reasons for the variance between councils in the number of special votes not counted.
- That the LEA 2001 is amended to require that electoral officers make reasonable efforts to inform residents whose special votes are classified as invalid that their vote did not count.

Recent changes to the delivery of voting papers and returns

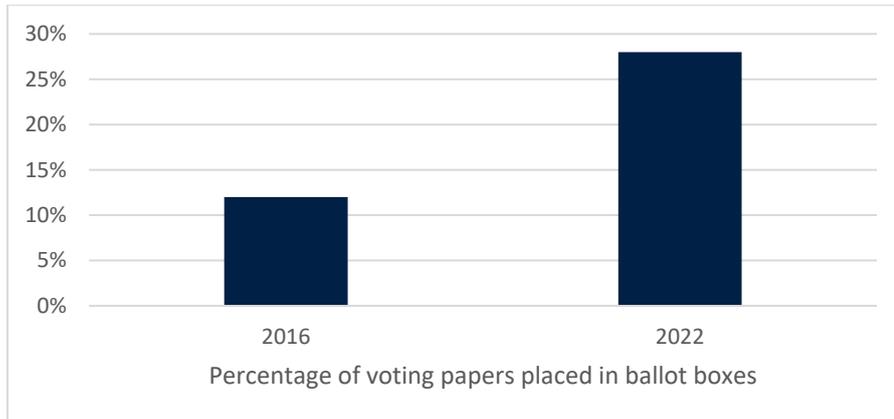
The terms of reference for the Inquiry includes the potential impact of any changes to the delivery and return of voting papers.

Use of “ballot” boxes

Over the last three elections, an increasing number of completed voting papers have been deposited in “orange bins” (ballot boxes provided by councils) rather than being posted. This is not surprising given the decline in the number of NZ Post boxes. The decline has increased the distance some voters have to travel to post completed papers, while also potentially disincentivising some from voting altogether. To address this decline, many councils, generally the larger ones, have placed ballot boxes in supermarkets and community facilities to make it easier for people to submit their completed voting papers.

LGNZ’s 2016 and 2022 post-election surveys asked those participants who had previously voted for information on where they put their completed voting papers (see figure 2).¹

¹ A VOTE FOR DEMOCRACY? Voters, non-voters, and the 2022 local government election, available from LGNZ

Figure 2: Proportion of voters who used ballot boxes 2016 - 2022

Source: LGNZ

The surveys show that the proportion of voters placing their completed voting papers in some form of ballot box increased from 12 per cent in 2016 to 28 per cent in 2022, with 31 per cent of voters in Auckland in that year also choosing this option². While we have no national data for the 2025 elections, we can expect the number of voters who used ballot boxes to have increased. This appears to have been confirmed by the fact that 86% of voters in the 2024 Tauranga City Council elections used some form of council-provided ballot box.

Mobile voting booths

Mobile voting booths are designed to address the tyranny of distance some communities face, by bringing ballot boxes to communities in areas poorly served by post boxes or other collection points. These areas are generally rural or isolated. Improving the accessibility of voting for these communities is important. However, it is also important that elections are seen to be conducted in a neutral manner. To ensure this, we would support the development of guidelines to guide the use of mobile voting booths.

Recommendations

- Until there is a change in voting system, councils should continue to expand availability of alternative ballot drop-off points, such as 'orange bins' at supermarkets and drive-through drop-off points. Central government should be encouraged to contribute to this financially. See also the report of LGNZ's Electoral Review Working Group.

² The increased use of ballot boxes in 2022 was also related to support from LGNZ and DIA, which provided ballot boxes to larger councils free of charge.

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- That guidelines are developed to guide the use of mobile voting booths to ensure communities have equitable opportunity to post or deliver their completed voting papers.

Voting methods

The select committee has been asked to examine several issues related to the method of voting. Specific questions cover the use of telephone dictation for those who are blind, vision-impaired, or physically unable to mark their voting paper. This is part of the broader issue about the future postal voting.

