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Submission:

Local Government Priority Reform Program 2024-26 Discussion paper;
Targeted Amendments to Local Government Act 1993

Firstly, let me state that I have served as a Councilman, since 2014. I am an immigrant, who has dual nationality, becoming an Australian citizen, at the first opportunity, on 11 February 2005. I first travelled overseas with the US Army, in May of 1975 and lived off-base, among the local community, becoming fluent in their language. After a three years tour of duty overseas, I was accepted and graduated from US Army flight training, becoming an Army Officer and Army helicopter pilot. Twenty years after graduation, I became a captain flying Boeing 747-400 jumbo jets. I flew both cargo and passenger versions with a crew of up to eighteen under my command and the sole responsibility for the lives of up to 456 passengers, a \$286 million aircraft, and the airline's reputation. On the way up my career ladder, I was a Rescue Helicopter Pilot, a Charter Pilot, and Corporate Pilot, who flew rock stars, Senators and Congressmen, Generals, CEOs, NASA Astronauts, and truly cerebral human beings like Dr Edward Teller (the father of the hydrogen bomb). I concluded a career as a professional pilot spanning 36 years, about August 2014. About that time there was a television program airing, titled, "Foyle's War" . . . One of the characters had aspirations of becoming a Councilman (in the UK). When Council elections were announced, I thought to myself, "Why not", but I had no money to campaign. I asked a few friends and they agreed to endorse my nomination form. And, I submitted. That was as much thought as I gave it. "Why not". I got a call one fine day and was informed by the caller I had been elected. I have served dutifully, diligently, and with the utmost integrity, for more than ten years. Considering my background and life before becoming a Councilman, I am culturally different and I think differently, mostly based upon the positions of great responsibility and trust I have held, that I never took for granted. I even speak English with a foreign accent. Bothwell, is the longest I have lived anywhere, in my life.

Before the Future of Local Government Review got underway I offered my consultation and advice, freely and with the best of intentions. I know how to improve Local Government. I know the good, the bad, and the ugliness of petty politics, the impediments to good governance, and community trust.

I was nominated to represent Central Highlands Council, in lieu of the Mayor or Deputy Mayor or anyone other than our General Manager, at the 10 August 2023 Public Hearing at Campbell Town. I refused to let the FoLGR and Office of Local Government Committee put either of us on the defensive or make us the "bad guys". We are not the bad guys. At its conclusion, the chairperson of the FoLGR Committee made a hasty beeline for the exit and I was in her wake. I approached her in the hallway to ask her why she did not take the opportunity to consult with me, when offered. She replied, "We had our own agenda . . ." Says it all, really. Amalgamations and DAP and, votes for the incumbent government, because they seemingly listened to the public or at least the ones who made the most noise. The FoLGR cost \$3 million, generated reams of paper, and lots of data sets. My advice was free.

IF the Minister for Local Government, Office of Local Government, and Local Government Association of Tasmania wants to achieve anything meaningful, then every Councillor (including Mayors and Deputy Mayors), every General Manager, every Council employee must attend a class on Ethics and Ethical Behaviour, with course material on Conflict of Interest, Perceived Conflict of Interest, and Pecuniary Interest interwoven, within the first two weeks of a newly elected Council forming. That should be the ONLY training that is mandatory. It takes years of reading and practically applying the Local Government Act 1993, Meeting Procedures Regulation 2015, and Tasmania Planning Scheme and so much more, again and again, to get one's head around it, no matter how many times a person reads it. By now, I should have a law degree, for as much federal and state legislation I have read -and, policies I have proof-read and contributed to. (Please refer to the attached letter from senior Liberal Party Minister, Honourable Eric Abetz, confirming there is no online learning and professional development requirement)

"Professional Development" what is that, exactly? How many times should a Councillor read the Local Government Act 1993, before a Councillor is considered "Professionally Developed"? Would he or she forget the portions of the Act he or she never applies as a Councillor? Could a Councillor read a Specific Area Plan, once, during a four-year term and remember it during the last Planning Meeting or when acting for the last time, during the term, as a member of the Planning Authority?

