



House of Assembly Standing Committee on Community Development

Inquiry into Local Government Elections

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Introduction

The Local Government Association of Tasmania (LGAT) is the representative body of Local Government in Tasmania. Established in 1911, the LGAT is incorporated under the Local Government Act 1993 with membership comprising 28 of the 29 Tasmanian councils.

The objectives of the Association are:-

- To promote the efficient administration and operation of Local Government in the State of Tasmania;
- To watch over and protect the interests, rights and privileges of municipal Councils in the State of Tasmania;
- To foster and promote relationships between Local Government in the State of Tasmania with both the Government of Tasmania and the Government of the Commonwealth of Australia;
- To represent the interests of the members of the Association generally, and in such particular matters as may be referred to the Association by its members; and
- To provide such support services to the members of the Association as the Association may by resolution in meeting determine.

General Comments

This submission is based on the formal policy position of the LGAT as determined through a vote at a General Meeting. It represents a majority rather than unanimous position of the sector. Member councils have been encouraged to make their own submissions to the Inquiry.

History

Motions in support of compulsory voting have been considered by LGAT members on a number of occasions, particularly during the review of the Local Government Act 1993 and at the 2008, 2010 and 2011 General Meetings associated with the LGAT AGM and Annual Conference.

At the Annual Local Government Conference in 2008, the then Premier, David Bartlett announced that his Government would be introducing compulsory voting for Local Government. A working group was formed, with LGAT represented, and a discussion paper released to councils for comment.

Although LGAT was represented on the Working Group, compulsory voting was not supported by LGAT on the basis of its present policy position. However, a recommendation by others on the Working Group was submitted to the Premier favouring compulsory voting.

The State Government has argued that compulsory voting at Local Government elections would result in:

- Significantly increased voter turnout.
- Greater involvement in local government issues.
- Enhanced status of local government.
- Councils that are more representative of the broader community.

However, evidence to support those arguments is scarce for all but the issue of voter turnout and even that must be treated with some caution given that some Tasmanian councils are already attaining turn-out rates equivalent to those experienced where compulsory voting is in place.

For information, a brief comparison of Local Government election conditions and turn out to other jurisdictions is provided in Appendix 1.

The outcome of the most recent vote on the matter by LGAT members, on 20 July 2011, was as follows: The motion was LOST: 22/31 (see Table 1).

Councils For	Card	Vote	Councils Against	Card	Vote
George Town Council	Red	1	Burnie City Council	White	2
Launceston City Council	Green	4	Circular Head Council	Red	1
West Tamar Council	Blue	3	Central Highlands Council	Red	1
Huon Valley Council	White	2	West Coast Council	Red	1
Hobart City Council	Green	4	Latrobe Council	White	2
Derwent Valley Council	White	2	Dorset Council	Red	1
Central Coast Council	Blue	3	Sorell Council	White	2
Kentish Council	Red	1	Clarence City Council	Green	4
Northern Midlands Council	White	2	Kingborough Council	Blue	3
			Flinders Council	Red	1
			Tasman Council	Red	1
			Glamorgan Spring Bay Council	Red	1
			Meander Valley Council	White	2
			Break O'Day Council	Red	1
			Devonport City Council	Blue	3
			Brighton Council	White	2
			Waratah Wynyard Council	White	2
			Southern Midlands Council	Red	1
Total		22	Total		31

*King Island Council were not present at the Meeting.

The 2011 vote on the matter reflected a shift away from support for compulsory voting compared to 2010 (i.e. less councils voted in support of the motion).

LGAT Position

The Local Government Association of Tasmania does not support compulsory voting in Local Government Elections as determined through a vote of members.

Reservations around the introduction of compulsory voting are linked to the following:

- The introduction of postal voting resulted in a significant increase in the number of people voting in Local Government elections. This is done on a voluntary basis because people want to vote and to be involved. The introduction of compulsory voting might marginally increase the number of people voting but it would also bring with it the responsibility to pursue those who do not vote and the consequent enforcement costs.
- Compulsory voting has the potential to result in increased informal voting as people are being forced to vote rather than exercising their democratic right by choice.
- Compulsory voting may lead to an increase of party politics in Local Government with detrimental effect on community representation.

Regardless of the lack of support from the Local Government Sector for compulsory voting, a number of key issues would need to be resolved should the State Government decide to move forward. These include:

- Postal or Ballot box? (integrity of the system vs cost and intensity).
- Relationship with other electoral reforms – eg terms of Mayors, all in –all out.
- The voting franchise ie, is voting limited to individuals in the same way as State and Federal elections or do businesses continue to have a vote?
- Do property owners in different municipalities have a vote per property or a single vote as per other elections?
- Will the absentee landlord living outside the state or country be liable to a non-voting penalty?
- Cost vs benefits of implementation and compliance.
- Penalties for non-compliance and identification of acceptable reasons for failure to vote.

Further, it should be noted that a feature of the conversations between the State Government under David Bartlett's Premiership was that the State Government would meet any new costs related to implementation, compliance monitoring and enforcement.

The Local Government Division have estimated (in the Joint Working Group Issues Paper) that "compulsory voting would cost an additional 20 per cent and compulsory attendance voting would double the current cost of local government elections"¹.

¹ Although this might be reduced if elections were held every four years instead of every two years.

APPENDIX 1.

	COMPULSORY	% OF RETURNS AT LAST ELECTION	PARTY POLITICAL	TERMS
TAS	NO	Average statewide participation rate of 54.31% in 2011. Best return rate was 77.52% Postal Voting	No, although some 'green' candidates in recent elections	Four Years Half in, half out every two years October 2007. Popularly elected Mayors and Deputy Mayors. Two year terms. Mayors/Deputy Mayors must be elected to council.
NSW	Yes for residents, optional for non-resident ratepayers.	Average overall participation rate 83.4% in 2008. Attendance Voting	Yes, parties can register	Four Years. All in-all out. May be popularly elected Mayor. A Mayor is councillor by virtue of being a Mayor. 4 year Mayoral terms if popularly elected. 1 year Mayoral terms if councillor elected.
QLD	Yes	79.6% (Postal Voting), 85% (Attendance Voting)	Yes	Four Years. All in-all out. March 2008. Popularly elected Mayors with 4 year terms.
WA	No	Average participation rates 33.4% in 2009 (Postal Voting). (2011 figures not yet on electoral commission website)	No	Four Years Half in, half out every two years Mayors may be popularly elected or council elected.

		Postal voting only fully rolled out in 2011.		
SA	No	Average Participation rate of 32.9% in 2010 Attendance Voting	No, although six endorsed 'green' candidates at recent elections	Four years. All in-all out.
NT	Yes	Average participation Rate of 49.8% Attendance Voting	No, although two 'green' candidates at 2008 municipal elections	Fours years.
VIC	Yes, for those on roll which includes residents	Average overall participation rate of 74.68% (Postal Voting) vs 70% (Attendance Voting)	No although some 'green' candidates at 2008 elections	Four years. All in-all out.