

Local Government review

Comment from Don Thwaites

Deputy Mayor

Kentish Council

Please note I am completing this as an email rather than the survey monkey as that process does not fully state the details of reform 7B. Further there is no opportunity to comment during the survey.

Part A

1-4: Agree with these proposals.

Part B

5. Criteria 1. Disagree with requirement to be Australian Citizen. Permanent residents who own land and live in the municipal area should be allowed to be on the GM Roll.

Criteria 2. Agree

Criteria 3. Neutral.

6. Agree

7. The aim to 'simplify' the process of mayor and deputy elections has distorted reason in a quest to fix a system that is not broken.

7A. Agree. Status quo with a 'higher' fee. Currently there is no fee but even \$250 as proposed would not deter a non-serious candidate. I do not believe there is a problem of confusion with the present system to warrant changes, but in the absence of a better option I support this.

7B. Strongly disagree! As stated above the survey monkey does not properly state that unsuccessful mayoral candidates will not be eligible for election as councillor. This is a major oversight and therefore I strongly feel that survey results in support of 7B should not be counted. The idea of a suitable candidate for council who wishes to test their eligibility for mayor being denied a place on council because another received higher mayoral votes is anti-democratic. I understand that in the past a small number of unsuccessful mayoral candidates elected as councillor may have caused problems for the successful mayor on occasions. However this is an extreme response to a rare occurrence. I believe this proposal if successful would result in otherwise very suitable persons being denied a place on council OR that person choosing to not risk standing for the election for mayor. Further I believe it could lead to pre-selection deals and other undesirable arrangements.

7C. Disagree. Not all candidates wish to be mayor. It is not stated in the reform paper but I would assume that candidates would be able to state their intentions in their election Candidate Statement, including a statement as councillor and another for mayor. Otherwise who will know if a candidate is willing to be mayor? If this option were to become successful, it may need to be made clear to voters to vote 1 for a candidate who also wishes

to be mayor. This may have some un-anticipated consequences for the electoral process, especially if Reform 9 below were also implemented as suggested.

7D. Disagree. Around-the-table elections create an opportunity for candidates to make secret deals, criticise and seek to highlight other candidate's weaknesses, and generally create opposing camps within a council. Not a good way to start a group who have to work together for the next four years.

Deputy Mayor. I see no problem with the current system. If Reform 7A were accepted there would be no change, just a nomination fee. If Reform 7C accepted candidates would indicate in their electoral candidate statement their interest in being deputy mayor, but not mayor. Electing deputy mayor around the table can also bring about secret deals, criticism of other candidates and division of councillors. Not a good way to start a group who have to work together for the next four years.

8. Agree

9. Agree. I have concerns around the election of the last couple of councillors being simply based on a few leftover votes rather than each reaching a quota, but accept the advice of TEC. Would prefer 1-7. See 7A above also.

10. Agree

11. Agree

12. Agree. I feel that a training package should be more than tick and flick. It should require a candidate to work through typical issues and work out answers.

13. Disagree. In my opinion if Reform 12 were done properly, a training package would be a better way to weed out non-serious candidates, resulting in no need for this amendment. It would not stop Clive Palmer nominating.

14. Agree with this reform however the gifts and donations should be for 12 months before the electoral period. Also it should be aligned with Material Disclosure Statements required of Councillors once elected.

15. Agree

16. Agree

Part C

17. Agree. This should be best practice anyway.

18. Agree

19. Agree

Part D

20. Agree, but it should not need legislating.

21. Agree. I am sure Councils do the best they can already, and Councillors do not forget they are dealing with other people's money.

22. Agree. Core Capability requirements should be pre-requisites as proposed in Reform 12.

23. Neutral. Does not give opportunity for acknowledging previous training, RPL, private research and non-mainstream training.

24. Disagree. The GM elects staff and is responsible for their standards of behaviour. We already have a Customer Service Charter that sets levels of service and behaviour of staff. Further I am concerned that it will penalise whistle-blowers.

25. Agree

26. Agree. However I am concerned that this could bring about a whole new hierarchy of customer complaint management. As stated Councils respond in the first instance, but setting up an independent body to review complaints should be avoided.

27. Agree. We try to do this now.

28. Agree

29. Agree. I believe it would be rarely used. Kudos to the reform directions paper authors that this reform is about rigorous and independent testing of rate increase decisions, and not about giving power to the Regulator to enforce any rate cap.

30. Agree. We deliberately do this now for waste and animal control, as well as planning and building fees.

31. Agree.

32. Agree. As part of the successful Kentish Latrobe resource sharing arrangements, I would be concerned that the actual resource sharing might be seen as a Significant Business Activity (SBA). The arrangements rely on sharing resources as equal partners, as distinct from trying to profit by hiring resources to a customer. As an example, Kentish and Latrobe are sharing Planning and EHO services to West Coast Council. A private Planner or EHO seeking to provide services to West Coast should not be able to complain under competition principles.

33. Agree but have some concern about cost to smaller councils.

34. Agree but am surprised this continues to be an issue.

35. Agree

36. Agree

37. Agree

38. Disagree. I am concerned that it will be duplication of present arrangements and just be another cost burden on councils. Who will monitor the monitor?

39. Disagree. If the council has broken down to the point a Financial Controller is needed then it is time to go into administration. I suggest there could be a great deal of friction between the council and the appointed controller, which could become a public brawl.

40. Agree. The Director needs to have the tools to do his/her job.

41. Agree

42. Agree. Of course awareness of this should be part of the Councillor induction in Reform 12.

43. Agree

44. Agree. There have been various means of benchmarking/ comparing and reporting for LG over the recent past. If indeed as stated "It should reduce the reporting burden of Councils" then that is welcomed.

45. Agree

46. Agree

Part E

47. Strongly Agree. As part of the Kentish Latrobe resource sharing, our goals have been to work together to achieve excellent services, strong community consultation and cost reductions, increasing sustainability as a result. I am supportive of Legislation that supports our endeavours rather than undermines them.

48. Disagree. I would not want to be part of a council undertaking this arrangement with other councils. I see it as ceding power over budgets and meaningful decision making to a new level of government. The opportunity for friction and disunity is immense, with the re-creation of wards and mayors representing their community having to compete for services against other mayors, and having to go cap in hand to the regional council for community initiatives or budget changes.

49. Agree. Should have been done a long time ago.

Part F

50. Agree.

51. Agree but would need some serious conditions or a mini Brexit may occur. I suggest that a decision to amalgamate should be spread over two election cycles. That is amalgamation is voted on and agreed by one council during its election period and confirmed by a second vote after the next election by the new councillors. This way it has proven community support over a period of time by two sets of councillors, implying continuing public support for the amalgamation. After all the Reform 51 is not giving the option of de-amalgamation if requested by two councils.