



Department of
**Local Government, Sport
and Cultural Industries**



Local Government Act 1995 review
Agile • Smart • Inclusive

Local Government Act 1995 **Review**

Agile • Smart • Inclusive – Local governments for the future

Phase 1: Consultation Paper

8 November 2017

Name: Steve Walker

1. Relationships between council and administration

Introductory questions

- 1) Would you like your submission to remain anonymous?
No
- 2) Postcode:
6147
- 3) Who are you submitting on behalf of?
Yourself
- 4) Local government name:
- 5) Organisation name
- 6) Are you a:
Other

Defining the roles of council and administration: Guidance questions

- 7) How should a council's role be defined? What should the definition include?

In regard to the "...the determination of local government policies."
Problem is 1. Councils are all too often warped.
2. Council is blind to Local Government Officers, and vote through the vast majority of monthly agenda items/Report
- 8) How should the role of the CEO and administration be defined?
- 9) What other comments would you like to make on the roles of council and administration?
- 10) Are there any areas where the separation of powers is particularly unclear?
Yes
- 11) How do you propose that these are improved?
Under Separation of Powers diagram, "Council. Policy and Planning." WA State Government should be shown as can overrule. Too often narrow-

minded Councils and/or Local Governments forget this. WA State Government needs to make clear in this diagram that it should, can and will overrule.

In regards to separation of Powers diagram, "CEO. Report and recommend" -Assumption of balanced recommendation delivered. Problem is Staff priorities over suburban unmet needs/goals/milestones.

State that staff/officers, Director/s, and the CEO have bias to their 'own generated ideas/plans/projects'. Allow for State Government oversight to 'test' this (Not on every Agenda item each month, but the ability accept that argument each year)

Could force an additional 'Origin' item number for plans/projects, where Staff must state where this Agenda item (or direction) was generated. Yeah I know some staff would still lie around this -by claiming 'citizens asked for it', or that it had moved up the priorities board.

Problem has been that if good Councils/Councillors (on the Meeting day) reject the item, and send it back. ie. give us another road project, OR give us another cyclist path project, OR give us another District Centre project, OR give us another park project. The Council gets labelled as difficult by the LGA to the State Government. Then that can lead to Council being dismissed. Yet it was the Staff side that was the problem.

Improving relationships between council and administration: Guidance question

12) Do you have any other suggestions or comments on this topic?

Yes. Please see disk files. attached/emailed in.

From your intro paragraph, "when it is making decisions in the best interests of, and on behalf of, the community it was elected by." Many Councillors see this "elected by" as "their voters". Thereby serving their voters in local government is primarily for (their own)popularity and metropolitan re-election.

False premise that any Council is 'representative of the community'. You(State Government, State Agency, Local Governments) need to accept it is not. Factor that (truth/reality) into the Local Government Act.

More public (open invite) information sessions. Around every 3-4 months.

Note: This is not to be a community dominated yell-fest at Local Government representatives. Merely additional opportunities for the public to see what information Local Government staff are presenting to Council members prior to future item listings. (ie. Unclassified Strategic Issues Briefings.)

Less confidential matters. Don't hide it because you think it may be controversial. Put as much details out into the open. Not hide an entire item because of a possible only two lines of commercial costings. Edit out the costings and put an algebra symbol.

2. Training

2.1 Competencies required to be an elected member

Elected member competencies: Guidance questions

- 13) What competencies (skills and knowledge) do you think an elected member requires to perform their role?

To acknowledge Federal/State frameworks.

To be wary of fear campaigns.

To know there can be flaws in Staff Reports. (To often Councillors gloss over it. and I am not talking of spelling errors.)

- 14) Do these vary between local governments?

Yes

- 15) If so, in what way?

2.2 Funding training

Funding training: Guidance questions

- 16) Who should pay for the costs of training (course fees, travel, other costs)?

Due to some Councillors in Perth metro getting ~\$33 000 base annual salary per year, they should pay for their training.

I don't believe country local governments should pay (due to travel costs).

