

LOCAL GOVERNMENT REVIEW: 18 IDEAS

Submission from
James Mumme

[REDACTED]
[REDACTED]

Sent by email on Thursday 28 March in time for 31 March deadline.

Preamble

THANK YOU for the opportunity to contribute to this important exercise. I look forward to hearing the outcomes.

I am not one of those people who believe that local government should be abolished or reduced to a rump. On the contrary I believe local government has by far the most continuous and significant effects on electors of any level of government and that the community gets far greater value from local government than it recognises. Moreover it is clear that over the years many more functions have been imposed on it by governments keen to transfer costs. However I also believe that improvements can be made without great expense because as at presently structured and managed it fails to adequately represent its primary constituents and in my experience often operates most inefficiently.

I became involved in a limited way with one metropolitan council in the 1980s but in the past decade following retiring at various times I have been member of a community consultative committee in another metro council, have attended annual electors meetings, have asked questions of Council at full council meetings, Electors' Meetings and at subcommittee meetings about a range of issues, and currently have fruitful connections with a number of councillors and officers in my local government.

Comments

DEALING WITH WHAT MAY BE THE BIGGEST THREAT TO LOCAL GOVERNMENTS - WASTE

The biggest collectors of solid waste are local governments although they created very little of it. Yet they are held responsible for dealing with it. While it was acceptable to dump in landfill outside cities, the problem was manageable. Now that landfill has become so costly, over used and expensive, and now that China has imposed higher standards of homogeneity on waste it imports, the problem is becoming unmanageable. Using incineration to solve the problem is only an easy way of postponing dealing with the problem: it does not solve issues of increasing costs of raw materials, wasteful manufacturing processes, wasteful packaging procedures, citizens' responsibilities for their own rubbish, or risks from pollution arising from wasteful treatment of waste.

There seem to me to be some faults in how waste is managed. Councils attempt to deal with this by imposing a rate. The imposition of the Rubbish Rate on residents on a flat rate basis across the municipality fails to deal with the problem of rubbish creation. It's imposed regardless of how much each resident creates. The three entities responsible for creating rubbish are 1. manufacturers of products, 2. sellers of products, and 3. buyers of products. Only the buyers are called on to provide funds to solve the problem. THERE NEEDS TO BE A CREATOR PAYS POLICY IMPOSED EITHER BY GOVERNMENT OR BY LOCAL COUNCILS. The technology is on the trucks to at least weigh the amount from each bin and sampling could enable identification of householders who are failing to make an effort.

Until State Governments recognise that responsibilities lie with all three entities, act to impose appropriate costs on each, support adequate education of the community in the origins of the pollutants they are consuming or producing and the impacts of these pollutants

on the environment we rely on for our air, water and food, Councils will be able to do little.

My council has introduced a three bin system at great expense. However it has failed to provide any information to householders AT THE POINT OF SEPARATION as to what goes in which bin. As a consequence residents are not learning how to separate effectively and the City's waste will not meet China's more stringent criteria.

COUNCILS NEED TO ENSURE EFFECTIVE EDUCATION OF HOUSEHOLDERS AT POINT OF SEPARATION.

STATE GOVERNMENT NEEDS TO BECOME SERIOUS ABOUT ZERO WASTE AND ABOUT SUPPORTING RECYCLING INDUSTRIES.

VALUING COUNCIL CONTRIBUTIONS TO THE COMMUNITY

Since annual payments to Councillors over and above sitting fees and other allowances have been in use, has there been any assessment of the effect of the payments ? If so I have not seen it. I do believe that many Councillors contribute a lot to community welfare and spend a lot of time on committees and responding to residents' concerns. Some I know have completed the training for Councillors. But my observations of many Councillors is that they are not sufficiently aware of the issues raised by many development proposals or by many policy or procedure reports drafted by Council officers.

COUNCILLORS NEED TO BE SMARTER AND MORE COMMITTED TO KNOWING THE ISSUES THEY ARE VOTING ON (ASIDE FROM WHAT THEY GET FED BY OFFICERS). WAYS TO REDUCE THE WORK LOAD OF THIS SHOULD BE EXPLORED, INCLUDING ALLOTING AREAS OF EXPERTISE, CALLING ON COMMUNITY MEMBERS OR ACADEMICS WITH SOLID ACQUAINTANCE WITH ISSUES EITHER THROUGH STUDY OR THROUGH LIVING IN THE AREA FOR A LONG TIME.

