



Department of
**Local Government, Sport
and Cultural Industries**



Local Government Act 1995 review
Agile • Smart • Inclusive

Local Government Act 1995 **Review**

Agile • Smart • Inclusive – Local governments for the future

Phase 1: Consultation Paper

8 November 2017

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1. Relationships between council and administration

Introductory questions

- 1) Would you like your submission to remain anonymous?
No
- 2) Postcode:
6383
- 3) Who are you submitting on behalf of?
Yourself
- 4) Local government name:
- 5) Organisation name
- 6) Are you a:
Elected member

Defining the roles of council and administration: Guidance questions

- 7) How should a council's role be defined? What should the definition include?

As per current act. However, in addition, it needs to be acknowledged that there are occasions where councillors do come into contact with or work with (with CEO permission) other administration. It would be beneficial if when and how this occurs were clearly stated in Act. Alternatively, a requirement in the reviewed Act for a formal written policy (between CEO, on behalf of administration, and council) as to how and when this communication occurs. Preference would be for this to be defined in the Act i.e. further clarity required.

- 8) How should the role of the CEO and administration be defined?
- 9) What other comments would you like to make on the roles of council and administration?
- 10) Are there any areas where the separation of powers is particularly unclear?

Yes

11) How do you propose that these are improved?

There is room for improvement in the area of delegations. Given that the purpose of delegated authority is to allow the CEO to perform a number of functions without being considered by council for the purposes of saving time and efficiency. Given that this time saving and efficiency needs to be balanced against the potential risk to council of excessive delegation, I believe there to be a strong argument for uniform delegated legislation. The added advantage being the elimination of a perceived or real point of contention between council and administration.

Given that the purpose of delegated authority is to allow the CEO to perform a number of functions without being considered by council for the purposes of saving time and efficiency. Given that this time saving and efficiency needs to be balanced against the potential risk to council of excessive delegation, I believe there to be a strong argument for uniform delegated legislation. The added advantage being the elimination of a perceived or real point of contention between council and administration.

Improving relationships between council and administration: Guidance question

12) Do you have any other suggestions or comments on this topic?

In general, and despite confusion that sometimes now exists, the Act does delineate between the roles of council and administration, with the being room for improvement in the strengthening of positive relationships and further clarity of roles, as per suggestions above.

2. Training

2.1 Competencies required to be an elected member

Elected member competencies: Guidance questions

- 13) What competencies (skills and knowledge) do you think an elected member requires to perform their role?

Having completed the majority of WALGA training packages available, I believe that the training packages of serving on council, meeting procedures and debating, understanding financial reports and budgets, and land use planning provide for the minimum competencies required by elected members to perform their role. However, these are minimum only and all elected members, regardless of experience, should be encouraged to participate in ongoing training.

- 14) Do these vary between local governments?

No

- 15) If so, in what way?

2.2 Funding training

Funding training: Guidance questions

- 16) Who should pay for the costs of training (course fees, travel, other costs)?

Costs for rural and remote councils should continue to be heavily subsidised through royalties for regions.

- 17) If councils are required to pay for training, should a training fund be established to reduce the financial impact for small and regional local governments?

No

- 18) Should contribution to such a fund be based on local government revenue or some other measure?

Regional and rural councils should not be required to pay full cost of training. Given that smaller councils simply cannot afford this training, the

requirement to pay full cost of training may well lead to limited or minimum only training.

Do you have any other suggestions or comments on this topic?

As above.

2.3 Mandatory training

Mandatory training: Guidance questions

19) Should elected member training be mandatory?

No

20) Why or why not?

On balance – no. Whilst appreciating the need for training, the Queensland model whereby training is not mandatory, but a culture of professional development has been embedded in the State is preferred. Mandatory attendance at training will not, unfortunately, be able to ensure or enforce engagement with and application of training received.

21) Should candidates be required to undertake some preliminary training to better understand the role of an elected member?

Yes

22) Should this be Compulsory?