Postal voting

With one exception (Hutt City in 1992) all councils have conducted their election by post since the reform of local government in 1989³. While voters (87% according to LGNZ's 2022 post-election survey) found the experience of postal voting to be very easy or easy, multiple issues have arisen. In addition to the steady decline in turnout, to levels that existed before 1989, there is now clear evidence that postal voting is not as secure as many have historically believed, for example:

- Voting papers being filled in by a person who is not the registered voter (for example, when the voter is living abroad or is medically dependent on other household members);
- The risk of voting papers not being delivered as intended, or delivery being compromised by a natural event of some kind ;
- The opportunity for fraudulent behaviour, including the theft of voting papers from letterboxes, as found in the [investigation into the 2025 Papatoetoe local board elections](#).

As the evidence of fraudulent behaviour associated with postal voting grows, trust in the postal voting system will decline. It is time to look at alternatives, which is one of the reasons LGNZ's Electoral Reform Working Group was established.

Having consulted widely on the future of postal voting, the Electoral Reform Working Group recommended that New Zealand should work towards a nationally consistent system of in-person voting for all local elections in 2028.

This approach might also include the option for people to request that their voting papers be sent to them in advance. This could assist people with limited mobility to vote, as is provided in jurisdictions elsewhere.

³ It should be noted that postal voting is a matter of choice rather than law, as the Local Electoral Regulations provide for councils to hold traditional booth-based elections should they wish (although some relatively minor amendments to the regulations would be required if a council chose to do so).

Recommendations

- There should be a move to a nationally consistent system of in-person voting for all local elections in 2028 that is as similar as possible to parliamentary elections. This should include a two-week timeframe in which to vote, with polling booths in venues where people frequently visit (see the report of LGNZ's Electoral Review Working Group).
- The Local Electoral Act should be amended to enable overseas voters to use the same electronic voting approach as central government elections. It should also be easier for voters to have voting papers reissued if they do not arrive (see also the report of the Electoral Review Working Group).
- Greater use should be made of voice-activated technologies to assist the vision-impaired to vote.

Electoral integrity

Disinformation and misinformation

Free and fair elections in which people have confidence in the outcomes have been undermined overseas. Both disinformation and misinformation are easily spread by social media, and this is being accelerated by artificial intelligence. This was investigated by [Government's Independent Electoral Review panel](#), who noted in their final report "*Internationally, finding ways to regulate disinformation is a developing area. In Aotearoa New Zealand, ways to address it are being considered by social media companies and the government. education and community engagement are the best tools we have.*" We agree with this point, and welcome the committee exploring how disinformation and misinformation could be addressed in future local elections.

The issue of consistency in election information was addressed by LGNZ's Electoral Reform Working Group, which has recommended this be addressed by transferring the running of local elections to the Electoral Commission.

Role of staff

The select committee has been asked to consider of the role of councils and their staff when determining voting arrangements, as well as the relationship between staff and the electoral agencies responsible for conducting the voting. The terms of reference are silent why this question was included.

The relationship between electoral agencies and council staff is a matter for each chief executive and their governing body. Where the elections are run by an external provider, the relationship is a contractual one, with virtually all councils outsourcing all or some of the administration of local elections. This process is governed by each council's outsourcing policy.

It is the role of council staff to monitor their electoral provider's compliance with the terms of their respective contract. There can be, however, a lack of clarity about the extent of an electoral officer's role and, consequently, the role of deputy electoral officers. The implications of contracting out the electoral officer role (councils retain the role of deputy electoral officers inhouse) have never been

fully considered and may need further investigation. For example, it is common for the electoral officer's role to include:

- Overseeing the nomination and registration of candidates as well as operating the technology to identify and count votes.
- Having responsibility for interpreting legislation and regulations and investigating complaints.
- Having responsibility for ensuring candidates comply with regulations governing donations and expenses, including that they must refer examples of non-compliance, even if trivial, to the NZ Police to investigate. They also hold records of candidate donations and spending for the statutory period (seven years).

