

# **Local Government Reform – Summary of Proposed Reforms**





## Local Government Reform – Consultation on Proposed Reforms

Local government benefits all Western Australians. It is critical that local government works with:

- a culture of openness to innovation and change
- continuous focus on the effective delivery of services
- respectful and constructive policy debate and democratic decision-making
- an environment of transparency and accountability to ensure effective public engagement on important community decisions.

Since first coming to office in 2017, the McGowan Government has already progressed reforms to improve specific aspects of local government performance. This includes new laws that work to improve transparency, cut red tape, and support jobs growth and economic development - ensuring that local government works for the benefit of local communities.

Based on the significant volume of research and consultation undertaken over the past five years, the Minister for Local Government has now announced the most significant package of major reforms to local government in Western Australia since the Local Government Act 1995 was passed more than 25 years ago. The package is based on six major themes:

- 1. Earlier intervention, effective regulation and stronger penalties
- 2. Reducing red tape, increasing consistency and simplicity
- 3. Greater transparency and accountability
- 4. Stronger local democracy and community engagement
- 5. Clear roles and responsibilities
- 6. Improved financial management and reporting.

A large focus on the new reform is oversight and intervention where there are significant problems arising within a local government. The introduction of new intermediate powers for intervention will increase the number of tools available to more quickly address problems and dysfunction within local governments. The proposed system for early intervention has been developed based on similar legislation in place in other jurisdictions, including Victoria and Queensland.

This will deliver significant benefits for small business, residents and ratepayers, industry, elected members and professionals working in the sector.

#### **Local Government Reforms**

These reforms are based on extensive consultation undertaken over the last five years, and have been developed considering:

- The Local Government Review Panel Final Report (mid 2020)
- The City of Perth Inquiry Report (mid 2020)
- Department of Local Government, Sport and Cultural Industries (DLGSC) consultation on Act Reform (2017-2020)
- The Victorian Local Government Act 2020 and other State Acts
- The Parliament's Select Committee Report into Local Government (late 2020)
- Western Australian Local Government Association (WALGA) Submissions
- Direct engagement with local governments
- Correspondence and complaints
- Miscellaneous past reports.

## Consultation

Comments on these proposed reforms are invited. Comments can be made against each proposed reform in this document. For details on how to make a submission, please visit <a href="www.dlgsc.wa.gov.au/lgactreform">www.dlgsc.wa.gov.au/lgactreform</a>.

Theme 1: Early Intervention, Effective Regulation and Stronger Penalties

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION	
1.1 Early Intervention Powers				
<ul> <li>The Act provides the means to regulate the conduct of local government staff and council members and sets out powers to scrutinise the affairs of local government. The Act provides certain limited powers to:         <ul> <li>Suspend or dismiss councils</li> <li>Appoint Commissioners</li> <li>Suspend or, order remedial action (such as training) for individual councillors.</li> </ul> </li> <li>The Act also provides the Director General with the power to:         <ul> <li>Conduct Authorised Inquiries</li> <li>Refer allegations of serious or recurrent breaches to the State Administrative Tribunal</li> <li>Commence prosecution for an offence under the Act.</li> </ul> </li> <li>Authorised Inquiries are a costly and a relatively slow response to significant issues. Authorised Inquiries are currently the only significant tool for addressing significant issues within a local government.</li> <li>The Panel Report, City of Perth Inquiry, and the Select Committee Report made various recommendations related to the</li> </ul>	Local Government (the <b>Inspector</b> ), supported by an Office of the Local Government Inspector (the <b>Inspectorate</b> ).	Refer attachment for comments	Supported	

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
establishment of a specific office for local government oversight.	<ul> <li>The existing Local Government Standards Panel would be replaced with a new Conduct Panel (see item 1.3).</li> <li>Penalties for breaches to the Local Government Act and Regulations will be reviewed and are proposed to be generally strengthened (see item 1.4).</li> <li>These reforms would be supported by new powers to more quickly resolve issues within local government (see items 1.5 and 1.6).</li> </ul>		
1.2 Local Government Monitors			
<ul> <li>There are currently no legislative powers for the provision of monitors/ temporary advisors.</li> <li>The DLGSC provides support and advice to local governments, however there is no existing mechanism for pre-qualified, specialised assistance to manage complex cases.</li> </ul>	<ul> <li>be established.</li> <li>Monitors could be appointed by the Inspector to go into a local government and try to resolve problems.</li> </ul>	Refer attachment for comments	Supported

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
	<ul> <li>HR and procurement experts - to help with processes like recruiting a CEO or undertaking a major land transaction.</li> <li>Only the Inspector would have the power to appoint Monitors.</li> <li>Local governments would be able to make requests to the Inspector to appoint Monitors for a specific purpose.</li> </ul>		
	Monitor Case Study 1 – Financial Management		
	The Inspector receives information that a local government is not collecting rates correctly under the <i>Local Government Act 1995</i> . Upon initial review, the Inspector identifies that there may be a problem. The Inspector appoints a Monitor who specialises in financial management in local government. The Monitor visits the local government and identifies that the system used to manage rates is not correctly issuing rates notices. The Monitor works with the local government to rectify the error, and issue corrections to impacted ratepayers.		
	Monitor Case Study 2 – Dispute Resolution		
	The Inspector receives a complaint from one councillor that another councillor is repeatedly publishing derogatory personal attacks against another councillor on social media, and that the issue has not been able to be resolved at the local government level. The Inspector identifies that there has been a relationship breakdown between the two councillors due to a disagreement on council.		
	The Inspector appoints a Monitor to host mediation sessions between the councillors. The Monitor works with the councillors to address the dispute.		

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
	Through regular meetings, the councillors agree to a working relationship based on the council's code of conduct. After the mediation, the Monitor occasionally makes contact with both councillors to ensure there is a cordial working relationship between the councillors.		
1.3 Conduct Panel			
<ul> <li>The Local Government Standards Panel was established in 2007 to resolve minor breach complaints relatively quickly and provide the sector with guidance and benchmarks about acceptable standards of behaviour.</li> <li>Currently, the Panel makes findings about alleged breaches based on written submissions.</li> <li>The City of Perth Inquiry report made various recommendations that functions of the Local Government Standards Panel be reformed.</li> </ul>	<ul> <li>with a new Local Government Conduct Panel.</li> <li>The Conduct Panel would be comprised of suitably qualified and experienced professionals. Sitting councillors will not be eligible to serve on the Conduct Panel.</li> <li>The Inspector would provide evidence to the Conduct Panel for adjudication.</li> <li>The Conduct Panel would have powers to impose stronger penalties – potentially including being able to suspend councillors for up to three months, with an appeal mechanism.</li> </ul>	Refer attachment for comments	Supported
1.4 Review of Penalties			
There are currently limited penalties in the Act for certain	<ul> <li>Penalties for breaching the Local Government Act are proposed to be strengthened.</li> </ul>	Refer attachment for comments	Supported

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
types of non-compliance with the Local Government Act.	<ul> <li>It is proposed that the suspension of councillors (for up to three months) is established as the main penalty where a councillor breaches the Local Government Act or Regulations on more than one occasion.</li> <li>Councillors who are disqualified would not be eligible for sitting fees or allowances. They will also not be able to attend meetings, or use their official office (such as their title or council email address).</li> <li>It is proposed that a councillor who is suspended multiple times may become disqualified from office.</li> <li>Councillors who do not complete mandatory training within a certain timeframe will also not be able to receive sitting fees or allowances.</li> </ul>		
1.5 Rapid Red Card Resolutions			
<ul> <li>Currently, local governments have different local laws and standing orders that govern the way meetings run. Presiding members (Mayors and Presidents) are reliant on the powers provided in the local government standing orders local laws.</li> <li>Differences between local governments is a source of confusion about the powers that presiding members have to deal with disruptive behaviours at council meetings.</li> <li>Disruptive behaviour at council meetings is a very common cause</li> </ul>	<ul> <li>It is proposed that Standing Orders are made consistent across Western Australia (see item 2.6). Published recordings of all meetings would also become standard (item 3.1).</li> <li>It is proposed that Presiding Members have the power to "red card" any attendee (including councillors) who unreasonably and repeatedly interrupt council meetings. This power would:         <ul> <li>Require the Presiding Member to issue a clear first warning</li> <li>If the disruptions continue, the Presiding Member will have the power to "red card" that person, who must be silent for the rest of the meeting. A councillor issued with a red card will still vote, but must not speak or move motions</li> </ul> </li> </ul>	Refer attachment for comments	Supported

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
of complaints. Having the Presiding Member be able to deal with these problems should more quickly resolve problems that occur at council meetings.	<ul> <li>If the person continues to be disruptive, the Presiding Member can instruct that they leave the meeting.</li> <li>Any Presiding Member who uses the "red card" or ejection power will be required to notify the Inspector.</li> <li>Where an elected member refuses to comply with an instruction to be silent or leave, or where it can be demonstrated that the presiding member has not followed the law in using these powers, penalties can be imposed through a review by the Inspector.</li> </ul>		
1.6 Vexatious Complaint Referrals			
No current provisions.     The Act already provides a requirement for Public Question Time at council meetings.	<ul> <li>Local governments already have a general responsibility to provide ratepayers and members of the public with assistance in responding to queries about the local government's operations. Local governments should resolve queries and complaints in a respectful, transparent and equitable manner.</li> <li>Unfortunately, local government resources can become unreasonably diverted when a person makes repeated vexatious queries, especially after a local government has already provided a substantial response to the person's query.</li> <li>It is proposed that if a person makes repeated complaints to a local government CEO that are vexatious, the CEO will have the power to refer that person's complaints to the Inspectorate, which after assessment of the facts may then rule the complaint vexatious.</li> </ul>	Refer attachment for comments	Supported

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
1.7 Minor Other Reforms			
<ul> <li>Other minor reforms are being considered to enhance the oversight of local government.</li> <li>Ministerial Circulars have traditionally been used to provide guidance to the local government sector.</li> </ul>	<ul> <li>for local governments are being considered.</li> <li>For example, one option being considered is the potential use of sector-wide guidance notices.</li> <li>Guidance notices could be published by the</li> </ul>	Refer attachment for comments	Supported

Theme 2: Reducing Red Tape, Increasing Consistency and Simplicity

CURRENT REQUI	REMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
2.1 Resource Sha	ring			
specific provis certain types of especially for sl	governments would having clearer for voluntary	<ul> <li>Amendments are proposed to encourage and enable local governments, especially smaller regional local governments, to share resources, including Chief Executive Officers and senior employees.</li> <li>Local governments in bands 2, 3 or 4 would be able to appoint a shared CEO at up to two salary bands above the highest band. For example, a band 3 and a band 4 council sharing a CEO could remunerate to the level of band 1.</li> </ul>	Reform supported by the majority of Members, with comments being made on a variety of properties:  • Sharing simple resources such as library services is acceptable, however senior employees being shared can cause increased resourcing costs, staff management issues and potential conflicts of interest.  • There needs to be an incentive made to the local governments that are willing to share their CEO	Supported
2.2 Standardisation	on of Crossovers			
driveways that kerb and privinconsistent government are minor difference.  This can create	the section of run between the rate property) are between local eas, often with very es. a confusion and nomeowners and es in the	<ul> <li>It is proposed to amend the Local Government (Uniform Local Provisions) Regulations 1996 to standardise the process for approving crossovers for residential properties and residential developments on local roads.</li> <li>A Crossover Working Group has provided preliminary advice to the Minister and DLGSC to inform this.</li> <li>The DLGSC will work with the sector to develop standardised design and construction standards.</li> </ul>	Refer attachment for comments	Supported

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION		
2.3 Introduce Innovation Provisions	2.3 Introduce Innovation Provisions				
The Local Government Act 1995 currently has very limited provisions to allow for innovations and responses to emergencies to (such as the Shire of Bruce Rock Supermarket).	<ul> <li>New provisions are proposed to allow exemptions from certain requirements of the Local Government Act 1995, for:         <ul> <li>Short-term trials and pilot projects</li> <li>Urgent responses to emergencies.</li> </ul> </li> </ul>	Refer attachment for comments	Supported		
2.4 Streamline Local Laws					
<ul> <li>Local laws are required to be reviewed every eight years.</li> <li>The review of local laws (especially when they are standard) has been identified as a burden for the sector.</li> <li>Inconsistency between local laws is frustrating for residents and business stakeholders.</li> </ul>	<ul> <li>It is proposed that local laws would only need to be reviewed by the local government every 15 years.</li> <li>Local laws not reviewed in the timeframe would lapse, meaning that old laws will be automatically removed and no longer applicable.</li> <li>Local governments adopting Model Local Laws will have reduced advertising requirements.</li> </ul>	Reform supported by all Members, with comments on the introduced proposal of review of local laws every 15 years. The introduction of an enforced period in which local laws are to be reviewed can be seen to cause more confusion. When Councils implement new local laws, a self-imposed timeframe can be put in-place in which is needs to be revisited and reviewed.	Supported		
2.5 Simplifying Approvals for Small E	Business and Community Events				
Inconsistency between local laws and approvals processes for events, street activation, and initiatives by local businesses is	<ul> <li>Proposed reforms would introduce greater consistency for approvals for:         <ul> <li>alfresco and outdoor dining</li> <li>minor small business signage rules</li> <li>running community events.</li> </ul> </li> </ul>	Refer attachment for comments	Supported		

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
frustrating for business and local communities.			
2.6 Standardised Meeting Procedures	s, Including Public Question Time		
<ul> <li>Local governments currently prepare individual standing order local laws.</li> <li>The Local Government Act 1995 and regulations require local governments to allocate time at meetings for questions from the public.</li> <li>Inconsistency among the meeting procedures between local governments is a common source of complaints.</li> </ul>	<ul> <li>applicants for decisions made by council, it is proposed that the meeting procedures and standing orders for all local government meetings, including for public question time, are standardised across the State.</li> <li>Regulations would introduce standard requirements for public question time, and the procedures for meetings generally.</li> </ul>	Refer attachment for comments	Supported
2.7 Regional Subsidiaries			

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
<ul> <li>Initiatives by multiple local governments may be managed through formal Regional Councils, or through less formal "organisations of councils", such as NEWROC and WESROC.</li> <li>These initiatives typically have to be managed by a lead local government.</li> <li>In 2016-17, provisions were introduced to allow for the formation of Regional Subsidiaries. Regional Subsidiaries can be formed in line with the Local Government (Regional Subsidiaries) Regulations 2017.</li> <li>So far, no Regional Subsidiary has been formed.</li> </ul>	<ul> <li>Subsidiaries can be best established to:         <ul> <li>Enable Regional Subsidiaries to provide a clear and defined public benefit for people within member local governments</li> <li>Provide for flexibility and innovation while ensuring appropriate transparency and accountability of ratepayer funds</li> <li>Where appropriate, facilitate financing of initiatives by Regional Subsidiaries within a reasonable and defined limit of risk</li> <li>Ensure all employees of a Regional Subsidiary have the same employment conditions as those directly employed by</li> </ul> </li> </ul>	Refer attachment for comments	Supported

Theme 3: Greater Transparency & Accountability

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION		
3.1 Recordings and Live-Streaming of	3.1 Recordings and Live-Streaming of All Council Meetings				
<ul> <li>Currently, local governments are only required to make written minutes of meetings.</li> <li>While there is no legal requirement for livestreaming or video or audio recording of council meetings, many local governments now stream and record their meetings.</li> <li>Complaints relating to behaviours and decisions at meetings constitute a large proportion of complaints about local governments.</li> <li>Local governments are divided into bands with the largest falling in bands 1 and 2, and smaller local governments falling bands 3 and 4. The allocation of local governments into bands is determined by The Salaries and Allowances Tribunal based on factors¹ such as:         <ul> <li>Growth and development</li> <li>Strategic planning issues</li> <li>Demands and diversity of services provided to the community</li> <li>Total expenditure</li> <li>Population</li> </ul> </li> </ul>	<ul> <li>required to record meetings.</li> <li>Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives.</li> <li>Band 1 and 2 are larger local governments are generally located in larger urban areas, with generally very good telecommunications infrastructure, and many already have audiovisual equipment.</li> <li>Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives.</li> </ul>	The idea of the reform supported by the majority of Members, with some numbers already recording and livestreaming Council meetings. However, it is believed that it should be within the individual Councils power to have the ultimate decision on whether to record and livestream meetings.  Concerns include the stifling of debate due to live-streaming, as unlike State and Federal politicians, Councillors do not have any form of parliamentary privilege protecting them, as well as additional costs surrounding the installation, maintenance and IT support required with operation. Internet and Bandwidth issues are also listed as factors.  Details on minimum standard required for recordings needs to be made.	Supported with proviso		

