**Theme 1: Early Intervention, Effective Regulation and Stronger Penalties**

### 1.1 Early Intervention Powers - Current

- The Act provides the means to regulate the conduct of local government staff and council members and sets out powers to correct the affairs of local government. The Act provides certain limited powers to:
  - Appoint Commissioners
  - Appoint Adjudicators
  - Appoint Monitors
  - Authorised Inquiries
  - Authorised Auditors
  - Authorised Inspectors

- Some of these powers are only available to the Inspector and others are available to all the current power holders. In the current model, the Local Government Ombudsman, Treasurer, and Auditor-General have limited powers.

### 1.2 Local Government Monitors - Current

- The Local Government Ombudsman (Inspector) has the power to:
  - Authorised Inquiries
  - Authorised Auditors
  - Authorised Inspectors

- The Inspector is the only significant tool for addressing significant issues within a local government.

### 1.3 Conduct Panel - Current

- The Inspector would have the power to order a local government to address non-compliance with the Act or Regulations.

### 1.4 Early Intervention Powers - Proposed Reforms

- It is proposed to establish a Chief Inspector of Local Government (the Inspector), supported by an Office of the Local Government Inspector (the Inspectorate).

#### 1.4.1 Proposed Reforms

- The Inspector would have powers to:
  - Appoint Commissioners
  - Appoint Monitors
  - Authorised Inquiries
  - Authorised Auditors
  - Authorised Inspectors
  - Authorised Penal Officers

#### 1.4.2 Proposed Reforms

- The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism.

### 1.5 Local Government Monitors - Proposed Reforms

- A panel of Local Government Monitors would be established.

### 1.6 Local Government Monitors - Proposed Reforms

- The Inspector would have powers to:
  - Appoint Commissioners
  - Appoint Monitors
  - Authorised Inquiries
  - Authorised Auditors
  - Authorised Inspectors

**Theme 2: Local Government Standards and Accountability**

### 2.1 Financial Management

- The Inspector would have the power to assess, triage, refer, investigate, or close complaints, having regard to various public interest factors—considering issues such as the Corruption, Crime and Misconduct Act 2009, the Occupational Safety and Health Act 1984, the Building Act 2011, and other legislation.

- The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism.

**Theme 3: Leadership and Governance**

### 3.1 Leadership and Governance

- The Inspector would oversee complaints relating to local government CEOs.

### 3.2 Leadership and Governance

- The Inspector would have the authority to assess, triage, refer, investigate, or close complaints, having regard to various public interest factors—considering issues such as the Corruption, Crime and Misconduct Act 2009, the Occupational Safety and Health Act 1984, the Building Act 2011, and other legislation.

- The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism.

**Theme 4: Code of Conduct**

### 4.1 Code of Conduct

- The Inspector would have the authority to assess, triage, refer, investigate, or close complaints, having regard to various public interest factors—considering issues such as the Corruption, Crime and Misconduct Act 2009, the Occupational Safety and Health Act 1984, the Building Act 2011, and other legislation.

- The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism.

**Theme 5: Support for Local Government Monitors**

### 5.1 Support for Local Government Monitors

- The Inspector would have the authority to assess, triage, refer, investigate, or close complaints, having regard to various public interest factors—considering issues such as the Corruption, Crime and Misconduct Act 2009, the Occupational Safety and Health Act 1984, the Building Act 2011, and other legislation.

- The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism.

**Theme 6: Other Provisions**

### 6.1 Other Provisions

- The Inspector would have the authority to assess, triage, refer, investigate, or close complaints, having regard to various public interest factors—considering issues such as the Corruption, Crime and Misconduct Act 2009, the Occupational Safety and Health Act 1984, the Building Act 2011, and other legislation.

- The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism.

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**Additional Information**

- The City of Nedlands has no further comment.

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**Colour Key**

- S: Supported
- NS: Not Supported
- U: Undecided

**Mayor & Councillors - Opinion Survey**

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<td>1.1 Early Intervention Powers - Proposed Reforms</td>
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<td>1.2 Local Government Monitors - Proposed Reforms</td>
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<td>1.3 Conduct Panel - Proposed Reforms</td>
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**City of Nedlands Opinion Survey - February 2022**

**City of Nedlands** is in favour of early intervention and a swift response to potentially disruptive and/or dysfunctional behaviour. The City would expect that the costs associated with the Local Government Inspector would be funded by the State Government.