Yes agree that some local metropolitan governments shou

- 17) If councils are required to pay for training, should a training fund be established to reduce the financial impact for small and regional local governments?

Yes

- 18) Should contribution to such a fund be based on local government revenue or some other measure?

Answered yes for the small regional/country areas local governments BEYOND the Perth metropolitan areas.

Do you have any other suggestions or comments on this topic?

Note the 'commercial' of WALGA. Also it states their topic of "land use planning". Surprising as that aspect is weak and ignored in many metropolitan local governments, including by many Councils.

ie. Real 'land use planning, effort, implementation' does not happen due to biased campaigns of 'keep everything the same', 'don't change anything'. Gee this can't be the way it was pre-Colonial settlement times, is the current situation equitable to the wider suburban regional area, and why urban planning mistakes of previous decades can't be fixed?

Usually a rort by self-serving interests continues -hence the weak or non-effort in this category of local government powers.

Wrong to teach "engaging with the community" -how could the person not know. Plus don't teach an introductory course of 'how begin those steps to being a future MP'. Why should the public pay to train future MPs?

Or do political parties lob someone in, 'Don't worry you'll get full publicly paid on-the-job training to be an MP when you arrive as a Council Member.'

Worried if WALGA teach "recruitment and performance appraisal" -as due to local government sector defending their union/ 'the staff'.

2.3 Mandatory training

Mandatory training: Guidance questions

19) Should elected member training be mandatory?

Yes

20) Why or why not?

So the training can change the perception some narrow-minded elected members have on important aspects concerning their region, regions, and entire metropolitan area.

21) Should candidates be required to undertake some preliminary training to better understand the role of an elected member?

No

22) Should this be Compulsory?

No

23) Should prior learning or service be recognised in place of completing training for elected members?

Yes

24) If yes, how would this work?

Yes in some areas (of learning), not for areas that that evolve -ie. town planning, infill.

25) What period should apply for elected members to complete essential training after their election?

Due to October elections, by end of April must have done.

2.4 Continuing professional development

Continuing professional development: Guidance questions

26) Should ongoing professional development be undertaken by elected members?

Yes

27) If so, what form should this take?

Requiring councils to adopt a training policy that incorporates the concept of continuing professional development is one option to build the capacity of councils through ongoing skills development and training.

Training: Guidance question

28) Do you have any other suggestions or comments on training?

Cap on funding. From councillor pay accounts partly to fund the training.

Don't want huge training costs paid out to any one councillor.

Worried WALGA reinforces the notion of "regional stereotypes" . the
"Belmont", "Nedlands", "Subiaco", "Canning", e

3. The behaviour of elected members

3.1 Current Situation

Codes of conduct: Guidance questions

29) Should standards of conduct/behaviour differ between local governments?

No

30) Please explain.

Should not differ between metropolitan local governments.

Which option do you prefer for codes of conduct and why?

Not by local government, BECAUSE increased burden on Department and Ministerial staff to assess draft codes. 33 metro local governments equals too difficult.

Codes of conduct are required

Local governments must adopt a model code, with certain clauses subject to modification.

Create more uniformity in the codes of conduct between districts

It will make codes of conduct easier to draft, since most of it will be derived from the model.

31) How should a code of conduct be enforced?

State Agency.

3.2 Regulation of elected member conduct: rules of conduct

Streamlined rules of conduct: Guidance questions

32) Do you support streamlined Rules of Conduct regulations?

33) Why?

34) If the rules were streamlined, which elements should be retained?

Time limit. We are not talking public here, but of Elected Members (Council Members). Upto 5 months for Elected Members.

35) Do you support a reduction in the time frame in which complaints can be made?

No

36) Is three months adequate?

No

Revised disciplinary framework: Guidance questions

37) Do you support an outcome-based framework for elected members?

No

38) Why or why not?

Due to it being through the CEO. They trust certain Elected Members therefore won't act against ,and will defend (that/those Members).

39) What specific behaviours should an outcomes based framework target?