As you would be aware, there are Councillors, across Tasmania, who have read the Local Government Act and done the online Learning Modules, who still make well and truly defective or conflicted decisions and, if they drilled down into their conscience(s), they would know the vote they cast was self-serving, merely garnering or trading votes or helping a mate or, will treat a member of the community unfairly or bring a Council into disrepute by something the Councillor said or wrote. If none of this is true, then there would be no need for a Code of Conduct Panel, PID, or referral to TASCAT, in the future. Being able to practically apply the Local Government Act 1993 and Meeting Procedures Regulation and the Tasmania Planning Scheme and Council Local provisions is key. That is only achieved by repeatedly doing and practising, applying all of the precepts, routinely. What is not used often will be forgotten -though a Councillor got a mandatory "tick-in-the-box".

To demonstrate this point, I held the highest available Flying Instructor Ratings, issued by the Federal Aviation Administration for single and multi-engine aeroplanes, since 1981 and, for single and multiengine helicopters, since 1987. I held those credentials, until 2013. I can guarantee, that if you read page 9-6 of the “Helicopter Flying Handbook, FAA-H-8083-21B” and memorise it verbatim, you will still not be able to hover a helicopter three feet above the ground, over a spot. All of the information is in that book, so why not? I also can guarantee that if you never read the “Helicopter Flying Handbook, FAA-H-8083-21B”, I would still be able to teach you to hover a helicopter. Like serving on Council, the skills are learned by having someone, who is a long-serving Councillor or Mayor, teach those skills and the Councillor practicing them, just like every time a Student Pilot goes to the flight line and climbs into the helicopter with his Flying Instructor, a Councillor would, every time he or she sits around the Council table. Rote learning the Local Government Act 2013, Meeting Procedures Regulation 2015 and others, just for a “tick-in-the-box”, would not prevent a Councillor from crash and burning nor guarantee he or she would not speak out of turn, out of context, make defective or unlawful decisions. Does that seem logical?

I heard one Councillor, boast they just go directly to the tests of the online Learning Modules without spending hours reading and repeat the tests until they pass. So, please elucidate how fit-for-purpose and fair is mandatory “Professional Development” and how did that Councillor benefit?

Regarding “**Councillor serious misconduct provisions**”, it seems flawed and makes a Councillor guilty, before proven innocent, which makes take longer than six months to unravel the complaint. Making the Local Government Act more punitive and prescriptive will not guarantee better Local Government. There must be natural justice and procedural fairness for the accused. I would distrust any government-appointed body tasked with prosecuting Local Government reforms. They would not be without prejudice, but out to make an example out of the Councillor. Take the case of one Hobart City Councillor who had to go all the way to the Magistrates Court, before that Councillor could receive the justice they deserved. In another instance, “Hobart City Council boss admits staff lied, discriminated against councillor . . .” There is a problem with the entire Code of Conduct process. And, it has the potential to pit the General Manager or CEO of Council against a Councillor or vice versa and causes a breakdown in the necessary working relationship and trust between the two.

Define “Councillor serious misconduct”. Every Councillor should know what line(s) not to cross, e.g. would it be a Mayor who makes unilateral decisions?

Dispense with the Code of Conduct complaint process and dissolve the Code of Conduct Panel. Save time and money. Mediate, mediate, mediate.

Broadening Performance Improvement Direction provisions . . . I would agree only that the Performance Improvement Direction served against the Mayor of the Central Highlands Council, dated 2nd August 2024, amounted to little more than a slap on the wrist and did not address the reasons a majority

of Councillors brought Code of Conduct complaints against the Mayor. So, the Code of Conduct complaint and Performance Improvement Direction process was a waste of time and effort to resolve the issues.

