

Main Point.

Local Government elections should be voluntary with a single ballot. The Mayor and Deputy being those who gain the most and most and second most votes. Electing Mayor and Deputy around the table may have had a place before councillors were paid and when they represented a single ward. Now they represent the whole council area and the 'piper paying' voters should 'call the tune' as to who their leaders are. Selecting around the table returns us to the bad old days of the 'gentle-persons club' raffling off the prize amongst themselves irrespective of their voter support.

Reform 1 – Principles

Reform #4 Australian citizenship.

Disagree. Foreigners live in our cities, pay rates (often through rent) access council services. Participation in our democracy is an opportunity to bring it to their own non-democratic countries. 'Taxation without representation' caused the American revolution.

Reform #7

Mayors (and Deputies) have no 'executive powers' but are the 'face of council' so should reflect the popular will.

#7A – no. Nomination fees serve as a bar to the impecunious and serve no other purpose.

#7B – Yes but would be unnecessary if 7C were adopted.

Yes, also support by Electoral Commissioner. Simpler, reflects will of the people, reduces informal voting in the councillor ballot by having a standard system of voting for minimum candidates. Optional preferential could be introduced requiring only a 1 on the Councillor paper. (as in Queensland) or 1<sup>st</sup> past the post)

#7D – no creates factionalism – that's why we got rid of it in the 80's

#7E – Under 7C Deputy would be 2<sup>nd</sup> highest vote getter. If current system for separate Mayoral election is retained, the Deputy could be the 2<sup>nd</sup> highest vote getter in the councillors poll (2 polls not 3) election. Election around the table breeds factionalism and lobbying with the risk of the lowest vote getter becoming Deputy due to lobbying skills, instead of voter mandate. In the 2<sup>nd</sup> past the post system, many good deputy candidates (like me 😊) are lost to the front bench because of the current bar on running for both.

Reform #8 – Alternative voting -electronic.

Yes, provided postal system is continued (not all geeks) and any electronic method retains candidate statements. A very effective 'point of sale' for unknown candidates who struggle or lack the money to put their case. I would prefer the voting method be determined by the electoral Commission based on his confidence of technology, not the whim of the Minister of the Day.

Reform #9. 1-5 an improvement, but if Mayoral election is to continue as separate then it ought to apply there to so the two polls have consistent voting requirements.

Reform #13 – No. Nomination fees discourage the impecunious.

Reform 14. A realistic threshold needs to be set, eg coffee, lunch etc. Personally, I usually do the shouting, but if someone wants to buy me lunch to discuss an issue it should be declared but not considered a basis for a conflict of interest. Acceptance of higher value gifts should be barred unless its offered to all councillors (eg study tour).

Reform #16. Alderman is pretentious and archaic. It should be preserved as an honorific for retired Councillors who have served 3 or more terms (as in the UK). I note that although Clarence Council rejected my motion to adopt 'Councillor', they are now saying they support that move.

Reform #17. Too nebulous. Councils have a statutory obligation to 'consult', who to consult and what does engagement mean. Care needed to ensure Councillors do not devolve their decision making responsibilities. What the people want is not always good for them and Councillors must be prepared to make hard decisions and not just apply oil to squeaky wheels.

Reform #18. Disagree. AGM's need to more open, along the lines of the old town hall meetings where citizens can put items on the agenda for debate and provide guidance to councillors. Its a major accountability mechanism.

Reform #17. Public meetings and Elector Polls to be separated (not consequential) processes. Eg a public meeting to be called on a petition by a% of the electors, with a majority at that meeting deciding to call for an electors poll. Those petitioning for the public meeting should be required to pay a bond to assist in covering the cost of the electors poll. So if you set it at 1000 petitioners and each paid ten dollars then you would have 10,000 to offset the cost of a petition. Electronic and postal Electoral polls should be compulsory although they should not be binding. Where say 40% of the electors support the proposition.