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**Executive Summary**

- The Inspector would have the authority to assess, triage, refer, investigate, or close complaints, having regard to various public interest factors—considering issues such as the Corruption, Crime and Misconduct Act 2009, the Occupational Safety and Health Act 1984, the Building Act 2011, and other legislation.

- The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism.

---

**CEO on behalf of Council - Supported**

The City of Nedlands is in favour of early intervention and a swift response to potentially disruptive and/or dysfunctional behaviour. The City would expect that the costs associated with the Local Government Inspector would be funded by the State Government.
**1.4 Review of Penalties - Proposed Reforms**

- It is proposed that Standing Orders be made consistent across Western Australia (see item 2.6). Published recordings of all meetings would also become standard (item 3.1).
- It is proposed that Presiding Members have the power to "red card" any attendee (including councillors) who unreasonably and repeatedly interrupt council meetings. This power would:
  - Require the Presiding Member to issue a clear first warning.
  - If the disruptions continue, the Presiding Member will have the power to "red card" that person, who must be silent for the rest of the meeting. A councillor issued with a red card will still vote, but must not speak or move motions.
- It is proposed that Standing Orders be made consistent across Western Australia (see item 2.6). Published recordings of all meetings would also become standard (item 3.1).
- It is proposed that Presiding Members have the power to "red card" any attendee (including councillors) who unreasonably and repeatedly interrupt council meetings. This power would:
  - Require the Presiding Member to issue a clear first warning.
  - If the disruptions continue, the Presiding Member will have the power to "red card" that person, who must be silent for the rest of the meeting. A councillor issued with a red card will still vote, but must not speak or move motions.
- It is proposed that if the person continues to be disruptive, the Presiding Member can instruct that they leave the meeting.
- Any Presiding Member who uses the "red card" or ejection power will be required to notify the Inspector.
- Where an elected member refuses to comply with an instruction to be silent or leave, or where it can be demonstrated that the presiding member has not followed the law in using these powers, penalties can be imposed through a review by the Inspector.
- The Inspector would provide evidence to the Conduct Panel for adjudication.
- The Conduct Panel would be comprised of suitably qualified and experienced professionals. Sitting councillors will not be eligible to serve on the Conduct Panel.
- The Standards Panel is proposed to be replaced with a new Local Government Conduct Panel.
- The City of Nedlands supports greater consistency and transparency across the sector.
- The City of Nedlands has no further comment.
Theme 2: Reducing Red Tape, Increasing Consistency and Simplicity

2.1 Resource Sharing - Current
* The Act does not currently include specific provisions to allow for certain types of resource sharing – especially for sharing CEOs.
* Regional local governments would benefit from having clearer mechanisms for voluntary resource-sharing.

2.1 Resource Sharing - Proposed Reforms
* Amendments are proposed to encourage and enable local governments, especially smaller regional local governments, to share resources, including Chief Executive Officers and senior employees.
* Regional local governments in bands 3, 4 or 5 would be able to appoint a shared CEO at up to two salary bands above the highest band. For example, a band 3 and a band 4 council sharing a CEO could remunerate to the level of band 3.

2.2 Standardisation of Crossovers - Current
* This can create confusion and complexity for homeowners and small businesses in the construction sector.

2.2 Standardisation of Crossovers - Proposed Reforms
* It is proposed to amend the Local Government (Uniform Local Provisions) Regulations 1996 to standardise the process for approving crossovers for residential properties and residential developments on local roads.
* A Crossover Working Group has provided preliminary advice to the Minister and DLGSC to inform this.
* The DLGSC will work with the sector to develop standardised design and construction standards.

2.3 Introduce Innovation Provisions - Current
* These initiatives typically have to be managed by a lead local government.

2.3 Introduce Innovation Provisions - Proposed Reforms
* New provisions are proposed to allow exemptions from certain requirements of the Local Government Act 1995, for:
  - Short-term trials and pilot projects
  - Urgent responses to emergencies.

2.4 Streamline Local Laws - Current
* Local governments currently prepare individual standing order local laws.

2.4 Streamline Local Laws - Proposed Reforms
* Proposed reforms would introduce greater consistency for approvals for:
  - address and outdoor dining
  - minor small business signage rules
  - running community events.

2.5 Simplifying Approvals for Small Business and Community Events - Current
* Approvals and standards for crossovers (the section of driveways that run between the kerb and private property) are inconsistent between local government areas, often with very minor differences.