Introducing temporary advisors for Councils for early intervention is warranted. Mediate, mediate, mediate to resolve issues locally.

From the perspective of Central Highlands Council, we chose as a collective, to contract independent mediators and an Acting General Manager. These three individuals were worth their weight in gold. I highly respect them. Independent Advisors should be appointed in lieu of a Code of Conduct complaint submission and well before a Performance Improvement Direction.

Clarifying Work, Health and Safety obligations . . . **Whilst Councillors are defined as “Other” under the Work, Health and Safety Act 2012, it is the failure of federal and state legislators and legislation to define, what is “Work?” I maintain that if a person or an animal (such as a drug detection dog) expends his or her physical strength or uses their cognitive abilities or expending those same abilities for the benefit of another person or organization, then it is “Work”. Work must be compensated. A person who does not volunteer his or her self for Work, and is not compensated is being engaged in slavery. So, what is the status of a Councillor, if he or she is not a volunteer, who is not compensated, receives no vacation, receives no superannuation, yet is expected to serve 24/7/365 and be held liable?**

Lastly, it has been my personal experience the person who first cries, “bully” or they are being “harassed” are either the instigators or the real bullies.

Mandating council learning and development obligations . . . I have written enough on this topic. IF the Prime Minister, a Senator, the Premier, the Minister for Local Government, all of whom are duly elected, are not required to sit online learning modules and scored tests or do professional development, then why should you expect it of Councillors who receive a fraction of what any of the aforementioned earn? It is a double standard, to say the least. It is discrimination or a way of discriminating, at worst.

Is there any legislation for Federal and State parliamentarians (Ministers) regarding “competency of elected members” and requiring “specific learning and development”, prior to or following election? **No!** By imposing this exclusively for Councillors, is discriminatory and undermines or limits diversity, by its very nature. IF it was in place, prior to 2014, then I would not have been qualified to nominate, for the 2014 election. I nominated virtually on a whim and have since been re-elected twice, though I did not campaign. IF, for example, **financial management and reporting** were required of Tasmania’s parliamentarians, then Tasmania would not have a \$503 million increase in its net operating deficit. IF, for example, good governance and professional conduct were required for Tasmania’s Ministers, then fewer would be serving themselves and vacating the Party they were elected to and

becoming Independents. So, what you require for Councillors, should be required for federal and state parliamentarians.

Improving the strategic planning and reporting frameworks . . .

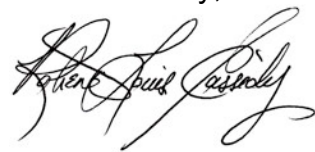
“workforce development plans”, should require On-the-job-training partnering with TasTAFE. There are no real plans to develop a workforce for Local Government.

Mandating internal audit for councils . . .

I could not disagree more. There should be a Tasmania Auditor General whose office and his or her team of auditors make announced and unannounced audits of Councils, annually. But, for Councils to audit themselves, would be requiring the fox to mind the hen house. AND, would a Councillor be a member of that internal audit team? There is a lot of very sensitive information, that Councillors are not privileged to. And, knowledge of that information could give them a conflict of interest.

This Priority Reform Program, like the Future of Local Government Review was not thought through. It is full of double standards and what Local Government in Utopia might look like. But, the way Hobart City Council conducts its affairs would be vastly different from the way Central Highlands or any rural Council conducts its affairs and the Priority Reform Program, like the Future of Local Government Review are a one-size fits all agenda.

Most sincerely,

A handwritten signature in black ink, appearing to read "Robert Louis Casimiro". The signature is fluid and cursive, with the first name "Robert" being the most prominent.

