

INQUIRY INTO LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL 2025

Organisation: Hornsby Shire Council

Date Received: 8 July 2025

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The Director,
Standing Committee on State Development
Parliament House, Macquarie Street
Sydney NSW 2000

Dear the Hon Emily Suvaal MLC,

Submission - Local Government Amendment (Elections) Bill 2025

Thank you for providing Hornsby Council the opportunity to make comments on the inquiry into Local Government Amendment (Elections) Bill 2025. This submission is on behalf of Council Officers and not the elected body, the comments of staff are listed below.

The bill proposes a number of amendments to the Local Government Act 1993 and the Local Government (General) Regulation 2021, including a requirement that:

- All local council elections be administered by the NSW Electoral Commissioner only, effectively prohibiting the use of private electoral service providers to administer elections.

Comment

Council Officers support this amendment, the NSW Electoral commission has been used by Hornsby Council for a number of elections with excellent service being provided on each occasion.

- Reducing the pre-poll period for local council elections to five days

Comment

Council Officers support this amendment, extended pre-poll timeframes add significant costs to the election process, limiting this pre poll period to five days will reduce overall cost of the election process.

- Introduces a requirement for local council polling places to be located within the council's local government area.

Comment

Council Officers support the provision of polling places to be located within the Council's local government area.

- Casual vacancies be filled by candidates from the same group as a vacating councillor.

Comment

Council Officers do not support the proposed amendment that vacancies be filled by candidates from the same group as a vacating councillor. Officers support the current countback election approach as it enables the vacant position to be filled without the need for the community to attend and vote again, it allows the votes that have been cast to be reused and provides an opportunity for the candidate with the next highest votes to be elected to Council. Officers believe this is the fairest method of filling vacant positions rather than filling the position with a candidate from the same group as the vacating

councillor, supporting the community's desires when casting their vote at the original election, therefore Officers believe this amendment should not be supported and remain as a countback election.

Following the Local Government Amendment (Elections) Bill 2014, which introduced the option of holding a Countback election rather than a By-Election in the case of a casual vacancy within the first 18 months of a Council Term, Hornsby Shire Councillors have supported this approach and have resolved as such at the first Council meeting following the elections in both 2021 and 2024.

Thank you for consideration of Council's submission on the draft Bill, again please note that this submission has not been reported to Council (largely due to the 1-week notice period given to provide a submission on this matter) and is an officer level submission only.

Yours faithfully

Stephen Colburt
Manager, Governance and Customer Service