2.5 Simplifying Approvals for Small Business and Community Events - Proposed Reforms
* Approvals for crossovers (the section of driveways that run between the kerb and private property) are inconsistent between local government areas, often with very minor differences.
* Initiatives by multiple local governments may be managed through formal Regional Councils, or through less formal "organisations of councils", such as NEWROC and WESROC.

2.6 Standardised Meeting Procedures, Including Public Question Time - Current
* Local governments currently prepare individual standing order local laws.

2.6 Standardised Meeting Procedures, Including Public Question Time - Proposed Reforms
* To provide greater clarity for ratepayers and applicants for decisions made by council, it is proposed that the meeting procedures and standing order for all local government meetings, including for public question time, are standardised across the State.

2.7 Regional Subsidiaries - Current
* These initiatives typically how to be managed by a lead local government.

2.7 Regional Subsidiaries - Proposed Reforms
* Initiatives by multiple local governments may be managed through formal Regional Councils, or through less formal "organisations of councils", such as NEWROC and WESROC.

The City of Nedlands has no further comment.
Theme 3: Greater Transparency & Accountability

3.1 Recordings and Live-Streaming of All Council Meetings - Current

- Currently, local governments are only required to make written minutes of meetings.
- While there is no legal requirement for live streaming or video recording of council meetings, many local governments now stream and record their meetings.

3.1 Recordings and Live-Streaming of All Council Meetings - Proposed Reforms

- It is proposed that all local governments will be required to record meetings.
- Band 1 and 2 local governments would be required to be live streaming meetings, and make video recordings available as public archives.

3.2 Recording All Votes in Council Minutes - Current

- To support the transparency of decision-making by councillors, it is proposed that the individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes, and identify those for, against, an leave, absent or who voted by proxy.

3.2 Recording All Votes in Council Minutes - Proposed Reforms

- Regulations would prescribe how votes are to be consistently minuted.

3.3 Clearer Guidance for Meeting Items that may be Confidential - Current

- Recognising the importance of open and transparent decision-making, it is considered that confidential meetings and confidential meeting items should only be used in limited, specific circumstances.

3.3 Clearer Guidance for Meeting Items that may be Confidential - Proposed Reforms

- The Act currently provides broad definitions of what type of matters may be discussed as a confidential item.

3.4 Additional Online Registers - Current

- Local governments are required to provide information to the community through annual reports, council minutes and the publication of information online.

3.4 Additional Online Registers - Proposed Reforms

- It is proposed to require local governments to report specific information in online registers on the local government’s website. Regulations would prescribe the information to be included.

CEO on behalf of Council = Supported
The City of Nedlands has no further comment.
Theme 4: Stronger Local Democracy and Community Engagement

4.1 Community and Stakeholder Engagement Charters - Current
- The number of councillors (between 5-15 councillors) is decided by each local government, reviewed by the Local Government Advisory Board, and if approved by the Minister.
- The Act currently allows local governments to have the Presiding Member (the Mayor or President) elected either:
  - o by the council as a resolution at a council meeting.
  - o by the council as a resolution at a council meeting.
- Other States have introduced a specific requirement for engagement charters.
- The current system is easily understood by the community, efficient and effective.
- Some smaller local governments have already been moving to having smaller councils to reduce costs for ratepayers.
- The candidate with the most votes wins, even if that candidate does not have a majority.

4.2 Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only) - Current
- The existing first-past-the-post does not allow for electors to express more than one preference.
- Preferential voting better captures the precise intentions of voters and as a result may be regarded as a fairer and more representative system. Voters have more specific choice.

4.3 Introduction of Preferential Voting - Current
- The existing first-past-the-post does not allow for electors to express more than one preference.
- The candidate with the most votes wins, even if that candidate does not have a majority.
- Preferential voting better captures the precise intentions of voters and as a result may be regarded as a fairer and more representative system. Voters have more specific choice.

4.4 Public Vote to Elect the Mayor and President - Current
- The Act currently allows local governments to have the Presiding Member (the Mayor or President) elected either:
  - o by the electors of the district through a public vote,
  - o by the council as a resolution at a council meeting.
- Mayors and Presidents of all local governments perform an important public leadership role within their local communities.
- Band 1 and 2 local governments generally have larger councils than those in bands 3 and 4.
- Accordingly, it is proposed that the Mayor or President for all band 1 and 2 councils is to be elected through a vote of the electors of the district. Councils in bands 3 and 4 would retain the current system.
- A number of Band 1 and Band 2 councils have already moved towards Public Vote to Elect the Mayor and President in recent years, including City of Stirling and City of Rockingham.