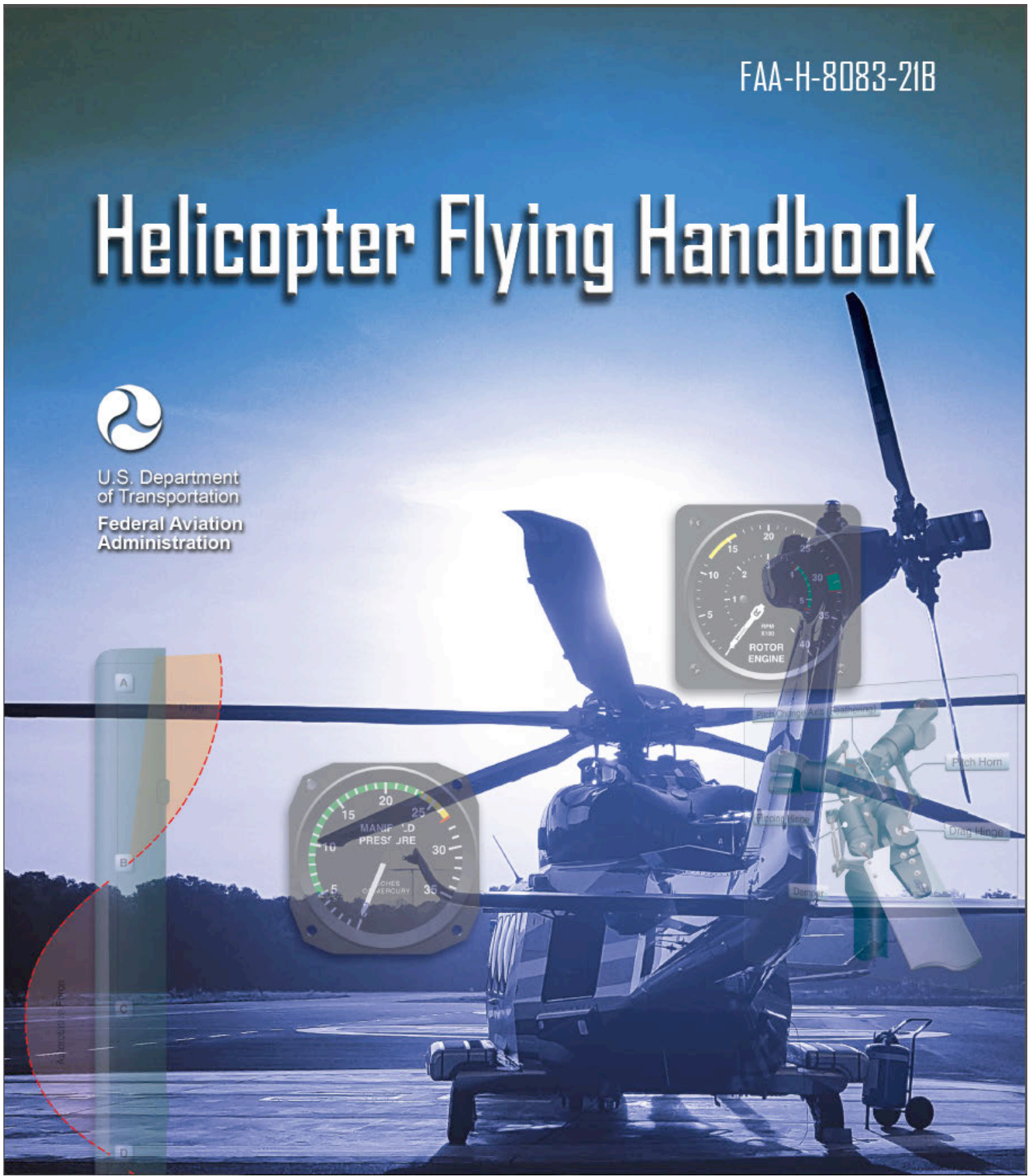
[The page contains a large, solid black rectangular area, likely representing redacted content or a placeholder for an image.]