The question to be asked involves determining which roles best sit with a publicly accountable agency and which roles are best placed to contract out to the private sector.

Councils, and their communities, receive significant benefits from having firms with scale and competency operating the technical processes involved in running local elections. What is not so clear is whether some of the roles that councils contract out should be best left with the councils themselves, in particular those roles involving the interpretation of legislation and being the guardian of public information (including copies of members' electoral expenses). There are strong arguments for keeping such roles inhouse or placing them in a national organisation, like the Electoral Commission.

LGNZ's Electoral Review Working Group's solution was to recommend that the Electoral Commission be put in charge of administering and promoting local elections. It would then be up to the Commission to determine which functions should remain in its direct control and which functions may be suitable for provision by an external party.

Recommendations

The Government should amend the Electoral Act and Local Electoral Act to put the Electoral Commission in charge of administering and promoting local elections. This new role should come with the following requirements:

- At least one member of the board of the Electoral Commission should possess knowledge and experience of local government and local elections;
- The board should expand to at least five members; and (like similar appointments) Local Government New Zealand should be consulted by the Minister prior to this appointment;
- The Electoral Commission should be required to engage with councils on key decisions and processes on the running of local elections; and
- Local elections should utilise the same branding as central government elections, including the 'orange man'.

The Local Government Act 2002 should be amended to require the Secretary for Local Government to support public understanding of how local government works and how it affects people's lives. (See the report of the Electoral Review Working Group).

Appendix 1: LGNZ's proposals for strengthening local democracy

In July 2025 the Electoral Reform Working Group, established by LGNZ and chaired by the Hon Dr Nick Smith, Mayor of Nelson, published its report into why people are disengaging from local government and what can be done about it. That Working Group's recommendations range from suggestions for improving the running of local elections and extending the three-year term to strengthening the code of conduct. The full report can be accessed at https://d1pepq1a2249p5.cloudfront.net/media/documents/ERWG_final_position_paper.pdf.

The Working Group's recommendations are set out below for the information of the Select Committee's members.

Issue 1: The public's understanding of local government and why it's important

Recommendation 1: The Local Government Act 2002 should be amended to require the Secretary for Local Government to support public understanding of how local government works and how it affects people's lives.

Recommendation 2: Councils should expand on their work to engage with schools to demonstrate how local government works, including how young people can be involved and expand on opportunities for young people to participate and be heard in decisions that affect them.

Recommendation 3: Central government should work with local government to reform the prescriptive Local Government Act consultation requirements on how councils plan and engage to give councils more flexibility to support best-practice engagement with and accountability to communities.

Recommendation 4: Councils should maximise all of their current opportunities to communicate what they do and its value, and expand their use of localism approaches.

Recommendation 5: LGNZ, together with the Minister of Local Government, the Department of Internal Affairs and councils should create an annual Local Government Week where councils showcase what they do, where their investment goes, and why local government matters.

Recommendation 6: The Government should retain the Local Democracy Reporting scheme, and improve on it by:

- Extending coverage to areas where commercial media companies no longer cover local government; and
- Committing to a three-year funding cycle to attract and retain capable staff and unlock private co-investment.

Issue 2: Understanding candidates and their policies

Recommendation 7: Councils, or the Electoral Commission if it becomes the administrator of local elections, should be required by the Local Electoral Act to provide and maintain a website (directly or by contracting to a third party) that would give every candidate the opportunity to provide (as part of the nomination process):

- A 150-word biography and current photograph (as per the current candidate booklet);
- Answers to four standard questions on policy views and priorities (with a 600-word limit across all answers). These questions must be set by a neutral body such as the Electoral Commission or in primary legislation; and
- Links to candidate websites.

It would be useful if this website allowed for candidates to also provide a short video statement. A suggested maximum length is three minutes, and the video should be subtitled so it is accessible for hearing-impaired people.