4.5 Tiered Limits on the Number of Councillors - Current
- The number of councillors (between 5-15 councillors) is decided by each local government, reviewed by the Local Government Advisory Board, and if approved by the Minister.
- The number of councillors in each local government is determined by the local government's population.
- The existing first-past-the-post does not allow for electors to express more than one preference.
- Preferential voting better captures the precise intentions of voters and as a result may be regarded as a fairer and more representative system. Voters have more specific choice.

4.6 Public Vote to Elect the Mayor and President - Comments
- The City of Nedlands has no further comments.

4.6 Public Vote to Elect the Mayor and President - Proposed Reforms
- It is proposed to introduce a requirement that every four years, all local governments in bands 1 and 2 hold an independently-managed ratepayer satisfaction survey.
- Results would be required to be reported publicly at a council meeting and published on the local government’s website.
- All local governments would be required to publish a response to the results.

4.5 Tiered Limits on the Number of Councillors - Comments
- The City of Nedlands has no further comments.

4.5 Tiered Limits on the Number of Councillors - Proposed Reforms
- It is proposed to limit the number of councillors based on the population of the entire local government.
- Some smaller local governments have already been moving to having smaller councils to reduce costs for ratepayers.
- The proposed number of councillors is calculated based on the local government's population.

4.1 Community and Stakeholder Engagement Charters - Proposed Reforms
- It is proposed to introduce a requirement for local governments to prepare a community and stakeholder engagement charter which sets out how local government will communicate processes and decisions with their community.
- A model Charter would be published to assist local governments who wish to adopt a standard form.

4.2 Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only) - Proposed Reforms
- It is proposed to introduce a requirement that every four years, all local governments in bands 1 and 2 hold an independently-managed ratepayer satisfaction survey.
- Results would be required to be reported publicly at a council meeting and published on the local government’s website.
- All local governments would be required to publish a response to the results.

4.3 Introduction of Preferential Voting - Proposed Reforms
- Preferential voting is proposed be adopted as the method to replace the current first past the post system in local government elections.
- Preference voting is used in State and federal elections in Western Australia (and in other states). This provides a more representative system.
- The City of Nedlands currently includes the CEO's KPIs in the minutes of the Performance Review Committee.
- The City of Nedlands currently includes the CEO's KPIs in the minutes of the Performance Review Committee.

4.4 Public Vote to Elect the Mayor and President - Proposed Reforms
- It is proposed that the Mayor or President for all band 1 and 2 councils is to be elected through a vote of the electors of the district.
- Councils in bands 3 and 4 would retain the current system.
- A number of Band 1 and Band 2 councils have already moved towards Public Vote to Elect the Mayor and President in recent years, including City of Stirling and City of Rockingham.

4.5 Tiered Limits on the Number of Councillors - Proposed Reforms
- It is proposed to limit the number of councillors based on the population of the entire local government.
- Some smaller local governments have already been moving to having smaller councils to reduce costs for ratepayers.
- The CEO’s KPIs and the results be published in the minutes of the performance review meeting (at the end of the period).
### 4.6 No Wards for Small Councils (Band 3 and 4 Councils only) - Current

- A local government can make an application to be divided into wards, with councillors elected to those wards.
- Only about 10% of band 3 and 4 local governments currently have wards.

- It is proposed that the use of wards for councils in bands 3 and 4 is abolished.
- Wards increase the complexity of elections, as this requires multiple versions of ballot papers to be prepared for a local government’s election.
- In smaller local governments, the population of wards can be very small.
- These wards often have councillors elected unopposed, or elect a councillor with a very small number of votes. Some local governments have ward councillors elected with less than 10 votes.
- There has been a trend in smaller local governments looking to reduce the use of wards, with only 10 councils in bands 3 and 4 still having wards.

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### 4.6 No Wards for Small Councils (Band 3 and 4 Councils only) - Proposed Reforms

- Reforms are proposed to prevent the use of “shared leases” in council elections. Shared leases are where a person creates a lease only to be able to vote or run as a candidate for council.
- The City of Perth Inquiry Report identified shared leases as an issue.
- The Panel Report recommended greater articulation of principles.
- The Act contains a short “Content and Intent” section only.
- Other minor reforms are proposed to improve local government elections, and subsequently their legitimacy as councillors.