No

23) Should prior learning or service be recognised in place of completing training for elected members?

No

24) If yes, how would this work?

This response refers to the above three questions.

Preliminary training should be available to candidates prior to becoming an elected member. As with training for elected member, developing a culture of preliminary training as opposed to mandatory training is the preferred option. Further, this training should be available online only for the candidate to undertake in their own time, as before being elected, councils should not be required to invest time and financial support for candidates who ultimately may not be elected.

Although there are many ways in which skill and knowledge may be transferred to the role of elected member, local government is different in many ways to private enterprise or other levels of government. Further the role of an elected member is different to that of a former council employee. Therefore, all elected members, regardless of background, should be expected to complete training.

- 25) What period should apply for elected members to complete essential training after their election?

Taking into account both personal and professional commitments that elected members have to consider, 12 months would appear to be a reasonable timeframe. However, due to distance and/or timing extension of this time frame may need to be considered.

2.4 Continuing professional development

Continuing professional development: Guidance questions

- 26) Should ongoing professional development be undertaken by elected members?

Yes

- 27) If so, what form should this take?

The reason for this is that Local government is a dynamic and changing level of government. Under no circumstances should a 'tick and flick' approach to training occur.

Further training may include: additional WALGA training, repeating courses if there is a benefit to be had, as well as potentially looking further afield in areas such as company directorship, leadership, finance courses (noting comments made earlier re: financing of training).

Training: Guidance question

- 28) Do you have any other suggestions or comments on training?

Nil

3. The behaviour of elected members

3.1 Current Situation

Codes of conduct: Guidance questions

29) Should standards of conduct/behaviour differ between local governments?

No

30) Please explain.

Regardless of location, all elected members should be expected to abide by the same high standards of conduct and behaviour.

Which option do you prefer for codes of conduct and why?

The Tasmanian model whereby local governments must adopt the model code of conduct as prepared by the Minister, with supplemented additional provision if appropriate, is, with reference to Codes of conduct, highly appropriate. Whilst acknowledging that this does reduce the autonomy for local government, uniformity between councils in terms of high expectations is of great importance.

31) How should a code of conduct be enforced?

Enforcement at council/local level where ever possible

3.2 Regulation of elected member conduct: rules of conduct

Streamlined rules of conduct: Guidance questions

32) Do you support streamlined Rules of Conduct regulations?

Yes

33) Why?

Option 1 manages the rules of conduct required of elected members, whilst still allowing for autonomy and efficiency with the local government.

34) If the rules were streamlined, which elements should be retained?

As per option 1

The following elaborates on the two questions below:

Yes, I support a reduction in the time frame in which complaints may be made. However, I believe that 12 months is more appropriate. A reduction from 2 years to 3 months is too severe, especially if, as suggested, there is the expectation that offences covering improper use of information for former members might be extended to 12 months.

35) Do you support a reduction in the time frame in which complaints can be made?

Yes

36) Is three months adequate?

No

Revised disciplinary framework: Guidance questions

37) Do you support an outcome-based framework for elected members?

No

38) Why or why not?

As noted in above comments.

39) What specific behaviours should an outcomes based framework target?

No

3.3 Other matters recommended in the 2015-16 review

Application of the Rules of Conduct: Guidance question

- 40) Should the rules of conduct that govern behaviour of elected members be extended to all candidates in council elections?

Yes

- 41) Please explain.

It is important that the person to whom the complaint is directed is given a fair hearing and the opportunity to explain and defend themselves against the complaint. However, once the matter is resolved, both existence of and details of the complaint should be revealed to maintain openness and accountability.

Offence Provisions: Guidance questions

- 42) Should the offence covering improper use of information be extended to former members of council for a period of twelve months?

Yes

- 43) Why?

Many of the matters dealt with by former elected members will be ongoing after the completion of their term as an elected member. As a result, improper use of information gained while a councillor should be extended to former members for twelve months.

- 44) Should this restriction apply to former employees?