No

3.3 Other matters recommended in the 2015-16 review

Application of the Rules of Conduct: Guidance question

- 40) Should the rules of conduct that govern behaviour of elected members be extended to all candidates in council elections?

Yes

- 41) Please explain.

Yes. Can lead to separate judgements/decisions on different matters being affected.

Offence Provisions: Guidance questions

- 42) Should the offence covering improper use of information be extended to former members of council for a period of twelve months?

Yes

- 43) Why?

They know the direction Council is heading. Have seen confidential items, potential projects, bids, prices, and tenders.

- 44) Should this restriction apply to former employees?

Yes

- 45) Please explain?

They know the direction Council is heading. Have seen confidential items - projects, bids, prices, and tenders.

For 3 years after leaving the LGA should apply.

Confidentiality: Guidance question

- 46) Is it appropriate to require the existence and details of a complaint to remain confidential until the matter is resolved?

Yes

47) Why?

Yes. Can lead to separate judgements/decisions on different matters being affected.

3.4 Reforms to the Local Government Standards Panel and the means to review alleged breaches of the Rules of Conduct Regulations

Sector conduct review committees: Guidance questions

48) What do you see as the benefits and disadvantages of this model?

Do not want WALGA to be involved -as their agenda is to maintain their power of the LGA system of a large number (currently 33) metro local governments.

Disadvantage -

No, not want 'surrounding local governments'.

If relates to a South Of River(SOR) LGA, I'd prefer a North of River (NOR) local government members review the complaint. Due to generally the southern region LGAs would look after eachother -we don't want that factor.

Also same for any of those small Western Suburbs LGAs -their Conduct Review Committee should be made up of the larger NOR LGAs (Stirling, Joondalup, Wanneroo, Swan) or from SOR LGAs. Again so you get 'independent' thinking, rather than the 'same' brand of members -all small near the river/coast.

Disadvantage -Cost.

49) What powers should the Conduct Review Committee have?

Look at CEO. Look at local government staff.

Able to punish them. Able to dismiss them.

50) In your opinion what matters should go directly to the Standards Panel?

Where they hinder the public for professional gain, or financial gain.

- 51) Who should be able to be a member of a panel: elected members, people with local government experience, independent stakeholders?

Independent stakeholders

- 52) Who should select the members for the pool?

I said independent stakeholders BECAUSE fear 'local government experience' people could have entrenched views on the metro Perth LGA scene.

Selected by Office of the Information Commissioner.

- 53) How many members should there be on the Review Committee?

Five.

- 54) Are the proposed actions for the Review Committee appropriate?

Yes

- 55) If not, what do you propose?

Generally I think it is ok. But I don't have vast knowledge to draw upon.

Review of elected member non-compliance: Guidance questions

- 56) Which of the options for dealing with complaints do you prefer? Why?

Complaint gets put to a State Agency first.

Councils may share a panel of conduct reviewers. That is a lot of Councils share the same reviewers pool/panel. There could be three or four panels. State Agency pushes matter to one of the panels.

The

- 57) Are there any other options that could be considered?

- 58) Who should be able to request a review of a decision: the person the subject of the complaint, the complainant or both?

Both

3.5 Sanctions and other Standard Panel matters

Mediation: Guidance question

- 59) Do you support the inclusion of mediation as a sanction for the Panel?

Yes

- 60) Why or why not?

Yes Mediation for Only between Elected Members.

Prohibition from attending council meetings: Guidance questions

- 61) Do you support the Panel being able to prohibit elected members from attending council meetings?

Yes

- 62) Why or why not?

Yes because they could influence other Council Members negatively on the evening.

On Sanctions, support: (from your 3.5)

Support QLD: apology, forfeit payment etc, make payment to local government. To the minister for further.

SA -resolve/remove t

How many meetings should the Panel be able to order the elected member not attend?

6 months of meetings.

Also need to "cancel their other duties", they should be suspended from them.

63) Should the elected member be eligible for sitting fees and allowances in these circumstances?

No

64) Why

This is a punishment. You don't pay a Council Member to not attend.

They don't play at the 'night match', therefore 'no match payments'.

