

City of Vincent Submission

Introduction

The City of Vincent welcomes the chance to make a submission in relation to the Department's discussion paper on the Local Government Act Review 2017. This submission and the positions contained within it were considered by Council at its ordinary council meeting on 6 March 2018.

The City's submission sets out the City's position in relation to each groups of questions posed in the discussion paper and, where appropriate, provides commentary that further clarifies the positions that the City has taken.

Under part 12 of the response, the City has raised number of further proposals for reform of the *Local Government Act 1995* and covers a range of topics and issues that are not considered elsewhere within the discussion paper, including positions on external membership of audit committees, standardising pubic question times, voter franchise and trading entities.

The City welcomed the opportunity to provide responses in relation to parts 8 and 9 of the discussion paper relating to areas in which the current *Local Government Act 1995* that do not yet not facilitate the highest standards of accountability and transparency in local government decision making. To this end, the City maintains its position that minimum benchmarks and standards should be set for all local governments. Many of these positions were first put forward within the City's Raising the Bar discussion paper and they address a range of issues facing the sector including:

- A lack of consistency in the quality and completeness of reporting standards across local government, particularly in relation to financial management;
- Difficulty for ratepayers in obtaining information without committing significant time and resources;
- A lack of understanding by elected local government members regarding their current obligations under the *Local Government Act 1995* nor the benefits of greater transparency to ratepayers;
- A lack of willingness or preparedness to embrace new ideas and standards among some senior ranks of staff and Council Members due to staleness and stagnation; and
- A lack of clarity in the *Local Government Act 1995* prescribing some critical responsibilities e.g. the process surrounding the appointment of a CEO.

The City looks forward to working with the Department of Local Government, Sport and Cultural Industries and the rest of the local government sector in developing a reformed *Local Government Act* that facilitates modern local governments that are smart, agile and inclusive.

1. Relationships between council and administration

Defining the roles of council and administration

<p>1.A</p> <p>1) How should a council's role be defined? What should the definition include? 2) How should the role of the CEO and administration be defined? 3) What other comments would you like to make on the roles of council and administration? 4) Are there any areas where the separation of powers is particularly unclear? How do you propose that these are improved?</p>	<p>The City is generally comfortable with the definition of roles in the Act. However, there are instances where the Act appears to conflict with or at least obscure the definitions:</p> <ol style="list-style-type: none">1) The existing requirement for the CEO to recruit for and recommend the employment of designated Senior Employees to Council is supported and should be maintained. This is a function that has been effectively and appropriately exercised by the City of Vincent Council. However, greater clarity and specificity should be introduced in s.5.37(2) of the Act to better define the accountabilities and entitlements of the CEO and Council relating to these matters, particularly in place of the current wording which includes terms such as "inform" and "the council may";2) The requirement of s5.50 for Council to adopt a policy that relates to employees obscures the function of the CEO as being responsible for the employment of employees.3) The adoption of a code of conduct that is adopted by Council and applies to both Council Members and employees obscures the function of the CEO as being responsible for the employment of employees.
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5) Do you have any other suggestions or comments on this topic?

2. Training

Elected member competencies

<p>2.A</p> <p>6) What competencies (skills and knowledge) do you think an elected member requires to perform their role? 7) Do these vary between local governments? If so, in what way?</p>	<ol style="list-style-type: none">1) A range of different skills and experiences can be applied to the role of a Council Member. Notwithstanding, the City of Vincent supports mandatory training for Council Members to ensure minimum desired competencies are achieved and maintained.2) The City also supports Local Governments establishing an Elected Member Training Policy which encourages training and includes a budgetary provision of Elected Members training.3) The City supports Local Government election candidates being required to attend a Candidate information session, either in person or on-line, as an eligibility criteria for nomination as an Elected Member.
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Funding training

2.B	8) Who should pay for the costs of training (course fees, travel, and other costs)? 9) 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? Should contribution to such a fund be based on local government revenue or some other measure?	The City believes that training costs should be paid for by the Local Government.
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Mandatory training