- These roles would be further strengthened through Council Communications Agreements (see item 5.3).
- These proposed roles will be open to further consultation and input.
- It is proposed that these roles and responsibilities are further defined in the legislation.
- The Local Government Act Review Panel recommended that roles and responsibilities of elected members and senior staff be better defined in law.
- The reforms would include minimum lease periods to qualify as a registered business (minimum of 12 months), and the exclusion of home-based businesses (where the resident is already eligible) and very small sub-leases.

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### 4.6 No Wards for Small Councils (Band 3 and 4 Councils only) - Comments

- The City of Nedlands has no further comment.
- The Act provides for the role of council, councillor, mayor or president and CEO.
- The role of the council is to:
  - govern the local government's affairs
  - be responsible for the performance of the local government's functions.

#### Theme 5: Clear Roles and Responsibilities

<table>
<thead>
<tr>
<th>5.1 Introduce Principles in the Act - Proposed Reforms</th>
<th>5.1 Introduce Principles in the Act - Comments</th>
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<tbody>
<tr>
<td>The Act contains a short “Content and Intent” section only.</td>
<td>The Panel Report recommended greater articulation of principles.</td>
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</tbody>
</table>
| The Act does not currently outline specific principles. | It is proposed to include new principles in the Act, including:
  - The recognition of Aboriginal Western Australians
  - The role of local governments (with bands being as assigned by the Salaries and Allowances Tribunal) |
| The role of the council is to: |  - Community Engagement
  - Financial Management. |
| 130- | Supported |
| 131- | Supported |

### 4.8 Reform of Candidate Profiles - Current

- Candidate profiles can only be 800 characters, including spaces. This is equivalent to approximately 150 words.
- Further work will be undertaken to evaluate how longer candidate profiles could be accommodated.
- Longer candidate profiles would provide more information to electors, potentially through publishing profiles online.
- It is important to have sufficient information available to assist electors make informed decisions when casting their vote.

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### 4.8 Reform of Candidate Profiles - Proposed Reforms

- Further work will be undertaken to evaluate how longer candidate profiles could be accommodated.
- Longer candidate profiles would provide more information to electors, potentially through publishing profiles online.
- It is important to have sufficient information available to assist electors make informed decisions when casting their vote.

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### 4.9 Minor Other Electoral Reforms - Current

- Other minor reforms are proposed to improve local government elections.
- Minor other electoral reforms are proposed to include:
  - The introduction of more specific rules concerning local government council candidates’ use of electoral rolls.
  - The basis of eligibility for each candidate (e.g. type of property and suburb of property) is proposed to be published, including in the candidate pack for electors.

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### 4.9 Minor Other Electoral Reforms - Proposed Reforms

- Home-based businesses will not be eligible to register a person to vote or run for council, because any residents are already eligible voter(s) for that address.
- Clarifying the minimum criteria for leases eligible to register a person to vote or run for council.
- The reforms include minimum lease periods to qualify as a registered business (minimum of 12 months), and the exclusion of home-based businesses (where the resident is already eligible) and very small sub-leases.

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### 4.7 Electoral Reforms – Clear Lease Requirements for Candidate and Voter Eligibility - Current

- A person with a lease in a local government district is eligible to apply to vote in that district.
- The City of Perth Inquiry Report identified a number of instances where dubious lease arrangements put to question the validity of candidates in local government elections, and subsequently their legitimacy as councillors.

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### 4.7 Electoral Reforms – Clear Lease Requirements for Candidate and Voter Eligibility - Proposed Reforms

- The Act provides for the role of council, councillor, mayor or president and CEO.
- The role of the council is to:
  - govern the local government's affairs
  - be responsible for the performance of the local government's functions.

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### 5.1 Introduce Principles in the Act - Comments

- The City of Nedlands has no further comment.
5.2.1 - Mayor or President Role - Proposed Reforms

- It is proposed to amend the Act to specify the roles and responsibilities of the Mayor or President.
- While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Mayor or President is responsible for:
  - Representing and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council.
  - Facilitating the democratic decision-making of council by assisting councillors in meetings in accordance with the Act.
  - Developing and maintaining professional working relationships between the council and the CEO.
  - Performing civic and ceremonial duties on behalf of the local government.
  - Working effectively with the CEO and councillors in overseeing the delivery of the services, operations, initiatives and functions of the local government.

5.2.2 - Council Role - Proposed Reforms

- It is proposed to amend the Act to specify the roles and responsibilities of the Council, which is the entity consisting of all the councillors and led by the Mayor or President.
- While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Council is responsible for:
  - Making significant decisions and determining policies through democratic determination at council meetings.
  - Ensuring the local government is adequately resourced to deliver the local government’s operations, services and functions — including all functions that support informed decision-making by council.
  - Providing a safe working environment for the CEO.
  - Providing strategic direction to the CEO.
  - Monitoring and reviewing the performance of the local government.