<sup>&</sup>lt;sup>1</sup> See page 3 of the <u>2018 Salaries and Allowance Tribunal Determination</u>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
<ul><li>CURRENT REQUIREMENTS</li><li>○ Staffing levels.</li></ul>	All council meeting recordings would need to be published at the same time as the meeting minutes. Recordings of all confidential items would also need to be submitted to the DLGSC for archiving.	COMMENTS	ALLIANCE POSITION
3.2 Recording All Votes in Council M	inutes		
<ul> <li>A local government is only required to record which councillor voted for or against a motion in the minutes of that meeting if a request is made by an elected member at the time of the resolution during the meeting.</li> <li>The existing provision does not mandate transparency.</li> </ul>	by councillors, it is proposed that the individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes, and identify those for, against, on leave, absent or who left the chamber.	Refer attachment for comments	Supported
3.3 Clearer Guidance for Meeting Iter	ns that may be Confidential		
<ul> <li>The Act currently provides broad definitions of what type of matters may be discussed as a confidential item.</li> <li>There is limited potential for review of issues managed as confidential items under the current legislation.</li> </ul>	<ul> <li>Recognising the importance of open and transparent decision-making, it is considered that confidential meetings and confidential meeting items should only be used in limited, specific circumstances.</li> <li>It is proposed to make the Act more specific in prescribing items that may be confidential, and items that should remain open to the public.</li> <li>Items not prescribed as being confidential could still be held as confidential items only with the prior written consent of the Inspector.</li> <li>All confidential items would be required to be audio recorded, with those recordings submitted to the DLGSC.</li> </ul>	Reform is supported by all members, with the following comments being made:  • There needs to be a greater distinction between confidential motions and confidential minutes  • There is displeasure in the Inspector having the power to veto matters that may be classed as confidential.  • Matters that are dealt with behind closed doors are still subject to	Supported

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
		Standing Orders, so is there a reason behind mandating the recording of these items?	
3.4 Additional Online Registers			
<ul> <li>Local governments are required to provide information to the community through annual reports, council minutes and the publication of information online.</li> <li>Consistent online publication of information can substitute for certain material in annual reports.</li> <li>Consistency in online reporting across the sector will provide ratepayers with better information.</li> <li>These registers supplement the simplification of financial statements in Theme 6.</li> </ul>	<ul> <li>It is proposed to require local governments to report specific information in online registers on the local government's website. Regulations would prescribe the information to be included.  The following new registers, each updated quarterly, are proposed:         <ul> <li>Lease Register to capture information about the leases the local government is party to (either as lessor or lessee)</li> <li>Community Grants Register to outline all grants and funding provided by the local government</li> <li>Interests Disclosure Register which collates all disclosures made by elected members about their interests related to matters considered by council</li> <li>Applicant Contribution Register accounting for funds collected from applicant contributions, such as cash-in-lieu for public open space and car parking</li> <li>Contracts Register that discloses all contracts above \$100,000.</li> </ul> </li> </ul>	Refer attachment for comments	Supported
3.5 Chief Executive Officer Key Perfo	rmance Indicators (KPIs) be Published		

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
<ul> <li>It is a requirement of the Local Government Act 1995 that CEO performance reviews are conducted annually.</li> <li>The Model Standards for CEO recruitment and selection, performance review and termination require that a local government must review the performance of the CEO against contractual performance criteria.</li> <li>Additional performance criteria can be used for performance review by agreement between both parties.</li> </ul>	<ul> <li>To provide for minimum transparency, it is proposed to mandate that the KPIs agreed as performance metrics for CEOs:         <ul> <li>Be published in council meeting minutes as soon as they are agreed prior to (before the start of the annual period)</li> <li>The KPIs and the results be published in the minutes of the performance review meeting (at the end of the period)</li> <li>The CEO has a right to provide written comments to be published alongside the KPIs and results to provide context as may be appropriate (for instance, the impact of events in that year that may have influenced the results against KPIs).</li> </ul> </li> </ul>	Members are supportive of the publishing of the KPI's that are relevant to the Local Government's strategic direction, transparency is welcome. Publishing all CEO KPI's can have adverse results on the inner workings of a Local Government in terms of a cohesive workspace, in relation to confidential matters made between employer and employee.	Supported with proviso

Theme 4: Stronger Local Democracy and Community Engagement

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION		
4.1 Community and Stakeholder Enga	4.1 Community and Stakeholder Engagement Charters				
<ul> <li>There is currently no requirement for local governments to have a specific engagement charter or policy.</li> <li>Many local governments have introduced charters or policies for how they will engage with their community.</li> <li>Other States have introduced a specific requirement for engagement charters.</li> </ul>	<ul> <li>It is proposed to introduce a requirement for local governments to prepare a community and stakeholder engagement charter which sets out how local government will communicate processes and decisions with their community.</li> <li>A model Charter would be published to assist local governments who wish to adopt a standard form.</li> </ul>	Reform is supported by members with the following comments:  Needs to be ensured that there is not an increase in red tape as a result Extensive community and stakeholder consultation can be costly and time consuming Rather than introduce the requirement for a community engagement charter, require a community engagement policy to include engagement principles and a public participation spectrum	Supported with proviso		
4.2 Ratepayer Satisfaction Surveys (I	Band 1 and 2 local governments only)				
<ul> <li>Many local governments already commission independent surveying consultants to hold a satisfaction survey of residents/ratepayers.</li> <li>These surveys provide valuable data on the performance of local governments.</li> </ul>	<ul> <li>It is proposed to introduce a requirement that every four years, all local governments in bands 1 and 2 hold an independently-managed ratepayer satisfaction survey.</li> <li>Results would be required to be reported publicly at a council meeting and published on the local government's website.</li> <li>All local governments would be required to publish a response to the results.</li> </ul>	Refer attachment for comments	Supported with proviso		

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
4.3 Introduction of Preferential Voting	g		
<ul> <li>The current voting method for local government elections is first past the post.</li> <li>The existing first-past-the-post does not allow for electors to express more than one preference.</li> <li>The candidate with the most votes wins, even if that candidate does not have a majority.</li> <li>Preferential voting better captures the precise intentions of voters and as a result may be regarded as a fairer and more representative system. Voters have more specific choice.</li> </ul>	<ul> <li>Preferential voting is proposed be adopted as the method to replace the current first past the post system in local government elections.</li> <li>In preferential voting, voters number candidates in order of their preferences.</li> <li>Preferential voting is used in State and Federal elections in Western Australia (and in other states). This provides voters with more choice and control over who they elect.</li> <li>All other states use a form of preferential voting for local government.</li> </ul>	Reform is not supported by Members, with entirety wanting to retain the current first past the post system as it is quicker as well as easier to ascertain and explain results.  With the current system of holding 50% of the election process every two (2) years, it allows for continuity in Councils and the opportunity for experienced Councillors to mentor newly Elected Members.  With preferential voting there is also the chance of encouraging alliances between candidates and increased party politics. Under preferential voting the election process can be manipulated through these alliances.	Not Supported
4.4 Public Vote to Elect the Mayor an	d President		
<ul> <li>The Act currently allows local governments to have the Presiding Member (the Mayor or President) elected either:         <ul> <li>by the electors of the district through a public vote; or</li> <li>by the council as a resolution at a council meeting.</li> </ul> </li> </ul>	<ul> <li>Mayors and Presidents of all local governments perform an important public leadership role within their local communities.</li> <li>Band 1 and 2 local governments generally have larger councils than those in bands 3 and 4.</li> <li>Accordingly, it is proposed that the Mayor or President for all band 1 and 2 councils is to be elected through a vote of the electors of the</li> </ul>	Reform received mixed reviews from Members, with those Local Governments that are already having public voted Mayors in support, whilst those who have Mayors elected by Councillors being against.  Members that are against the reform believe that there is no	It is recommended that Local Governments maintain having the choice in how their Mayor is elected.

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
	<ul> <li>district. Councils in bands 3 and 4 would retain the current system.</li> <li>A number of Band 1 and Band 2 councils have already moved towards Public Vote to Elect the Mayor and President in recent years, including City of Stirling and City of Rockingham.</li> </ul>	obvious evidence present that having a publicly elected Mayor provides higher success, whilst it runs the risk of greater disunity and dysfunctionality between Members.  It is recommended that Local Governments maintain having the choice in how their Mayor is elected.	
4.5 Tiered Limits on the Number of C	ouncillors		
<ul> <li>The number of councillors (between 5-15 councillors) is decided by each local government, reviewed by the Local Government Advisory Board, and if approved by the Minister.</li> <li>The Panel Report recommended electoral reforms to improve representativeness.</li> </ul>	<ul> <li>It is proposed to limit the number of councillors based on the population of the entire local government.</li> <li>Some smaller local governments have already been moving to having smaller councils to reduce costs for ratepayers.</li> <li>The Local Government Panel Report proposed:         <ul> <li>For a population of up to 5,000 – five councillors (including the President)</li> <li>population of between 5,000 and 75,000 – five to nine councillors (including the Mayor/President)</li> <li>population of above 75,000 – nine to fifteen councillors (including Mayor).</li> </ul> </li> </ul>	Reform is not supported by the majority of members, with the overall reasoning being that it should be up to each Local Government to decide. Implementing such broad stipulations over a wide area can lead to troubles with outlying Local Governments.  If the proposed reform was implemented there are concerns with smaller Local Governments being able to achieve Quorum or absolute majorities with just 5 Councillors.  By restricting the number of Councillors allowed in a Local Government it can increase the workload on those remaining, whilst also restricting the probability of	No consensus, mixed views by alliance members

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
		diversification and representation of minority groups within Councillors.  If the reform is to be made, it is suggested that council bands and geographical location should also be a contributing factor in the number of Councillors, not just population. Allowing this change, alongside including more than 3 tiered limits, would target the main issues raised.	
4.6 No Wards for Small Councils (Bar	nd 3 and 4 Councils only)		
<ul> <li>A local government can make an application to be divided into wards, with councillors elected to those wards.</li> <li>Only about 10% of band 3 and 4 local governments currently have wards.</li> </ul>	<ul> <li>It is proposed that the use of wards for councils in bands 3 and 4 is abolished.</li> <li>Wards increase the complexity of elections, as this requires multiple versions of ballot papers to be prepared for a local government's election.</li> <li>In smaller local governments, the population of wards can be very small.</li> <li>These wards often have councillors elected unopposed, or elect a councillor with a very small number of votes. Some local governments have ward councillors elected with less than 50 votes.</li> <li>There has been a trend in smaller local governments looking to reduce the use of wards, with only 10 councils in bands 3 and 4 still having wards.</li> </ul>	Refer attachment for comments	Supported
4.7 Electoral Reform - Clear Lease Re	equirements for Candidate and Voter Eligibility		

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
<ul> <li>A person with a lease in a local government district is eligible to nominate as a candidate in that district.</li> <li>A person with a lease in a local government district is eligible to apply to vote in that district.</li> <li>The City of Perth Inquiry Report identified a number of instances where dubious lease arrangements put to question the validity of candidates in local government elections, and subsequently their legitimacy as councillors.</li> </ul>	<ul> <li>Reforms are proposed to prevent the use of "sham leases" in council elections. Sham leases are where a person creates a lease only to be able to vote or run as a candidate for council.</li> <li>The City of Perth Inquiry Report identified sham leases as an issue.</li> <li>Electoral rules are proposed to be strengthened: <ul> <li>A minimum lease period of 12 months will be required for anyone to register a person to vote or run for council.</li> <li>Home based businesses will not be eligible to register a person to vote or run for council, because any residents are already the eligible voter(s) for that address.</li> <li>Clarifying the minimum criteria for leases eligible to register a person to vote or run for council.</li> </ul> </li> <li>The reforms would include minimum lease periods to qualify as a registered business (minimum of 12 months), and the exclusion of home based businesses (where the resident is already eligible) and very small sub-leases.</li> <li>The basis of eligibility for each candidate (e.g. type of property and suburb of property) is proposed to be published, including in the candidate pack for electors.</li> </ul>	Refer attachment for comments	Supported
4.8 Reform of Candidate Profiles			

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
Candidate profiles can only be 800 characters, including spaces. This is equivalent to approximately 150 words.	<ul> <li>Further work will be undertaken to evaluate how longer candidate profiles could be accommodated.</li> <li>Longer candidate profiles would provide more information to electors, potentially through publishing profiles online.</li> <li>It is important to have sufficient information available to assist electors make informed decisions when casting their vote.</li> </ul>	Refer attachment for comments	Supported
4.9 Minor Other Electoral Reforms			
Other minor reforms are proposed to improve local government elections.	Minor other electoral reforms are proposed to include:  The introduction of standard processes for vote re-counts if there is a very small margin between candidates (e.g. where there is a margin of less than 10 votes a recount will always be required)  The introduction of more specific rules concerning local government council candidates' use of electoral rolls.	Refer attachment for comments	Supported

**Theme 5: Clear Roles and Responsibilities** 

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION	
5.1 Introduce Principles in the Act	5.1 Introduce Principles in the Act			
<ul> <li>The Act does not currently outline specific principles.</li> <li>The Act contains a short "Content and Intent" section only.</li> <li>The Panel Report recommended greater articulation of principles</li> </ul>	<ul> <li>It is proposed to include new principles in the Act, including:         <ul> <li>The recognition of Aboriginal Western Australians</li> <li>Tiering of local governments (with bands being as assigned by the Salaries and Allowances Tribunal)</li> <li>Community Engagement</li> <li>Financial Management.</li> </ul> </li> </ul>	Refer attachment for comments	Supported	
5.2 Greater Role Clarity				
<ul> <li>The Act provides for the role of council, councillor, mayor or president and CEO.</li> <li>The role of the council is to:         <ul> <li>govern the local government's affairs</li> <li>be responsible for the performance of the local government's functions.</li> </ul> </li> </ul>	recommended that roles and responsibilities of elected members and senior staff be better defined in law.	Refer attachment for comments	Supported	
	<ul> <li>5.2.1 - Mayor or President Role</li> <li>It is proposed to amend the Act to specify the roles and responsibilities of the Mayor or President.</li> <li>While input and consultation will inform precise wording, it is proposed that the Act is amended</li> </ul>	Refer attachment for comments	Supported	

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
	to generally outline that the Mayor or President is responsible for:  Representing and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council  Facilitating the democratic decision-making of council by presiding at council meetings in accordance with the Act  Developing and maintaining professional working relationships between councillors and the CEO  Performing civic and ceremonial duties on behalf of the local government  Working effectively with the CEO and councillors in overseeing the delivery of the services, operations, initiatives and functions of the local government.		
	<ul> <li>It is proposed to amend the Act to specify the roles and responsibilities of the Council, which is the entity consisting of all of the councillors and led by the Mayor or President.</li> <li>While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Council is responsible for:         <ul> <li>Making significant decisions and determining policies through democratic deliberation at council meetings</li> <li>Ensuring the local government is adequately resourced to deliver the local governments operations, services and functions -</li> </ul> </li> </ul>	Refer attachment for comments	Supported

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
	<ul> <li>including all functions that support informed decision-making by council</li> <li>Providing a safe working environment for the CEO;</li> <li>Providing strategic direction to the CEO;</li> <li>Monitoring and reviewing the performance of the local government.</li> </ul>		
	5.2.3 - Elected Member (Councillor) Role	Refer attachment for comments	Supported
	<ul> <li>It is proposed to amend the Act to specify the roles and responsibilities of all elected councillors.</li> <li>While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that every elected councillor is responsible for:         <ul> <li>Considering and representing, fairly and without bias, the current and future interests of all people who live, work and visit the district (including for councillors elected for a particular ward)</li> <li>Positively and fairly contribute and apply their knowledge, skill, and judgement to the democratic decision-making process of council</li> <li>Applying relevant law and policy in contributing to the decision-making of the council</li> <li>Engaging in the effective forward planning and review of the local governments' resources, and the performance of its operations, services, and functions</li> </ul> </li> </ul>		