Chance their behaviour cost the State Government money, let alone the local government.

Compensation to the local government: Guidance questions

65) Do you support the Panel being able to award financial compensation to the local government?

Yes

66) Why or why not?

Yes if an Elected Member, to try recover partial costs to the local government.

67) What should the maximum amount be?

\$14 000.

Complaint administrative fee: Guidance questions

68) Do you support this option?

Yes

69) Why or why not?

Yes if is an Elected Member.

Yes if an Elected Member is making the Complaint. Due to they earning quite a lot from the role now. (\$33 500 upward). But not a huge fee. Say \$120 is ok.

- 70) Do you believe that a complaint administrative fee would deter complainants from lodging a complaint?
- 71) Is this appropriate?
- 72) Would a complaint administrative fee be appropriate for a sector conduct review committee model?
- 73) Why or why not?

No deterrent of fee in current society with inequality of wealth, inequality of access to MPs and information.

- 74) What would be an appropriate fee for lodging a complaint?
- 75) Should the administrative fee be refunded with a finding of minor breach or should it be retained by the Department to offset costs?
- 76) Why or why not?

Depends on definition of 'Minor breach'. I say minor -no. major -yes.

Cost recovery to local government: Guidance questions

- 77) Do you support the cost of the panel proceedings being paid by a member found to be in breach?

Yes

- 78) Why or why not?

If is a serious matter yes they should pay.

I don't know what your 'costs' are. If the matter is minor then possible cost of \$500 -\$2000.

Publication of complaints in the annual report: Guidance question

79) Do you support the tabling of the decision report at the Ordinary Council Meeting?

Yes

80) Why or why not?

Public needs to see. Needs to compare among Local Governments.

Tabling decision report at Ordinary Council Meeting: Guidance question

81) Do you support this option?

Yes

82) Why or why not?

So the public can see it. Stop hiding bad behaviour -of staff and of Elected members.

3.6 Elected member interests

Elected member interests: Guidance questions

83) Should not-for-profit organisation members participate in council decisions affecting that organisation?

No

84) Why or why not?

Worry of conflicted interest. Giving that organisation advantage over others.

85) Would your response be the same if the elected member was an office holder in the organisation?

Yes

Improving the behaviour of elected members: Guidance question

86) Do you have any other suggestions or comments on this topic?

4. Local government administration

4.1 Recruitment and selection of local government Chief Executive Officers

Recruitment and selection of local government CEOs: Guidance questions

87) Would councils benefit from assistance with CEO recruitment and selection?

Yes

88) Why?

Better quality CEO, make it tougher for them to 'lie' around to get the job. Don't want deficient CEOs -as workload on other staff increases, plus CEO makes mistakes -leading to monies wasted and unnecessary delays across the local government.

Agree

89) How could the recruitment and selection of local government CEOs be improved?

the PSC is currently responsible for leading the recruitment of State Government agency CEO positions by examining the applications and making a recommendation to the Government;

the expertise of elected members, as democratically elected representatives, may not necessarily extend to CEO recruitment and selection;

local governments in regional areas have frequently reported difficulties in attracting suitably-qualified candidates. The involvement of the PSC in recruitment could expand the pool of available candidates.

By adapting the process used to recruit State government CEOs, the PSC could support councils with recruitment by providing a shortlist of applicants. Council would then determine whether to appoint one of the shortlisted candidates or an alternative candidate.

90) Should the Public Sector Commission be involved in CEO recruitment and selection?

Yes

91) If so, how?

Those above paragraphs I included in the previous question. As per those parts of Option 1.

92) Should other experts be involved in CEO recruitment and selection?

93) If so, who and how?

94) What competencies, attributes and qualifications should a CEO have?

Must understand the Region, history, State role of the local government.

4.2 Acting Chief Executive Officers

Acting CEOs: Guidance questions

95) Should the process of appointing an acting CEO be covered in legislation?

96) Why or why not?

Want local governments to conform to a standard.

97) If so, who should appoint the CEO when there is a short term temporary vacancy (covering sick or annual leave for example)?

