



The City of South Perth Residents Association Incorporated

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Date: 28th March 2019

Hon David Templeman, MLA
Minister for Local Government, Heritage, Culture and the Arts

Submission re: Local Government Act Review

Dear Minister Templeman,

The City of South Perth Residents Association Incorporated is generally supportive of the initiative taken by the Western Australian Government to undertake a review of the current *Local Government Act*.

We understand the complexities that confront any local government and agree that the current system can be more efficient as well as being more open and accountable to the community.

We are concerned that the *Local Government Act Review* discussion papers released to the public do not adequately or clearly outline the problems that the Review was intended to address. Instead, they set out a broad vision for local government without providing any context for assessing whether proposed reforms would improve the performance of local government. Our organisation has provided this written submission because the surveys attached to each of the detailed discussion papers, and available on the web, ask for very simplistic responses (e.g. 'Yes', 'No', 'Unsure') to a series of questions without adequate (or, in many cases, any) supporting information.

We submit the following feedback on the various sections of the *Local Government Act Review*:

1. Proposed Reforms 1: Beneficial Enterprises

The *Local Government Act* should include a clear statement of the role and responsibilities of local governments to provide context for the 'presumed competence' model of governance.

Without clear and legally-binding statements in the *Act* outlining the role and responsibilities of local governments, what local governments may actually do (and how they may do it) when forming independent corporations or other entities, will be left to individual councils to determine. This approach is not conducive to effective governance.

2. Proposed Reforms 2: Financial Management.

In our experience as a resident association, we have found it difficult to obtain detailed expenditure information on controversial items. The proposed reforms need to ensure more transparency in this area.

3. Proposed Reforms 3: Rates, Fees and Charges

Local governments have difficulty raising sufficient revenue from rates to deliver the services they are required by law to provide and also to provide the services which their communities increasingly demand.

Presently, local governments do not obtain rate revenue from State-government-owned and occupied properties (i.e. not leased to non-government commercial organisations). Therefore we believe that any state government commercial enterprises or organisations that do not primarily have a local function, should pay appropriate rates to the local government in which they are located.

4. Proposed Reforms 4: Administrative Efficiencies and Local Laws

We believe this topic has been covered by previous discussion papers and will not provide more comment for this review.

5. Proposed Reforms 5: Council Meetings.

a) Arbitrarily limiting public questions at Council meetings, is contrary to open and accountable government principles. In particular, by requiring prior notice of questions from interested parties, disadvantages those who may become aware of a matter being considered by Council to close to a Council meeting date. All questioners should be able to present in person and not be forced to have the council officers read the question. This can be important where the person might wish to add or delete material depending on what has been said previously by others.

b) Elected members are drawn from all sectors of society, often with little experience in the governance of large organisations. This inexperience can result in ineffective governance, poor decision making and sometimes improper behaviour. CoSPRA recognises the importance of the input of elected members and we believe that the underlying inexperience risk needs to be recognised and managed beyond simply mandating short training programmes.

6. Proposed Reforms 6: Interventions

No submission on this topic

7. Proposed Reforms 7: Community Engagement and Integrated Planning and Reporting

We believe this topic has been covered by two previous discussion papers and will not provide more comment for this review

8. Proposed Reforms 8: Complaints Management


Whilst it is desirable that local governments act in such a way as to minimise the incidence of formal complaints, these complaints should not be dealt with by the local government itself. Therefore the review needs to take into account that in addition to the WA Ombudsman being available to provide guidance on complaints, there is also a Local Government Standards Panel, established under the *Local Government Act, 1995*.

9. Proposed Reforms 9: Elections

- a) The current method of determining the outcome of local government elections needs to be changed from “first past the post” counting to a “preferential” voting system.
- b) All councillors, including the position of Mayor, should be via preferential voting of residents and ratepayers. Councillors should not vote in a Mayor in a separate ballot.
- c) Split voting (i.e. half of a council to be elected every two years) is also supported.

Thank you for the opportunity to provide this submission.

Yours sincerely



Cecilia Brooke
Chairperson
City of South Perth Residents Association Incorporated