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
	<ul> <li>Communicating the decisions and resolutions of council to stakeholders and the public</li> <li>Developing and maintaining professional working relationships with all other councillors and the CEO</li> <li>Maintaining and developing their knowledge and skills relevant to local government</li> <li>Facilitating public engagement with local government.</li> <li>It is proposed that elected members should not be able to use their title (e.g. "Councillor", "Mayor", or "President") and associated resources of their office (such as email address) unless they are performing their role in their official capacity.</li> </ul>		
	<ul> <li>The Local Government Act 1995 requires local governments to employ a CEO to run the local government administration and implement the decisions of council.</li> <li>To provide greater clarity, it is proposed to amend the Act to specify the roles and responsibilities of all local government CEOs.</li> <li>While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the CEO of a local government is responsible for:         <ul> <li>Coordinating the professional advice and assistance necessary for all elected members to enable the council to perform its decision-making functions</li> </ul> </li> </ul>	Refer attachment for comments	Supported

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
	<ul> <li>Facilitating the implementation of council decisions</li> <li>Ensuring functions and decisions lawfully delegated by council are managed prudently on behalf of the council</li> <li>Managing the effective delivery of the services, operations, initiatives and functions of the local government determined by the council</li> <li>Providing timely and accurate information and advice to all councillors in line with the Council Communications Agreement (see item 5.3)</li> <li>Overseeing the compliance of the operations of the local government with State and Federal legislation on behalf of the council</li> <li>Implementing and maintaining systems to enable effective planning, management, and reporting on behalf of the council.</li> </ul>		
5.3 Council Communication Agreement	ents		
<ul> <li>The Act provides that council and committee members can have access to any information held by the local government that is relevant to the performance of the member in their functions.</li> <li>The availability of information is sometimes a source of conflict within local governments.</li> </ul>	<ul> <li>In State Government, there are written Communication Agreements between Ministers and agencies that set standards for how information and advice will be provided.</li> <li>It is proposed that local governments will need to have Council Communications Agreements between the council and the CEO.</li> <li>These Council Communication Agreements would clearly specify the information that is to be provided to councillors, how it will be provided, and the timeframes for when it will be provided.</li> <li>A template would be published by DLGSC. This default template will come into force if a council</li> </ul>	Refer attachment for comments	Supported with proviso

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION	
	and CEO do not make a specific other agreement within a certain timeframe following any election.			
5.4 Local Governments May Pay Sup	erannuation Contributions for Elected Members			
<ul> <li>Elected members are eligible to receive sitting fees or an annual allowance.</li> <li>Superannuation is not paid to elected members. However, councillors can currently divert part of their allowances to a superannuation fund.</li> <li>Councils should be reflective and representative of the people living within the district. Local governments should be empowered to remove any barriers to the participation of gender and age diverse people on councils.</li> </ul>	<ul> <li>It is proposed that local governments should be able to decide, through a vote of council, to pay superannuation contributions for elected members. These contributions would be additional to existing allowances.</li> <li>Superannuation is widely recognised as an important entitlement to provide long term financial security.</li> <li>Other states have already moved to allow councils to make superannuation contributions for councillors.</li> <li>Allowing council to provide superannuation is important part of encouraging equality for people represented on council – particularly for women and younger people.</li> <li>Providing superannuation to councillors recognises that the commitment to elected office can reduce a person's opportunity to undertake employment and earn superannuation contributions.</li> </ul>	Reform is supported by Members, however there are some concerns/clarifications requested surrounding the payments:  • Clarification on whether superannuation contributions will be included in the current salaries and allowances threshold, or would they be increased to accommodate the new payments?  • With Elected Members being provided superannuation contributions, this blurs the line between Employees and Elected Members	Supported with provisos	
5.5 Local Governments May Establish	h Education Allowances			
<ul> <li>Local government elected members must complete mandatory training.</li> <li>There is no specific allowance for undertaking further education.</li> </ul>	Local governments will have the option of contributing to the education expenses for councillors, up to a defined maximum value, for tuition costs for further education that is directly related to their role on council.	Refer attachment for comments	Supported	

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
	<ul> <li>Councils will be able to decide on a policy for education expenses, up to a maximum yearly value for each councillor. Councils may also decide not to make this entitlement available to elected members.</li> <li>Any allowance would only be able to be used for tuition fees for courses, such as training programs, diplomas, and university studies, which relate to local government.</li> <li>Where it is made available, this allowance will help councillors further develop skills to assist with making informed decisions on important questions before council, and also provide professional development opportunities for councillors.</li> </ul>		
5.6 Standardised Election Caretaker	period		
<ul> <li>There is currently no requirement for a formal caretaker period, with individual councils operating under their own policies and procedures.</li> <li>This is commonly a point of public confusion.</li> </ul>	<ul> <li>A statewide caretaker period for local governments is proposed.</li> <li>All local governments across the State would have the same clearly defined election period, during which:         <ul> <li>Councils do not make major decisions with criteria to be developed defining 'major'</li> <li>Incumbent councillors who nominate for reelection are not to represent the local government, act on behalf of the council, or use local government resources to support campaigning activities.</li> <li>There are consistent election conduct rules for all candidates.</li> </ul> </li> </ul>	Refer attachment for comments	Supported with proviso
5.7 Remove WALGA from the Act			

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
<ul> <li>The Western Australian Local Government Association (WALGA) is constituted under the Local Government Act 1995.</li> <li>The Local Government Panel Report and the Select Committee Report included this recommendation.</li> </ul>	<ul> <li>The Local Government Panel Report recommended that WALGA not be constituted under the Local Government Act 1995.</li> <li>Separating WALGA out of the Act will provide clarity that WALGA is not a State Government entity.</li> </ul>	Refer attachment for comments	Supported
<ul> <li>Recent amendments introduced provisions to standardise CEO recruitment.</li> <li>The recruitment of a CEO is a very important decision by a local government.</li> </ul>	<ul> <li>It is proposed that DLGSC establishes a panel of approved panel members to perform the role of the independent person on CEO recruitment panels.</li> <li>Councils will be able to select an independent person from the approved list.</li> <li>Councils will still be able to appoint people outside of the panel with the approval of the Inspector.</li> </ul>	Refer attachment for comments	Supported

**Theme 6: Improved Financial Management and Reporting** 

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
6.1 Model Financial Statements and	Fiered Financial Reporting		
<ul> <li>The financial statements published in the Annual Report is the main financial reporting currently published by local governments.</li> <li>Reporting obligations are the same for large (Stirling, Perth, Fremantle) and small (Sandstone, Wiluna, Dalwallinu) local governments, even though they vary significantly in complexity.</li> <li>The Office of the Auditor General has said that some existing reporting requirements are unnecessary or onerous - for instance, information that is not relevant to certain local governments, or that is a duplicate of other published information.</li> </ul>	and accountability in local government. The public rightly expects the highest standards of integrity, good governance, and prudent financial management in local government.	Refer attachment for comments	Supported

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
	<ul> <li>Online Registers, updated quarterly (see item 3.4), would provide faster and greater transparency than current annual reports. Standard templates will be published for use by local governments.</li> <li>Simpler Strategic and Financial Planning (item 6.2) would also improve the budgeting process.</li> </ul>		
6.2 Simplify Strategic and Financial F	Planning		
<ul> <li>Requirements for plans are outlined in the Local Government Financial Management and Administration Regulations.</li> <li>There is also the Integrated Planning and Reporting (IPR) framework.</li> <li>While many councils successfully apply IPR to their budgeting and reporting, IPR may seem complicated or difficult, especially for smaller local governments.</li> </ul>	<ul> <li>local government is an important part of enabling informed public and ratepayer engagement and input to decision-making.</li> <li>The framework for financial planning should be based around information being clear, transparent, and easy to understand for all ratepayers and members of the public.</li> </ul>	Reform is supported by Members, with belief that the current legislation being somewhat vague regarding Integrated Planning and Reporting (IPR). With the new reform, greater clarity on IPR requirements, mandated reporting around the IPR framework and a level of flexibility with setting minimum standards and guidelines need to be included.  Comments on what currently is being used to rate Local Governments "Financial Health" needs to be reviewed and refined.	Supported with proviso

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
	be short-form plans, with a template available from the DLGSC  Simplified Asset Management Plans to consistently forecast costs of maintaining the local government's assets. A new plan will be required at least every ten years, though local governments should update the plan regularly if the local government gains or disposes of major assets (e.g. land, buildings, or roads). A template will be provided, and methods of valuations will be simplified to reduce red tape  Simplified Long Term Financial Plans will outline any long term financial management and sustainability issues, and any investments and debts. A template will be provided, and these plans will be required to be reviewed in detail at least every four years  A new Rates and Revenue Policy (see item 6.3) that identifies the approximate value of rates that will need to be collected in future years (referencing the Asset Management Plan and Long Term Financial Plan) – providing a forecast to ratepayers (updated at least every four years)  The use of simple, one-page Service Proposals and Project Proposals that outline what proposed services or initiatives will cost, to be made available through council meetings. These will become Service Plans and Project Plans added to the yearly budget if approved by council. This provides clear transparency for what the functions and initiatives of the local		

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION	
	government cost to deliver. Templates will be available for use by local governments.			
6.3 Rates and Revenue Policy				
<ul> <li>Local governments are not required to have a rates and revenue policy.</li> <li>Some councils defer rate rises, resulting in the eventual need to drastically raise rates to cover unavoidable costs – especially for the repair of infrastructure.</li> </ul>	<ul> <li>The Rates and Revenue Policy is proposed to increase transparency for ratepayers by linking rates to basic operating costs and the minimum costs for maintaining essential infrastructure.</li> <li>A Rates and Revenue Policy would be required to provide ratepayers with a forecast of future costs of providing local government services.</li> <li>The Policy would need to reflect the Asset Management Plan and the Long Term Financial Plan (see item 6.2), providing a forecast of what rates would need to be, to cover unavoidable costs.</li> <li>A template would be published for use or adaption by all local governments.</li> <li>The Local Government Panel Report included this recommendation.</li> </ul>	Refer attachment for comments	Supported	
6.4 Monthly Reporting of Credit Card	Statements			
<ul> <li>No legislative requirement.</li> <li>Disclosure requirements brought in by individual councils have shown significant reduction of expenditure of funds.</li> </ul>	<ul> <li>The statements of a local government's credit cards used by local government employees will be required to be tabled at council at meetings on a monthly basis.</li> <li>This provides oversight of incidental local government spending.</li> </ul>	Refer attachment for comments	Supported	
6.5 Amended Financial Ratios				
Local governments are required to report seven ratios in their annual financial statements.	<ul> <li>Financial ratios will be reviewed in detail, building on work already underway by the DLGSC.</li> </ul>	Refer attachment for comments	Supported	

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION
<ul> <li>These are reported on the MyCouncil website.</li> <li>These ratios are intended to provide an indication of the financial health of every local government.</li> </ul>	The methods of calculating ratios and indicators will be reviewed to ensure that the results are accurate and useful.		
6.6 Audit Committees			
<ul> <li>Local governments must establish an Audit Committee that has three or more persons, with the majority to be council members.</li> <li>The Audit Committee is to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under the Act.</li> <li>The Panel Report identified that Audit Committees should be expanded, including to provide improved risk management.</li> </ul>	<ul> <li>To ensure independent oversight, it is proposed the Chair of any Audit Committee be required to be an independent person who is not on council or an employee of the local government.</li> <li>Audit Committees would also need to consider proactive risk management.</li> <li>To reduce costs, it is proposed that local governments should be able to establish shared Regional Audit Committees.</li> <li>The Committees would be able to include council members but would be required to include a majority of independent members and an independent chairperson.</li> </ul>	Reform is not supported by Members, with the difficulty of locating and securing Independent members for an Audit Committee being a major roadblock whilst also introducing an extra cost to rate payers.  Financial management is a major responsibility of the Councillors, so introducing a reform requiring independent auditors and chair implies that Local Governments can't be trusted to fulfill the role.  The Office of Audit General provides the independent oversight of the sector, and has the knowledge required to understand the uniqueness of Local Government accounting, so it is hard to see how any additional value can be provided.  In agreement that Audit Committees need to be proactive in the	Not Supportive of majority independent auditors

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS	ALLIANCE POSITION		
		management of risk for the organisation.			
6.7 Building Upgrade Finance					
<ul> <li>The local government sector has sought reforms that would enable local governments to provide loans to property owners to finance for building improvements.</li> <li>This is not currently provided for under the Act.</li> <li>The Local Government Panel Report included this recommendation.</li> </ul>	<ul> <li>Reforms would allow local governments to provide loans to third parties for specific building improvements - such as cladding, heritage and green energy fixtures.</li> <li>This would allow local governments to lend funds to improve buildings within their district.</li> <li>Limits and checks and balances would be established to ensure that financial risks are proactively managed.</li> </ul>	Reform gained mixed responses, the reasons behind those that are not in support are listed below:  • Why would the third-party not proceed with getting a loan from a bank, yet finance through a Local Government?  • Why would Treasury Corp not do this?  • Non-financing sector lending has a medium level of vulnerability to financial crime and fraud  • Financial risks would need to be appropriately managed  • Belief that this is a role for State or Federal Governments, not Local.	No consensus, mixed views by alliance members		
6.8 Cost of Waste Service to be Spec	ified on Rates Notices				
<ul> <li>No requirement for separation of waste changes on rates notice.</li> <li>Disclosure will increase ratepayer awareness of waste costs.</li> <li>The Review Panel Report included this recommendation.</li> </ul>	<ul> <li>It is proposed that waste charges are required to be separately shown on rate notices (for all properties which receive a waste service).</li> <li>This would provide transparency and awareness of costs for ratepayers.</li> </ul>	Refer attachment for comments	Supported		