Yes

- 45) Please explain?

Same reason as above

Confidentiality: Guidance question

- 46) Is it appropriate to require the existence and details of a complaint to remain confidential until the matter is resolved?

Yes

- 47) Why?

It is important that the person to whom the complaint is directed is given a fair hearing and the opportunity to explain and defend themselves against the complaint. However, once the matter is resolved, both existence of and details of the complaint should be revealed to maintain openness and accountability.

3.4 Reforms to the Local Government Standards Panel and the means to review alleged breaches of the Rules of Conduct Regulations

Sector conduct review committees: Guidance questions

48) What do you see as the benefits and disadvantages of this model?

Nil - Prefer to maintain the status quo – the proposed sector conduct review committee structure appears to add another layer of complexity to this process

49) What powers should the Conduct Review Committee have?

n/a

50) In your opinion what matters should go directly to the Standards Panel?

n/a

51) Who should be able to be a member of a panel: elected members, people with local government experience, independent stakeholders?

52) Who should select the members for the pool?

n/a

53) How many members should there be on the Review Committee?

n/a

54) Are the proposed actions for the Review Committee appropriate?

55) If not, what do you propose?

n/a

Review of elected member non-compliance: Guidance questions

56) Which of the options for dealing with complaints do you prefer? Why?

Option 1 - reasons as previously noted

57) Are there any other options that could be considered?

N/A

58) Who should be able to request a review of a decision: the person the subject of the complaint, the complainant or both?

Person the subject of the complaint

3.5 Sanctions and other Standard Panel matters

Mediation: Guidance question

59) Do you support the inclusion of mediation as a sanction for the Panel?

Yes

60) Why or why not?

There is a definite role for mediation in addressing underlying issues and lack of understanding between parties.

However, should the complainant be a 'serial' complainant or aggressive in manner where the intent is to attack the person, rather than the behaviour, the value of mediation becomes of limited value.

Prohibition from attending council meetings: Guidance questions

61) Do you support the Panel being able to prohibit elected members from attending council meetings?

No

62) Why or why not?

Ultimately, the elected member has been elected to represent the community, with attendance at council meetings being the main way in which community representations takes place. Due to this, only in extreme circumstances should there be reason to prohibit elected members from attending council meetings.

How many meetings should the Panel be able to order the elected member not attend?

Due to reason outlined above, very few, if at all.

63) Should the elected member be eligible for sitting fees and allowances in these circumstances?

No

64) Why

No attendance = no fees/allowances

Compensation to the local government: Guidance questions

65) Do you support the Panel being able to award financial compensation to the local government?

No

66) Why or why not?

67) What should the maximum amount be?

Complaint administrative fee: Guidance questions

68) Do you support this option?

No

- 69) Why or why not?
- 70) Do you believe that a complaint administrative fee would deter complainants from lodging a complaint?
- 71) Is this appropriate?
- 72) Would a complaint administrative fee be appropriate for a sector conduct review committee model?
- 73) Why or why not?
- 74) What would be an appropriate fee for lodging a complaint?
- 75) Should the administrative fee be refunded with a finding of minor breach or should it be retained by the Department to offset costs?
- 76) Why or why not?

Cost recovery to local government: Guidance questions

- 77) Do you support the cost of the panel proceedings being paid by a member found to be in breach?
- No
- 78) Why or why not?

Publication of complaints in the annual report: Guidance question

- 79) Do you support the tabling of the decision report at the Ordinary Council Meeting?
- Yes
- 80) Why or why not?

This measure would ensure that the important elements of accountability and transparency are in place.

Tabling decision report at Ordinary Council Meeting: Guidance question

81) Do you support this option?

Yes

82) Why or why not?

This measure would ensure that the important elements of accountability and transparency are in place.

3.6 Elected member interests

Elected member interests: Guidance questions

83) Should not-for-profit organisation members participate in council decisions affecting that organisation?

Yes

84) Why or why not?