Reform #18. Codes of conduct should not be legislated. Too nebulous. They also need to be independent and not contain former or current councillors. A panel containing legal and professional conduct, the Integrity Commission's ethicist and a Company Director, etc. with 3 strikes and you're out for the rest of your term (subject to Supreme Court Review) being the only legislated sanction.

Reform #22. Councillors are politicians not bureaucrats, Professional staff are the ones who make the recommendations. Planning Authority training only needs to cover the notion that councils have very little discretion, indeed no logical reason why the Planning Commission doesn't do this itself, since there is no room for community views. A 15 minute on-line course ought to be enough.

Reform #23. We should not require 'professional development from elected officials, and what is professional development? Is it the courses that LGAT runs to justify its existence and to get more ratepayer dollars? Day to day engagement with the communities develops skill sets, experience in workshops are probably greater than a course. AICD Company directors get ten professional development reports for reading the magazine and we don't require this sort of thing from elected representatives anywhere. Clarence already reports courses etc in its quarterly reports.

Reform #29 Agree.

Reform #33. Agree, but should be live streamed, with parliamentary privilege and an accurate Hansard transcript.

Reform #34 Current approach of close associate and relative in the 1<sup>st</sup> degree seems adequate but more clarification around when interests are not a conflict, eg road works in the councillor's street. When Conf of Interest is declared GM should rule on its validity to avoid timid councillors vacating

seats on contentious issues. (Plty method of general versus personal interest- when interest declared and considered a conflict, member to declare, participate in debate but NOT vote.)

Reform #39. Thresholds issues need to be established and issues need to be administrative not poor decisions by elected councillors. Capacity for audits by Director of Local Government as basis for intervention, public information on salary, wages and conditions of senior staff (as with elected councillors). Central setting of conditions and remuneration, and administering the HR system, should avoid Glenorchy issues). Move to central finance, HR & IOT systems, administered by Director of Local Gov provides the capacity to monitor council performance and decision making and pick up anomalies that might be the basis for intervention, administration etc.

Reform #40 – Director should be limited to investigation, DPP determines prosecution, not Minister. If prosecuted, stand down, dismiss only on conviction. Empowering Minister to sack other elected officials is contrary to natural justice. Councillors are appointed by the people, not the government so are answerable to the people, not the government and should be only dismissed for proven misconduct in the judicial arm of the government, not the executive arm.

Reform #41 – broad catch all offences such as ‘maladministration’ and ‘conduct unbecoming’ are too nebulous to be a basis for dismissing a councillor or council. These belong in Codes of Conduct or determined by Board of Enquiry (which should not be former politicians) but independent, contain at least one legal professional and depending on the issue an auditor and a former Local Gov administrator, eg ex Gen Mgr). Dismissals of councillors, senior Council staff or the Council itself, should be a matter for court, not the Minister.

Reform #43. Complaint investigation belongs with Dir of Local Gov, or police, integrity Commission. Prosecution with DPP.

Reform #44 – Framework needs to be comparable between councils. Eg the total residential rate divided by the number of residences, ie average residential rate, commercial etc. the amount councils spend on road maintenance per km of road etc, what % pf budget goes to non-core social, sporting and other community programs.

Reform #47 – Centralising of HR, financial and IT systems should bring efficiencies of scale, reduce competition for scarce professional staff and highlight Glenorchy style ‘featherbedding’.

Reform #48 Establish sustainability indicators and merge councils unable to meet with them. ‘Regional Councils’ are another layer of government. Better to centralise administration (enabling central monitoring) but decentralise decision making to the local level. Greater Hobart Committee styles add another layer of local government with Mayors and GMs discussing work programs of which local councils are only told at the last minute, and it matters not because the Government now has the power to determine the work programs, irrespective of Council input

Reform #50. Councillor numbers should be determined by population and roles, not at the whim of the Minister or set at a maximum level, eg 7.

Reform #51. Mergers to be determined by capacity to meet sustainability indicators. Minnow councils lack the rate base and are sustained by taxes etc raised in other councils. If administration were centralised (HR, IT, finance) councils would find it easier to achieve sustainability criteria.