



## LOCAL GOVERNMENTS FOR THE FUTURE >>>

### INFORMATION SHEET

# Administrative efficiencies policy position

The consultation paper for phase one of the Western Australian Local Government Act Review addressed a number of key areas required for reform, including finding ways to reduce red tape through administrative efficiencies. The consultation process included a four month public submission period and workshops in 15 locations across the State.

This information sheet outlines what we heard during the consultation period about reducing red tape and identifying more efficient ways of doing business. It also outlines the new policy direction the Government intends to take based on this information.

## Why we consulted

Modern organisations must strike a delicate balance between oversight and red tape. Accountability measures that go too far can become regulatory burdens that create unnecessary costs that outweigh their compliance benefits.

A goal of effective regulation is to impose the least amount of resistance to activity for the lowest cost possible, while providing a governance framework to prevent or reduce the number, or seriousness, of issues in a timely manner.

## What we consulted on

The consultation paper put forward some proposals and asked for other suggestions of where it may be possible to reduce red tape.



## What we heard

### Special majority

The rules concerning special majorities currently apply to just 18 of the State's local governments, and they are only required when changing the method of filling the office of Mayor or President. This means a special majority is required very infrequently and by only a few local governments.

Over 90% of submissions received were in support of removing the requirement. The majority of the other 10% were from local government districts where the section does not currently apply.



#### New direction

The special majority requirement will be removed from the Act.

### Designated senior employees

A local government may designate employees to be senior employees. Currently, local government CEOs are required to inform the council of a proposal to employ or dismiss a senior employee. The council may accept or reject the CEO's recommendation but if council rejects the recommendation it must provide reasons for doing so.

The separation of powers and clear delineation of roles is fundamental to local government and removing potential sources of confusion is strongly supported. The rules concerning designated senior employees run counter to the underlying principles of the Act that council is responsible for strategic direction, while the CEO is responsible for day-to-day operations, including workforce management.



#### New direction

The requirements relating to designating senior employees will be removed from the Act.

### Appointment of authorised persons

Currently there are over 100 pieces of legislation that refer to local government within the State. A number of these provide local governments with a power to authorise local government employees to exercise powers under the legislation.

Each piece of legislation has different procedures to authorise the person. These differences lead to confusion and at times appointments are made incorrectly.

To minimise these issues consistency will be provided in the appointment of authorised persons across a number of pieces of legislation. The CEO will be given the power to appoint authorised persons. The authorised person will be issued with a photographic identification card and that card will list the pieces of legislation which provides the person with powers. In this way only a single card will need to be carried by the authorised person.

The Department of Local Government, Sport and Cultural Industries will work with other agencies to introduce these changes in other pieces of legislation affecting local governments.

### Harmonisation of evidence provisions

The *Local Government Act 1995* states that the *Evidence Act 1906* applies with some additional provisions relating to business records. In 2001 the Evidence Act was amended and these additional provisions are no longer required.



#### New direction

Some evidence provisions will be removed from the Local Government Act.

### Vision for the future

These changes will be the beginning of the process to improve administrative efficiencies for local governments.

Many other suggestions were put forward in response to the first consultation paper. These are being further investigated and will form part of the phase two amendments.

These changes, while small, will assist local governments in being smart, agile and inclusive.

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