In smaller communities being unable to participate in council decisions may mean that a quorum for decision making will not be available, as there may be too many elected members involved in the organisation so as to prevent a quorum, but not enough members to be classified as interest in common.

However, if the elected member was an office holder, I do not believe they should be able to participate in council decisions/discussion, as the dilemma noted above would not exist or apply.

85) Would your response be the same if the elected member was an office holder in the organisation?

No

Improving the behaviour of elected members: Guidance question

86) Do you have any other suggestions or comments on this topic?

These guidance questions are, in general, somewhat heavy handed in approach. Whilst appreciating the need for penalty for inappropriate/unprofessional behaviour, emphasising a culture of education, training and appropriate behaviour will have higher long-term success of appropriate behaviour than will a focus on penalties.

4. Local government administration

4.1 Recruitment and selection of local government Chief Executive Officers

Recruitment and selection of local government CEOs: Guidance questions

- 87) Would councils benefit from assistance with CEO recruitment and selection?

No

- 88) Why?

As noted, mistakes have been made in the past. However, given the broad range of councils and large number of appointments that have been made, by and large recruitment has been largely successful.

- 89) How could the recruitment and selection of local government CEOs be improved?

As above and below

- 90) Should the Public Sector Commission be involved in CEO recruitment and selection?

No

- 91) If so, how?

Councils, at their discretion, have the option to employ highly qualified consultants in areas such as Strategic Planning, Workforce Review and CEO Performance Review. Should councils, at their discretion, wish to employ other experts this option is available. Therefore Public Sector Commission involved is not required.

- 92) Should other experts be involved in CEO recruitment and selection?

- 93) If so, who and how?

Possibly

Councils, at their discretion, have the option to employ highly qualified consultants in areas such as Strategic Planning, Workforce Review and

CEO Performance Review. Should councils, at their discretion, wish to employ other experts this option is available.

94) What competencies, attributes and qualifications should a CEO have?

Competencies and qualifications are as for CEO of any organisation of similar size to the relevant local government authority i.e. formal tertiary qualifications. With respect to CEO's attributes, sense of community and understanding of culture of the individual local government authority is paramount.

4.2 Acting Chief Executive Officers

Acting CEOs: Guidance questions

95) Should the process of appointing an acting CEO be covered in legislation?

Yes

96) Why or why not?

It should be standard procedure covered by legislations that Deputy CEO, or equivalent, be acting CEO when, for whatever reason, CEO is absent. This expectation should be enshrined in legislation and part of position description for DCEO or equivalent.

97) If so, who should appoint the CEO when there is a short term temporary vacancy (covering sick or annual leave for example)?

Council

98) Who should appoint the CEO if there will be vacancy for an extended period (for example, while a recruitment process is to be undertaken)?

Council

4.3 Performance review of local government Chief Executive Officers

Performance review of local government CEOs: Guidance questions

99) Who should be involved in CEO performance reviews?

Full Council - as noted, councils, at their discretion, have the option to employ highly qualified consultants in areas such as Strategic Planning, Workforce Review and CEO Performance Review. Assistance as, and when required, can be utilised.

100) What should the criteria be for reviewing a CEO's performance?

KPI process, as per usual business practice.

101) How often should CEO performance be reviewed?

Annual Review

102) Which of the above options do you prefer?

As outlined above

103) Why?

Yes

104) Is there an alternative model that could be considered?

Nil

4.4 Extension or termination of the Chief Executive Officer contract immediately before or following an election

Termination or extension of CEO contract around an election: Guidance questions

105) Would a 'cooling off' period before a council can terminate the CEO following an election assist strengthening productive relationships between council and administration?

Yes

106) What length should such a cooling off period be?

Six months, as per NSW recommended reforms, would be appropriate, as it is important that time and effort be put into strengthening council/CEO relationships.

107) For what period before an election should there be a restriction on a council from extending a CEO contract?