Two related issues. One is that Council officers, including CEOs, may be too wedded to their obsolete view of local government and planning derived from their education or long experience in local government.

Another is that officers' roles in advising Councillors give them immense power over people who may only be in Council for a few years and in many cases are using election to Council as a stepping stone to careers higher up. So often votes are cast uncritically after minimal or no discussion. If there is discussion, it often shows that the level of local government literacy and the degree of commitment of councillors to the welfare of their electors is minimal.

I support GREATER TRANSPARENCY AND ACCOUNTABILITY IN THE SELECTION OF CEOS.

RATES FEES AND CHARGES

So very few people are aware of how much we all owe to councils. Councils and their decisions affect our lives minute by minute. Yet there are so many complaints and so much cynicism of councillors and council employees. Why is this ?

- a) Complaints always register more loudly than compliments but council could do more to counter that.
- b) Councils treat residents as if they are ignorant of town planning processes (which is often true) and palm them off with 'bureaucratese'.
- c) Popular images of councillors is that they are self-interested, not community-interested.

I SUPPORT GREATER AND ONGOING TRAINING OF COUNCILLORS AS A REQUIREMENT, PERHAPS EVEN BEFORE THEY STAND AS CANDIDATES.

MAYORAL VOTING IN CASES OF TIES

It is self-evidently undemocratic for one councillor to have twice the voting power of other councillors. I believe this contributes to community scepticism about councils.

It leads, I believe, to poor decision-making because it is a denial of good problem-resolution process to deny the message from a tied vote. When, after consideration of the matter and officers' recommendations, there is substantial unresolved disagreement, it is

hard to avoid concluding that the matter is not ready for decision and needs to be reconsidered.

Our current mayor has stated that his practice is to vote the second the same way he voted the first time. This seems to reflect some stubbornness and unwillingness to listen to argument. At least there should be an admission that there is disagreement that needs to go back to the rethinking board.

The most egregious example was one particular vote following a set of seven questions at public question time which the Mayor took on notice even though the questions had been submitted the day before the meeting. The questions were detailed and related to substantial aspects in the motion affecting public health and welfare. As a result of the questions, the vote was tied. The Mayor cast his second vote regardless of the lack of response to the questions.

I CALL FOR ABOLITION OF A SECOND VOTE IN CASES OF TIES AND DEFERRAL OF DECISIONS IN CASES OF TIES FOR CONFLICT RESOLUTION AND ALTERNATIVE SOLUTIONS (AT LEAST FOR ONE MONTHLY CYCLE).

FREQUENCY OF COUNCILLORS MERELY VOTING WITH OFFICER'S RECOMMENDATIONS WITHOUT STUDYING THE ISSUES

There is a wide variation in the evident understanding of councillors of issues. Some are well read and briefed but often they are not and it is evident that they are voting following the leader rather than thinking for themselves. Sometimes there is no hidden agenda, only a shortage of time or brainpower to grasp the planning issues at stake. However I do know of one clear instance when a councillor was primed to put up a motion regarding an issue of great interest to the whole community (both for and against) without understanding the issue or having any history of interest or involvement. The presence of blocks consistently voting together in spite of the ban on party-line voting is anti-democratic.

I CALL FOR MEASURES TO ENSURE THAT COUNCILLORS ARE MORE EQUIPPED TO DEAL WITH ISSUES. ONE IDEA IS TO SHARE OUT THE WORKLOAD ACCORDING TO COUNCILLORS' INTERESTS AND TO

INVITE THEM TO HAVE A CENTRAL ROLE IN THE DEVELOPMENT OF POLICIES, PROPOSALS AND PROCEDURES. FOR EXAMPLE IT WOULD BE GOOD TO HAVE ONE COUNCILLOR WHO IS AN 'EXPERT' IN HOUSING, THE AGED, THE ENVIRONMENT, BUSINESS (I ACKNOWLEDGE THAT THE OVER REPRESENTATION OF CHAMBER OF COMMERCE PERSONNAL GIVES THEM A HEAD START HERE).