FAA-H-8083-21B

Helicopter Flying Handbook



U.S. Department
of Transportation
Federal Aviation
Administration



the thrust-versus-lift ratio is changed. Aft cyclic directs more power to lift, and altitude increases. Forward cyclic directs more power to thrust, and airspeed increases. If the collective is not changed and there is a change only in cyclic, the total thrust to lift ratio does not change: aft cyclic results in a climb, and forward cyclic results in a descent with the corresponding airspeed changes.

To level off from the descent, lead the desired altitude by approximately 10 percent of the rate of descent. For example, a 500-fpm rate of descent would require a 50-foot lead. At this point, increase the collective to obtain cruising power, adjust the throttle to maintain rpm, and increase left antitorque pedal pressure to maintain heading (right pedal pressure in a clockwise rotor system). Adjust the cyclic to obtain cruising airspeed and a level flight attitude as the desired altitude is reached.

Common Errors

1. Failure to maintain constant angle of descent during training.
2. Failure to level-off the aircraft sufficiently, which results in recovery below the desired altitude.
3. Failure to adjust antitorque pedal pressures for changes in power.

Vertical Takeoff to a Hover

A vertical takeoff to a hover involves flying the helicopter from the ground vertically to a skid height of two to three feet, while maintaining a constant heading. Once the desired skid height is achieved, the helicopter should remain nearly motionless over a reference point at a constant altitude and on a constant heading. The maneuver requires a high degree of concentration and coordination.

Technique

The pilot on the controls needs to clear the area left, right, and above to perform a vertical takeoff to a hover. The pilot should remain focused outside the aircraft and obtain clearance to take off from the controlling tower. If necessary, the pilot who is not on the controls assists in clearing the aircraft and provides adequate warning of any obstacles and any unannounced or unusual drift/altitude changes.

Heading control, direction of turn, and rate of turn at hover are all controlled by using the pedals. Hover height, rate of ascent, and the rate of descent are controlled by using the

area is clear of obstacles and traffic, begin the maneuver with the collective in the down position and the cyclic in a neutral position, or slightly into the wind. Very slowly increase the collective until the helicopter becomes light on the skids or wheels. As collective and torque increases, antitorque must be adjusted as well. Therefore, as the aircraft begins to get light on the landing gear, apply appropriate antitorque pedal to maintain aircraft heading. Continue to apply pedals as necessary to maintain heading and coordinate the cyclic for a vertical ascent. As the helicopter slowly leaves the ground, check for proper attitude control response and helicopter center of gravity. A slow ascent will allow stopping if responses are outside the normal parameters indicating hung or entangled landing gear, center of gravity problems, or control issues. If a roll or tilt begin, decrease the collective and determine the cause of the roll or tilt. Upon reaching the desired hover altitude, adjust the flight controls as necessary to maintain position over the intended hover area. Student pilots should be reminded that while at a hover, the helicopter is rarely ever level. Helicopters usually hover left side low due to the tail rotor thrust being counteracted by the main rotor tilt. A nose low or high condition is generally caused by loading. Once stabilized, check the engine instruments and note the power required to hover.

Excessive movement of any flight control requires a change in the other flight controls. For example, if the helicopter drifts to one side while hovering, the pilot naturally moves the cyclic in the opposite direction. When this is done, part of the vertical thrust is diverted, resulting in a loss of altitude. To maintain altitude, increase the collective. This increases drag on the blades and tends to slow them down. To counteract the drag and maintain rpm, increase the throttle. Increased throttle means increased torque, so the pilot must add more pedal pressure to maintain the heading. This can easily lead to overcontrolling the helicopter. However, as level of proficiency increases, problems associated with overcontrolling decrease. Helicopter controls are usually more driven by pressure than by gross control movements.

Common Errors

1. Failing to ascend vertically as the helicopter becomes airborne.
2. Pulling excessive collective to become airborne, causing the helicopter to gain too much altitude.
3. Overcontrolling the antitorque pedals, which not only changes the heading of the helicopter, but also changes the rpm.