

Local Government Act - Reform Submission

1. Local Government elections **should be compulsory**, in the same way that state and Federal government elections are as it is less confusing to people
2. Local Government elections **should not have preferential voting**, as it is confusing to people and it should be the candidate who has the most votes on the day, as that's who the majority of local people want to represent them.
3. Local Government elections **postal votes should be changed** to the same process as state and federal elections so it is less confusing to people and they can vote in person at the council office or at a council library three weeks up to election day and this will stop the corruption and fraud, from stolen votes etc. and will give confidence to the voter.
4. Local Government elections **ballot papers should have a numerical value** and not just a tick or cross to keep them in line with the state and federal elections processes.
5. If a **candidate has a criminal conviction they cannot stand** as a candidate / councillor in the election under the same rules as state and federal candidates where you cannot stand.
6. If the **candidate is a builder, planner, real estate agent then they cannot stand as a candidate** as too much conflict of interest and could be used inappropriately.
7. An **Ombudsman is preferred over an inspector** and that person should be appointed by the WA Public Service and not the political conflict if chosen by a minister.
8. The **annual report of the inspector / ombudsman role should be openly tabled in Parliament** to ensure compliance and validate the business unit and taxpayer's monies.
9. The **inspector / ombudsman needs to look at the misuse of roles of the CEO and Mayors**, to ensure the position is not used vexatiously and used to support factions.
10. The **election caretaker period should be aligned with all councils in WA** and there needs to be an avenue to raise issues when particularly Mayors

and CEO use their positions and council / staff resources to advocate for certain candidates whether they are currently councillors or not, especially as WAEC refuses to act on issue.

11. There should be **monetary consequences if you lose or you win a complaint**, a monetary compensation in the standards panel, especially for legal cost.
12. **Complaints need to be heard impartially and confidentially** as Mayors, Councillors, CEO and staff can be the perpetrators and instigators of the complaints against councillors so it would be unfair and not good process for them to be the judge of the complaints.
13. If a **Councillor has been found not guilty of any charge, then the CEO and Mayor should be making a public statement to that affect**, as the character of the councillor has been compromised and the false issues will be on the social media forever.
14. **Against Strengthening penalties against Elected Members** at Proposals 1.1, 1.4 and the Criminalisation of Elected Member breaches at Proposal 1.359, as it just used against innocent Councils by vexatious CEO, Mayors, staff and councillors with no defense.
15. All local government **staff should be subjected to the same code of conduct** and rule that councillors are subjected to, to make it fair and less opportunity to misuse the rules.
16. **All Councillors should be entitled to work in a safe environment free for attacks and abuse** from Local Government CEO, the staff and the public, and there is nowhere for Councillors to raise this issue if the CEO is aligned to the perpetrators.
17. **Repeal of the local Government Standards Panel** as legislation was inconsistently applied and used mainly against certain councillors.
18. **Repeal of Councillors Code of Conduct Behaviour Division 3** as it was not consistently applied and was a used as a tool for CEO, Mayors and vexatious councillors against innocent.
19. **Repeal of the Local Government Act s.5.123, minor breach confidentiality provisions**, as this is misused by staff and councillors to target certain councillors.

20. If **the CEO / Mayor / Councillor uses staff resources to instigate a charge or defend a charge**, then the financial cost should be tabled on the agenda for noting by council .
21. **All financial reports should include business cases** should be on the council website and should be easily searchable, both attachments and through key words.
22. Under the Local Government Act its states councillors should be provided with all the information to carry out their role, **however when a CEO fails to provide the information requested or does not provide the correct information** there is no penalty and no mandate and no recourse to make them do so and this needs to be changed.
23. The **Mayor / President should be elected by the people of the district, if it is a big council**, of over 30,000 people and every four years, to involve the voters more and accountability.
24. The **Deputy Mayor / President should be elected each year by the local councillors**, to reduce factions for Mayor/ President or / and CEO and give experience to councillors.
25. In **large council areas, the ward system should be mandatory** and in smaller councils, they don't have to unless the council passes a motion to agree to it.
26. **All Councillors should be granted superannuation**, to recognise the long term commitment to a poorly paid position especially for women and would be aligned to other states.
27. **All Councillors should be on a similar number of committees** and these committees need to be rotated, every two years, to improve the educational experience of the councillor, reduce factions and alliances and ensure Councillors have similar reimbursements for their time.
28. **All CEO and senior staff should be on a time tenure**, for every local government council, to improve the organisations innovative programs and to reduce the factions, bullying, nepotism, segregation etc.
29. Agree with **educational courses for Councillors, however prior learnings and qualifications should be allowed to be credited**, for more than one term, especially if they have completed the courses or their equivalents within the last ten year.