COMMUNITY ENGAGEMENT

My observations are that residents generally only become engaged in attending Council meetings, asking questions and organising others for reasons that may be summarised as NIMBY. Their engagement arising from some feeling of threat, not from a desire to improve the operation of council or act on behalf of the welfare of the whole community.

One example of this is the response to a development proposal to create a shelter for homeless men. People who have never come to council meetings before are showing up by the scores and it's common for question time to be taken up with half a dozen questions which are largely complaints.

One reason for this lack of engagement may be the belief that people have little faith in councillors to represent their interests, that councillors are in the pockets of developers or of the large vested interests.

Another reason may be the lack of understanding in how planning processes work.

I CALL FOR SOME CREATION OF SOME STRUCTURE BETWEEN COUNCILS AND ELECTORS, PERHAPS A GOVERNMENT SPONSORED RESIDENTS' ASSOCIATION OR PERHAPS A DELIBERATIVE DEMOCRATIC STRUCTURE IN ORDER TO DEVELOP CONSIDERATIONS OF DIFFICULT ISSUES THAT PRESENT OBJECTIVELY THE PRO AND CONTRA OF EACH ISSUE IN WAYS THAT THE COMMUNITY CAN EASILY GRASP.

ELECTIONS: SIZE OF WARDS: it is unrealistic to expect a candidate to visit even a small number of say 11,000 dwellings let alone to increase the sizes of wards.

If there is any intention to make decisions that help councillors to be able to meet and productively develop relations with electors so that they can act as regular channels of information to and from council in the interest of good decision making, the numbers of dwellings in each ward MUST BE DECREASED and certainly not increased.

The result of making it more difficult for candidates to meet electors would, I believe, be to increase the role of irrational and dangerous social media and make elections more prone to be manipulated by well funded vested sectional interests.

I CALL FOR RETENTION OF THE WARD SYSTEM AND FOR SMALLER WARDS NOT LARGER ONES WITHIN A STRONG FRAMEWORK OF RESPONSIBILITY OF COUNCILLORS FOR THE WELFARE OF THE WHOLE COMMUNITY.

ENGAGEMENT WITH THE COMMUNITY

My council produces a quarterly glossy publication with the latest developments, dates for rubbish and firebreaks etc. That's all very well but it reflects the limited understanding by my council of the nature of communication.

They clearly see communication as essentially a one way top down process - we talk to them. A good example of this is the process of community consultation whereby the Community Aspirations are developed. Councillors are not allowed to attend the meetings so they cannot listen to what the residents have to say. Instead they receive an edited version of what the facilitator chooses to say. My questioning of this process revealed that councillors did not actually get to see the facilitator's version but only a second edited version done by Council Officers. In one case important messages regarding a controversial issue from the community meetings were omitted from both versions. I happened to check with some others who were at other meetings than the one I was at and also with the facilitator.

I CALL FOR THE DEVELOPMENT OF FORUMS OR NETWORKS OF RESIDENTS WHO HAVE BEEN EQUIPPED TO UNDERSTAND HOW LOCAL GOVERNMENT WORKS AND WHO HAVE SHOWN EVIDENCE OF

A COMMITMENT TO THE WIDER GOOD, NOT MERELY THE SECTIONAL INTEREST THEY BELONG TO. I BELIEVE THAT EXAMPLE HAS BEEN CALLED DELIBERATIVE DEMOCRACY.

Notices in local newspapers are another example since few now read the papers.

Questions about alternatives to the above process have been ignored by my Council who appear uninterested in deliberative democratic innovations whereby groups of motivated and educated in planning issues citizens. Too often question times are embarrassing because the questioner is unaware of the limits of local government authority and proper process or just unaware of history: the NIMBY lobby would do better talking with members of such a group before they tackle council. The alternative means sharing information and power to some extent. It would involve taking some members of the community with you, teaching them what they need to take into account about decision-making and really listening to their informed arguments. Unless the community experience being treated with respect, they will remain alienated and disconnected with the process.

I SUPPORT COMPULSORY LOCAL GOVERNMENT ELECTIONS, PROVIDED THEY ARE EITHER ON THE SAME DAY AS STATE OF COMMONWEALTH ELECTIONS OR ELSE ARE VOTING IS BY POST OR ELECTRONIC, AND THERE IS NO FINE FOR NOT TAKING PART.