Submissions from candidates should not be moderated, with the exception of objectional or defamatory statements.

Recommendation 8: As a transition step to recommendation 7:

- For elections before the introduction of the website, council electoral officers should be encouraged to provide candidate-supplied information to neutral third-party websites for the purposes of supporting better understanding of candidates; and
- The Local Electoral Act should retain provision for the printed booklet with a 150-word candidate statement, with the need for this to be reviewed after two elections following the introductions of the website.

Recommendation 9: Councils should continue, or give consideration to, supporting ‘meet the candidate’ events, either by directly running them or by funding politically neutral organisations to do so, in order to provide the public with at least one opportunity to meet the candidates.

Recommendation 10: The Government should extend the Election Access Fund to candidates for local elections to address barriers faced by disabled people who want to stand.

Recommendation 11: Government should address the anomaly faced by candidates in Māori wards and constituencies by reviewing part 5, subpart 2, of the Local Electoral Act, which is related to candidate expenditure limits.

Issue 3: Voting methods

Recommendation 12: Move to a nationally consistent system of in-person voting for all local elections in 2028 that is as similar as possible to parliamentary elections over a two-week timeframe in which to vote, with polling booths in venues where people frequently visit.

Recommendation 13: Until a change in the voting system is made, councils should continue to expand availability of alternative ballot drop-off points such as ‘orange bins’ at supermarkets and drive-through drop-off points, and central government should be encouraged to contribute to this financially.

Recommendation 14: The Local Electoral Act should be amended to enable overseas voters to use the same electronic voting approach as central government elections, and make it easier for voters to have voting papers reissued if they do not arrive.

Issue 4: Administration and promotion of elections

Recommendation 15: The Government should amend the Electoral Act and Local Electoral Act to put the Electoral Commission in charge of administering and promoting local elections. This new role should come with the following requirements:

- At least one member of the board of the Electoral Commission should possess knowledge and experience of local government and local elections;
- The board should expand to at least five members; and (like similar appointments) Local Government New Zealand should be consulted by the Minister prior to this appointment;
- The Electoral Commission should be required to engage with councils on key decisions and processes on the running of local elections; and
- Local elections should utilise the same branding as central government elections, including the ‘orange man’.

Recommendation 16: Funding for the Electoral Commission’s new role should be covered in part by central government and in part by imposing a levy on councils. This levy should be set by Cabinet via secondary legislation and require consultation with local government.

Issue 5: Four-year terms (including transition and implementation)

Recommendation 17: Subject to a successful national referendum, Local government and central government should move to a four-year term with elections evenly spaced apart, preferably two years apart.

Recommendation 18: Section 10 of the Local Electoral Act should be amended so that the fixed election day avoids school holidays.

Recommendation 19: Local government legislation should be amended as part of a transition to four-year terms to move key planning, accountability, and representation processes from a three-year cycle to a four-year cycle. These include the Long-term Plans, Regional Land Transport Plans, Regional Public Transport Plans, and Representation Reviews.

Recommendation 20: The Local Government Act should be amended to strengthen the Code of Conduct process by:



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- Requiring the Local Government Commission to, in consultation with councils, develop and maintain a standard Code of Conduct that all councils would be required to adopt and adhere to;
 - Empowering the Local Government Commission to investigate complaints relating to significant breaches;
 - Implementing increased penalties for breaches, including suspension or fines, and empowering the Local Government Commission to apply these when it determines a significant breach by an elected member, with the penalty being proportionate to the breach and based on principles in the legislation;
 - The Local Government Commission should also have the power to remove a member of local government for serious breaches. This recommendation must be made unanimously by the members of the Local Government Commission and endorsed by the Minister of Local Government, with no resulting prohibition from standing in a by-election or any subsequent election; and
 - Central government should invest in an independent dispute resolution service for local elected members to triage issues, and where possible pre-empt costly escalation