Theme 1: Early Intervention, Effective Regulation and Stronger Penalties										
CURRENT PROVISIONS 1.1 Early Intervention Powers	PROPOSED REFORMS		COMMENTS Esperance	Greater Geraldton	Karratha:	Bunbury:	Kalgoorlie-Boulder	Busselton	Albany	Northam
<ul> <li>The Act provides the means to regulate the conduct of local government staff and council members and sets out powers to scrutinise the affairs of local government.</li> <li>The Act provides certain limited powers to:         <ul> <li>Suspend or dismiss councils</li> <li>Appoint Commissioners</li> </ul> </li> </ul>	<ul> <li>It is proposed to establish a Chief Inspector of Local Government (the Inspector), supported by an Office of the Local Government Inspector (the Inspectorate).</li> <li>The Inspector would receive minor and serious complaints about elected members.</li> <li>The Inspector would oversee complaints relating to local government CEOs.</li> <li>Local Governments would still be responsible for dealing with minor behavioural</li> </ul>		Esperance: Supportive	Greater Grealdton: Agree with proposed reform.  The council has responsibility to investigate complaints relating to the CEO, however support from the inspector would assist.	Karratha: Supportive of proposed reforms	Bunbury: Support  It is expected the Local Government Inspector would be funded by the State Government, however it is noted that the cost of the Local Government Monitors and	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:  CEO Comment: Support WALGA position. Not supportive of local governments remaining responsible for dealing with minor behavioural complaints.	Northam: Supportive
<ul> <li>Suspend or, order remedial action (such as training) for individual councillors.</li> <li>The Act also provides the Director General with the power to:         <ul> <li>Conduct Authorised Inquiries</li> </ul> </li> </ul>	<ul> <li>complaints.</li> <li>The Inspector would have powers of a standing inquiry, able to investigate and intervene in any local government where potential issues are identified.</li> <li>The Inspector would have the authority to assess, triage, refer, investigate, or close</li> </ul>			There are concerns that there is no formal process to refute complaints		the Conduct Panel would be borne by the Local Government concerned			Manager Governance & Risk Comment: Support WALGA position	
<ul> <li>o Refer allegations of serious or recurrent breaches to the State Administrative Tribunal</li> <li>o Commence prosecution for an offence under the Act.</li> <li>• Authorised Inquiries are a costly and a relatively slow response to significant issues</li> </ul>	complaints, having regard to various public interest criteria – considering laws such a the Corruption, Crime and Misconduct Act 2003, the Occupational Safety and Health Act 1984, the Building Act 2011, and other legislation.  • The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism.	as Act								
Authorised Inquiries are currently the only significant tool for addressing significant issues within a local government.  • The Panel Report, City of Perth Inquiry, and the Select Committee Report made variou	<ul> <li>The Inspector would also have the power to order a local government to address nor compliance with the Act or Regulations.</li> <li>The Inspector would be supported by a panel of Local Government Monitors (see items 1.2).</li> </ul>	em								
oversight.	<ul> <li>The existing Local Government Standards Panel would be replaced with a new Condu Panel (see item 1.3).</li> <li>Penalties for breaches to the Local Government Act and Regulations will be reviewed and are proposed to be generally strengthened (see item 1.4).</li> <li>These reforms would be supported by new powers to more quickly resolve issues within local government (see items 1.5 and 1.6).</li> </ul>									
<ul> <li>1.2 Local Government Monitors</li> <li>There are currently no legislative powers for the provision of monitors/ temporary advisors.</li> </ul>	<ul> <li>A panel of Local Government Monitors would be established.</li> <li>Monitors could be appointed by the Inspector to go into a local government and try</li> </ul>		Esperance: Supportive	Greater Grealdton: Agree with proposed reform	Karratha: Supportive of proposed reforms		Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:	<b>Northam:</b> Any clarification on how this will be funded? Presuming that the costs will be borne by the local government - this could become an issue depending on the scale of
The DLGSC provides support and advice to local governments, however there is no existing mechanism for pre-qualified, specialised assistance to manage complex cases.	resolve problems.	correctly under the Local Government Act 1995. Upon initial review, the Inspector identifies that there may be a problem. The Inspector appoints a Monitor who specialises in financial management in local government. The Monitor visits the local government and identifies that the system used to manage rates is not correctly issuing rates notices.	i.		are guidelines for the level of involvement and authority	There have been criticisms over the past decade that the Department is ill equipped to assist LG's across many areas, both in a proactive and reactive manner. The availability of LG Monitors viewed positively, as a resource that LG's can call on as required			CEO Comment: Support WALGA position noting a local government could request Inspector intervention directly.  Manager Governance & Risk Comment: Support, noting it is proposed that local	the work being undertaken. Some level of concern with the second case study - I can see the monitor could be extremely busy if they are attending local governments every time there is a 'issue' such as that outlined in the example. From a process point of view I would have thought the Inspector would simply contact the Shire President to
	Monitors would be qualified specialists, such as:     Experienced and respected former Mayors, Presidents, and CEOs - to act as mentors and facilitators  Or Dispute resolution supports to address the baseledown of prefereigned working.	The Monitor works with the local government to rectify the error, and issue corrections to impacted ratepayers.  Monitor Case Study 2 – Dispute Resolution	0						governments be able to make requests to the Inspector to appoint Monitors for a specific purpose.  *Local government, meaning Council.	determine if they would like support (may be the case and just not detailed in the example) - Presidents role to lead the Council and get their 'team' working together.
	<ul> <li>Dispute resolution experts - to address the breakdown of professional working relationships</li> <li>Certified Practicing Accountants and other financial specialists - to assist with financial management and reporting issues</li> <li>Governance specialists and lawyers - to assist councils resolve legal issues</li> </ul>	The Inspector receives a complaint from one councillor that another councillor is repeatedly publishing derogatory personal attacks against another councillor on social media, and that the issue has not been able to be resolved at the local government level. The Inspector identifies that there has been a relationship breakdown between the two								
	<ul> <li>o HR and procurement experts - to help with processes like recruiting a CEO or undertaking a major land transaction.</li> <li>Only the Inspector would have the power to appoint Monitors.</li> </ul>	councillors due to a disagreement on council.  The Inspector appoints a Monitor to host mediation sessions between the councillors.  The Monitor works with the councillors to address the dispute. Through regular meetings								
1.3 Conduct Panel	Local governments would be able to make requests to the Inspector to appoint Monitors for a specific purpose.	the councillors agree to a working relationship based on the council's code of conduct. After the mediation, the Monitor occasionally makes contact with both councillors to ensure there is a cordial working relationship between the councillors.								
The Local Government Standards Panel was established in 2007 to resolve minor breach complaints relatively quickly and provide the sector with guidance and benchmarks about acceptable standards of behaviour.	<ul> <li>The Standards Panel is proposed to be replaced with a new Local Government Cond Panel.</li> <li>The Conduct Panel would be comprised of suitably qualified and experience</li> </ul>		Esperance: Supportive	Greater Geraldton: Agree with councils previous submission/administrative comment	Karratha: Supportive of proposed reforms	Essentially a replacement of the current Standards Panel. Makes sense that elected	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany: CEO Comment: Supported.	Northam: Supportive
<ul> <li>Currently, the Panel makes findings about alleged breaches based on written submissions.</li> <li>The City of Perth Inquiry report made various recommendations that functions of the</li> </ul>	<ul><li>professionals. Sitting councillors will not be eligible to serve on the Conduct Panel.</li><li>The Inspector would provide evidence to the Conduct Panel for adjudication.</li></ul>					members aren't burdened by having to potentially make disciplinary decisions against other elected members. Current penalties are seen as minor, so strengthening of these is seen as appropriate			Manager Governance & Risk Comment: Supportive of proposal that will allow local governments to be able to make requests to the Inspector to appoint Monitors for specific purposes.	
Local Government Standards Panel be reformed.	<ul> <li>The Conduct Panel would have powers to impose stronger penalties – potential including being able to suspend councillors for up to three months, with an app mechanism.</li> </ul>	peal								
	<ul> <li>For very serious or repeated breaches of the Local Government Act, the Conduct Pa would have the power to recommend prosecution through the courts.</li> <li>Any person who is subject to a complaint before the Conduct Panel would have</li> </ul>									
	right to address the Conduct Panel before the Panel makes a decision.									
<ul> <li>1.4 Review of Penalties</li> <li>There are currently limited penalties in the Act for certain types of non-compliance with the Local Government Act.</li> </ul>	Penalties for breaching the Local Government Act are proposed to be strengthened.		<b>Esperance:</b> Generally support although would require clarification/guidelines around when the suspension of a councillor would take effect and how/who would determine		Karratha: Supportive of proposed reforms	Bunbury: Support.	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:	Northam: Supportive
with the Escar Government/lea	• It is proposed that the suspension of councillors (for up to three months) is established as the main penalty where a councillor breaches the Local Government Act Regulations on more than one occasion.		that a breach has occurred	Require clarification on the number of suspensions of a council memeber which will effect disqualification.		Unsure of anyone having been fined or jailed, so perhaps enforcement of those mechanisms already in place would be a better deterrent than increasing penalties. Makes sense for disqualified EMs to not be able to access their sitting fees and			gs Manager Governance & Risk Comment: Supportive of proposal noting that any	
	<ul> <li>Councillors who are disqualified would not be eligible for sitting fees or allowances They will also not be able to attend meetings, or use their official office (such as their title or council email address).</li> </ul>			Although accountability is important the penaltise appear harsh for a minor breach.		allowances		of council, would trigger an automatic disqualification from Council as per section 2.25(4) of the Act	person, who is subject to a compliant before the panel, has the right to address the panel.	
	<ul> <li>It is proposed that a councillor who is suspended multiple times may become disqualified from office.</li> <li>Councillors who do not complete mandatory training within a certain timeframe will</li> </ul>	II								
	also not be able to receive sitting fees or allowances.									
1.5 Rapid Red Card Resolutions										
<ul> <li>Currently, local governments have different local laws and standing orders that governments</li> </ul>	<ul> <li>It is proposed that Standing Orders are made consistent across Western Australia (sitem 2.6). Published recordings of all meetings would also become standard (item 3.1)</li> <li>It is proposed that Presiding Members have the power to "red card" any attendee</li> </ul>		Esperance: Supportive	Greater Geraldton: Agree with proposed reform noting councils previous submission/administrative comment	Karratha: Supportive of proposed reforms	Standardised meeting procedures makes sense, many Band 1 and 2 LGs would have	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:  CEO Comment: Supported, but clarification of the following proposed content is required noting potential source and effect to fulfilling councillor voting obligations:	Northam: Supportive
<ul> <li>Differences between local governments is a source of confusion about the powers the presiding members have to deal with disruptive behaviours at council meetings.</li> <li>Disruptive behaviour at council meetings is a very common cause of complaints.</li> </ul>	at (including councillors) who unreasonably and repeatedly interrupt council meetings.  This power would:  o Require the Presiding Member to issue a clear first warning  o If the disruptions continue, the Presiding Member will have the power to "red card"			Request clarification on definition of a meeting		Standing Orders that are very similar.  Red Card System - Why? If standing orders are well drafted then the mechanisms will be there for the Presiding Member to deal with disruptive Councillors.  If an EM breaches the Standing Orders they are committed a minor breach anyway, so			required, noting potential cause and effect to fulfilling councillor voting obligations:  "Where an elected member refuses to comply with an instruction to be silent or leave, or where it can be demonstrated that the presiding member has not followed the law	
Having the Presiding Member be able to deal with these problems should more quickly resolve problems that occur at council meetings.	that person, who must be silent for the rest of the meeting. A councillor issued with a recard will still vote, but must not speak or move motions  o If the person continues to be disruptive, the Presiding Member can instruct that they leave the meeting.					the Conduct Panel would be informed anyway.			in using these powers, penalties can be imposed through a review by the Inspector. "  Manager Governance & Risk Comment: Fully support the standardisation of Standing Orders (Meeting Procedures) across the state.	
	<ul> <li>Any Presiding Member who uses the "red card" or ejection power will be required to notify the Inspector.</li> </ul>								I am concerned that the power to issue a "red card" to councillors may present unintended consequences, such as inhibiting free speech and full participation.	
	<ul> <li>Where an elected member refuses to comply with an instruction to be silent or leave or where it can be demonstrated that the presiding member has not followed the law in using these powers, penalties can be imposed through a review by the Inspector.</li> </ul>								Concur, with concern raised by CEO, noting, if a council member is present at a meeting, they have a duty to vote on all matters before the meeting, unless they have a financial interest in the matter.	
1.6 Vexatious Complaint Referrals  • No current provisions.	Local governments already have a general responsibility to provide ratepayers and members of the public with assistance in responding to queries about the local		Esperance: Supportive although guidelines will be required to ensure consistent approach across all local governments	Greater Geraldton: Agree with the intent of the proposed reform noting councils previous and updated submission/administrative comments	Karratha: Supportive of proposed reforms especially in relation to FOI requests	Bunbury: Support	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:	Northam: Supportive
The Act already provides a requirement for Public Question Time at council meetings	<ul> <li>government's operations. Local governments should resolve queries and complaints in respectful, transparent and equitable manner.</li> <li>Unfortunately, local government resources can become unreasonably diverted when</li> </ul>	n a		A mechanism to seek resolution for vexatious complaints is required. Council could make a referral to the inspectorate however it would be preferable for a local government to manage their own complaints		Agree with the proposal, given that currently there is no mechanism to assess minor breach complaints as being vexatious, which can result in long and expensive processes It is suggested that declaring complaints to be vexatious should in the first instance be determined locally, and then perhaps appealable to the inspectorate			CEO Comment: Supported.  Manager Governance & Risk Comment: Fully support referral of complaints that are deemed vexatious; however with the proviso that the Council are to be advised of such	
	<ul> <li>person makes repeated vexatious queries, especially after a local government has already provided a substantial response to the person's query.</li> <li>It is proposed that if a person makes repeated complaints to a local government CEC that are vexatious, the CEO will have the power to refer that person's complaints to the</li> </ul>			gerenment to manage their campaints					notifications.	
	Inspectorate, which after assessment of the facts may then rule the complaint vexation									
1.7 Minor Other Reforms										
	<ul> <li>Potential other reforms to strengthen guidance for local governments are being considered.</li> <li>For example, one option being considered is the potential use of sector-wide guidance and the sector of secto</li></ul>		<b>Esperance:</b> Supportive as guideline generally lead to a more consistent approach across the industry	Greater Geraldton: Agree with proposed reform  Guidance notices will assist however specific direction will restrict the flexibility of loca government. Clarification requested on the intent	Karratha: Supportive of proposed reforms and guidance notices provided it enables a degree of local autonomy and decision making by the LG  Clarification is required on the consistent use throughout the Act and regulations in	Bunbury: Support  The current use of Ministerial Circulars and Operational Guidelines issued by the Department is considered effective.	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany: CEO Comment: Supported.	Northam: Supportive
government sector.	notices. Guidance notices could be published by the Minister or Inspector, to give specific direction for how local governments should meet the requirements of the Loca Government Act and Regulations. For instance, the Minister could publish guidance notices to clarify the process for how potential conflicts of interests should be managed.				relation to what is considered the "local government" - is it Council or is it the Administration.  There are times where this can be used interchangeably otherwise it is specific to the	There is currently no follow up or ramifications from the Department in relation to general non-compliance activities, ie. from the annual compliance audit, so any form of			<b>Manager Governance &amp; Risk Comment:</b> Support that the Inspector has the power to issue notices to individual local governments; however, it is hoped that self-reporting is promoted and encouraged.	
	• It is also proposed (see item 1.1) that the Inspector has the power to issue notices to individual local governments to require them to rectify non-compliance with the Act or Regulations.				Administration					

