

Local Government Act 1995 Review

I refer to the community drop-in session held in Esperance on 3rd December 2018 and submit my brief comments on the topics that were discussed at that meeting together with my thoughts on additional subjects that could be considered in any review.

Comments on the topics discussed

(1) Should Charities Pay Rates.

Where the charity or religious order is receiving income from property rentals and is holding land or property as investment then rates should apply as is the case for all other property holders.

The definition for any claimed charitable or religious order should be closely vetted in any application for rates exemption.

(2) Should There Be Compulsory Local Government Elections

This would appear to be very difficult to administer. The question of abolition of any Ward systems and introduction of one vote one value would have to be looked at. e.g. I believe that currently where a Local Authority has a Ward system a land owner is entitled to a vote for each Ward in which a property is held and an occupier can also register for a vote along with the land holder.

I do not believe that compelling people to vote would create any greater interest. It would increase the percentage vote but it would be the calibre of the candidates and issues facing the community and the Local Government that would increase interest.

(3) When Should It Be Mandatory For Local Governments to Engage With the Community

Local Governments should definitely engage with the community. Particularly where any proposed action or approval is not covered by existing planning or zoning schemes or in any case any proposal which could effect the current or adjoining property holders enjoyment, lifestyle, ,or business associated with their land.

(4) How Should Local Governments Handle Complaints

This depends on the type of complaint. Complaints made by phone or over the counter could be referred to a senior officer at that point. Complaints in writing should be acknowledged in writing and if requested by the complainant should be referred to the Council or Committee. All complaints should be recorded for future reference.

Other subjects that could be considered in any review

[1] Appointment of C.E.O.s

The re-introduction of the requirement for C.E.O.s to hold or obtain set levels of local government specific qualifications in order to retain this position unless otherwise approved by the Minister for

Local Government should be considered [This was a requirement that was dropped from the re-write of the 1960 Act]

Currently there appears to be the situation whereby unqualified and/or inexperienced officers are in instances appointed to the position to guide and advise inexperienced Councillors. This could lead to the rubber stamping of staff reports and/or recommendations with possible serious legal or financial consequences.

[2] Financial and Compliance Provisions

Consideration should be given to the re-introduction of Interim and Annual audits of the Local Government Act and Regulations to be carried out by an Audit Branch of the Local government Department as was the case prior to the re-write of the 1995 Act. At that time Department audit inspections were strict and allowed for a uniform standard of the implementation of procedures required by the Act and Regulations. It also assisted in resolving problems where ambiguity existed.

[3] Budgets and Rating

There have been reports where annual budgets are being adopted and rates increased without due reference to ratepayers ability generally to pay.

Consideration may need to be given to a ceiling to be imposed in the striking of rates from one year to the next to assist in relieving the financial stress that many are facing each year on receipt of their notice.

Thank you for the opportunity to comment on the proposed review.

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