2.C	10) Should elected member training be mandatory? Why or why not? 11) Should candidates be required to undertake some preliminary training to better understand the role of an elected member? 12) Should prior learning or service be recognised in place of completing training for elected members? If yes, how would this work? 13) What period should apply for elected members to complete essential training after their election?	The City would not support a requirement for candidates to undertake training prior to nomination as it is likely to result in a barrier to nomination and participation. In line with Recommendation 9 of Council's 'Raising the Bar' Discussion Paper (April 2016) – "The City of Vincent supports the introduction of mandatory induction training for new and re-elected Council Members, with new regulations established to require: <ul style="list-style-type: none">• Each local government to have a training policy for new and existing Mayors and Council Members, to be reviewed every four years;• Training must cover four basic modules of learning, including: Introduction to Local Government – the role and functions of local government; Legal responsibilities – legal obligations and responsibilities under the Local Government Act 1995; Council Meetings – meeting procedures to guide Council decision making; and Financial Management and Reporting – understanding Council Member responsibilities for financial and asset management;• Training to be provided by the Western Australian Local Government Association or by another accredited provider approved by the Department;• The city actively encourages the use of contemporary delivery methods including online; and• A six month prescribed timeframe in which Council Members must undertake mandatory training.
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Continuing professional development

2.D	14) Should ongoing professional development be undertaken by elected members? 15) If so, what form should this take?	The City supports the principle of ongoing professional development but does not believe there should be a mandatory system of continuing professional development.
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16) Do you have any other suggestions or comments on training?

3. The behaviour of elected members

Codes of conduct

- 3.A
- 17) Should standards of conduct/behaviour differ between local governments? Please explain.
18) What model do you prefer for codes of conduct and why?
19) How should a code of conduct be enforced?

The primary issue relating to Codes of Conduct is that they are extremely difficult to enforce, particularly if a section is not supported by regulations. A breach of a Code of Conduct should be treated as misconduct and the ability to sanction Council Members should be made available. The City supports development of a model Code of Conduct for adoption by all local governments as a mandatory minimum standard, thus ensuring greater consistency in conduct across the sector whilst enabling individual local governments to establish standards of conduct above and beyond those specified in the model Code.

Streamlined rules of conduct

- 3.B
- 20) Do you support streamlined Rules of Conduct regulations? Why? 21) If the rules were streamlined, which elements should be retained? 22) Do you support a reduction in the time frame in which complaints can be made? Is three months adequate?

The Rules of Conduct regulations are generally sensible and supported by the City. Instead, the key issue is the enforcement of the regulations - both the timeliness of complaints being heard and the range of sanctions available. A timeframe of at least 12 months should be available to make a complaint.

Revised disciplinary framework

- 3.C
- 23) Do you support an outcome-based framework for elected members? Why or why not?
24) What specific behaviours should an outcomes based framework target?

The City is of the view that if a regulation is in place, it should be adhered to and appropriately enforced, regardless of the outcome. While the principle of an outcome-based framework is laudable - the subjective nature of deciding whether a behaviour led to a particular outcome is likely to produce less consistent determinations as a result of that subjectivity.

Application of the Rules of Conduct

- 3.D
- 25) Should the rules of conduct that govern behaviour of elected members be extended to all candidates in council elections? Please explain.

The City supports the principle that similar standards of conduct should apply equally to candidates regardless of whether they are current elected members or not. However, in the City's view, these standards should be set in the Elections Regulations rather than extending the scope of the Rules of Conduct Regulations.