Council

98) Who should appoint the CEO if there will be vacancy for an extended period (for example, while a recruitment process is to be undertaken)?

Council.

4.3 Performance review of local government Chief Executive Officers

Performance review of local government CEOs: Guidance questions

99) Who should be involved in CEO performance reviews?

Public Sector Commission.

100) What should the criteria be for reviewing a CEO's performance?

101) How often should CEO performance be reviewed?

Yearly.

102) Which of the above options do you prefer?

Option 1.

Option 3 a bit agree with.

103) Why?

104) Is there an alternative model that could be considered?

4.4 Extension or termination of the Chief Executive Officer contract immediately before or following an election

Termination or extension of CEO contract around an election: Guidance questions

105) Would a 'cooling off' period before a council can terminate the CEO following an election assist strengthening productive relationships between council and administration?

Yes

106) What length should such a cooling off period be?

5 month.

107) For what period before an election should there be a restriction on a council from extending a CEO contract?

Around 3 month.

108) Should there be any exceptions to this?

4.5 Public expectations of staff performance

Public expectations of staff performance: Guidance questions

109) Is greater oversight required over local government selection and recruitment of staff?

Yes

110) Should certain offences or other criteria exclude a person from being employed in a local government?

Yes

111) If so, what?

'Other criteria' of Inequity, unfairness, ... displayed at their previous employments, especially if previous local government roles.

Need disclose previous local government roles, PLUS if disciplinary.

Strengthening local government administration: Guidance question

112) Do you have any other suggestions or comments on this topic?

Agree that remote local governments with small resources have difficulty getting high quality applicants.

Yes -see attached disk file.

5. Supporting local governments in challenging times

Remedial intervention: Guidance questions

113) Should the appointed person be a departmental employee, a local government officer or an external party?

Departmental employee

114) Why?

Need be loyal to State of WA -yet apolitical, and WA citizen.

Providing the State Government with the legislative power to formally implement a process to ensure local governments are providing good governance to their communities could take many forms

115) Should the appointed person be able to direct the local government or would their role be restricted to advice and support?

Direct the local government

116) Please explain.

If from State Agency, apolitical, independent, need get the local government act fast. Not sit and delay, or make excuses. Local Governments often choose to drag and delay, while telling any State Government of the day that everything is fine.

117) Who should pay for the appointed person?

State Government.

118) Why?

State Government pays large part so no pressure from the local government (within or outside –ratepayer groups) to get rid of them. Plus part payment from local government because they have wronged. For wealthy metro local governments (including Cities o

Powers of appointed person: Guidance question

119) What powers should an appointed person have?

To perform their duties, the appointed person would require wide-ranging powers and have the ability to employ a variety of strategies. This role could include:

making recommendations to the council, CEO and the Department;

A key role for the appointed

Remedial action process: Guidance questions

120) Do you think the proposed approach would improve the provision of good governance in Western Australia?

Yes

121) Please explain.

In doing so, the approach is not focused on punishing the local government and by extension the wider community but on providing support. Yes.

The process may reduce costs in the long term by enabling intervention in local governments well before the

122) What issues need to be considered in appointing a person?

their viewpoint of the role, their view of the LGA –They have it BEFORE they enter. Their ability to not side with staff. View themselves as teacher to staff, defend the students (not to public.) Do they know the region?

Resistance by the local government

Supporting local governments in challenging times: Guidance question

123) Do you have any other suggestions or comments on this topic?

Information and public submissions to be made public.

Yes more -see attached disk file.

6. Making it easier to move between State and local government employment

Transferability of employees: Guidance questions

124) Should local and State government employees be able to carry over the recognition of service and leave if they move between State and local government?

125)

126) What would be the benefits if local and State government employees could move seamlessly via transfer and secondment?

Yes I think it is possible.

I don't have enough knowledge on this area. Worried huge Annual Leave dumped on State Budget from 'twilight years' ex-Local Government servant who made bad decisions OR had easy role (unchallenged) in small metro Town of ...