5.2.3 - Elected Member (Councillor) Role - Proposed Reforms

- It is proposed to amend the Act to specify the roles and responsibilities of all elected councillors.
- While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that every elected councillor is responsible for:
  - Considering and representing, fairly and without bias, the current and future interests of all people who live, work and visit the district (including for councillors elected for a particular ward) and the council.
  - Positively and fairly contribute and apply their knowledge, skill, and judgment to the democratic decision-making process of council.
  - Applying relevant laws and policy in contributing to the decision-making of the council.
  - Engaging in the effective forward planning and review of the local government’s resources, and the performance of its operations, services, and functions.
  - Communicating the decisions and resolutions of council to stakeholders and the public.
  - Developing and maintaining professional working relationships with all other councillors and the CEO.
  - Befriend and develop their knowledge and skills relevant to local government.
  - Facilitating public engagement with local government.

- It is proposed that elected members should not be able to use their title (e.g. “Councillor”, “Mayor”, or “President”) and associated resources of their office (such as email address) unless they are performing their role in their official capacity.

5.2.4 - CEO Role - Proposed Reforms

- The Local Government Act 1995 requires local governments to employ a CEO to run the local government administration and implement the decisions of council.
- To provide greater clarity, it is proposed to amend the Act to specify the roles and responsibilities of all local government CEOs.
- While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the CEO is responsible for:
  - Coordinating the professional advice and assistance necessary for all elected members to enable the council to perform its decision-making functions.
  - Facilitating the implementation of council decisions.
  - Ensuring that decisions are made prudently on behalf of the council.
  - Ensuring the effective delivery of the services, operations, initiatives and functions of the local government determined by the council.
  - Providing timely and accurate information and advice to all councillors and led by the Mayor or President.
  - Coordinating the professional assistance necessary for all elected members to enable the council to implement and maintain systems to enable effective planning, management, and reporting on behalf of the council.

- The City of Nedlands has no further comment.

5.2.5 - Council Communication Agreements - Proposed Reforms

- It is proposed to amend the Act to specify the roles and responsibilities of all elected councillors.
- While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the CEO of a local government is responsible for:
  - Implementing and maintaining systems to enable effective planning, management, and reporting on behalf of the council.
  - Overseeing the compliance of the operations of the local government with State and Federal legislation on behalf of the council.
  - Representing and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council.
  - Facilitating the democratic decision-making of council by assisting councillors in meetings in accordance with the Act.
  - Developing and maintaining professional working relationships between the council and the CEO.
  - Performing civic and ceremonial duties on behalf of the local government.
  - Providing strategic direction to the CEO.
  - Monitoring and reviewing the performance of the local government.

- The City of Nedlands has no further comment.

5.3 - Council Communication Agreements - Current

- It is proposed to amend the Act to specify the roles and responsibilities of the Council, which is the entity consisting of all the councillors and led by the Mayor or President.
- While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Council is responsible for:
  - Making significant decisions and determining policies through democratic determination at council meetings.
  - Ensuring the local government is adequately resourced to deliver the local governments operations, services and functions — including all functions that support informed decision-making by council.
  - Providing a safe working environment for the CEO.
  - Providing strategic direction to the CEO.
  - Monitoring and reviewing the performance of the local government.

- The City of Nedlands has no further comment.

5.3 - Council Communication Agreements - Comments

- It is proposed to amend the Act to specify the roles and responsibilities of the Council, which is the entity consisting of all the councillors and led by the Mayor or President.
- While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Council is responsible for:
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  - Providing strategic direction to the CEO.
  - Monitoring and reviewing the performance of the local government.

- The City of Nedlands has no further comment.

5.4 - CEO Role - Comments

- The Local Government Act 1995 requires local governments to employ a CEO to run the local government administration and implement the decisions of council.
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  - Providing timely and accurate information and advice to all councillors and led by the Mayor or President.
  - Coordinating the professional assistance necessary for all elected members to enable the council to implement and maintain systems to enable effective planning, management, and reporting on behalf of the council.

- The City of Nedlands has no further comment.
5.6 Standardised Election Caretaker period - Current

- There is currently no requirement for a formal caretaker period, with individual councils operating under their own policies and procedures.
- There is a commonly a point of public confusion.
- There are consistent election conduct rules for all candidates.
- Incumbent councillors who nominate for re-election are not to represent the local government, act on behalf of the council, or use local government resources to support campaigning activities.
- Councils do not make major decisions with criteria to be developed defining ‘major’.
- There are consistent election conduct rules for all candidates.