30. If **Councillors only have to do compulsory courses, then they should be provided with a training completion fee** as they usually have to take time off work to complete the training.
31. If a councillor leaves their council position for any reason within a year after an election, then the **next candidate with the most votes is duly elected**, cost and time effective.
32. **All complaints made to the complaints officer are to be addressed and recorded** and not based on the opinion of the complaints officer and the list provided to Council.
33. **Complaints officer is to forward the record of all complaints and the outcomes**, irrespective whether they were progressed or not, to the Department LGSC .
34. **Any person should be able to raise a complaint** with the Department of local Government, Sport and Communities, who shall address the complaint and provide feedback, especially when a council does not deal with complaints or does not reply.
35. **Public Question time should not be limited or time defined** as there is a huge disparity in the number of residents in every municipality. Evidence will show that there is on average at most council meetings 20 people unless a particular issue has arisen and should be managed with respect by the presiding member.
36. There should be **a limit on the number of items on the council agenda**, to ensure Councillors are not overloaded and allow for the distribution of contentious issues.
37. The **proclamation of Council local laws**, should after advertising be endorsed by Council, then should be sent to state parliament for approval prior to the local laws being enacted.
38. **All meetings associated with council should be recorded and the recordings available** for all councillors and the public to view.
39. All information and registers, including conflicts of interest, council motions and codes of conducts etc. **should be on the public council website for both staff and councillors.**
40. **All delegations of power from Council to the CEO, should be collated** in a publically available register and provided to the State Auditor General for

review every two years and their comments referred back to Council for consideration and feedback.

41. **All motions from every electors and special meeting**, should be forwarded to council along with a report from the CEO, on each item and each motion to be voted on by council and the minutes recorded on the website.
42. How each **Councillor votes on an item, the staff should have their name recorded at every meeting** and displayed in the publically available minutes of that meeting to show transparency to the community.
43. **All motions submitted by councillors are to be recorded in the minutes** even if they are not accepted by the CEO / Mayor and the reasons for the refusal provided .
44. Must be some **consequences and reporting mechanism for CEO and council staff** that misuse ratepayer's money on projects and through nepotism and political party's alignment.
45. Needs to be better **accountability and transparency with the reliance on the data on the satisfaction surveys**, as the collection maybe skewed and these results are used to measure CEO performance and their bonuses etc.
46. **Local Government CEO should not be given bonuses** and all their additional allowances in their contract package should be itemised in the annual report such as professional membership fees, conferences, cars, entertainment spends etc. for good governance.
47. **All FOI requests should be recorded and tabled and on the public register**, irrespective of whether they are approved or not and the reasons for the decision stated in the report.
48. The **councils should be compliant with the Local Government Administration regulations 19.B** and yet no one checks that they don't and there is no penalty to the CEO.
49. Should be a **cap on local government staff salaries and use of consultants** and a report should be provided to the Department on the validation and cost of all the FTE's etc.
50. The **whole outcomes of the State Auditor General's Report** on the individual council performance should be included in the Councils annual report and on the website and their action taken to address the items raised in the audit.

51. If the **council CEO refuses to allow a person / organisation to rent or lease a premises** this should be reported to Council for noting and the reason therein for the actions.
52. **All Local government council staff, Councillors, consultants and those appointed to WALGA and other local government boards should all be subjected to tenure**, to ensure accountability and allow the sector to improve their knowledge base and reduce nepotism.
53. Support the removal of WALGA from the Local Government Act, as gives the perception of a government authority and it is just a financial business and those that are on committees are usually supported by the political parties ministers of the day, which is not good governance.
54. **All statements from staff credit cards used by Local Government employees** should be tabled at council meeting for endorsement by council on a monthly basis.
55. **The Council audit committees** should have a chair by a councillor from that council and an independent committee member and the meetings should be open to the public and the information is not confidential unless the Council deems it to be so.
56. **Sharing of CEO, staff and council resources should be encouraged in smaller councils**, however larger councils could assist with providing free expertise to smaller councils, instead of financial restraints of consultants in smaller council.
57. **Local Council should be encouraged to return to building and running affordable** housing, with cheap state government loans, for less privileged and seniors etc. in their areas which would assist the community and provide another revenue stream.
58. **Waste charges should be included on the rates notice**, along with the percentage of wastes that has been recycled from that council, aligned with the councils own recycling initiatives.
59. The issues involving **the power and misuse of Power with regard to the Development Assessment Panels (DAP)** needs to be reviewed, as the power and comments by the councils and the public have been diminished in favour of developers and ignoring local structure plans appears to be the norm.

60. **Amend the Local Government Act Covid Part 10** to stop Councils delivering their governing and oversight powers to CEOs, as they are arguably unconstitutional.
61. The **state government should include affiliated Local Government Groups** in their decision making not just WALGA, such as LGEMA, ALGMA, ALGWA WA, AEHA, AIE, etc.