Offence Provisions		
3.E	26) Should the offence covering improper use of information be extended to former members of council for a period of twelve months? Why? 27) Should this restriction apply to former employees? Please explain	Yes
Confidentiality		
3.F	28) Is it appropriate to require the existence and details of a complaint to remain confidential until the matter is resolved? Why?	Yes, in order to provide for procedural fairness and reduce the opportunity for a public complaint process to be used as political mechanism (e.g. trial by media).
Sector conduct review committees		
3.G	29) What do you see as the benefits and disadvantages of this model? 30) What powers should the Conduct Review Committee have? 31) In your opinion what matters should go directly to the Standards Panel? 32) Who should be able to be a member of a panel: elected members, people with local government experience, independent stakeholders? 33) Who should select the members for the pool? 34) How many members should there be on the Review Committee? 35) Are the proposed actions for the Review Committee appropriate? If not, what do you propose?	The introduction of Conduct Review Committees appears to add an additional layer of complexity and bureaucracy to the system, with the likelihood being that administrative overhead and costs will increase. The establishment of more than one Standards Panel would seem to be a simpler and more effective solution to reducing timeframes.
Review of elected member non-compliance		
3.H	36) Which of the options for dealing with complaints do you prefer? (Status Quo or Conduct Review Committees) Why? 37) Are there any other options that could be considered? 38) Who should be able to request a review of a decision: the person the subject of the complaint, the complainant or both?	The status quo should be maintained but the Standards Panel should be appropriately resourced. In relation to the review process, the current practice whereby the sanction is appealable by accused but the finding is not appealable is appropriate given the minor nature of minor breach system.
Mediation		
3.I	39) Do you support the inclusion of mediation as a sanction for the Panel? Why or why not?	Mediation should not be described as a "sanction" but as an alternative form of reaching an outcome. Mediation should come before any hearing / finding / determination as is the case with SAT appeals.

Prohibition from attending council meetings		
3.J	<p>40) Do you support the Panel being able to prohibit elected members from attending council meetings? Why or why not?</p> <p>41) How many meetings should the Panel be able to order the elected member not attend?</p> <p>42) Should the elected member be eligible for sitting fees and allowances in these circumstances?</p>	<p>The City has reservations about any 'stand down' provisions. Any proposal to prohibit elected members from attending council meetings should only be available once an Elected Member has been found to have committed a breach. Further policy development of the Stand Down Provisions must take into account the established principles of natural justice and procedural fairness.</p>
Compensation to the local government		
3.K	<p>43) Do you support the Panel being able to award financial compensation to the local government? Why or why not?</p> <p>44) What should the maximum amount be?</p>	<p>Yes, in serious cases, but the compensation should not exceed their Council Member allowance / sitting fees.</p>
Complaint administrative fee		
3.L	<p>45) Do you support this option? Why or why not?46) Do you believe that a complaint administrative fee would deter complainants from lodging a complaint? Is this appropriate?47) Would a complaint administrative fee be appropriate for a sector conduct review committee model? Why or why not?48) What would be an appropriate fee for lodging a complaint?49) Should the administrative fee be refunded with a finding of minor breach or should it be retained by the Department to offset costs? Why or why not?</p>	<p>No, a fee would deter complaints from being raised and therefore reduce the effectiveness of the Rules of Conduct regime. Instead, an option to order any frivolous or vexatious complainants to pay the Costs of Proceedings may be appropriate - similar to section 88 of the <i>State Administrative Tribunal Act 2004</i>.</p>
Cost recovery to local government		
3.M	<p>50) Do you support the cost of the panel proceedings being paid by a member found to be in breach? Why or why not?</p>	<p>No, any financial penalty should be appropriate to the breach and not linked to the cost of a proceeding over which the member has little influence.</p>
Tabling decision report at Ordinary Council Meeting		
3.N	<p>51) Do you support the tabling of the decision report at the Ordinary Council Meeting? Why or why not?</p> <p>52) Do you support this option? Why or why not?</p>	<p>The City's view is that the primary function of Council Meetings is as a decision making forum. The City supports the mandatory publication of breaches on the City's website and in the annual report.</p>
Elected member interests		
3.O	<p>53) Should not-for-profit organisation members participate in council decisions affecting that organisation? Why or why not?</p> <p>54) Would your response be the same if the elected member was an office holder in the organisation?</p>	<p>The City supports the removal of the exemption from disclosure for financial interests arising from membership of a NFP organisation.</p>

Improving the behaviour of elected members

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

The City supports WALGA's adopted position on this issue which is:

"WALGA supports:

- 1. Official Conduct legislation to govern the behaviour of Elected Members;*
- 2. An efficient and effective independent Standards Panel process;*
- 3. An ability for the Standards Panel to dismiss vexatious and frivolous complaints; and*
- 4. Confidentiality for all parties being a key component of the entire process."*

4. Local government administration

Recruitment and selection of local government CEOs

- 56) Would councils benefit from assistance with CEO recruitment and selection? Why?
- 57) How could the recruitment and selection of local government CEOs be improved?
- 4.A 58) Should the Public Sector Commission be involved in CEO recruitment and selection? If so, how?
- 59) Should other experts be involved in CEO recruitment and selection? If so, who and how?
- 60) What competencies, attributes and qualifications should a CEO have?

The *Local Government (Administration) Regulations* and/or Section 5.36 of the *Local Government Act 1995* should be amended to include the following requirements:

The Council must approve the recruitment brief and advertisement before commencement of advertising the CEO position;

The Council must, at a formal meeting, review and approve the proposed employment contract before an offer of appointment to a CEO or re-appointment of an existing CEO.

Councils to advertise the position of CEO following the completion of a ten year period by the same employee.

It may be worthwhile for the Public Sector Commission to have some limited role to play in providing information, advice or support to a Council in relation to its recruitment of a CEO or management of the CEO's contract. However, that role should only be at the Council's option and invitation and should never usurp or be a substitute for the Council's role as the decision-maker in respect of such matters.

Acting CEOs

- 4.B 61) Should the process of appointing an acting CEO be covered in legislation? Why or why not?
- 62) If so, who should appoint the CEO when there is a short term temporary vacancy (covering sick or annual leave for example)?
- 63) Who should appoint the CEO if there will be vacancy for an extended period (for example, while a recruitment process is to be undertaken)?

The recruitment process of an acting CEO should be covered in legislation, only to the extent of requiring the City to adopt a policy position on the process which is already in place at many local governments.

Performance review of local government CEOs

- 4.C
- 64) Who should be involved in CEO performance reviews?
 - 65) What should the criteria be for reviewing a CEO's performance?
 - 66) How often should CEO performance be reviewed?
 - 67) Which of the above options (Approved 3rd party CEO Review, Mandatory CEO Review Policy, CEO Review Standard) do you prefer? Why?
 - 68) Is there an alternative model that could be considered?

The City of Vincent has adopted a CEO Annual Performance Review Policy which sets out the process that the City believes is appropriate for undertaking the CEO performance review. This is available on the website at <https://www.vincent.wa.gov.au/documents/1285/4.2.16-ceo-annual-performance-review>.

Termination or extension of CEO contract around an election

- 4.D
- 69) Would a 'cooling off' period before a council can terminate the CEO following an election assist strengthening productive relationships between council and administration?
 - 70) What length should such a cooling off period be?
 - 71) For what period before an election should there be a restriction on a council from extending a CEO contract? Should there be any exceptions to this?

Council supports amending the *Local Government Act 1995* to prohibit a Council from making any decision in respect to the appointment of a CEO (where a vacancy has arisen from termination) or the renewal or extension of a CEO's contract of employment within the six months prior to the biennial Council election.

However, Council does not support a 'cooling off' period after an election.

Public expectations of staff performance

- 4.E
- 72) Is greater oversight required over local government selection and recruitment of staff?
 - 73) Should certain offences or other criteria exclude a person from being employed in a local government? If so, what?

The current selection and recruitment processes are working adequately.

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

The City supports WALGA's adopted position in relation to Section 5.38 - Annual Review of Certain Employees Performance - which is:
"That Section 5.38 either be deleted, or amended so that there is only a specific statutory requirement for Council to conduct the Chief Executive Officer's annual performance review."