Although there is definitely merit in there being a restriction council from extending a CEO contract before an election, I am unsure of an appropriate time frame. Approximately 6 – 12 months may be appropriate.

108) Should there be any exceptions to this?

No

4.5 Public expectations of staff performance

Public expectations of staff performance: Guidance questions

109) Is greater oversight required over local government selection and recruitment of staff?

Yes

110) Should certain offences or other criteria exclude a person from being employed in a local government?

Yes

111) If so, what?

As well as CEO believing that a person is suitably qualified for a position, there should be a number of mandatory 'checks and balances' that should be in place. These include, but are not limited to compulsory probation period, working with children checks and criminal record check. Higher priority needs to be placed on importance of confidentiality.

There are many criteria should be considered as valid criteria for excluding a person from being employed in a local government. Amongst others, these criteria should include proof being an Australian Citizen or

permanent resident, along with the ability to meet the requirements of a Working with Children check or criminal record check (excluding minor traffic offences, but not drink driving)

Strengthening local government administration: Guidance question

112) Do you have any other suggestions or comments on this topic?

No

5. Supporting local governments in challenging times

Remedial intervention: Guidance questions

113) Should the appointed person be a departmental employee, a local government officer or an external party?

External party

114) Why?

Impartiality, openness and accountability

115) Should the appointed person be able to direct the local government or would their role be restricted to advice and support?

Restricted to advice and support

116) Please explain.

Restricted to advice and support is most appropriate (at least initially). Ultimately the goal is for the local government entity to be able to strengthen a specific weakness in the way in which they operate. Provision of advice and support before direction, allows the local government authority to take on board the advice incorporate the given advice into day to day operations.

117) Who should pay for the appointed person?

118) Why?

If advice and support, the local government authority. If direction, definitely the State Government.

Powers of appointed person: Guidance question

119) What powers should an appointed person have?

Powers should include:

- Mediation
- Organising training
- Making recommendations (not giving direction) to council and CEO

Remedial action process: Guidance questions

120) Do you think the proposed approach would improve the provision of good governance in Western Australia?

Yes

121) Please explain.

The main advantage of the proposed approach includes expansion of current powers, which would lead to the being able to assist the local government entity with relatively minor issue before they escalate into major issue.

122) What issues need to be considered in appointing a person?

A person appointed needs to be:

- Community focused, as main focus of resolving issues must be for benefit of community
- Able to operate in an environment of accountability and transparency

Supporting local governments in challenging times: Guidance question

123) Do you have any other suggestions or comments on this topic?

Nil

6. Making it easier to move between State and local government employment

Transferability of employees: Guidance questions

124) Should local and State government employees be able to carry over the recognition of service and leave if they move between State and local government?

125)

126) What would be the benefits if local and State government employees could move seamlessly via transfer and secondment?

Albeit both are levels of government, State and Local government are 2 separate entities, with differing roles, responsibilities and legislative constraints. As such, as well as placing leave liability risks on councils, there should be no carryover or recognition.

Making it easier to move between State and local government employment: Guidance question

127) Do you have any other suggestions or comments on this topic?

No

7. Gifts

7.1 Simplifying the gift provisions

A new framework for disclosing gifts: Guidance questions

128) Is the new framework for disclosing gifts appropriate?

No

129) If not, why?

Although it is acknowledged that the current system needs simplification, it is important that the dollar value is of gifts able to be received before requiring disclosure, so that transparency is not decreased. The new framework does not fully recognise both of these factors.

130) Is the threshold of \$500 appropriate?

No

131) If no, why?

as above

132) Should certain gifts – or gifts from particular classes or people – be prohibited?

No

133) Why or why not?

A specific or particular class of gift is less of an issue that openness and transparency.

134) If yes, what gifts should be prohibited?

Excluding gifts received in a personal capacity: Guidance questions

135) Should gifts received in a personal capacity be exempt from disclosure?

No

136) If yes, how could 'personal capacity' be defined?

