

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

**Organisation:** Sutherland Shire Council

**Date Received:** 8 July 2025

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8 July 2025

Legislative Council  
Standing Committee on State Development

To Committee Chair, The Hon Emily Suvaal MLC

**Submission | Inquiry into Local Government Amendment (Elections) Bill 2025**

I refer to your email of 1 July 2025 containing an invitation to make a submission to the above inquiry by COB Tuesday 8 July 2025.

Our submission addresses the following key proposed amendments to the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*:

1. the requirement that all local council elections be administered by the NSW Electoral Commissioner only
2. the reduction of the pre-poll period for local council elections to five days
3. the requirement for local council polling places to be located within the council's local government area, and
4. the requirement that council vacancies be filled by candidates from the same group as a vacating councillor.

**1. The requirement that all local council elections be administered by the NSW Electoral Commissioner only**

We support this requirement, noting that Council has consistently engaged the services of the NSW Electoral Commission (NSWEC) in conducting local government elections.

However, whilst we support the NSWEC as an independent and trusted agency, we have seen the cost of council elections continue to escalate over recent electoral cycles. We are concerned to ensure that the use of a monopoly provider does not result in an ongoing escalation in the costs of elections. We therefore seek assurance that the NSW Government will ensure the NSWEC is subject to appropriate efficiency targets and expectations to mitigate its monopoly position and prevent the transfer of escalated costs to local government.

To reinforce our concern with respect to cost transfer, the final cost of the 2024 Local Government Election for our Council, as invoiced by the NSWEC, was \$1,654,046 - an increase of \$670,253 from the cost in 2016; an increase of \$551,602 from the cost in 2021; and an increase of \$159,300 between the cost estimate provided to Council by the NSWEC in 2023 and the final invoice received on 22 May 2025. In this regard, whilst we note and welcome inclusion of the election reimbursement component in the 2025/26 rate peg, as can be seen, the allocated 0.1% intended to offset the increased cost of elections between 2016 and 2024 is

insufficient. The 0.1% rate peg allocation will only enable Council to recover \$157,545 of this additional cost.

## **2. The reduction of the pre-poll period for local council elections to five days**

We support reduction of the pre-poll period, noting this period is consistent with Council's preference for pre-polling time frames indicated to the NSWEC prior to the 2024 local government elections.

Additionally, we also submit that the proposed amendment should be extended to remove eligibility criteria for pre-poll, thereby making pre-poll available to anyone who is enrolled to vote, as was the case in the 2021 local government elections and was highly successful.

Further, if pre-polling were available to everyone (without the need to provide a valid reason), this could mean we would require fewer polling locations on election day as more people would have voted via pre-poll in the 5 days prior, thus reducing the NSWEC costs and further maximising voter turnout.

To reinforce this voter turnout point, whilst the overall voter turnout for the Sutherland Shire Local Government Area was approximately 88% of all enrolled electors at the 2024 local government elections, opening pre-poll to anyone would serve to further increase this voter turnout at the next election.

Finally, we do note that the NSWEC advised Council that one of the significant reasons for the cost escalation for the 2024 local government elections was the shortened pre-poll period (requiring the NSWEC to hire more staff to manage increased vote demand in a shorter period of time). Therefore, consistent with our point above concerning NSWEC costs, our support for this amendment is subject to the NSWEC ensuring its resourcing model is appropriately configured to cater for the shorter pre-polling period thereby preventing or at least substantially limiting cost escalation because of it.

## **3. The requirement for local council polling places to be located within the council's local government area**

We support this requirement, noting that polling venues for previous elections have always been located within the Sutherland Shire Local Government Area.

## **4. The requirement that council vacancies be filled by candidates from the same group as a vacating councillor**

We do not support this requirement as these measures would have a significant impact on democratic outcomes for communities by advantaging some candidates over others. We consider that full countbacks are an appropriate way of dealing with a councillor vacancy, as it takes into consideration all preferential votes from the election.

The proposed amendment would disenfranchise below-the-line votes in a proportional voting system, as in the event they chose to vote for an individual who was not within the group of the vacating councillor, their vote would not be considered.

Additionally, the proportional representation electoral system seeks to create a representative body that reflects the overall distribution of public support for each candidate. If this proposed amendment is introduced, it would not consistently reflect the intentions of the voters in all Sutherland Shire Local Government Area wards. Further, it is inconsistent with the prevailing proportional representation system used to elect the NSW Legislative Council. For these reasons, the proportional voting (countback) system should remain the standard to fill councillor vacancies in NSW.

Thank you for the opportunity to make this submission. Please contact me or Anton Usher, Senior Manager Corporate Governance, should you wish to discuss any aspect of it.

Yours sincerely,

Lani Richardson  
Director Corporate

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