Theme 2: Reducing Red Tape, Increasing Consistency and Simplicity	

Theme 2: Reducing Red Tape, Increasing Consistency and Simplicity									
	PROPOSED REFORMS  COMMENTS  Port Hedland	<b>Esperance</b>	Greater Geraldton	Karratha	Bunbury	Kalgoorlie-Boulder	<b>Busselton</b>	Albany	Northam
<ul> <li>The Act does not currently include specific provisions to allow for certain types of resource sharing – especially for sharing CEOs.</li> <li>Regional local governments would benefit from having clearer mechanisms for voluntary resource-sharing.</li> </ul>	<ul> <li>Amendments are proposed to encourage and enable local governments, especially smaller regional local governments, to share resources, including Chief Executive Officers and senior employees.</li> <li>Port Hedland: The Town supports WALGA's position as detailed above, as it presents an opportunity to improve organisational efficiency</li> </ul>	Esperance: Supportive to allow LG's to be more agile and share resources with neighbouring LG's	Greater Geraldton: Agree in part with proposed reform  Large local governments may assist smaller local governments and share resources for example library services. Sharing senior staff is not supported due to resourcing costs, staff management issues, potential conflicts of interest	Karratha: Supportive of proposed reforms	Bunbury: Support.  The proposed reforms do not affect CoB as a Band 1 local government, however in general terms the proposal seems to make sense	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:  CEO Comment: Supportive. Needs an incentive and those Local Governments that share a CEO should be rewarded, not just the CEO.  Manager Governance & Risk Comment: Supportive, but with caveat.  The function of the CEO is prescribed in the Act and they are ultimately responsible to	Northam: Supportive
								each individual Council.  Where the function of the CEO is shared across a number of local governments, what happens when one of the local government is found to require "oversight and/or intervention"?	
<ul> <li>2.2 Standardisation of Crossovers</li> <li>Approvals and standards for crossovers (the section of driveways that run between the kerk</li> </ul>	• It is proposed to amend the Local Government (Uniform Local Provisions) Regulations 1996 <b>Port Hedland:</b> The Town supports WALGA's position as detailed above, but does note	Esperance: Supportive however concern for requirements for Perth or urban areas in	Greater Geraldton: Agree with proposed reform.	Karratha: Supportive of proposed reforms to provide greater consistency across LGs	Bunbury: Support	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:	Northam: Supportive
<ul> <li>and private property) are inconsistent between local government areas, often with very minor differences.</li> <li>This can create confusion and complexity for homeowners and small businesses in the construction sector.</li> </ul>	to standards the process for approving crossovers for residential properties and residential developments on local roads.  • A Crossover Working Group has provided preliminary advice to the Minister and DLGSC to inform this.  • The DLGSC will work with the sector to develop standardised design and construction standards.	comparison to rural crossovers. Consideration of some different categories is required.	A standardised process is supported and will assist smaller local governments	Karratna: Supportive or proposed retorms to provide greater consistency across LGs	The City has endeavoured to implement similar measures previously in dialogue with neighbouring LG's (to align policy positions in this regard) with little appetite for uniformity by some.	Kalgooriie-Boulder: WALGA position supported by City of Kalgooriie-Boulder	Busseiton: Supportive	CEO Comment: Supported.  Manager Governance & Risk Comment: Supported.	Northam: Supportive
	New provisions are proposed to allow exemptions from certain requirements of the Local <b>Port Hedland</b> : The Town supports WALGA's position as detailed above  Government Act 1995, for:	Esperance: Supportive to allow agility and reduce red tape requirements	Greater Geraldton: Agree with proposed reform	Karratha: Supportive of proposed reforms.	Bunbury: Support	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:	Northam: Supportive
2.4 Streamline Local Laws	o Short-term trials and pilot projects o Urgent responses to emergencies.		Flexibility will enable opportunities and facilitate urgent response to emergencies	Very supportive of short term trials and pilot programs to consider innovative community services or offerings	is suggested that any measures that reduce red tape & help facilitate innovation and out- of-the-box solutions should be incouraged, particularly where LGs have existing and robust governance and risk management frameworks in place to mitigate innovation that may be considered high risk			CEO Comment: Supported. However, Emergency Response to Landslip emergencies need clarification on who is the responsible agency, State or Local Government.  Manager Governance & Risk Comment: Supportive if the definition of "Emergency", noting an emergency is generally accepted an urgent, sudden, and serious event or an unforeseen change in circumstances that necessitates immediate action to remedy harm or avert imminent danger to life, health, or property; an exigency.  The local government sector is unprepared for landslide (landslip) events.  Landslides can happen without warning and are often triggered by heavy rain, earthquakes and, in some cases, human activity.  Every Local Government Area in Australia has landslide risk issues of one form or another within the footprint of their area of responsibility.  The extent of landslide hazards, their nature and their likelihood, will of course vary from place to place.  WESTPLAN – COLLAPSE, states that local government's role is to assist the Hazard Management Agency (HMA) at collapse emergencies with advice and resources to deal with the emergency and coordination of community recovery at a local level.  Local governments do not currently have this capability, noting local government are responsible for the coordination of community recovery at the local level.	
<ul> <li>The review of local laws (especially when they are standard) has been identified as a burden for the sector.</li> <li>Inconsistency between local laws is frustrating for residents and business stakeholders.</li> </ul>	<ul> <li>It is proposed that local laws would only need to be reviewed by the local government every 15 years.</li> <li>Local laws not reviewed in the timeframe would lapse, meaning that old laws will be automatically removed and no longer applicable.</li> <li>Local governments adopting Model Local Laws will have reduced advertising requirements.</li> </ul>	Esperance: Supportive	submission/administrative comment	Karratha: Supportive of extending the local law review period (or as proposed by WALGA to remove any time limit for when reviews are to be conducted) however not supportive of local laws automatically lapsing if they have not been reviewed within the last 15 year time period. This is likely to cause more confusion  Supportive of reduced advertising requirements	Bunbury: Support.  Agree on all points.  LGs will always have the ability to review inside the 15 years on an as-needs basis, however extending from 8 to 15 years will reduce the administrative burden significantly given the lengthy process for reviewing/amending local laws		Busselton: Supportive  The City believes the lapsing of a local law, if not reviewed within the 15 year time frame is too extreme a penalty, even acknowledging the extended timeframe for local law review; and could be problematic.  For instance if a thoroughfares local law is not reviewed in a timely fashion, then all street trees in a district could be removed "lawfully" upon local law lapsing  The City also notes that there should be capacity for local governments to upgrade from base model local laws without undue administrative process.	CEO Comment: Supported.  Manager Governance & Risk Comment: Supported, noting inconsistency between local laws create frustration for residents and businesses.  However, the use of the term "local", when applied to "Model Local Law" should be	
2.5 Simplifying Approvals for Small Business and Community Events  Inconsistency between local laws and approvals processes for events, street activation, and initiatives by local businesses is frustrating for business and local communities.	Proposed reforms would introduce greater consistency for approvals for: o alfresco and outdoor dining o minor small business, signage rules o running community events.  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALGA's position as detailed in item 2.4 above  Port Hedland: The Town supports WALG	Esperance: Supportive in priciple although there is significant differences in community events so further details would be required. May need different levels of events - Risk based approach!!		Karratha: Supportive of proposed reforms	Bunbury: Support  Consistency in local laws between neighbouring LGs where possible will reduce frustration in the community, including the extension of this for approvals process under local laws.  The City has the Small Business Friendly Approvals Programme, aiming to reduce red tape and streamline processes for small businesses	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany: CEO Comment: Supported.	Northam: Supportive
<ul> <li>Local governments currently prepare individual standing order local laws.</li> <li>The Local Government Act 1995 and regulations require local governments to allocate time a meetings for questions from the public.</li> <li>Inconsistency among the meeting procedures between local governments is a common source of complaints.</li> </ul>	<ul> <li>To provide greater clarity for ratepayers and applicants for decisions made by council, it is proposed that the meeting procedures and standing orders for all local government meetings, at including for public question time, are standardised across the State.</li> <li>Regulations would introduce standard requirements for public question time, and the procedures for meetings generally.</li> <li>Members of the public across all local governments would have the same opportunities to address council and ask questions.</li> </ul>	Esperance: Supportive	Greater Geraldton: Agree with proposed reform noting councils previous sumission/administrative comment  Council member electronic attendance at meetings to be a standard option if member is travelling or unwell	Karratha: Supportive of proposed reforms to provide a degree of consistency in procedures applied to addressing public questions across LGs.  Section 5.24 of the Act and Regs 5-7 and 14E of the Admin Regs relatively clear however introduction of electronic meetings may need additional consideration	No issue with meeting procedures being standardised across the sector	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	As per 2.4, the City would like to see the ability for local governments to retain the ability to customise procedures where Council agrees.	Albany: CEO Comment: Supported.	Northam: Supportive
<ul> <li>These initiatives typically have to be managed by a lead local government.</li> <li>In 2016-17, provisions were introduced to allow for the formation of Regional Subsidiaries.</li> <li>Regional Subsidiaries can be formed in line with the Local Government (Regional Subsidiaries)</li> <li>Regulations 2017.</li> </ul>	o Enable Regional Subsidiaries to provide a clear and defined public benefit for people within member local governments o Provide for flexibility and innovation while ensuring appropriate transparency and accountability of ratepayer funds o Where appropriate, facilitate financing of initiatives by Regional Subsidiaries within a	Esperance: Supportive	Greater Geraldton: Agree with councils previous submission / administrative comment	Karratha: Supportive of proposed reforms	Bunbury: Support  The fact that no regional subsidiaries have been formed since the legislation was amended in 2016 to facilitate this, demonstrates, that the processes and intent of regional subsidiaries, and by extension the community benefit, is both over regulated and vague.  Any reforms in this area to provide greater clarity around purpose and benefit should be supported		Busselton: Supportive	Albany: CEO Comment: Supported, with a clearly defined framework.	Northam: Supportive

T	eme 3: Greater Transparency & Accountability

Theme 3: Greater Transparency & Accountability									
3.1 Recordings and Live-Streaming of All Council Meetings  • Currently, local governments are only required to make written minutes of meetings.  • While there is no legal requirement for livestreaming or video or audio recording of counci meetings, many local governments now stream and record their meetings.  • Complaints relating to behaviours and decisions at meetings constitute a large proportion complaints about local governments.  • Local governments are divided into bands with the largest falling in bands 1 and 2, and smaller local governments falling bands 3 and 4. The allocation of local governments into bands is determined by The Salaries and Allowances Tribunal based on factors such as:  • Growth and development  • Strategic planning issues  • Demands and diversity of services provided to the community  • Total expenditure  • Population  • Staffing levels.	It is proposed that all local governments will be required to record meetings.		required for recordings	Karratha: Not supportive of mandated recording and livestreaming on the basis that, unlike State and Federal politicians, Councillors do not have any form of 'parliamentary privilege' and livestreaming may stifle debate on contentious matters.  The City will also incur setcup costs to install and maintain technology that facilitates live streaming and audio recordings.  IT Support may be required during meetings to address any system failures	CoB already live streams its meetings and provides copies of the video on its website following the meeting.	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:  Manager Governance & Risk Comment:  There are a number of pros and cons in regards that should be explored, for example:  • Increased transparency is a positive, however risks included the potential for the stream to detract from robust debate and the liability implications for council in regards to defamation proceedings.  • It should be within Council's power to determine whether it wishes to record and/or live stream Council meetings by either audio or visual (or both).  Ultimately is the debate between elected members that is important; which leads to the final decision.	Northam: Agree with live streaming - some level of concern with recording as this coulead to a significant impact on minute take (moving more toward a hansard style, whereas currently summarising and caputring themes), with some elected members and members of the public perhaps scowering recordings ensuring every last detail is captured. Recording should be up to each individual local government.
<ul> <li>3.2 Recording All Votes in Council Minutes</li> <li>A local government is only required to record which councillor voted for or against a motic in the minutes of that meeting if a request is made by an elected member at the time of the resolution during the meeting.</li> <li>The existing provision does not mandate transparency.</li> </ul>	<ul> <li>To support the transparency of decision-making by councillors, it is proposed that the individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes, and identify those for, against, on leave, absent or who left the chamber.</li> <li>Regulations would prescribe how votes are to be consistently minuted.</li> </ul>	Esperance: Supportive		Karratha: Supportive of proposed reforms.  The City has provided this extra degree of disclosure since mid-1998.	Bunbury: Support  CoB already records all votes for and against as part of a best practice approach to meeting processes and procedures.  Best practice governance supports the accurate recording of minutes and any such changes should be supported.	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany: CEO Comment: Supported WALGA comment.	Northam: Supportive
3.3 Clearer Guidance for Meeting Items that may be Confidential  The Act currently provides broad definitions of what type of matters may be discussed as confidential item.  There is limited potential for review of issues managed as confidential items under the current legislation.	<ul> <li>It is proposed to make the Act more specific in prescribing items that may be confidential, and items that should remain open to the public.</li> </ul>	confidence" information and also need consideration that Councillors do not have protection of "parliamentary privilege".  Councillors need to have confidence that their views on a sensitive matter is protected to ensure debate is not stifled on important issues due to fear of being sued etc.	administrative comment.  Further Clarification requested	Karratha: Supportive of proposed reforms.  Where permission is sought by the Inspector, it is recommended that such deliberations are expedient and timely where a matter is to be discussed by the Council on that day  Noted that confidential recordings are to be submitted to the DLGSCI for archiving.  Where confidential items are deemed so by the Inspector, will they be exempt under the FOI Act?  Will the proposed legislative changes also indicate when such confidential matters become publicly available?	It is agreed that the current provisions are not always clear as to matters that should be dealt with as being confidential, resulting in the potential for this to be utilised to suit certain agendas.		Busselton: Supportive  The City seeks further clarification in relation to the provision of audio recordings of confidential matters and the consequences of releasing confidential information to the Department in respect to the requirements of section 5.96A(2).  The City also believes local governments are generally in a position to retain their own confidential information, as is the responsibility of the CEO under the Act	Albany: CEO Comment: Supported.	Northam: Point 4 seems like just another 'thing' local government will have to do. If the items are recorded and retained by the LG, surely that would suffice. In the event the DLGSC wanted to review the recording they could request it. Do not support dot point 4
3.4 Additional Online Registers  Local governments are required to provide information to the community through annual reports, council minutes and the publication of information online.  Consistent online publication of information can substitute for certain material in annual reports.  Consistency in online reporting across the sector will provide ratepayers with better information.  These registers supplement the simplification of financial statements in Theme 6.	included.	contracts that exceed the Tender Threshold eg. \$250,000.	Greater Geraldton: Agree with proposed reform  This will provide succinct, transparent information for reporting and measurement of delivery	Karratha: Supportive of proposed reforms	Bunbury: Support  The City currently reports a number of registers on its website as required by legislation  In the interests of transparency, there would appear to be no reason to not support additional registers being made publicly available should the content be deemed to be in the publics interest.	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:  CEO Comment: Supported, and note other Officer comments.  Manager Governance & Risk Comment: The following registers are currently published on the City's website:  Register of Complaints Resulting in Action Register of Disclosures (Financial, Proximity & Impartiality Interests) Register of Elected Member Mandatory Training Register of Elected Member Mandatory Training Register of Fees & allowances paid to elected members Register of Gifts (includes travel & hospitality) Register of Frimary & Annual Returns Register of Tenders 2021 Source: https://www.albany.wa.gov.au/documents/publications  Manger Finance: Lease register. Commercial terms of leases, debate as to whether or not commercial terms of a lease should be made public? Contracts Register – why the \$100k threshold? Already a requirement under 17 of the LG Functions & General Regs to publish Tenders register on website (our tenders have \$250k threshold per purchasing policy). Duplicate requirement, additional admin, or is this register to replace the current Tenders Register and more contracts in place?	Northam: Supportive
performance criteria.	performance metrics for CEOs:  o Be published in council meeting minutes as soon as they are agreed prior to (before the start	information should be kept confidential as per any other staff member.	Greater Geraldton: Agree with proposed reform. (Note. Resulting feedback was effectively split on agreeing and disagreeeing) Commentary provided was more from those elected members that disagreed.  Whilst publication of CEO KPI's and CEO comments would provide transparency the KPI's are a confidential agreement between employer and employee and therefore it would be preferable that they are dealt with in cofidence internally. The existing performance review model works well.	Karratha: Support proposed refroms incorporating the concerns expressed by WALGA	Bunbury: Support  The CEO currently provides his KPIs to all staff, as well as progress reporting on the same being publicly available through periodic reporting in the Council minutes and agendas.	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive  The City is supportive of the KPI's set for a CEO being published where they align to the LGs strategic direction and subject to exemptions which do not require KPI's of a confidential or sensitive nature to be published.  The City is not however supporting of proposals to publish results of CEO performance reviews.  Organisation performance review results should be published through strategic and corporate reporting and through the annual report process.	Albany:	Northam: Do not agree. CEO comes under enough scruitiny from the Community. I ca see the KPI's being spread all through social media with everyone having their say on performance. From a H/R perspective surely there needs to be some privacy around employment terms - at the end of the day the CEO is accountable to the Council.

