

INQUIRY INTO LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL 2025

Organisation: Gunnedah Shire Council

Date Received: 8 July 2025

SUBMISSION

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

Lodged on behalf of [Gunnedah Shire Council](#)

Website: www.gunnedah.nsw.gov.au

Online submissions to:

State.Development@parliament.nsw.gov.au

Submissions close 8 July 2025

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Introduction

Gunnedah Shire Council welcomes the opportunity to make a submission to the inquiry into the *Local Government Amendment (Elections) Bill 2025*. Please find our feedback below.

1. Submission Timeframe

We note the email advising Council of this inquiry was received at 4.11pm on Tuesday, 1 July 2025 and submissions are due Tuesday, 8 July 2025. This provides only one week (five business days) for submissions to be prepared and is not adequate time for consultation with our Councillors and other key stakeholders.

2. Removal of Countback Elections

Council strenuously objects to the removal of the provision for countback elections for non-group candidates and the introduction of new provisions for casual vacancies for group candidates.

Information from the NSW Electoral Office shows that 18 countback elections have already occurred in NSW following the 2024 elections. Gunnedah Shire Council's election costs were \$93,027 excluding GST. This cost was achieved by resource sharing with Tamworth City Council and Liverpool Plains Shire Council. If a by-election needed to be held we expect that it would at least be this cost again. This would put a large financial impost onto this Council if it became necessary.

We also note these changes would necessitate a change in the scale and capacity of the NSW Electoral Office and may increase overall election costs for all councils as a result.

Council is also of the view that by-elections are a poor way to fill vacancies in proportional representation elections. While only some voters cast their votes for the vacating representative, all voters get their say in choosing a replacement. Countbacks are also a useful tool in non-group elections, which is what Council has. The democratic dilemma of some voters losing their representative but all voters choosing their replacement is true even without groups. Voters still have additional preferences.

Council is also of the view that the explanatory information on the changes for this Bill missed this significant change and should have been made much clearer. The objectives of the Bill are stated as:

The objects of this Bill are as follows—

(a) to amend the Local Government Act 1993 (the Act)—

(i) to require an election, poll or constitutional referendum of a council to be administered by the Electoral Commissioner rather than by either the Electoral Commissioner or an electoral services provider engaged by the council, and

(ii) to provide that pre-poll voting may only occur during the 5 business days immediately before the date of an election, and

(iii) to provide that a polling place for a council election must not be located outside the council's local government area,

(b) to make consequential amendments.

Nowhere does it speak about the objects of the Bill also being to repeal countback elections. We feel this is misleading.

3. Pre-poll Voting

Council has no objection to the proposed limit set for the pre-poll period but is aware that the proportion of people electing to pre-poll is increasing and suggests that the timeframe for pre-polling be set in consultation with the affected councils. Managing pre-poll demand, including appropriate timeframes, may require flexibility based on need. Determining a one size fits all approach via the Local Government Act may cause unintended consequences when we know this area is changing.

General comments

Council would like to remind the Committee that legislative amendments introduce a “one size fits all” approach to all local governments, which does not take into consider the distinctions between urban and regional/rural communities.

In considering these changes, it is important to consider the impact on councils in regional and rural areas that do not have the scale, capacity or resources of city councils.

For any further information regarding this submission please contact Director Corporate Services, Kelly Stidworthy, at .