5. Supporting local governments in challenging times

Remedial intervention

<p>5.A 75) Should the appointed person be a departmental employee, a local government officer or an external party? Why? 76) Should the appointed person be able to direct the local government or would their role be restricted to advice and support? Please explain. 77) Who should pay for the appointed person? Why?</p>	<p>Inadequate detail and justification has been provided in the consultation paper for the City to provide an informed response to this proposal. In the meantime, the City has reservations about the introduction of a power for the State Government to direct remedial intervention through the placement of a third party into a local government. Questions relating to this concept include but are not limited to – Who appoints the person? What ordinary or extraordinary powers would they be given? Would they become an employee of the local government and therefore be bound by all employee-related rules and requirements?</p>
<p>Powers of appointed person</p>	
<p>5.B 78) What powers should an appointed person have?</p>	<p>The power to access information.</p>
<p>Remedial action process</p>	
<p>5.C 79) Do you think the proposed approach would improve the provision of good governance in Western Australia? Please explain. 80) What issues need to be considered in appointing a person?</p>	<p>The City has no position on this issue.</p>

Supporting local governments in challenging times

5.D 81) Do you have any other suggestions or comments on this topic?

The City supports WALGA's adopted position on this issue which is:
"That State Council endorse the following general principles as being fundamental to its response to the review of the Local Government Act:
(a) Uphold the General Competence Principle currently embodied in the Local Government Act;
(b) Provide for a flexible, principles-based legislative framework; and
(c) Promote a size and scale compliance regime."

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

Transferability of employees

6.A

82) 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?
83) What would be the benefits if local and State government employees could move seamlessly via transfer and secondment?

The City has no issues with carrying over the recognition of service and leave between state and local government, providing that any leave and entitlements carried over from one sector into the other are paid for and honoured by the employee's past employer(s), as is currently the case when employees move between employers in the same sector.

Making it easier to move between State and local government employment

6.B

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

No

7. Gifts

A new framework for disclosing gifts

7.A

85) Is the new framework for disclosing gifts appropriate?
86) If not, why?
87) Is the threshold of \$500 appropriate?
88) If no, why?
89) Should certain gifts – or gifts from particular classes or people – be prohibited? Why or why not?
90) If yes, what gifts should be prohibited?

The City generally supports the recommendations of the Gifts Working Group, subject to the imposition of a \$50 disclosure threshold and a \$300 prohibited gift threshold in place of the approach recommended by the Working Group. The option could be provided for Councils to adopt their own threshold for prohibited gifts through a publicly advertised Policy of Council.

The City believes that gifts from "developers" that should be prohibited. The City has defined what constitutes a "developer" in its "Policy 4.2.15 - Council Member Contact with Developers" - the definition was modelled on the Queensland government definition of the term. The City would also support allowing local government to prohibit other categories of gift givers, for example 'lobbyists' and other groups or categories of persons.

Excluding gifts received in a personal capacity

- 7.B
- 91) Should gifts received in a personal capacity be exempt from disclosure?
92) If yes, how could 'personal capacity' be defined?
93) Should there be any other exemptions from the requirement to disclose a gift over the threshold?
94) If so, what should these be? Please justify your proposal.
- The City supports the recommendations made by the Gifts Working Group. Gifts in a personal capacity should be exempt from disclosure.

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

8. Access to information

Public notices

- 8.A
- 96) Which general option do you prefer (status quo, change to electronic notices only, removal of public notice requirement) for making local public notices available? Why?
97) Which general option do you prefer for State-wide public notices? Why?
98) With reference to the list of public notices, do you believe that the requirement for a particular notice should be changed? Please provide details.
99) For the State-wide notices in Attachment 3, are there alternative websites where any of this information could be made available?
- The requirement to display public notices in newspapers should be removed. Instead, there should be a requirement for the public notice to be published on the Local Government's website.
- The creation of central WA "Public Notice Portal" should be considered to provide a central point for interested parties to view public notices from across the state. In addition, compliance and verification of public notice requirements would be simple.