Theme 4: Stronger Local Democracy and Community Engagement  CURRENT PROVISIONS  4.1 Community and Stakeholder Engagement Charters	PROPOSED REFORMS	COMMENTS Esperance	Greater Geraldton	Karratha	Bunbury	Broome	Kalgoorlie-Boulder	Busselton	Albany	Northam:
<ul> <li>There is currently no requirement for local governments to have a specific engagement charter or policy.</li> <li>Many local governments have introduced charters or policies for how they will engage witheir community.</li> <li>Other States have introduced a specific requirement for engagement charters.</li> </ul>	stakeholder engagement charter which sets out how local government will communicate processes and decisions with their community.	Extensive consultation can be very costly and time consuming.	Greater Geraldton: Disagree with proposed reform per councils previous submission/administrative comment  Integrated Planning and reporting is a good framework	Karratha: Supportive of proposed reforms.  The City has had a community engagement policy since June 2010 that aligns with the Internal Association for Public Participation and the Public Participation Spectrum framework	CoB has a current adopted Comunications and Engagement Strategy, which could easily be modified into a charter that has more granularity.  Stakeholder and community engagement is seen as an important aspect of LG service delivery, so any means to strengthen this are supported		Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	CEO Comment: Supported, noting the City of Albany has already adopted a policy position, through the endorsement of the Communications & Engagement Strategy.  https://www.albany.wa.gov.au/council/have-your-say/community-engagement.aspx  Manager Governance & Risk Comment: Fully agree with WALGA's recommendation.	Northam: Supportive
4.2 Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only)  • Many local governments already commission independent surveying consultants to hol satisfaction survey of residents/ratepayers.  • These surveys provide valuable data on the performance of local governments.	<ul> <li>It is proposed to introduce a requirement that every four years, all local governments in bands 1 and 2 hold an independently-managed ratepayer satisfaction survey.</li> <li>Results would be required to be reported publicly at a council meeting and published clocal government's website.</li> <li>All local governments would be required to publish a response to the results.</li> </ul>	be a community satisfaction survey rather than just ratepayers.	Greater Geraldton: Disagree with proposed reform  This would require additional resources for a potential low community response rate based on elector participation at elections. The City currently has many mechanisms for community engagement	Karratha: Supportive of proposed reforms although it is considered that surveys conducted internally still provide valuable data without the significant cost to ratepayers	Bunbury: Support  CoB currently undertakes a biennial MARRKYT Community Scorecard survey, the results of which are made public	Broome: Supportive	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:  CEO Comment: Support, recommend survey is conducted every two years  Manager Governance & Risk Comment: No comment.	Northam: Supportive
<ul> <li>4.3 Introduction of Preferential Voting</li> <li>• The current voting method for local government elections is first past the post.</li> </ul>	Preferential voting is proposed be adopted as the method to replace the current fire.	rst past <b>Esperance</b> : Not Supported	Greater Geraldton: Disagree with proposed reform per councils previous	Karratha: Not supportive of proposed reforms	Bunbury: Not Support	Broome: Supportive	Kalgoorlie-Boulder: City of Kalgoorlie-Boulder supports the retention of first	Busselton: Supportive, though doesn't have a strong position	Albany:	Northam: No Comment
<ul> <li>The existing first-past-the-post does not allow for electors to express more than one preference.</li> <li>The candidate with the most votes wins, even if that candidate does not have a majority</li> <li>Preferential voting better captures the precise intentions of voters and as a result may b regarded as a fairer and more representative system. Voters have more specific choice.</li> </ul>	states). This provides voters with more choice and control over who they elect.	Preferential voting has been tried before and removed.  First past the post is-  • Simple  • Quick to count  • Doesn't promote factionalism  • Transparent	and current submission/administrative comment  Preferential voting would be administratively complex.		- The sector (through WALGA) has previously supported first past the post voting for its simplicity and fundamental apolitical nature, therefor the proposed reforms are not supported		past the post for voting for local government elections		Manager Governance & Risk Comment: Ultimately, up to Council to consider. My view, based on previous trial: The First Past the Post (FPP) voting system should remain (if it is not broken, why fix it):  Noting other states, is there a desire for the State to encourage and facilitate increased party politics in local government elections.  This is based on the following reasoning:  • An FPP election is easily understood by electors and easier to administer (i.e. counted more quickly)  • Preferential voting encourages alliances to be formed for the distribution of preferences, and facilitates increased party politics in local government elections, an FPP election removes or minimises the 'politics' in election campaigns;  • Under preferential voting the election process can be manipulated through the use of alliances or 'dummy' candidates, an FPP election minimises this risk.	in
4.4 Public Vote to Elect the Mayor and President  • The Act currently allows local governments to have the Presiding Member (the Mayor or President) elected either:  o by the electors of the district through a public vote; or o by the council as a resolution at a council meeting.	<ul> <li>Mayors and Presidents of all local governments perform an important public leadershi within their local communities.</li> <li>Band 1 and 2 local governments generally have larger councils than those in bands 3 at Accordingly, it is proposed that the Mayor or President for all band 1 and 2 councils is elected through a vote of the electors of the district. Councils in bands 3 and 4 would retain the current system.</li> <li>A number of Band 1 and Band 2 councils have already moved towards Public Vote to Eathe Mayor and President in recent years, including City of Stirling and City of Rockingham</li> </ul>	Continue to let LG's decide if they want popularly elected.  What evidence to support popularly elected Mayor or President gets better outcomes?  Mayor or President needs to build a team of elected members and being elected from within the Council supports that system of teamwork.	submission/administrative comment  Mayor to be elected by electors	Karratha: Not supportive of mandating that Band 1 and 2 LGs to have their Mayors/Presidents elected by electors. The option should be available for the individual Council to make this decision themselves.  Experience across the sector suggests that there is a greater degree of disunity and dysfunctionality in LGs with publicly elected Mayors  Publicly elected Mayors do not always have the support of their fellow Councillors whereas there is generally a greater unity and a better working relationship when the Mayor is elected by their peers.  Neither the State or Federal Government have publicly elected leaders.	CoB currently has a popularly elected Mayor.  For the purpose of consistency, it is agreed that Band 1 and 2 LGs should have a popularly elected Mayor, and that the choice should remain for Band 3 and 4 LGs		Kalgoorlie-Boulder: City of Kalgoorlie-Boulder supports the retention of the current system for the election of the Presiding Member (Mayor or President)	Busselton: The City is not supportive of this Reform as it believes local governments should be able to choose (as they can now) how their Mayor is elected.  The City believes there are significant benefits to having Elected Members choose who should lead them; notwithstanding the ability for a Council to determine the method of election is considered important.  The City is unsure of why such a change is needed and what evidence exist to suggest that a change is required.	CEO Comment: Supported, based on our current system.  Manager Governance & Risk Comment: Ultimately, up to Council to consider. Noting:  • 24 Mayors and one President are elected for a four-year term by public vote.	Would like to understand the rationalle - Premiers, Prime Ministers are no elected by the people.
4.5 Tiered Limits on the Number of Councillors  • The number of councillors (between 5-15 councillors) is decided by each local governm reviewed by the Local Government Advisory Board, and if approved by the Minister.  • The Panel Report recommended electoral reforms to improve representativeness.	<ul> <li>It is proposed to limit the number of councillors based on the population of the entire government.</li> <li>Some smaller local governments have already been moving to having smaller councils to reduce costs for ratepayers.</li> <li>The Local Government Panel Report proposed: <ul> <li>For a population of up to 5,000 – five councillors (including the President)</li> <li>Population of between 5,000 and 75,000 – five to nine councillors (including the Mayor/President)</li> <li>Population of above 75,000 – nine to fifteen councillors (including Mayor).</li> </ul> </li> </ul>	keeping quorums or absolute majorities.	Greater Geraldton: Disagree with proposed reform per councils previous submission/administrative comment  Local government to retain the final say on council representation. The geographical region must be considered as well as population		Bunbury: Not Supported  It is suggested that population not be the only criteria if tiered limits on the number of Councillors are introduced, but that geographical area also be considered.  Further considerations include whether a local government provides regional services for a wider area, thereby increasing the complexity of that LG  CoB currently has 13 elected Members which would be capped at between 5 and 9 under the proposal, if the proposal is to be introduced, perhaps there be more than 3 population ranges applied.  Lower number reduce diversity and increase the possibility of a majority of Councillors being lobbied by certain interest groups	Broome: Supportive	Kalgoorlie-Boulder: City of Kalgoorlie-Boulder supports the retention of the current system for the number of councillors (between 5-15) to be decided by each LG.  If there is to be tiered limits on the number of councillors, the City's position is that the Council's Band should also be a contributing factor.		CEO Comment: No position.  Manager Governance & Risk Comment: Ultimately, up to Council to consider.	
<ul> <li>4.6 No Wards for Small Councils (Band 3 and 4 Councils only)</li> <li>A local government can make an application to be divided into wards, with councillors elected to those wards.</li> <li>Only about 10% of band 3 and 4 local governments currently have wards.</li> </ul>	<ul> <li>It is proposed that the use of wards for councils in bands 3 and 4 is abolished.</li> <li>Wards increase the complexity of elections, as this requires multiple versions of ballot papers to be prepared for a local government's election.</li> <li>In smaller local governments, the population of wards can be very small.</li> <li>These wards often have councillors elected unopposed, or elect a councillor with a ven number of votes. Some local governments have ward councillors elected with less than 5 votes.</li> <li>There has been a trend in smaller local governments looking to reduce the use of wards only 10 councils in bands 3 and 4 still having wards.</li> </ul>	y small 30	Greater Geraldton: Agree in principle to proposed reform per councils previous and current submission / administrative comment  Wards should only be abolished if a local government has a very small population and geographic area. Wards may be beneficial for small populations with a large landmass	Karratha: Supportive of the proposed reforms  Reforms do not extinguish the requirement to undertake Ward reviews every 8 years for Band 1 and 2	Bunbury: Support  The role of a Councillor under the LGA is the "represent the people in the district" regardless of whether Wards exist or not.	Broome: Supportive	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:  CEO Comment: No position.  Manager Governance & Risk Comment: Ultimately, up to Council to consider.  https://www.albany.wa.gov.au/council-meetings/ordinary-council-meeting/ordinary-council-meeting-25-november-2014/233/documents/c_csf131_aa_nov14v2-1.pdf  Council resolved in March 2015, Resolution CSF153: THAT:  1. Based on the response from the community, Council retain the six ward system with 12 elected representatives.  2. Ward Boundaries be adjusted to provide an equitable and fair representation for each ward (As per Officer's Report-Submission D-Retaining the suburb of Redmond in the West Ward).  3. The Mayor is elected by a popular vote of the community as indicated by the community response.  This was acknowledged by the board on 26 March 2015.  The next review will be due in 2023.	
<ul> <li>4.7 Electoral Reform - Clear Lease Requirements for Candidate and Voter Eligibility</li> <li>A person with a lease in a local government district is eligible to nominate as a candidate that district.</li> <li>A person with a lease in a local government district is eligible to apply to vote in that district.</li> <li>The City of Perth Inquiry Report identified a number of instances where dubious lease arrangements put to question the validity of candidates in local government elections, and subsequently their legitimacy as councillors.</li> </ul>	<ul> <li>Reforms are proposed to prevent the use of "sham leases" in council elections. Sham I are where a person creates a lease only to be able to vote or run as a candidate for councestrict.</li> <li>The City of Perth Inquiry Report identified sham leases as an issue.</li> <li>Electoral rules are proposed to be strengthened:</li> </ul>	what are the resources required to manage these requirements.  to  ncil,  fent is	Greater Geraldton: Agree with proposed reform per councils previous submission/administrative comment	Karratha: Supportive of proposed reforms to tighten up dubious opportunities to qualify as an elector or nominate for Council	Bunbury: Support  The introduction of a minimum criteria & duration for leases to be on the Owner Occupier role is supported  The public should have confidence that only those with a genuine entitlement to be an elector should be granted the privlege	Broome: Supportive	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:  CEO Comment: No position.  Manager Governance & Risk Comment: Supported.	Northam: Supportive
4.8 Reform of Candidate Profiles  • Candidate profiles can only be 800 characters, including spaces. This is equivalent to approximately 150 words.	<ul> <li>Further work will be undertaken to evaluate how longer candidate profiles could be accommodated.</li> <li>Longer candidate profiles would provide more information to electors, potentially thro publishing profiles online.</li> <li>It is important to have sufficient information available to assist electors make informed decisions when casting their vote.</li> </ul>	Suggest maybe 300 words to allow candidates enough space to articulate their views on issues.	Greater Geraldton: Agree with proposed reform  Full profile could be published on the website with an abridged version on the ballot paper	Karratha: Supportive of proposed reforms.	Bunbury: Support  Profiles should be sufficient to enable electors to make an informed decision  Word limit currently in place and was used in the 2021 LG Elections	Broome: Supportive	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany: CEO Comment: No position. Manager Governance & Risk Comment: Supported.	Northam: Supportive
4.9 Minor Other Electoral Reforms  • Other minor reforms are proposed to improve local government elections.	Minor other electoral reforms are proposed to include:     The introduction of standard processes for vote re-counts if there is a very small marg between candidates (e.g. where there is a margin of less than 10 votes a recount will alwa required)     The introduction of more specific rules concerning local government council candidate of electoral rolls.	ays be	Greater Geraldton: Agree with proposed reform  Clear guidelines and specific rules already exist (Candidate use of electoral roles)	Karratha: Supportive of proposed reforms	Bunbury: Support  Rgarding recounts, it is understood that the WAEC already applies unwritten processes to guide when a recount would be required.  It would result in greater transparency if these parameters were to be legislated via regulations, such that there can be no conjecture as to when a recount will or won't be held.		Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:  CEO Comment: No position.  Manager Governance & Risk Comment: Supported.	Northam: Supportive

RRENT PROVISIONS	PROPOSED REFORMS	COMMENTS	Caratan Caralitan	Manustha	Paralle and a second a second and a second a	Kelmonika Bauldan	Duranthan
I Introduce Principles in the Act The Act does not currently outline specific principles.	It is proposed to include new principles in the Act, including:	Esperance Esperance: Supportive about principles based although limited detail	Greater Geraldton: No Comment	Karratha  Karratha: Supportive of proposed reforms	Bunbury Bunbury: Support	Kalgoorlie-Boulder Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-	Busselton Busselton: Supportive
te Act does not earrently outline specific principles.	o The recognition of Aboriginal Western Australians	provided as to the proposed changes	Greater Geraldton. No comment	Karratia. Supportive of proposed feroniis	Builbury. Support	Boulder	Busselton. Supportive
ne Act contains a short "Content and Intent" section only.  ne Panel Report recommended greater articulation of principles	o Tiering of local governments (with bands being as assigned by the Salaries and Allowances Tribunal)	provided as to the proposed changes			The tiering concept makes sense if that is a philosophy that is implemented through other parts of this reform agenda.		
Panel Report recommended greater articulation of principles	o Community Engagement						
	o Financial Management.				Acknowledging Aboriginal Western Australians is consistent with the principles within the City's Reconciliation Action Plan		
Greater Role Clarity							
	The Local Government Act Review Panel recommended that roles and responsibility of closted members and senior staff he better defined in law.	ities <b>Esperance:</b> Supportive	Greater Geraldton: No Comment	Karratha: Supportive of proposed reforms	<b>Bunbury:</b> Support	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-	
Proceedings of the role of council, councillor, mayor or president and CEO. The role of the council is to:	• The Local Government Act Review Panel recommended that roles and responsibilit of elected members and senior staff be better defined in law.	ities <b>Esperance:</b> Supportive	Greater Geraldton: No Comment	Karratha: Supportive of proposed reforms		<b>Kalgoorlie-Boulder:</b> WALGA position supported by City of Kalgoorlie-Boulder	inclusion of specific reference to employment of staff being
e Act provides for the role of council, councillor, mayor or president and CEO. e role of the council is to: overn the local government's affairs	of elected members and senior staff be better defined in law.  • It is proposed that these roles and responsibilities are further defined in the	ities <b>Esperance:</b> Supportive	Greater Geraldton: No Comment	Karratha: Supportive of proposed reforms	Bunbury: Support  Better clarity in terms of roles of Council, Councillors and administration is considered beneficial, as the current		
he Act provides for the role of council, councillor, mayor or president and CEO.  he role of the council is to:  Govern the local government's affairs	of elected members and senior staff be better defined in law.  • It is proposed that these roles and responsibilities are further defined in the legislation.	ities <b>Esperance:</b> Supportive	Greater Geraldton: No Comment	Karratha: Supportive of proposed reforms	Better clarity in terms of roles of Council, Councillors and		inclusion of specific reference to employment of staff being
The Act provides for the role of council, councillor, mayor or president and CEO.	of elected members and senior staff be better defined in law.  • It is proposed that these roles and responsibilities are further defined in the	ities <b>Esperance:</b> Supportive	Greater Geraldton: No Comment	<b>Karratha:</b> Supportive of proposed reforms	Better clarity in terms of roles of Council, Councillors and administration is considered beneficial, as the current		inclusion of specific reference to employment of staff being retained under CEO Roles and Responsibilities.  The Act would benefit from greater clarity in relation to

CEO Comment: Supported.

