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Sent: Monday, 4 February 2019 12:47 PM
To: DLGSC Act Review
Subject: LOCAL GOVT ACT REVIEW PHASE 2

Dept of Local Government, Communities, Sport and Cultural Interests

LOCAL GOVERNMENT ACT REVIEW PHASE 2 SUBMISSION

Rates, Fees and Charges

The better preference is for the implementation of the differential rates model as applying in Victoria. Rate levels based on location, purpose of use and size. All property owners to pay at least the minimal rates, unless exempted from payment as a strictly confirmed incorporated charity that provides non profit services to the broad local community. ie not residential villages, or other organisations that has totally paid staffing that charges market fees for services, products.

Annual variable rate levels to be set to CPI increases, unless the Minister approves an exceptional extra increase is necessary regarding an essential community infrastructure, or service for most ratepayers. The annual total rates account payment documents presented to ratepayers to include all core community services, infrastructure and facilities provided ie not the annual rate payment total presented separately from any other community services, infrastructure and facilities payment amounts.

All state governments need to jointly advocate for amendments to the Commonwealth Aged Care Act 1997 regarding the meaning of charity organisation that enables residential villages to be exempted from paying annual rates. As proposed previously, rate payment exemption needs to be limited to incorporated charity organisations that provide non profit voluntary services to the broad local community.

With respect to arranged instalment payments for annual rates for ratepayers on confirmed minimal incomes any extra fees or charges needs to be minimised to just admin basic costs with no added interest rate penalty.

Given the significant levels of annual rates amounts associated with the time and ability for ratepayer perusal of an annual report ratepayers need at least up to 40 days to present a submission to city councils regarding the proposed rate increase related to the annual budget report.

Extra fees, charges need to be limited to city cost recovery amounts in relation to a ratepayers` differential rate proportional payment category.

Community Engagement and Integrated Planning and Reporting (IPR)

The better preference is for the implementation of the Queensland engagement model.

Mayors` and Councillors` need to comply with mandatory regular digital communication surveys and or meetings with ratepayers every few months. Any paper documents to be provided to ratepayers as requested. Mayors` and Councillors` also need to be readily accessible to ratepayers and meet with them by request concerning valid, credible expressed issues, suggestions, including policy initiatives.

Thus, Mayors` and Councillors` need to represent ratepayers` verified interests, suggestions and policies. ie voting decision making to be reflected in verified ratepayer survey and or meeting consultations.

Mayors and Councillors also need to comply with mandatory disclosure of information, financial data concerning any city service, community funding, facilities, infrastructure and community events when requested verbally and via digital communications within at least 30 days. City officers and all Councillors are paid to provide services to ratepayers and the general community. Department of local government to monitor compliance and resolve complaints.

City councils to comply with ratepayer online annual survey responses concerning performance outcomes and expenditure meeting proposed budget amounts. Paper survey documents provided when requested. Completed survey results to be collated and summarised by the local government department to ensure credibility of the total outcome. Relevant recommendations to be reported to city councils to maximise performance outcomes.

City Mayors and Councillors to ensure mandatory compliance that ratepayers are surveyed, engaged to express views on all proposed expenditure of over \$300000 for any new major service, infrastructure or community project event. Ratepayers also need to be surveyed, engaged to express views on all proposed expenditure funding of over \$50000 for any community organisation service/s, or events. Ratepayer approval level to be at least 60% prior to any expenditure being allocated in the budget.

Council Meetings

Ratepayers` question time needs to be accepted with 21st century flexible options. ie live presentations, email submissions and via social media apps when directly addressed to city Officers or Councillors.

All question and answer city meeting presentation times to be recorded in official city meeting minutes. Any answers to directly address the question/s and not avoided. Question, answer presentations, including ratepayer, public statement presentations to be recorded in city meeting minutes.

All clear real conflicts of interest, including publicly perceived conflicts of interest by city Officers or Councillors to be disclosed in meetings and recorded in the minutes. eg financial, proximity, kinship, friendship, business/industry, community organisation associations or memberships. City Officers, Councillors to be able to engage in meeting discussions, but no voting approval.

Special elector ratepayer meetings to be upheld with 100 public petitioners, or 5% of ratepayers whatever is the lesser amount. Two councillors to support the petitioners` meeting request for city councils being obliged to comply with the request.

Relevant city Officers to be obliged to seriously review and or implement actions for change in relation to major convincing information advocated by ratepayers` submissions. Mayor, Councillors voting support of 60% or more required.

With the need for collaboration and team work in city operation procedures the CEO, Mayor and one Councillor to decide on when there is a need to access more necessary research, or relevant information regarding any major policy, project, community event and community funding matter/s. eg cost, benefit analysis report, any relevant precedent comparable evidenced based research report/s.

Confidential city meeting minutes recordings to be minimised to maximise accountability, transparency to ratepayers. There needs to be quite a substantial combination of real identity, emotional, defamation, or financial harm risks to the people involved to justify confidential city meetings and minutes recordings.

Any city confidential meeting minutes recordings to at least disclose publicly the subject of the meeting matter, any voting decision and any finances committed by the city voting.

Financial Management

City loan, debt to be no greater than 40% of the annual rates income.

City officers to access 2-3 written quotes for products, services to be provided for over \$200. City officers to publish in their community for tender quote offers for products, services, facilities, events to be provided for over the amounts of \$200000.

City officers to be obliged to access the state government CUA products, services provisions when local community quotes are in excess of 15% of the CUA quotes.

The city funding of community organisations`and events that will indirectly, or directly provide increased income and profits to the local businesses in the vicinity of the public events to be obliged to contribute 50c in each \$1 of total funding provided by the city office management. ie ratepayers` funding.

After the confirmed completion, provision of goods, services, facilities, events as requisitioned by city officers, the provider/s to be paid on the presented invoice document amount/s by 30 days.

Beneficial Enterprises

Any installation of a regional council, or subsidiary organisation needs to be subject to Department of Local Government monitoring and the Auditor General accounting costs, benefits analysis and reviews each 1-2 years.

Council Controlled Organisations (CCO) proposed by WALGA is not supported given all of the risks potentials presented in the briefing document for comments eg the risk to ratepayers of privatised less accountable services, products, facilities provision, including the real risk of escalating private sector people infiltrating councils as staff, senior officers and councillors.

Intervention, Oversight and Enforcement Under the Local Government Act.

Department of Local Government with approval from the Minister to appoint a Municipal Monitor person to city councils when considered seriously necessary in the following.

The improper use of position allegation breach by a CEO, employee or councillor. Also, the allegation breach by a CEO, employee or councillor knowingly providing false, or misleading information to a council by written, verbal means including with respect to tendering obligations either minor, or serious to be reviewed by the Director General and to impose a range of suitable sanctions as considered appropriate.

The range of sanctions to be suspension without pay, re education, an appropriate fine percentage of salary and position termination. A CEO, employee or councillor can appeal to the Director General, SAT for a final review based on new accepted compelling information, or evidence.

Looking forward to the most important and relevant Local Government Act changes being implemented in the interests of largely ratepayers whom are the majority of interest groups in local governments.

Mr Graham McPherson

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4/2/2019