Information available for public inspection

100) Advise how you think the following information should be made available
(In person only, website only, neither, both):

8.B

- Annual Report
- Primary and Annual returns – for Elected members - Includes – sources of income (incl Trusts, Debts, Property holdings, Interests and positions in corporations, Discretionary disclosures generally)
- Gifts (already required to be on the website)
- Disclosure of travel contributions (already required to be on the website)
- Electoral gifts register
- Allowance for deputy mayor or deputy president
- Payments for certain committee members
- Tenders register
- Register of delegations to committees, CEO and employees
- Minutes of council, committee and elector meetings
- Future plan for the district
- Annual Budget
- Notice papers and agendas of meetings
- Reports tabled at a council or committee meeting
- Complaints register (concerning elected members)
- Contracts of employment of the CEO and other senior local government employees
- Schedule of fees and charges
- Proposed local laws
- Gazetted Local laws (and other law that has been adopted by the district)
- Rates record
- Electoral roll

The City has championed transparency and accountability in local government and supports making information freely available to the public wherever practical. The City recommends that all Councils are required to have a Governance and Accountability portal, directly linked from the homepage of their website, to host all required public registers, governance structures and complaint mechanisms for both local and state authorities. Specific Council endorsed positions on this are contained in the 'Raising the Bar' Discussion Paper (April 2016) and Agenda Item 9.3.4 - Review of Registers maintained by the City with a view to publication on the City's website, from the Council Meeting of 20 September 2016. This includes (but is not limited to) provision of the following information publically and online:

- an annual register of Senior Salaries (CEO, Directors and Managers),
- register of all financial and impartiality interests disclosed by Council Members and relevant staff
- register of Councillor Allowances and Reimbursements
- register of travel, including dates, costs, location and purpose and a report to Council within one month
- register of developer contact, as defined in the City's Developer Contact Register Policy.

	<p>101) Should the additional information that is available to the public in other jurisdictions be available here? If so which items? How should they be made available: in person, website only or both?</p> <p>102) Is there additional information that you believe should be made publicly available? Please detail.</p> <p>103) For Local Governments: How often do you receive requests from members of the public to see this information? What resources do you estimate are involved in providing access in person (hours of staff time and hourly rate)?</p>	<ul style="list-style-type: none"> • Disclosures of interests • Register of Common Seal Usage • Contracts Over \$150,000 • Lease Register • Council Member allowances, expenses and meeting attendances • Register of Council Member Contact with Developers • Public Reporting of Travel Undertaken by Councillor Members and Staff
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8.C	104) Do you have any other suggestions or comments on this topic?	No
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9. Available information

9.A	<p>105) In relation to expanding the information provided to the public, which of the following options do you prefer?</p> <p>A. Status Quo</p> <p>B. Additional reporting requirements</p> <p>C. Requirement for a policy relating to accessible information at the City.</p>	The City's position is that there should be a requirement for Local Governments to publish additional information and furthermore that the information should be in a standard format so that it is easily comparable between local governments. The City believes that local government transparency is an important element of good governance.
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9.B	106) 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:	
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9.B.1	Live streaming video of council meetings on local government website	Required
9.B.2	Diversity data on council membership and employees	Required
9.B.3	Elected member attendance rates at council meetings	Required
9.B.4	Elected member representation at external meetings/events	In principle, this should be required. However, further clarification is required as to what might constitute a meeting or event.
9.B.5	Gender equity ratios for staff salaries	Required
9.B.6	Complaints made to the local government and actions taken	Further definition of what a "complaint" means is required.
9.B.7	Performance reviews of CEO and senior employees	A summary of the CEO's performance review should be required to be published.
9.B.8	Website to provide information on differential rate categories	Required
9.B.9	District maps and ward boundaries	Required
9.B.10	Adverse findings of the Standards Panel, State Administrative Tribunal or Corruption and Crime Commission.	Rather than just "adverse" findings why not all findings in relation to the local government?
9.B.11	Financial and non-financial benefits register	Required - for Elected Members and CEO only, not senior staff.

9.C 107) What other information do you think should be made available?

9.D 108) Do you have any other suggestions or comments on this topic?

10. Reducing red tape

109) 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.

10.A a) Briefly describe the red tape problem you have identified. b) What is the impact of this problem? Please quantify if possible. c) What solutions can you suggest to solve this red tape problem?

