

Reforms to councillor numbers and allowances

We make this submission because we believe in a strong democratic process for the benefit of the Tasmanian community. A strong democratic process means many voices get heard leading to stronger and more robust decisions being made.

The focus of the discussion paper has been on the number of votes received by some candidates has been low and therefore undemocratic. Having many people voted in as councillors results in more views and a larger cross section of the community being heard. This is what Tasmanians want to have in their governance.

The bigger the number of councillors in a particular Council the more room it creates for a diverse range of candidates to be elected. This is a good thing for democracy in Tasmania. It also is crucial for allowing room for opposition and disagreement. The smaller the number of councillors the greater the likelihood of the chamber acting as a rubber stamp, or for mere party room policy implementation.

If the number of councillors become too small a council is at risk of not being able to carry out its roles or functions.

On the subject of the growing complexity of councillors' roles it would seem illogical and very unusual to cut the number of councillors. This will only increase the workload upon the reduced field of councillors. The offset by the increase of allowances would only appeal to some people and not attract a diverse range of candidates. Rising complexity is unlikely to decrease, with experience showing this only ever increases.

With that in mind, how does a reduced number of councillors with an increased workload attract a diverse talented range of people from the community? How does a woman who has a family become involved if this change increases the workload upon the individual? It would seem that increasing the workload would only attract a narrow field of potential candidates. This proposed change only seeks to entrench the exclusion of voices from the community that should be at the table. The authors clearly envision mothers being councillors due to the reference about providing parental leave but with the anticipated increase in workload makes it harder than ever for mothers to participate.

Cutting the number of councillors and increasing the workload will directly limit the time some councillors can devote to their duties, especially if they have other responsibilities. Those with caring roles are most impacted by high workload, thus it entrenches the status quo of wealthy older people (mostly men) who have the time and resources to take part in public life.

Overworked elected public officials has been experienced in Tasmania's House of Assembly where the number of parliamentary seats was increased from 25 to 35, following the reduction in the number of seats in 1998.

'One of the big reasons the government wanted a larger, 35-member parliament, was because of ministerial burnout. The view was that the size of the party room was resulting in ministers loaded up with far too much work. Former premier Peter Gutwein cited exhaustion and workload as the main reason for his resignation.' (ABC, 25 March 2024).

Given the failed experiment of the Tasmanian State Parliament to reduce the number of seats, there is real concern reducing the number of councillors will see a similar event occur at local Council level. Councillors will be over-loaded with work and suffer from burnout. The Tasmania community does not need for councillors to be over-loaded to the point where they cannot effectively undertake their elected roles. The increase in paid allowances will not make up for the disproportionate work load.

Looking in detail at a few of the points below

Strengthened governance: Fewer, better-paid councillors will assist in attracting skilled and diverse candidates, improving decision-making and professionalism.

A 14.25% increase to the allowances is in reality quite low, and on its own will not attract better skilled people. If the rate of allowance paid is the deciding factor in preventing participation today then this small increase will not overcome that. Saying this will assist in attracting skilled and diverse candidates is misleading and mischievous. We know from experience that people are attracted to public life for reasons greater than money.

Better pay also does not equate to strengthened governance. Good governance is taught and can be taught to anyone regardless of whether they are paid or not, such as a volunteers. The community not for profit sector is an illustration of volunteers engaging in good governance, yet because they are not paid does not equal poor decision making. Strengthening governance can easily be achieved with education without reducing councillor numbers. Conflating better paid councillors with improved decision-making also dismisses the opportunity that more voices at the table translates into better decisions being made.

Good governance is participatory. As such participatory good governance requires more people because it encourages active participation from a wide range of citizens to inform and shape decisions. A wide range of views ensures that policies are more effective and better reflect the community's needs and diverse experiences. A primary objective is to encourage all people from all socioeconomic backgrounds to participate.

If we are serious about diverse candidates councillors would be allowed to attend meetings remotely, which encourages people from the community who might struggle to attend meetings in person. This allows for the mother with children; disabled person with limited mobility;

Stronger democracy: Higher election vote thresholds will enhance the legitimacy of elected councillors.

The discussion paper makes the claim that the current voting system can lead to undemocratic outcomes, where candidates can be elected with very few primary votes. The Hare-Clarke electoral system has served Tasmania well for decades. Proportional voting means that councillors who are elected do have a legitimacy to hold that seat due to the proportion of the vote they have received. A successful candidate should not be determined on the number of primary votes alone, and is not undemocratic.

Reducing the number of councillors suggests that the authors of the discussion paper would like to see power consolidated with a few people.

Key consultation issues

Quorum management

Question – Should the Government consider any strategies/guidance for council decision making where a quorum cannot be maintained?

If councillors are regularly missing meetings then it potentially suggests they are not committed to the role. If 3 meetings in a row are missed without a valid reason then the councillor is seen as vacating their role and responsibility and should be removed as a councillor with a recount of election results determining who fills that vacated position.

Making meetings accessible via video conferencing is a strategy which allows councillors who are unable to show up in person still be able to attend and contribute to the meeting.

A similar provision should be included in the Tasmanian Local Government Act which follows section 67 of the Victorian *Local Government Act 2020*. It is noted this allows councils to make decisions in an 'alternative manner' where a quorum cannot be maintained due to a number of councillors having a conflict of interest in a matter.

Superannuation

Question – Should the *Local Government Act 1993* be amended to require councils to pay a 12% superannuation equivalent payment from allowances into a councillor's nominated superannuation fund?

Quite simply, yes the 12% superannuation should be paid to councillors. If councillors are to be paid for their effort then it is quite reasonable to expect that superannuation contributions be paid into a nominated superannuation fund. This is what we expect for any other person in the community in exchange for the provision of labour. If the expectation is for councillors to undertake the required workload then Council budgets must be set accordingly.

Setting the foundation for future reviews

Question – Should the methodology and ongoing review framework for councillor allowances and numbers be embedded in legislation to provide certainty and transparency to the sector and community?

At the next review of the allowances, we propose that the way councillors are paid should be changed so that they are provided with a wage in lieu of an allowance. Why is the payment not as simple as being determined based upon cost and effort?

For determining the numbers and allowances the calculation should be kept simple. Why make the determination so hard? If it is considered that using the metric of the total population number is a better indicator of representational needs then use that calculation.

Conclusion

To ensure the strongest democratic process Councillor numbers must be maintained to ensure that many voices are heard at the table. The discussion paper reads that a conclusion has been reached prior to consultation being commenced with the community.

Local council members are meant to be representative of people from the community and not just people of a skilled and professional background. Candidates should be as accessible as possible to engage with the community, and hear their stories.

If councillors are to be truly representative and accountable to the community they speak for, then they need to more engaged with the community and understand the pressures and experiences of the people they represent. This means having candidates coming from those socioeconomic areas.

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