

INQUIRY INTO LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL 2025

Organisation: Narrandera Shire Council

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04 July 2025

The Honourable Emily Suvaal MLC
Committee Chair
Standing Committee on State Development
Parliament of New South Wales
6 Macquarie Street, Sydney NSW 2000

Inquiry into Local Government Amendment (Elections) Bill 2025

Dear Chair

Thank you for the opportunity to make a submission to the inquiry into the Local Government Amendment (Elections) Bill 2025.

In relation to the four key aspects of the bill I submit as follows...

1. Requirement to have all council elections administered by the NSW Electoral Commissioner – We offer no objection as a Council that has always used the services of the Electoral Commission. It would be nice if he could do it a bit cheaper.
2. Reduce the pre-poll period to 5 days – we have recently had a Federal Election and the pre-poll period was 7 days which included the weekend prior to the election. This worked very well. We would not support any longer as candidates in rural settings cannot support the longer period. The pre-poll booth has been the largest booth in the past two local government elections in our shire.
3. Mandate that polling places be located within the council's area – we are not really affected by this proposed change.
4. Require vacancies to be filled by candidates from the same group – again we have not had group voting in any of our elections. Having said that it does not appear to be democratic to not include all the unelected candidates in the countback.

I appreciate that the following comments may be outside the terms of reference of the inquiry however they are relevant, and I submit them for your consideration. I would classify what's happening with this amendment as a missed opportunity.

Being a councillor in a major centre or city, council may be an exciting and rewarding experience and an essential element of one's political career, but for many Councils, particularly smaller rural councils, being a councillor is a challenge and is difficult for many very capable residents to contemplate.

If you consider the nominations for the Councils in our region at the last election there were a number that had just enough candidates and others that fell short and had to

hold subsequent by-elections. In Narrandera's case we have nine councillors, and we were fortunate. It is increasingly difficult to attract candidates who have the time and ability to commit to the role. We had a conversation about reducing the numbers to seven but that was rejected.

Sec 294 allows the Council to not hold a by-election to fill a casual vacancy (with Ministerial consent) if the vacancy occurs within 18 months of the next general election. Given the cost of by-elections I believe that this timeline should be extended, and Councils given more flexibility. In my experience Councils are able to continue to function very adequately with 8 councillors.

I would suggest that this period should be extended to at least two years or even longer.

The next issue I would like to raise relates to the confusion around the office of the Mayor when he/she is elected by the councillors.

Section 230 (3)(b) states that the office of the Mayor becomes vacant when the persons successor is declared to be elected.

Section 233 prescribes that councillors cease to hold office and that includes the Mayor at the day set for the election.

Section 290 of the LG Act prescribes that the election of the Mayor by the councillors is to be held (subsection 1a) if it is the first election after an ordinary election of councillors - within three (3) weeks after the ordinary election.

Last year in Narrandera's case the following dates are relevant:

- 14 September the election was held therefore all councillors' positions were vacant.
- 01 October the poll result was declared.
- 03 October Council issued the notice and the business paper for the Extraordinary meeting.
- 08 October the Extraordinary meeting was held, and councillors took the oath of office, the Mayor and Deputy Mayor were elected.
- The combined effect of those provisions meant that we went without a Mayor from the 14 September to the 8 October.

The opportunity should be taken to:

- Remove the ambiguity between Sec 230 and Sec 233.
- Allow the Mayor (elected by Councillors to retain office until he/she is replaced.
- Reduce the time allowed for postal votes or extend the period for the first meeting to at least 4 weeks.

I appreciate and apologise for the messy nature of the above submission, but it reflects the reality that is the LG Act following a series of tinkering's of which the proposal before the Inquiry is just the latest.

The election provisions in both the LG Act and the Regulation should be simplified and re-written.

I can be contacted on E M or T

Yours sincerely

Mr George Cowan
General Manager

CC: the Hon. Steph Cooke MP, Local Member for Cootamundra
Shadow Minister for Water, and Shadow Minister for Crown Lands

Enc: Nil