The Panel Report recommended greater articulation of principles	o Community Engagement o Financial Management.			Acknowledging Aboriginal Western Australians is consistent with the principles within the City's Reconciliation Action Plan			Manager Governance & Risk Comment: Supported.	
<ul> <li>5.2 Greater Role Clarity</li> <li>The Act provides for the role of council, councillor, mayor or president and CEO.</li> <li>The role of the council is to: <ul> <li>Govern the local government's affairs</li> <li>Be responsible for the performance of the local government's functions.</li> </ul> </li> </ul>	The Local Government Act Review Panel recommended that roles and responsibilities of elected members and senior staff be better defined in law.  It is proposed that these roles and responsibilities are further defined in the legislation.	Greater Geraldton: No Comment	Karratha: Supportive of proposed reforms	Bunbury: Support  Better clarity in terms of roles of Council, Councillors and administration is considered beneficial, as the current	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	inclusion of specific reference to employment of staff being retained under CEO Roles and Responsibilities.	Albany: CEO Comment: Supported.	Northam: Supportive
o Be responsible for the performance of the local government's functions.	<ul> <li>These proposed roles will be open to further consultation and input.</li> <li>These roles would be further strengthened through Council Communications Agreements (see item 5.3).</li> </ul>			definitions are vague at best		The Act would benefit from greater clarity in relation to responsibilities of the Local Government, Council, Mayor and CEO A suggestion that the Act be modified to clearly delineate the Mayor and Council's roles, and following this, that the balance of responsibility fall under the role of the CEO's functions.		
	5.2.1 - Mayor or President Role  It is proposed to amend the Act to specify the roles and responsibilities of the Mayor or Esperance: Supportive President.  While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Mayor or President is responsible for: OR expersenting and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council Facilitating the democratic decision-making of council by presiding at council meetings in accordance with the Act OR Developing and maintaining professional working relationships between councillors and the CEO OR Performing civic and ceremonial duties on behalf of the local government OR Working effectively with the CEO and councillors in overseeing the delivery of the services, operations, initiatives and functions of the local government.	Greater Geraldton: Agree with proposed reform per councils previous submission/administrative comment	Karratha: Supportive of proposed reforms	Bunbury: Support  The proposed outline of Mayoral responsibilities is consistent with the current definitions and is considered reasonable in terms of expectations of a Mayor or President.	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany: CEO Comment: Supported.  Manager Governance & Risk Comment: Supported.	Northam: Supportive
	S.2.2 - Council Role  It is proposed to amend the Act to specify the roles and responsibilities of the Council, which is the entity consisting of all of the councillors and led by the Mayor or President.  While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Council is responsible for:  O Making significant decisions and determining policies through democratic deliberation at council meetings  o Ensuring the local government is adequately resourced to deliver the local governments operations, services and functions -including all functions that support informed decision-making by council  o Providing a safe working environment for the CEO; o Providing strategic direction to the CEO; o Monitoring and reviewing the performance of the local government.	Greater Geraldton: Agree with proposed reform  Clearly defined roles will only assist in accountability and efficiency	Karratha: Supportive of proposed reforms  Interestingly the phrase used in the first indented bullet point is a reference to "making significant decisions" - does this mean some relaxation of decisions that could be otherwise managed by the Administration? What are these?	reasonable in terms of general expectations of a Council, and is	Boulder	Busselton: Supportive	Albany: CEO Comment: Supported. Manager Governance & Risk Comment: Supported.	Northam: Supportive
	5.2.3 - Elected Member (Councillor) Role  • It is proposed to amend the Act to specify the roles and responsibilities of all elected councillors.  • While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that every elected councillor is responsible for:  • Considering and representing, fairly and without bias, the current and future interests of all people who live, work and visit the district (including for councillors elected for a particular ward)  • Positively and fairly contribute and apply their knowledge, skill, and judgement to the democratic decision-making process of council  • Applying relevant law and policy in contributing to the decision-making of the council o Engaging in the effective forward planning and review of the local governments' resources, and the performance of its operations, services, and functions  • Communicating the decisions and resolutions of council to stakeholders and the public o Developing and maintaining professional working relationships with all other councillors and the CEO  • Maintaining and developing their knowledge and skills relevant to local government of Facilitating public engagement with local government.  • It is proposed that elected members should not be able to use their title (e.g. "Councillor", "Mayor", or "President") and associated resources of their office (such as email address) unless they are performing their role in their official capacity.	Greater Geraldton: No Comment	Karratha: Supportive of proposed reforms  Quasi-judicial obligations of Council is covered in a couple of the indented bullet points	Bunbury: Support  The proposed outline of Councillor responsibilities is considered reasonable in terms of general expectations of an individual elected Member.  The practical application of an elected member only using their official title when performing roles in their official cpacity is problematic; particularly in settings that are not controlled by the LG (i.e. at an external function where people acknowledge the presence of the Mayor/Councillor)  It can be argued that the community should know whether a person is an elected member or not in a general community setting		Busselton: Supportive	Albany: CEO Comment: Supported. Manager Governance & Risk Comment: Supported.	Northam: Supportive
	S.2.4 - CEO Role  The Local Government Act 1995 requires local governments to employ a CEO to run the local government administration and implement the decisions of council.  To provide greater clarity, it is proposed to amend the Act to specify the roles and responsibilities of all local government CEOs.  While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the CEO of a local government is responsible for:  O Coordinating the professional advice and assistance necessary for all elected members to enable the council to perform its decisions—anking functions o Facilitating the implementation of council decisions  O Ensuring functions and decisions lawfully delegated by council are managed prudently on behalf of the council  Managing the effective delivery of the services, operations, initiatives and functions of the local government determined by the council  Providing timely and accurate information and advice to all councillors in line with the Council Communications Agreement (see item 5.3)  O Overseeing the compliance of the operations of the local government with State and Federal legislation on behalf of the council  I ol Implementation and maintaining systems to enable effective planning, management, and reporting on behalf of the council.	Greater Geraldton: Agree with proposed reform per councils previous submission/administrative comment	Karratha: Supportive of proposed reforms.  It is noted that there is no reference to managing administrative resources (unless loosely covered in 4th indented bullet point)		Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany: CEO Comment: Supported. Manager Governance & Risk Comment: Supported.	Northam: Should include reference to being responsible for all H/R functions (focus on employing and dismissing staff)
5.3 Council Communication Agreements  • The Act provides that council and committee members can have access to any information held by the local government that is relevant to the performance of the member in their functions.  • The availability of information is sometimes a source of conflict within local governments.	<ul> <li>In State Government, there are written Communication Agreements between Ministers Esperance: Supportive and agencies that set standards for how information and advice will be provided.</li> <li>It is proposed that local governments will need to have Council Communications Agreements between the council and the CEO.</li> <li>These Council Communication Agreements would clearly specify the information that is to be provided to councillors, how it will be provided, and the timeframes for when it will be provided.</li> <li>A template would be published by DLGSC. This default template will come into force if a council and CEO do not make a specific other agreement within a certain timeframe following any election.</li> </ul>	Greater Geraldton: Agree with proposed reform  May assist with reducing councillor helpdesk enquiries	Karratha: Supportive of the intent of the reform and recommendation put forward by WALGA	Bunbury: Support  The current definition of what information elected members are able to access is vague, and Officers support any move to provide greater clarity in this regard, whether this is through a Communication Agreement or otherwise	Boulder	Busselton: The City questions the need for mandating this or for a default agreement.  Each local government should be able to determine the need for a communication agreement	CEO Comment: Supported.	Northam: Should form part of employment contract
<ul> <li>5.4 Local Governments May Pay Supperannuation Contributions for Elected Members are eligible to receive sitting fees or an annual allowance.</li> <li>Superannuation is not paid to elected members. However, councillors can currently divert part of their allowances to a superannuation fund.</li> <li>Councils should be reflective and representative of the people living within the distr Local governments should be empowered to remove any barriers to the participation of gender and age diverse people on councils.</li> </ul>	<ul> <li>It is proposed that local governments should be able to decide, through a vote of council, to pay superannuation contributions for elected members. These contributions would be additional to existing allowances.</li> <li>Superannuation is widely recognised as an important entitlement to provide long term financial security.</li> </ul> Esperance: Supportive however it should be an individual Council decision they decide to make this payment or not.	Greater Geraldton: Disagree with proposed reform  Although there is a case for superannuation it may blur the line between employee and elected member. Existing councillor fees and allowances are sufficient	Karratha: Supportive of proposed reforms on the basis that individual Councils can decide	Bunbury: Not Supportive  Elected Members can currently elect to have some or all of their sitting fees paid into superannuation.  Rather than mandating superannuation, would it not be simpler for the Salaries and Allowances Tribunal (SAT) to recognise the time, effort and sacrifice required by elected Members via an increase in the minimum/maximum band levels currently payable, and let individuals decide how they wish to allocate their payments?	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: The City is supportive of this Reform, subject to further clarification as to whether superannuation contributions will be included within the current salaries and allowances band thresholds or whether these would be increased to accommodate the additional remuneration	Manager Governance & Risk Comment: No position	Northam: Not supportive of superannuation provisions
5.5 Local Governments May Establish Education Allowances  • Local government elected members must complete mandatory training.  • There is no specific allowance for undertaking further education.	Local governments will have the option of contributing to the education expenses for councillors, up to a defined maximum value, for tuition costs for further education that is directly related to their role on council.      Councils will be able to decide on a policy for education expenses, up to a maximum yearly value for each councillor. Councils may also decide not to make this entitlement available to elected members.      Any allowance would only be able to be used for tuition fees for courses, such as training programs, diplomas, and university studies, which relate to local government.      Where it is made available, this allowance will help councillors further develop skills to assist with making informed decisions on important questions before council, and also provide professional development opportunities for councillors.	Greater Geraldton: Agree with proposed reform  Councillor training is beneficial for a local government	Karratha: Supportive of proposed reforms.  The Council has a policy CG-16 Professional Development of Council Members that provides for an annual allowance following budget deliberations	Bunbury: Support  The proposal effectively appears an extension of the current processes whereby LGs commit to the ongoing professional development of Elected Members  The main change appears to be the proposed setting of dollar limits for this purpose, which should be supported to ensure equity between elected members	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:  CEO Comment: Supported, and the City promotes professional development.  Manager Governance & Risk Comment: The City has a training budget in place for elected members and a policy position.  Policy Position: https://www.albany.wa.gov.au/documents/427/elected-member-professional-development-and-training-policy  Training Register: https://www.albany.wa.gov.au/documents/1433/register-of-elected-member-mandatory-training	Northam: Supportive
5.6 Standardised Election Caretaker Period  • There is currently no requirement for a formal caretaker period, with individual councils operating under their own policies and procedures.  • This is commonly a point of public confusion.	A statewide caretaker period for local governments is proposed.      All local governments across the State would have the same clearly defined election period, during which:     O Councils do not make major decisions with criteria to be developed defining 'major' o Incumbent counciliors who nominate for re-election are not to represent the local government, act on behalf of the council, or use local government resources to support campaigning activities.      O There are consistent election conduct rules for all candidates.	Greater Geraldton: Disagree with proposed reform per councils precious and current submission/administrative comment  No benefit to delaying the decision making process, the reform is of limited practical use.	Karratha: Supportive of proposed reforms  The Council has policy CG-14 Election Caretaker Period Policy	Bunbury: Support  Althought the CoB does not currently have a caretaker policy, Officers support the legislation of the same  In effect such a position can protect EMs from the perception of major decisions being made in the lead up to elections for the purpose of attracting votes	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:  CEO Comment: Supported, currently in place at the City of Albany.  Manager Governance & Risk Comment: The City has an established care-taker period policy position:  Policy Position: https://www.albany.wa.gov.au/documents/428/election-caretaker-period-policy	Northam: Supportive
5.7 Remove WALGA from the Act  • The Western Australian Local Government Association (WALGA) is constituted under the Local Government Act 1995.  • The Local Government Panel Report and the Select Committee Report included this recommendation.	*The Local Government Panel Report recommended that WALGA not be constituted under the Local Government Act 1995.     *Separating WALGA out of the Act will provide clarity that WALGA is not a State Government entity.  **Esperance: Supportive provided WALGA to continue unaffected in its advoca and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Government Panel Report recommended that WALGA is not a State and support role to LG'S  **The Local Governmen	Cy Greater Geraldton: Agree with proposed reform	Karratha: Supportive of proposed reforms	Bunbury: Support  WALGAs role as the peak advocacy for the LG in WA can continue irrespective of its constitutional status  Further, there is no requirement for LGs to be a member of WALGA		Busselton: Supportive	Albany: CEO Comment: No position.  Manager Governance & Risk Comment: http://classic.austlii.edu.au/au/legis/wa/consol_act/lga1995182/ s9.58.html  WALGA provides advocacy services and advice to the LG sector and fees for service, not limited to: Insurance: In the early 1990's there was widespread dissatisfaction from local governments across Western Australia with the traditional insurance market.  Many had difficulty obtaining cover, others were insured in a variety of ways, such as directly with underwriters or through brokerage firms.  This prompted WALGA to review and explore the options available to the sector. From that review came a vision for a new approach where local governments could work together to take control of the cost of risk.  That vision became a reality in 1995 with the commencement of	Northam: Supportive
<ul> <li>5.8 CEO Recruitment</li> <li>Recent amendments introduced provisions to standardise CEO recruitment.</li> <li>The recruitment of a CEO is a very important decision by a local government.</li> </ul>	<ul> <li>• It is proposed that DLGSC establishes a panel of approved panel members to perform the role of the independent person on CEO recruitment panels.</li> <li>• Councils will be able to select an independent person from the approved list.</li> <li>• Councils will still be able to appoint people outside of the panel with the approval of the Inspector.</li> </ul>	Greater Geraldton: Agree with proposed reform  An independent panel member is supported	Karratha: Supportive of proposed reforms	Bunbury: Suppport  It's hard to see any negatives in having an independent person assist Council with CEO recruitment, provided the final decision on appointment remains with Council	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	the Mutual Liability Scheme and the WorkCare workers compensation Scheme.  Albany:  CEO Comment: No position.  Manager Governance & Risk Comment: Supported.	Northam: Not sure about dot point 3 - if there is a list, why not simply require everyone to use it

•	heme 6: Improved Financial Management and Reporting

The Review Panel Report included this recommendation.