This introduces another area of uncertainty in terms of defining personal capacity. The goal of future legislations must be, if possible, to simplify and clarify, not add complexity.

137) Should there be any other exemptions from the requirement to disclose a gift over the threshold?

No

138) If so, what should these be? Please justify your proposal.

Gifts: Guidance question

139) Do you have any other suggestions or comments on this topic?

N/A

8. Access to information

8.1 Public notices

Public notices: Guidance questions

140) Which general option do you prefer for making local public notices available?

Option 6

Why?

Firstly, this would align with public notice requirements in all other states. In addition, it is important to maintain traditional print notice methods to accommodate those unfamiliar or lacking in confidence with electronic media.

141) Should the requirements for any notice in the Supplementary Information - Public Notices be changed?

No

142) Please list and explain the reasons for the proposed change.

Possibly

143) Could any of the notices in the Supplementary information be published on alternative websites?

Yes

144) Please provide details

Possibly

8.2 Information available for public inspection

Information available for public inspection: Guidance questions

145) Using the following table, advise how you think information should be made available:

Provision	Documents	In person only	Website only	Both	Neither
Section 5.53	Annual Report Website only Website only				
Section 5.75 & 5.76	Primary and Annual returns – for Elected members Includes – sources of income Trusts Debts Property holdings. Interests and positions in corporations. Neither				
Section 5.87	Discretionary disclosures generally Website only				
Section 5.82	Gifts (already required to be on the website) Website only				
Section 5.83	Disclosure of travel contributions (already required to be on the website) Website only				
Elections Regulations 30H	Electoral gifts register Website only				

Section 5.98A	Allowance for deputy mayor or deputy president Website only
Section 5.100	Payments for certain committee members Website only
Functions and General Regulations 17	Tenders register Neither
Section 5.94 & Administration Regulations 29	Register of delegations to committees, CEO and employees Neither
	Minutes of council, committee and elector meetings Website only
	Future plan for the district Website only
	Annual Budget Website only
	Notice papers and agendas of meetings Website only
	Reports tabled at a council or committee meeting Website only

Complaints register (concerning elected members)	Website only
Contracts of employment of the CEO and other senior local government employees	Neither
Schedule of fees and charges	Website only
Proposed local laws	Website only
Gazetted Local laws (and other law that has been adopted by the district)	Website only
Rates record	Neither
Electoral roll	Website only

Note: There is no intention to amend the current limitations imposed by section 5.95 of the Act which limits the disclosure of certain information.

146) Should the additional information that is available to the public in other jurisdictions be available here?

No

147) If so which items?

This is not necessary as, if required, information made available electronically to the public in other jurisdictions, may be easily accessed by all

148) How should they be made available: in person, website only or both?

Optional

149) Is there additional information that you believe should be made publicly available? Please detail.

150) For Local Governments: How often do you receive requests from members of the public to see this information?

N/A

151) What resources do you estimate are involved in providing access in person (hours of staff time and hourly rate)?

N/A

Access to information: Guidance question

152) Do you have any other suggestions or comments on this topic?

No

9. Available information

9.1 Expanding the information provided to the public

Expanding the information provided to the public: Guidance questions

153) Which of these options do you prefer?

Option 3: Policy requirement

154) Why?

Perception of local government sector have an excellent opportunity to be improved through embracing an increase in transparency standards.

155) In the table below, please indicate whether you think the information should be made available, and if so, whether this should be required or at the discretion of the local government:

Proposal	Should this be made available: No, optional, required?
Live streaming video of council meetings on local government website	Required
Diversity data on council membership and employees	Required
Elected member attendance rates at council meetings	Required
Elected member representation at external meetings/events	Required
Gender equity ratios for staff salaries	Not Required
Complaints made to the local government and actions taken	Optional
Performance reviews of CEO and senior employees	Not Required

Proposal	Should this be made available: No, optional, required?
Website to provide information on differential rate categories	Required
District maps and ward boundaries	Required
Adverse findings of the Standards Panel, State Administrative Tribunal or Corruption and Crime Commission.	Optional
Financial and non-financial benefits register	Required

156) What other information do you think should be made available?

