

INQUIRY INTO LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL 2025

Organisation: Wagga Wagga City Council

Date Received: 8 July 2025

Inquiry into Local Government Amendment (Elections) Bill 2025

Submission to Proposed Changes

To whom it may concern

Submission to the Inquiry into the Local Government Amendment (Elections) Bill 2025

Wagga Wagga City Council welcomes the opportunity to provide a submission to the Standing Committee on State Development's inquiry into the Local Government Amendment (Elections) Bill 2025.

As a major regional council in New South Wales, we are committed to upholding the principles of integrity, transparency and community confidence in local government elections. Our submission outlines Council's considered position on each of the proposed legislative amendments and highlights both the benefits and potential risks these changes pose, particularly for regional communities.

Council is broadly supportive of the intent to improve consistency in the conduct of elections and reduce administrative burden. However, we have concerns regarding the proposal to mandate automatic replacement of councillors from the same ticket, as detailed in the following submission.

We trust that our submission will be given due consideration as part of the Committee's deliberations.

Should further clarification be required, Council is available to participate in the public hearing scheduled for 15 July 2025.

Regards

Clr Dallas Tout
Mayor

Peter Thompson
General Manager

Summary of Council's Position

Wagga Wagga City Council is broadly supportive of the proposed amendments, with the exception of the clause relating to the automatic replacement of councillors by candidates from the same group. Council supports the intent of the Bill to strengthen electoral consistency and integrity but believes that the democratic process must be preserved through more transparent mechanisms for filling vacancies.

Council's Position on Key Amendments

Administration of Elections by the NSW Electoral Commissioner

Council's Position: Support

Council supports the proposal for all local government elections to be administered by the NSW Electoral Commissioner. Centralising election administration will ensure consistency in conduct, standards and electoral processes across the state and may enhance public confidence in election outcomes. While acknowledging the potential for cost implications, Council considers electoral integrity to be paramount.

Reduction of the Pre-Poll Voting Period to Five Days

Council's Position: Support

Council supports the reduction of the pre-poll voting period to five business days. A more concise early voting window helps ensure that the electoral roll and campaign information remain current and relevant. This change also aligns with broader electoral reform objectives, including efficiency and clarity in election logistics.

Requirement for Polling Places to be Located Within LGA Boundaries

Council's Position: Support

Council supports this measure, noting that it reinforces the principle of local representation and accessibility. Voters should expect to vote within the communities they are electing representatives for. Council acknowledges that appropriate planning and resourcing will be necessary to ensure polling place accessibility within each LGA.

Replacement of Councillors by Candidates from the Same Group

Council's Position: Do Not Support

Council does not support the proposed amendment requiring that a casual vacancy be automatically filled by the next unelected candidate from the same group or ticket. While this approach may reduce the costs and administrative burden associated with by-elections or countbacks, it removes transparency and discretion from the process and risks undermining the democratic intent of voters.

As the countback process demonstrates, the resignation of a councillor elected as part of a group does not necessarily result in their replacement by another member of that group. Instead, the process reflects the proportional will of the community based on actual votes cast. Replacing this community voice with an automatic appointment from the same ticket hands electoral control to those managing the ticket, displacing the electorate's choice and fundamentally weakening democratic representation.

The proposed change may also misalign with community expectations, particularly where public sentiment or political dynamics have evolved since the election. It creates a potential loophole whereby a high-profile candidate can lead a ticket to secure election, only to resign shortly afterward, allowing a less popular or unelected candidate to assume office despite not having earned sufficient voter support. Such tactics erode public trust and confidence in the electoral system.

Council maintains that countbacks or by-elections are the most transparent and democratic mechanisms for filling councillor vacancies and should be retained to uphold the integrity of local government representation.

Conclusion

Wagga Wagga City Council supports reforms aimed at improving electoral consistency and integrity, and we appreciate the Committee's efforts to engage local governments in the legislative process. We urge the Committee to reconsider the proposed provision for automatic replacement of councillors, to ensure democratic legitimacy is maintained.