1) Remove the need to advertise Senior Officer roles in print media. - Section 5.37(3).
2) That section 6.26 be amended to clarify whether or not the City has the power to part rate a property that is used for both exempt and non-exempt purposes, and furthermore to clarify that Independent Living Units should only be exempt from rates where they qualify under the *Commonwealth Aged Care Act 1997*;

110) 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.

10.A a) Briefly describe the red tape problem you have identified. b) What is the impact of this problem? Please quantify if possible. c) What solutions can you suggest to solve this red tape problem?

10.B 111) Should the provisions for a special majority be removed? Why or why not? Yes, a special majority adds complexity and an absolute majority would be appropriate in those cases where a special majority is currently called for.

Senior employees

10.C 112) 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? The existing arrangement provides an important control around appointment and dismissal of senior employees and should be retained. See also response to Question 1.A.

113) Is it necessary for some employees to be designated as senior employees? If so, what criteria should define which employees are senior employees?

Exemption from accounting standard AASB124 - Related party disclosures

10.D 114) Are the existing related party disclosure provisions in the Act sufficient without the additional requirements introduced by AASB 124? Why or why not?

The City supports WALGA's adopted position on this issue which is: "That Regulation 4 of the *Local Government (Financial Management) Regulations* be amended to provide an exemption from the application of AASB 124 'Related Party Transactions' of the Australian Accounting Standards (AAS). "

Disposal of property

10.E 115) 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, if so how high?
116) Should the threshold remain at \$75,000 but with separate exemptions for specific types of equipment, for example plant?
117) 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? If so, what should it be and why?
118) 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?
119) Is there an alternative model for managing the disposal of property? Please explain.

The City supports WALGA's adopted position on this issue which is: Dispositions of Property: Local Government (Functions and General) Regulation 30(3)
"That Regulation 30(3) be amended to delete any financial threshold limitation (currently \$75,000) on a disposition where it is used exclusively to purchase other property in the course of acquiring goods and services, commonly applied to a trade-in activity."

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

11. Regional Subsidiaries

11.A	121) In relation Regional subsidiaries being able to borrow money, which of the following options do you prefer?A. Status QuoB. Borrow from Treasury CorporationC. Borrow from Financial Institutions	The City has no position on the issue of borrowing for Regional subsidiaries.
11.B	122) Should regional subsidiaries be allowed to borrow money other than from the member councils? 123) Why or why not? 124) If a regional subsidiary is given the power to borrow directly, what provisions should be put in place to mitigate the risks?	The City has no position on the issue of borrowing for Regional subsidiaries.
11.C	125) 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

12. Local Government Act Review

12.A	126) You are invited to make comment and put forward suggestions for change on other matters which have not been covered in this paper.	Public Question Time The Local Government (Administration) Regulations 1996 should be amended to provide more consistent and minimum standards for question time and statements from the public across all local governments to enable greater participation, including: <ul style="list-style-type: none">• Specifically allowing the making of a public question and/or a general statement in relation to an agenda item or broader Council matter;• Allowing a member of the public to directly ask the question without being required to submit the question in advance; and• Setting a prescribed time limit of three minutes for any question or statement to be made by a member of the public at a Council meeting but limits such statements or questions to one ratepayer per meeting to enable a timely management of meetings.
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12.B

Voter Franchise

The City of Vincent is supportive of a one vote/one value model and is not supportive of any changes which would enshrine further disparity and unfairness in the current voting system such as compulsory enrolment of businesses or non-residential property owners.

12.C

Trading Entities

The *Local Government Act 1995* should afford greater freedom and flexibility to establish trading entities and enter into private-public partnerships for business and community purposes.

12.D

Audit Committees – External Member payments

The *Local Government Act 1995* should be amended to allow for payments to be made to external members of audit committees in order for local governments to attract and retain high calibre independent members;

12.E

Audit Committees – Mandatory External Members The City advocates that the appointment of external members to audit committees should be made mandatory in order to bring high level, professional finance and governance skills and a fresh perspective to the organisation. The appointment of external members is recommended in the Department of Local Government's Guideline No 9 – Audit Committees.