Nil

Expanding the information available to the public: Guidance question

157) Do you have any other suggestions or comments on this topic?

Nil

Defining red tape: Guidance questions

158) Which regulatory measures within the Act should be removed or amended to reduce the burden on local governments? Please provide detailed analysis with your suggestions.

a) Briefly describe the red tape problem you have identified.

At this point, no specific regulatory measures come to mind where the need for accountability outweigh the red tape.

b) What is the impact of this problem? Please quantify if possible.

N/A

c) What solutions can you suggest to solve this red tape problem?

N/A

159) Which regulatory measures within the Act should be removed or amended to reduce the burden on the community? Please provide detailed analysis with your suggestions.

a) Briefly describe the red tape problem you have identified.

Nil

b) What is the impact of this problem? Please quantify if possible.

Nil

c) What solutions can you suggest to solve this red tape problem?

Nil

10.1 Potential red tape reductions

Special majority: Guidance question

160) Should the provisions for a special majority be removed?

Yes

161) Why or why not?

Not only is this provision so rarely used, the absolute majority provision provides for highly appropriate checks and balances.

Senior employees: Guidance questions

162) Is it appropriate that council have a role in the appointment, dismissal or performance management of any employees other than the CEO? Why or why not?

Consideration of separation of roles between CEO and council is very important. However, council having a role in the appointment, dismissal or performance management of other employees may allow, by virtue of distance, allow for additional insights into these elements of senior employees (in particular) that a CEO may or may not have insight into.

163) Is it necessary for some employees to be designated as senior employees?

No

164) If so, what criteria should define which employees are senior employees?

N/A

Exemption from accounting standard AASB124 - Related party disclosures: Guidance questions

165) Are the existing related party disclosure provisions in the Act sufficient without the additional requirements introduced by AASB 124?

No

166) Why or why not?

Accounting standard AASB124 not only serves the purpose of strengthening accountability and disclosure standards. The standard also provides for reinforcement to elected members and senior staff of the importance of accountability and disclosure.

Disposal of property: Guidance questions

167) The threshold for trade-ins was set originally to \$50,000 in 1996 and raised to \$75,000 in 2015. Should that threshold be raised higher,

No

168) if so how high?

169) Should the threshold remain at \$75,000 but with separate exemptions for specific types of equipment, for example plant?

No

170) The general \$20,000 threshold was put in place in 1996 and has not been amended. Should the threshold be raised higher than \$20,000?

No

171) If so, what should it be and why?

172) Would raising these thresholds create an unacceptable risk that the items would not be disposed of to achieve the best price for the local government?

Yes

173) Is there an alternative model for managing the disposal of property? Please explain.

No

Reducing red tape: Guidance question

174) Do you have any other suggestions or comments on this topic?

No

11.1 Risks and benefits of borrowing

Regional subsidiaries: Guidance questions

175) Which option do you prefer?

Option 1: Status quo

176) Should regional subsidiaries be allowed to borrow money other than from the member councils?

Option 1: Status quo

177) Why or why not?

Albeit that councils may be grouped together as regional subsidiaries due to geographical similarities, it is highly likely that each council in a regional subsidiary may have differing levels of financial security/soundness and differing approaches to risk management, along with other significant differences. Allowing these councils to borrow from other than member councils may compromise these elements for some councils or encourage more borrowings than are able to afford.

178) If a regional subsidiary is given the power to borrow directly, what provisions should be put in place to mitigate the risks?

No

Regional subsidiaries: Guidance question

179) Do you have any other suggestions or comments on this topic, including on any other aspect of the *Local Government (Regional Subsidiaries) Regulations 2017*?

No

Local Government Act review: Guidance question

180) You are invited to make comment and put forward suggestions for change on other matters which have not been covered in this paper.

Nil