- The Western Australian Local Government Association (WALGA) is constituted under the Local Government Act 1995.
- The Local Government Panel Report and the Select Committee Report included this recommendation.
- Separating WALGA out of the Act will provide clarity that WALGA is not a State Government entity.

5.7 Remove WALGA from the Act - Current

- Separating WALGA out of the Act will provide clarity that WALGA is not a State Government entity.

5.8 CEO Recruitment - Current

- Recent amendments introduced provisions to standardise CEO recruitment.
- The recruitment of a CEO is a very important decision by a local government.
- It is proposed that DLGSC establishes a panel of approved panel members to perform the role of the independent person on CEO recruitment panels.
- Councils will be able to select an independent person from the approved list.
- Councils will still be able to appoint people outside of the panel with the approval of the Inspector.

5.8 CEO Recruitment - Proposed Reforms

- It is proposed that DLGSC establishes a panel of approved panel members to perform the role of the independent person on CEO recruitment panels.
- Councils will be able to select an independent person from the approved list.
- Councils will still be able to appoint people outside of the panel with the approval of the Inspector.

6.1 Model Financial Statements and Tiered Financial Reporting - Current

- The financial statements published in the Annual Report is the main financial reporting currently published by local governments.
- Reporting obligations are the same for large (Stirling, Perth, Fremantle) and small (Sarina, Wondai, Dalwallinu) local governments, even though they vary significantly in complexity.
- The Office of the Auditor General has set a number of minimum reporting obligations which all local government entities must include in their financial report.
- The Office of the Auditor General has identified opportunities to improve financial reporting, to make statements clearer, and reduce unnecessary complexity.
- The Secretary strongly believes in transparency and accountability in local government. The public rightly expects the highest standards of integrity, good governance, and prudent financial management from its local government.

6.1 Model Financial Statements and Tiered Financial Reporting - Proposed Reforms

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- The Secretary strongly believes in transparency and accountability in local government. The public rightly expects the highest standards of integrity, good governance, and prudent financial management from its local government.

6.6 CEO Recruitment - Comments

- The City of Nedlands has no further comment.

6.7 Model Financial Statements and Tiered Financial Reporting - Comments

- The City of Nedlands has no further comment.

5.5 Local Governments May Establish Education Allowances - Current

- Local governments will have the option of contributing to the education expenses for councillors, up to a defined maximum value, for tuition costs for further education that is directly related to their role on council.
- Councils will be able to decide on a policy for education expenses, up to a maximum yearly value for each councillor. Councils may also decide not to make this entitlement available to elected members.
- Any allowance would only be able to be used for tuition fees for courses, such as training programs, diplomas, and university studies, which relate to local government.
- Where it is made available, this allowance will help councillors further develop skills to assist with making informed decisions on important questions before council, and also provide professional development opportunities for councillors.

5.5 Local Governments May Establish Education Allowances - Proposed Reforms

- Local governments will have the option of contributing to the education expenses for councillors, up to a defined maximum value, for tuition costs for further education that is directly related to their role on council.
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- Where it is made available, this allowance will help councillors further develop skills to assist with making informed decisions on important questions before council, and also provide professional development opportunities for councillors.

6.2 Model Financial Statements and Tiered Financial Reporting - Comments

- The City of Nedlands has no further comment.

6.4 Local Governments May Pay Superannuation Contributions for Elected Members - Proposed Reforms

- Elected members are eligible to receive sitting fees or an annual allowance.
- Superannuation is not paid to elected members. However, councillors can currently divert part of their allowances to superannuation fund.
- Councils should be reflective and representative of the people living within the district. Local governments should be empowered to remove any barriers to the participation of gender and age diverse people on councils.

6.6 Standardised Election Caretaker period - Proposed Reforms

- A statewide caretaker period for local governments is proposed.
- All local governments across the State would have the same clearly defined election period, during which:
  - Councillors do not make major decisions with criteria to be developed defining ‘major’.
  - Incumbent councillors who nominate for re-election are not to represent the local government, act on behalf of the council, or use local government resources to support campaigning activities.
  - There are consistent election conduct rules for all candidates.

5.5 Local Governments May Pay Superannuation Contributions for Elected Members - Current

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- Councils should be reflective and representative of the people living within the district. Local governments should be empowered to remove any barriers to the participation of gender and age diverse people on councils.