Theme 6: Improved Financial Management and Reporting									
CURRENT PROVISIONS PROPOSED REFORMS 6.1 Model Financial Statements and Tiered Financial Reporting	COMMENTS Esperance	Greater Geraldton	Karratha	Bunbury	Broome Broome	Kalgoorlie-Boulder	Busselton	Albany	Northam
• The financial statements published in the Annual Report is the main financial reporting currently published by local the highest standards of integrity, good governance, and prudent financial management in local government.	•	Greater Geraldton: Agree with proposed reform	Karratha: Supportive of proposed reforms	Bunbury: Support	Broome: Supportive	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:	Northam: Supportive
governments.  • It is critically important that clear information about the financial position of local governments is openly available to ratepayers. Financial information also supports community decision-making about local government services at the same for large /Stirling.		Standard and consistency will be beneficial (Model Financial Statements)		As part of its statutory monthly financial reporting to Council, the City currently also produces a Community Financial Report, which				CEO Comment: Supported.	
<ul> <li>Reporting obligations are the same for large (Stirling, projects.</li> <li>Perth, Fremantle) and small (Sandstone, Wiluna, Dalwallinu)</li> <li>Local governments differ significantly in the complexity of their operations. Smaller local governments generall have much less operating complexity than larger local governments.</li> </ul>	ly	Transparency will benefit ratepayers, however quarterly updates		is a simple stripped back reporting mechanism that is simple to understand even by those without a financial background				Manager Governance & Risk Comment: Supported.	
complexity.  • The Office of the Auditor General has identified opportunities to improve financial reporting, to make statemen clearer, and reduce unnecessary complexity.	nts	will require additional resources to deliver. There were concerns raised regarding the publication of the lease register and council							
• The Office of the Auditor General has said that some • Recognising the difference in the complexity of smaller and larger local governments, it is proposed that financial reporting reporting requirements are unnecessary or onerous - reporting requirements should be tiered – meaning that larger local governments will have greater financial reporting requirements.		member disclosures in relation to the protection of personal information. (Online Registers)							
for instance, information that is not relevant to certain local governments.  governments, or that is a duplicate of other published  It is proposed to establish standard templates for <b>Annual Financial Statements</b> for band 1 and 2 councils, and									
information. simpler, clearer financial statements for band 3 and 4.  • Online Registers, updated quarterly (see item 3.4), would provide faster and greater transparency than current annual reports. Standard templates will be published for use by local governments.	nt								
Simpler Strategic and Financial Planning (item 6.2) would also improve the budgeting process.									
<ul> <li>6.2 Simplify Strategic and Financial Planning</li> <li>Requirements for plans are outlined in the Local</li> <li>Having clear information about the finances of local government is an important part of enabling informed publication.</li> </ul>	olic <b>Esperance:</b> Supportive	Greater Geraldton: Agree with proposed reform per councils	Karratha: Supportive of proposed reforms to simplify and integrate	Bunbury: Support	Broome: Supportive	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-	<b>Busselton:</b> The City feels that the current legislated requirements	Albany:	Northam: Supportive
Government Financial Management and Administration  Regulations.  and ratepayer engagement and input to decision-making.  • The framework for financial planning should be based around information being clear, transparent, and easy to	0	previous submission / administrative comment	IPR reporting rather than adding extra plans to the workload.	At present the legislation is somewhat vague regarding		Boulder	coupled with the advisory standards are sufficient and allow local governments the necessary flexibility with respect to	CEO Comment: Supported.	
understand for all ratepayers and members of the public.  • There is also the Integrated Planning and Reporting (IPR)  • In order to provide more consistency and clarity across the State, it is proposed that greater use of templates is introduced to make planning and reporting clearer and simpler, providing greater transparency for ratepayers.	5		be current after 4 years. For CP to be adaptable and flexible, it	integrated planning and reporting (IPR), with only legislated requirements being the adoption of a Strategic Community Plan			strategic and financial planning.	Manager Governance & Risk Comment: Supported; however, what is	
<ul> <li>Local governments would be required to adopt a standard set of plans, and there will be templates published by</li> <li>While many councils successfully apply IPR to their</li> </ul>	у		strategy and more inclusive of resource capacity, finances, other				While further detail is required to be sure, the proposed reforms appear to create more work and complexity as supposed to	currently used to rate local government's "Financial Health", needs to be reviewed and refined.	
budgeting and reporting, IPR may seem complicated or difficult, especially for smaller local governments.  • It is proposed that the plans that are required are:  o Simplified <b>Council Plans</b> that replace existing Strategic Community Plans and set high-level objectives, with a new plans are required are:			planning documentation collected by the organisation etc.  -Asset Management Plan every 10 years is acceptable	The IPR guidelines produced by the Department go into greater detail and are more useful, however guidelines are exactly that, and have no legal standing			simplify requirements, while also limiting the ability for local governments to tailor their approach to organisational and community needs.	This can be demonstrated through the use of the 'MyCouncil' initiative; which was proposed by the State Government to	
plan required at least every eight years. These will be short-form plans, with a template available from the DLGSO o Simplified <b>Asset Management Plans</b> to consistently forecast costs of maintaining the local government's assets new plan will be required at least every ten years, though local governments should update the plan regularly if the plan regularly in the plan r	ts. A		-LTFP every 4 years is acceptable -Rates and Revenue Policy reviewed every 4 years is acceptable	Greater clarity around IPR requirements would be welcomed,			community needs.	strengthen local government accountability and performance.	
local government gains or disposes of major assets (e.g. land, buildings, or roads). A template will be provided, a methods of valuations will be simplified to reduce red tape			Service Proposals and Project Plans for proposed	which may possibly require a tiered approach for Band 1-4 LGs as suggested for financial reporting				Link: https://www.mycouncil.wa.gov.au/	
o Simplified <b>Long Term Financial Plans</b> will outline any long term financial management and sustainability issues, and any investments and debts. A template will be provided, and these plans will be required to be reviewed in decisions.			proposals/initiatives to accompany and inform budget documents seems acceptable. Integration is extremely important	As well as clarity, a simplified approach would also be welcomed				It is hoped that financial ratio benchmarks are tiered.	
at least every four years  o A new <b>Rates and Revenue Policy</b> (see item 6.3) that identifies the approximate value of rates that will need to l	be		to ensure all planning and reporting (including TP scheme reviews) feeds through the ISP process to the budget.	to ensure the community can easily understand the purpose and intent of the different documentation as well as the linkages				Regional local governments administer regional assets and deliver services on behalf of their region, such as the Albany	
collected in future years (referencing the Asset Management Plan and Long Term Financial Plan) – providing a forecast to ratepayers (updated at least every four years)  o The use of simple, one-page <b>Service Proposals</b> and <b>Project Proposals</b> that outline what proposed services or				Reporting around the IRP framework should be mandated.				Regional Airport.	
initiatives will cost, to be made available through council meetings. These will become <b>Service Plans</b> and <b>Project Plans</b> added to the yearly budget if approved by council. This provides clear transparency for what the functions a								It may be a worthy exercise to explore a fee for service model for delivering such services.	
initiatives of the local government cost to deliver. Templates will be available for use by local governments.								Manager Finance:  • Supported, however future revenue and rates information is	
6.3 Rates and Revenue Policy     Local governments are not required to have a rates and     The Rates and Revenue Policy is proposed to increase transparency for ratepayers by linking rates to be a rate of the rate of	basic <b>Esperance:</b> Supportive	Greater Geraldton: Agree in principle per councils previous	Karratha: Supportive of the proposed reforms	Bunbury: Support	Broome: Supportive	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-	Busselton: Supportive	Albany:	Northam: Supportive
revenue policy. operating costs and the minimum costs for maintaining essential infrastructure.  • Some councils defer rate rises, resulting in the eventual  • A Rates and Revenue Policy would be required to provide ratepayers with a forecast of future costs of provide ratepayers.	iding	submission/administrative comment		The City currently has an adopted rating strategy, which is seen as		Boulder		CEO Comment: Supported.	
need to drastically raise rates to cover unavoidable costs — local government services. especially for the repair of infrastructure.		A policy may form part of the integrated fincancial elements of the long term financial plan (LTFP). However the strategy and plan within the LTFP are essential		being the same as the proposed policy				Manager Governance & Risk Comment: Supported. Currently local governments have autonomy in the way they set rates in the	
<ul> <li>The Policy would need to reflect the Asset Management Plan and the Long Term Financial Plan (see item 6 providing a forecast of what rates would need to be, to cover unavoidable costs.</li> </ul>	6.2),	pran within the Enri die essential						dollar to make up the budget deficiency with some limitations.	
A template would be published for use or adaption by all local governments.								What is needed is a review of current rating exemptions, noting not all land owns are required to pay rates.	
The Local Government Panel Report included this recommendation.								Other than land used or held by the Crown (State Government) for	
								a public purpose, a local government or a regional local government, exemptions from rates apply to:	
								Land used or held exclusively for churches (religious bodies)     Land used or held exclusively for schools	
								<ul> <li>Land used or held exclusively for schools</li> <li>Land used exclusively for charitable purposes</li> <li>Land vested in trustees for agriculture or horticultural show</li> </ul>	
								purposes  • Land owned by Co-operative Bulk Handling Limited (CBH)	
6.4 Monthly Reporting of Credit Card Statements								Land exempted by the Minister for Local Government.	
<ul> <li>No legislative requirement.</li> <li>The statements of a local government's credit cards used by local government employees will be required to be tabled at council at meetings on a monthly basis.</li> </ul>	e <b>Esperance:</b> Supportive	Greater Geraldton: Agree per councils previous submission / administrative comment	<b>Karratha:</b> Supportive of proposed reforms. Disclosure currently provided to monthly Council Meetings.	Bunbury: Support	Broome: Supportive	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	<b>CEO Comment:</b> Supported transparency and note comments of Manager Finance below.	Northam: Supportive
<ul> <li>Disclosure requirements brought in by individual councils have shown significant reduction of expenditure of funds.</li> <li>This provides oversight of incidental local government spending.</li> </ul>		This information is currently reported to the council		The City currently reports these already through the monthly Schedule of Accounts Paid that is presented to Council				Manager Governance & Risk Comment: The City has an approved administrative policy position.	
								This policy applies to any Council Officers issued and involved in the development, implementation, reconciliation and approval of	
								Corporate Credit Cards. The purpose of this policy is to ensure effective controls, policies	
								and procedures are in place with respect to use of Corporate Credit Cards. The objective of this policy is to:	
								<ul> <li>Fulfil all statutory requirements of the Local Government Act with respect to the use of Corporate Credit Cards.</li> </ul>	
								<ul> <li>Adopt best practice in developing a clear and comprehensive policy on the use of Corporate Credit Cards.</li> </ul>	
6.5 Ammended Financial Ratios								Reduce the risk of fraud and misuse of the corporate credit	
<ul> <li>Local governments are required to report seven ratios in their annual financial statements.</li> <li>Financial ratios will be reviewed in detail, building on work already underway by the DLGSC.</li> <li>The methods of calculating ratios and indicators will be reviewed to ensure that the results are accurate and use</li> </ul>	Esperance: Supportive	Greater Geraldton: Agree with proposed reform  Would like to review the final proposal prior to implementation	Karratha: Supportive of proposed reforms and making the resultant ratios useful if they are to be used for comparative	As recommended by OAG proviously, the benchmark status for	Broome: Supportive	<b>Kalgoorlie-Boulder:</b> WALGA position supported by City of Kalgoorlie-Boulder	<b>Busselton:</b> The City supports a comprehensive review of the financial ratios as the current ratios are not fit for purpose.	Albany:  CEO Comment: Supported with congration of regional vs metro	Northam: Supportive
These are reported on the MyCouncil website.      These are reported on the MyCouncil website.		Would like to review the final proposal prior to implementation.  The ratios need to be an input from long term financial plan modelling	purposes	As recommended by OAG previously, the benchmark status for some ratios should be reviewed in line with OAG recommendations, otherwise the sector suggers reputationally			Whilst the City cannot make specific comment on any specific proposals for a new method of calculating ratios and indicators,	CEO Comment: Supported, with separation of regional vs metro.  Manager Governance & Risk Comment: Supported, refer to previous	
These ratios are intended to provide an indication of the financial health of every local government.		moderning		where "non-compliance" is the result, even when almost all LGs have similar results			the City would support new methods that allowed for the inclusion of reserve and cash accounts in the calculations.	comment detailed at: 6.2 Simplify Strategic and Financial Planning.	
							and salan accounts in the curculations.	Manager Finance: Supported. and potentially looking at reviewing	
• Local governments must establish an Audit Committee     • To ensure independent oversight, it is proposed the Chair of any Audit Committee be required to be an independent person who is not on council or an employee of the local government.	Esperance: Not Supported as it is very difficult to find suitable	Greater Geraldton: Disagree with the proposed reform per councils	Karratha: The Council does not support the mandating of a	<b>Bunbury:</b> Supportive of External Representation. Not supportive of	Broome: Not supportive.	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-	Busselton: The City does not support majority independent	Albany:	Northam: Not supproted, financial & risk oversight is a function of
that has three or more persons, with the majority to be independent person who is not on council or an employee of the local government.  council members.  • Audit Committees would also need to consider proactive risk management.	independent members for Audit Committees. Financial management is one of the Councillors main functions already so having majority independent Committee seems to imply LG's	previous submission / administrative comment  Not opposed to a professional independent review of	majority of independent members and an independent person to chair the audit committee as the audit committee has access to sensitive financial and risk management information which is	Members being externals  The City currently has external members on the Audit Committee,	The Office of the Audit General now provides the independent oversight of the sector and has the knowledge required to	Boulder	members of the Audit Committee. Responsibility for Audit oversight should remain with the Council through establishment of a Committee with majority Councillor representation.	<b>CEO Comment:</b> Support WALGA position with Chair position being a decision of the Local Government Committee.	the Council - many local governments have individual elected members with the skills and ability to Chair a meeting. Would support an independent member of the Committee, however
• The Audit Committee is to guide and assist the local government in carrying out the local government's functions • To reduce costs, it is proposed that local governments should be able to establish shared Regional Audit	cannot be trusted to undertake their financial role.	discrepancies if required	not generally made available to the project	although not as Chair	understand the uniqueness of local government accounting. Fail to see how having a majority of independent members will add		or a committee with majority countrior representation.	Manager Governance & Risk Comment: Ultimately as the governing	leadership/charing function to remain with the Council. Unsure why the push for independence on the audit committee. Surely
in relation to audits conducted under the Act.  Committees.  The Panel Penert identified that Audit Committees should. • The Committees would be able to include council members but would be required to include a majority of	Payments for independent members will be required adding an additional cost on ratepayers who are already paying		The Councils's audit committee currently considers risk management	Absolutely agree that Audit Committees need to be proactive in the management of risk for the organisation	any further value, and in remote areas will be hard to attract the required people. The key issue of independence is critical for			body, it is recommended that Council propose a policy position.	this is a critical function of the local government. Already diminsishing the role in planning functions (JDAPS), this is
• The Panel Report identified that Audit Committees should be expanded, including to provide improved risk independent members and an independent chairperson.  The Committees would be able to include council members but would be required to include a majority of independent members and an independent chairperson.	significantly more for being audited by the Auditor General			Questionable as to what the benefit is of having the majority of	the auditor, not the committeee			The City's current Audit & Risk Committee provides an advisory service to a regional capital city council, which deals with	heading in same direction - unsure as to the driver for this.
				members being external members? Absolutely agree that external members add significant value, but elected Members				significant risk issues comparable to large commercial organisations.	
				should retain the majority OAG currently have independent oversight over LGs				The remuneration paid to independent members should reflect	
6.7 Building Upgrade Finance								the size and risk profile of the organisation and the skills and	
• The local government sector has sought reforms that would enable local governments to provide loans to third parties for specific building improvements - surposts to finance for building improvements.	Esperance: Supportive	Greater Geraldton: Disagree with proposed reform per councils previous and current submission/administrative comment	<b>Karratha:</b> Supportive of proposed reforms subject to a LG's financial health.	Bunbury: Not Supportive	Broome: Supportive	<b>Kalgoorlie-Boulder:</b> WALGA position supported by City of Kalgoorlie-Boulder	Busselton: Supportive	Albany:	Northam: Supportive
<ul> <li>owners to finance for building improvements.</li> <li>This would allow local governments to lend funds to improve buildings within their district.</li> <li>This is not currently provided for under the Act.</li> </ul>		This is a role for State or Federal governments		The City currently provides self-supporting loans to community groups in certain circumstances within the parameters of an				<b>CEO Comment:</b> Not supported, see comments from Executive and Manager below	
<ul> <li>This is not currently provided for under the Act.</li> <li>Limits and checks and balances would be established to ensure that financial risks are proactively managed.</li> <li>The Local Government Panel Report included this</li> </ul>				adopted policy in this regard  The proposal seems to be an extension of the status quo to				Executive Director Corporate & Commercial Services: I would strongly disagree with 6.7 Building finance.	
recommendation.				include businesses and property owners. Financial risks would need to be appropriately managed				<ul> <li>Why would we compete in the lending market?</li> <li>Why would an owner not be able to finance this through a</li> </ul>	
				This could be viewed as means to encourage economic				<ul><li>bank, yet be ok to finance that via a LG?</li><li>Why would WA Treasury Corp not do that?</li></ul>	
				investment to meet the challenges of a soft commercial lease market and achieve economic growth				Manager Governance & Risk Comment: I assume the loans would be	
								administered by a lending agreement between parties.	
6.8 Cost of Waste Service to be Specified on Rates Notice			Manuffer 2 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1					I do not support this recommendation noting:	No also as 6
• No requirement for separation of waste changes on rates notice.  • It is proposed that waste charges are required to be separately shown on rate notices (for all properties which receive a waste service).	Esperance: Supportive	Greater Geraldton: Agree with proposed reform per councils previous submission/administrative comment	Karratha: Supportive of proposed reforms.  The City already does this.	The City currently shows waste service charges as an individual	Broome: Supportive	Kalgoorlie-Boulder: WALGA position supported by City of Kalgoorlie-Boulder	Busseiton: Supportive	Albany:  CEO Comment: Supportive	Northam: Supportive
<ul> <li>Disclosure will increase ratepayer awareness of waste</li> <li>This would provide transparency and awareness of costs for ratepayers.</li> </ul>			rife Grty affeauy udes tills.	The City currently shows waste service charges as an individual line item on the rates notice				CLO Comment. Supportive	

## City of Greater Geraldton

Request further consultation when the reform comments are complied. Sharing resources with smaller local governments and clearly defined roles are supported.

Councillor representation should be assessed by the community. Request electoral reform to fill council vacancies which occur outside of the ordinary election period