Making it easier to move between State and local government employment: Guidance question

127) Do you have any other suggestions or comments on this topic?

Some Local Government Officers deserve promotion.

Some State Agency Officers deserve to go to Local Government authority to lead/improve it.

7. Gifts

7.1 Simplifying the gift provisions

A new framework for disclosing gifts: Guidance questions

128) Is the new framework for disclosing gifts appropriate?

No

129) If not, why?

130) Is the threshold of \$500 appropriate?

No

131) If no, why?

Too high.

Prefer \$200 or \$250. I have never received a \$350 gift as a public citizen.

132) Should certain gifts – or gifts from particular classes or people – be prohibited?

133) Why or why not?

134) If yes, what gifts should be prohibited?

Loyalty cards. Free product item/week/ month over a year.

Excluding gifts received in a personal capacity: Guidance questions

135) Should gifts received in a personal capacity be exempt from disclosure?

136) If yes, how could 'personal capacity' be defined?

137) Should there be any other exemptions from the requirement to disclose a gift over the threshold?

138) If so, what should these be? Please justify your proposal.

Gifts: Guidance question

139) Do you have any other suggestions or comments on this topic?

Yes. see disk file. No time to type in here.

8. Access to information

8.1 Public notices

Public notices: Guidance questions

- 140) Which general option do you prefer for making local public notices available?
Why?
- 141) Should the requirements for any notice in the Supplementary Information - Public Notices be changed?
- 142) Please list and explain the reasons for the proposed change.
- 143) Could any of the notices in the Supplementary information be published on alternative websites?
- 144) Please provide details

8.2 Information available for public inspection

Information available for public inspection: Guidance questions

- 145) Using the following table, advise how you think information should be made available:

| Provision | Documents | In person only | Website only | Both | Neither |
|--------------|---------------|----------------|--------------|------|---------|
| Section 5.53 | Annual Report | | | | |
| | Both | | | | |
| | Both | | | | |

| | |
|---------------------------------|--|
| Section 5.75 & 5.76 | <p>Primary and Annual returns – for Elected members</p> <p>Includes – sources of income</p> <p>Trusts</p> <p>Debts</p> <p>Property holdings.</p> <p>Interests and positions in corporations.</p> <p>In person only</p> |
| Section 5.87 | <p>Discretionary disclosures generally</p> <p>In person only</p> |
| Section 5.82 | <p>Gifts (already required to be on the website)</p> |
| Section 5.83 | <p>Disclosure of travel contributions (already required to be on the website)</p> <p>Both</p> |
| Elections Regulations 30H | <p>Electoral gifts register</p> <p>Both</p> |
| Section 5.98A | <p>Allowance for deputy mayor or deputy president</p> <p>Both</p> |
| Section 5.100 | <p>Payments for certain committee members</p> <p>Both</p> |
| Functions and General | <p>Tenders register</p> <p>Website only</p> |

Regulations
17

| | |
|--|--|
| Section 5.94 & Administration Regulations 29 | Register of delegations to committees, CEO and employees Both |
| | Minutes of council, committee and elector meetings Both |
| | Future plan for the district Both |
| | Annual Budget Both |
| | Notice papers and agendas of meetings Both |
| | Reports tabled at a council or committee meeting Both |
| | Complaints register (concerning elected members) Both |
| | Contracts of employment of the CEO and other senior local government employees Both |
| | Schedule of fees and charges |

| |
|--|
| Website only |
| Proposed local laws Both |
| Gazetted Local laws (and other law that has been adopted by the district) Both |
| Rates record In person only |
| Electoral roll In person only |

Note: There is no intention to amend the current limitations imposed by section 5.95 of the Act which limits the disclosure of certain information.

146) Should the additional information that is available to the public in other jurisdictions be available here?

147) If so which items?

148) How should they be made available: in person, website only or both?

149) Is there additional information that you believe should be made publicly available? Please detail.

150) For Local Governments: How often do you receive requests from members of the public to see this information?

151) What resources do you estimate are involved in providing access in person (hours of staff time and hourly rate)?