5.5 Local Governments May Pay Superannuation Contributions for Elected Members - Comments

- The City of Nedlands has no further comment.
6.3 Simplicity and Strategic Planning - Current

- Requirements for plans are outlined in the Local Government Financial Management and Administration Regulations.
- There is also the Integrated Planning and Reporting (IPR) framework.
- While many councils successfully apply IPR to their budgeting and reporting, some may seem complicated or difficult, especially for smaller local governments.

6.3 Simplicity and Strategic Planning - Proposed Reforms

- Having clear information about the finances of local government is an important part of enabling informed public and ratepayer engagement and input to decision-making.
- The framework for financial planning should be based on information being clear, transparent, and easy to understand for all ratepayers and members of the public.
- In order to provide more consistency and clarity across the State, it is proposed that greater use of templates is introduced to make planning and reporting clearer and simpler, providing greater transparency for ratepayers.
- Local governments would be required to adopt a standard set of plans, and there will be templates published by the DLGSC for use or adoption by local governments.
- It is proposed that the plans that are required are:
  - A Rates and Revenue Policy (see item 6.3) that identifies the approximate value of rates that will need to be collected in future years (reflecting the Asset Management Plan and Long Term Financial Plan) – providing a forecast to ratepayers (updated at least every four years).
  - The use of simple, one-page Service Proposals and Project Proposals that outline what proposed services or initiatives will cost, to be made available through council meetings. These will become Service Plans and Project Plans added to the yearly budget if approved by council. This provides clear transparency for what the functions and initiatives of the local government cost to deliver. Templates will be available for use by local governments.

6.3 Rates and Revenue Policy - Current

- Local governments are not required to have a rates and revenue policy.
- Some councils defer rate rises, resulting in the eventual need to drastically raise rates to cover unavoidable costs – especially for the repair of infrastructure.

6.3 Rates and Revenue Policy - Proposed Reforms

- The Rates and Revenue Policy is proposed to increase transparency for ratepayers by linking rates to basic operating costs and the minimum costs for maintaining essential infrastructure.
- A Rates and Revenue Policy would be required to provide ratepayers with a forecast of future costs of providing local government services.
- The Policy would need to reflect the Asset Management Plan and the Long Term Financial Plan (see item 6.2), providing a forecast of what rates would need to be, to cover unavoidable costs.
- A template would be published for use or adoption by local governments.
- The Local Government Panel Report included this recommendation.

6.4 Monthly Reporting of Credit Card Statements - Current

- Disclosure requirements brought in by individual councils have shown significant reduction of expenditure of funds.

6.4 Monthly Reporting of Credit Card Statements - Proposed Reforms

- The statements of a local government’s credit cards used by local government employees will be required to be tabled at council meetings on a monthly basis.
- This provides oversight of incidental local government spending.

6.5 Amended Financial Ratios - Current

- Local governments are required to report seven ratios in their annual financial statements.
- These are reported on the MyCouncil website.
- These ratios are intended to provide an indication of the financial health of every local government.

6.5 Amended Financial Ratios - Proposed Reforms

- Financial ratios will be reviewed in detail, building on work already underway by the DLGSC.
- The methods of calculating ratios and indications will be reviewed to ensure that the results are accurate and useful.

6.6 Audit Committees - Current

- Local governments must establish an Audit Committee that has three or more persons, with the majority to be council members.
- The Audit Committee is to guide and assist the local government in carrying out the local government’s functions in relation to audits conducted under the Act.

6.6 Audit Committees - Proposed Reforms

- The City of Nedlands has no further comment.
**City of Nedlands Opinion Survey - February 2022**

* The Panel Report identified that Audit Committees should be expanded, including to provide improved risk management.

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**6.7 Building Upgrade Finance - Current**

* The local government sector has sought reforms that would enable local governments to provide loans to property owners to finance building improvements.
* This is not currently provided for under the Act.
* The Local Government Panel Report included this recommendation.

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**6.7 Building Upgrade Finance - Proposed Reforms**

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CEO on behalf of Council = Supported
The City of Nedlands has no further comment.

**6.8 Cost of Waste Service to be Specified on Rates Notices - Current**

* No requirement for separation of waste changes on rates notice.
* Disclosure will increase ratepayer awareness of waste costs.
* The Review Panel Report included this recommendation.

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CEO on behalf of Council = Supported
The City of Nedlands currently separates the cost of waste services.