

# SECOND READING SPEECH

## Local Government Amendment (Elections) Bill 2013

Bryan Green MP  
Minister for Local Government

I move – That the Bill now be read for the second time.

Mr Speaker

This Bill makes major changes to the electoral system for local government in Tasmania.

The reforms have been well publicised, and the Bill in front of us today does three things:

- makes voting compulsory in all local government elections in Tasmania;
- bans sitting councillors from also being Members of Parliament; and
- ensures that all councillors from all councils, as well as Mayors and Deputy Mayors, will face election at the same time every four years.

These changes are long overdue.

This Bill will make our local councils more representative and more accountable. It will improve the capacity of councils to act strategically and in the best interests of the communities they represent.

Local government is the legitimate third tier of government in Tasmania. It employs thousands of Tasmanians, is the custodian of billions of dollars worth of assets, and expends hundreds of millions of public funds every year.

For these reasons, it is essential that elections for local government be brought further into line with State and Federal governance arrangements.

If this House believes four year terms are appropriate for good decision making and that we should all face the people at the same time, then why shouldn't that same approach apply to local government?

Mr Speaker, we want our elected Mayors, Deputy Mayors and councillors to be free to focus on doing what they need to do to help Tasmanians.

Currently, Mayors and Deputy Mayors face election every two years. Councillors are elected for four year terms, but half of each council faces election every two years along with the leadership team.

I know that many councillors are frustrated about the level of disruption caused by having elections every two

years. It is clear that regularly being in election mode does not encourage effective long-term strategic planning at a local level.

I expect that the move to all-in, all-out elections will enable councils to more effectively align policy and business planning cycles with electoral cycles. This will enable a council at the beginning of its four-year term to develop or endorse a strategic plan, a long-term budget strategy, a long-term financial and asset management plan, and work off the same page for a full four years.

Half-council elections make it difficult for communities to have their say on the performance of the council as a whole. This effectively means that at election time, only half of the council is held accountable for the performance of the whole council over a two-year period. This is not fair or accountable.

These reforms are about strengthening representation. Another benefit of a move to elections where all councillors, Mayors and Deputy Mayors face election once every four years is that it will lower the quota of votes required for election.

Mr Speaker, those opposite have in the past suggested that this lowering of the quota is somehow a problem. I believe that it will, in fact, bring greater benefits to local government in Tasmania.

Turnover in local government is currently very low, and almost all new faces elected to our councils are filling 'vacancies' rather than defeating sitting members. While this consistency can be a good thing, I believe the injection of new ideas and new ways of looking at old problems will be beneficial for councils.

A lower quota will make it easier for members of groups that are currently under-represented on councils, such as women, young people and ethnic minorities just to name a few, to be elected.

Having said that, I do not believe this Bill will lead to dramatic change in the makeup of our councils immediately. Incumbency will continue to significantly benefit sitting councillors, and the benefits of all-in, all-out elections will develop over time.

Mr Speaker, this Bill is about making local government more democratic. As well as hopefully increasing the representation of currently under-represented groups, these changes will encourage more people to vote in their council elections.

The level of participation in council elections has been consistent for over a decade, with response rates stuck between 54–60 per cent. Participation has been declining slowly since 2005.

Currently, response rates are significantly above average amongst people aged 55 and above (around 70 per cent) and lower than average amongst people aged 18–44 (around 36 per cent).

I do not think this is good enough.

Australia consistently has amongst the highest participation in the world in its Federal elections. Where compulsory voting is applied to local government in other states, average statewide participation rates are consistently higher than the 54 per cent we saw at the 2011 local government elections in Tasmania.

We know that more people will fill out their ballot paper and post it back to the Electoral Commission if they are required by law to do so, and we believe that those people should be heard.

How can anyone argue that more people voting for their local representatives is a bad thing.

Some have said that those who currently vote are those who are informed and have an interest, and that compulsory voting therefore reduces the quality of the vote somehow. This is simply not true.

Mr Speaker, we live in the best State in one of the most robust democracies in the world. I believe that every vote has equal value and that all different opinions, and all different ideas about what's important, should be

captured by the electoral system. It is fundamentally important to our democracy that everyone should vote and that each vote be counted equal to all others.

Mr Speaker, voters will vote for whomever they see fit and for whatever reasons they see fit. I ask and encourage all citizens to vote because I do not believe it should be me, or you, or those opposite, who decide what is a good enough reason for voting and what is not.

We are making voting compulsory in all local government elections in order to lift participation and make local government more representative of its communities.

Finally, let me discuss the ban on dual representation. May I say at the outset that this reform is not a reflection on the quality of representation provided by anybody who has held dual roles, and that many residents in many areas of Tasmania have been well-represented by those people over the years.

However, this package is also about improving our democracy and making it more robust. If a Member of Parliament has more time to devote to one role, then it

is highly likely they will be a more effective representative of their constituency. Furthermore, it is the Government's view that an inherent conflict of interest arises when representing people on more than one level of government

What is best for a municipal area or an electoral area is not always in the best interests of the whole State.

If a person is representing a municipal area as councillor or Mayor, and is representing an electoral area as a Member of this Parliament at the same time, it is inevitably going to give rise to situations where those constituencies conflict.

Take the example where a council votes on a state-based issue and reaches a formal position but the Mayor, who does not personally support the council position, is also a Member of Parliament.

How do the constituents expect the Mayor to vote in that situation? That Mayor does not have the freedom that we expect of Members of Parliament, to vote as he or she sees best, when the matter comes before Parliament.

The provisions of this Bill will enable a councillor who is elected to Parliament to continue to serve on council for 12 months following their election to Parliament. If they do not resign from council during that time, their

position will be automatically vacated at the end of the 12 months.

This period of time will allow any community and councillor affected by the ban on dual representation to adjust to the circumstances and undertake an orderly transition. It will also help to minimise the need for a by-election where a councillor is elected to Parliament and a council election is due to be held within 12 months.

This Bill also allows Members of Parliament to run for council, but a Member of Parliament who does so successfully will be required to vacate Parliament within 30 days of their election to council, or the council position will be automatically vacated.

The timeframe is shorter in this situation because the likelihood of it occurring is smaller. It also assumes that a sitting Member of Parliament will not run for council unless they intend to vacate their Parliamentary position.

Finally, let me mention briefly my intention to postpone the local government elections that are currently due to be held in October 2013. To allow this whole package of reforms to commence at the same time, I will be asking the Governor-in-Council to make an order under the existing section 268A of the *Local Government Act 1993* postponing that election by one year.



This will grant some councillors an extra year while reducing the terms of other councillors by the same amount. However, transition is always difficult. I have made the decision to implement the reforms in this way because, on the basis of feedback provided to me, I understand it is the preferred option of the local government sector.

It is also my preferred position. It makes sense to bring in all these major reforms in at the same time, with plenty of advance notice.

Mr Speaker, Tasmania is the only State that still allows elected councillors to serve concurrently in State Parliament and one of only two that has half-council elections.

It is time that we make these changes in order to make local government in Tasmania more representative and more accountable, and to bring the third tier of government further into line with State and Federal governance arrangements.

I commend the Bill to the House.