

Thank you for the opportunity to make a submission regarding the Discussion paper – Reform to Councillor Numbers and Allowances.

Councillor Allowances

I do not support the increase in allowances unless it is accompanied by key measurable performance indicators. This could include attendance at council meetings and workshops, penalties for code of conduct violations and completion of compulsory professional development.

Standard Expenses Policy for all Councils

Should allowances be increased, the Government should have a standard policy across the state for Councillor Allowances and Expenses policy which is set by the Office of Local Government and enforced by a Ministerial Order not by the individual councils.

This is the case in other states who set a standard policy for all councils. NSW is an example.

<https://www.olg.nsw.gov.au/councils/policy-and-legislation/guidelines-and-policy-information-resources-for-councils/councillor-expenses-and-facilities/>

The Local Government Act - Schedule 5 (1) (2) below, allows councils to extend their Councillor Expenses policy to grant higher expenses. This leads to inequity between Councils with some councils granting such expenses as motor vehicles and legal expenses, etc to councillors whilst others have chosen not to.

(2) A councillor is entitled to be reimbursed for reasonable expenses in accordance with the policy adopted under [subclause\(1\)](#) in relation to–

(a) any prescribed expenses; and

(b) any other expenses the council determines appropriate.

Clause (b) has allowed Councils to go beyond the prescribed expenses in the General Regulation.

A recent Supreme Court case, McCullagh v Northern Midlands Council, has focussed attention on councillor and employee expense and highlights the need to limit councillor expenses to just those prescribed or via a standard statewide policy.

Reduction in the number of Councillors

I am opposed to the reduction of councillors as this will favour incumbent councillors (who are widely known) and this would make it more difficult for new councillors to be elected who may not have a higher profile.

I am concerned that this will inhibit diversity, in particular younger people and women and not generating an environment for the renewal of councillors.

I am also concerned that less Councillors will increase the workload for councillors (many of whom may already be holding a full-time position thus impacting on their career and potentially earnings).

Fixed Terms for Councillors

Should the Government reduce the number of councillors consideration should also be given to limiting the number of terms that a councillor can stand for election.

I would suggest 3 terms (12 years) is more than sufficient to implement ideas for council. This move would encourage fresh ideas for council and encourage new people to stand.

Loss of Quorum

Consideration should be given to implementing guidance for council where quorum cannot be maintained. This may be due to councillors sick, on leave, work commitments or the need to disclose conflicts of interest.

Consideration should be given for Councillors to attend council meetings online.

Councillors' superannuation payments

Councillors should be paid full superannuation as part of their allowance, in line with all employees. The increase in allowances earlier this year was not the full superannuation loading and fell short of community expectations. The level of Superannuation has been established in Federal law, and the level of Councillors must be set and paid by the Minister in the same manner as employees. This would ensure a consistent approach and avoid differing local interpretations.

Methodology and ongoing review framework for councillor

Councillor allowances and numbers should be embedded in the legislation so that an independent Board can review allowances, expenses and councillor number. I would suggest that this should be a new role of the Local Government Board.

Consideration should also be given to changing demographics, roads and distances in councils and needs such as new residential development and social disadvantage in council areas.

The legislation should also consider whether council warrants the division of council by Wards.

In councils with a large urban area, rural areas may be disadvantaged and as most councillors may come from one town. To ensure broader representation, wards may be needed to ensure equal representation for all areas.

This is the case in Western Australia where wards vary on population and distance. Wards are reviewed every eight years to ensure representation reflects the local characteristics and people of the district. This is done independently of council where many councillors may have a vested interest in setting ward boundaries.