ELECTORS' MEETINGS

I have attended at least six of these. Initially there were half a dozen of the usual suspects asking questions. Councillors expressed frustration to me about the waste of their time. However over the past two years attendance has grown in response to the emergence of a set of local issues. I have to say that the issues were ones which reflected the NIMBY attitude - when people fear a proposal near their residences or business have their parking severely reduced or realise that a development proposal would severely affect their business during construction phase. Rare are those asking questions on behalf of the whole community without a vested interest. But the point is

that these meetings offer a better forum for community involvement in the business of council than regular meetings. The 2018 meeting was a change in that for the first time, citizens took votes which the council had later to report on and act on. Before some citizens at that meeting raised the possibility, the meetings had been relatively pointless. However it was a surprise to me that the Act allows for such votes. This should not be removed.

I SUPPORT THE RETENTION OF ELECTORS' MEETINGS PARTICULARLY IF THEY OPERATE SO AS TO PERMIT A THOROUGH EXCHANGE BETWEEN ELECTORS AND COUNCILLORS ON IMPORTANT ISSUES, NOT JUST THE MAYOR HANDLING ANSWERS. LACK OF ATTENDANCE SHOULD BE TAKEN AS AN INDICATION OF SICKNESS OF DEMOCRACY IN AN LG NOT AS APATHY.

SPECIAL MEETINGS OF ELECTORS

I have heard a proposal for raising the bar for these to be called from 100 to 500. This is an anti-democratic move. Given the negative attitudes of many in the community, it is difficult enough for community members to educate themselves about issues and LG processes and to pursue them effectively without making it more difficult. It's worth remembering that, unlike councillors, community members give all their time voluntarily.

I OPPOSE RAISING THE BAR FOR HOLDING A SPECIAL MEETING FROM 100.

QUESTION TIME

This is also a valuable part of ensuring a working democracy in local government. That questions and answers are published in the Council minutes at the following month is good. Question time at sub-committee is more interesting and informative in that often councillors and a larger variety of officers have a chance to respond and to think out loud.

However question time's effectiveness is limited by several things:

a) many community members think it's a chance to vent rather than to follow up on obtaining information and better understanding of issues: ad hominem statements should not be allowed.

b) the Mayor refuses to engage councillors in responding to any questions so the chance to call for accountability is lost.

c) Often the answers are examples of Orwell's Newspeak - meaningless and miss the point.

d) The Mayor can ignore questions sent in earlier and just take them on notice, thus avoiding answering in public.

e) the Mayor needs to be consistent with rulings regarding residents making statements instead of asking questions and giving equal time to all and not imposing time limits randomly.

QUESTION TIMES NEED TO BE TREATED WITH RESPECT BY BOTH SIDES: MAYORS MUST ENCOURAGE FOCUSED AND LOGICAL QUESTIONS AND NOT IMPOSE TIME LIMITS IF CENTRAL ISSUES ON THE AGENDAS ARE BEING RAISED. QUESTIONERS MUST LIMIT THEMSELVES TO NOT MAKING EMOTIONAL STATEMENTS AND AVOID LONG RAMBLING JUSTIFICATIONS.

PUBLICATION OF BOTH QUESTIONS (REPORTED AS ASKED) AND ANSWERS IN MINUTES SHOULD BE CONTINUED.

AS WELL THERE SHOULD BE ELECTRONIC RECORDING OF COUNCIL MEETINGS, AT LEAST FULL COUNCIL MEETINGS AVAILABLE FOR CHECKING STATEMENTS AFTER THE MEETINGS.

FURTHER WRITTEN LETTERS OF COMPLAINT OR SEEKING INFORMATION AND THE WRITTEN ANSWERS SHOULD BE AVAILABLE AS AN ATTACHMENT TO MINUTES.

QUALITY OF COUNCILLORS

Unless councils operate more accountably and less transparently, we will continue to councillors who get themselves elected by virtue of their connections rather than what they have to offer the whole

community and the rational operation of councils, or worse merely use council as a stepping stone to a larger political career.
SEE ELSEWHERE.

James Mumme