Access to information: Guidance question

152) Do you have any other suggestions or comments on this topic?

Yes. No time to cut, copy in here.

9. Available information

9.1 Expanding the information provided to the public

Expanding the information provided to the public: Guidance questions

153) Which of these options do you prefer?

154) Why?

155) In the table below, please indicate whether you think the information should be made available, and if so, whether this should be required or at the discretion of the local government:

| Proposal | Should this be made available: No, optional, required? |
|--|--|
| Live streaming video of council meetings on local government website | Required |
| Diversity data on council membership and employees | Not Required |
| Elected member attendance rates at council meetings | Required |
| Elected member representation at external meetings/events | Required |
| Gender equity ratios for staff salaries | Required |
| Complaints made to the local government and actions taken | Required |
| Performance reviews of CEO and senior employees | Required |
| Website to provide information on differential rate categories | Required |

| Proposal | Should this be made available: No, optional, required? |
|--|--|
| District maps and ward boundaries | Required |
| Adverse findings of the Standards Panel, State Administrative Tribunal or Corruption and Crime Commission. | Required |
| Financial and non-financial benefits register | Required |

156) What other information do you think should be made available?

Expanding the information available to the public: Guidance question

157) Do you have any other suggestions or comments on this topic?

Yes. see disk file/s.

Defining red tape: Guidance questions

158) Which regulatory measures within the Act should be removed or amended to reduce the burden on local governments? Please provide detailed analysis with your suggestions.

a) Briefly describe the red tape problem you have identified.

I

b) What is the impact of this problem? Please quantify if possible.

c) What solutions can you suggest to solve this red tape problem?

159) Which regulatory measures within the Act should be removed or amended to reduce the burden on the community? Please provide detailed analysis with your suggestions.

a) Briefly describe the red tape problem you have identified.

b) What is the impact of this problem? Please quantify if possible.

c) What solutions can you suggest to solve this red tape problem?

10.1 Potential red tape reductions

Special majority: Guidance question

160) Should the provisions for a special majority be removed?

161) Why or why not?

Senior employees: Guidance questions

- 162) Is it appropriate that council have a role in the appointment, dismissal or performance management of any employees other than the CEO? Why or why not?

- 163) Is it necessary for some employees to be designated as senior employees?

- 164) If so, what criteria should define which employees are senior employees?

Exemption from accounting standard AASB124 - Related party disclosures: Guidance questions

- 165) Are the existing related party disclosure provisions in the Act sufficient without the additional requirements introduced by AASB 124?

- 166) Why or why not?

Disposal of property: Guidance questions

- 167) The threshold for trade-ins was set originally to \$50,000 in 1996 and raised to \$75,000 in 2015. Should that threshold be raised higher,

- 168) if so how high?

- 169) Should the threshold remain at \$75,000 but with separate exemptions for specific types of equipment, for example plant?

- 170) The general \$20,000 threshold was put in place in 1996 and has not been amended. Should the threshold be raised higher than \$20,000?

- 171) If so, what should it be and why?

- 172) Would raising these thresholds create an unacceptable risk that the items would not be disposed of to achieve the best price for the local government?
- 173) Is there an alternative model for managing the disposal of property? Please explain.

Reducing red tape: Guidance question

- 174) Do you have any other suggestions or comments on this topic?

Yes. see disk file.

11.1 Risks and benefits of borrowing

Regional subsidiaries: Guidance questions

- 175) Which option do you prefer?
- 176) Should regional subsidiaries be allowed to borrow money other than from the member councils?
- 177) Why or why not?

- 178) If a regional subsidiary is given the power to borrow directly, what provisions should be put in place to mitigate the risks?

Regional subsidiaries: Guidance question

- 179) Do you have any other suggestions or comments on this topic, including on any other aspect of the *Local Government (Regional Subsidiaries) Regulations 2017*?

Local Government Act review: Guidance question

- 180) You are invited to make comment and put forward suggestions for change on other matters which have not been covered in this paper.

Yes. see disk files.