

Submission to Discussion Paper

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Are you providing this submission on behalf of yourself or the organisation?	Organisation

Discussion paper questions

Chapter 2 – The role of councils

1. What should the key roles and functions of council be?
2. Does describing the key objectives, roles and functions of councils in the *Local Government Act 1989* ('the Act') assist councillors, council staff and members of the community understand the role that councils play? Should these key objectives, roles and functions be retained in the Act or revised in any way?
3. What powers are required by councils to perform these roles and functions? Should there be any limitations to council powers?
4. Which provisions in the Act should be normative (setting out desirable behaviour) general (setting out broad principles to be followed) and which should set out prescriptive (detailed) requirements?
5. Should the legislation provide consequences such as penalties or sanctions, for any non-compliance with either the general and prescriptive provisions? If so, what form should these take?
6. Do you have any other questions/comments about the content in this chapter?

Response:

Councillors' comments:

- The descriptions in the current legislation of the role and functions of Council are appropriate and should not be reduced.
- The powers of Councils under the existing legislation are appropriate. The limitations imposed under the existing legislation should be maintained.
- The existing sanctions are appropriate – particularly the new ability for the Minister to discipline one Councillor, rather than having to dismiss the entire Council.
- There should be a single office that oversees the activities of local government, to reduce duplication between the Local Government Inspectorate, Ombudsman Victoria and other integrity bodies. There should

be an avenue of appeal against decisions made by this office.

Officers' comments:

- The limitations and restrictions on council powers should be set out together at the beginning of the Act.
- A principle should be added into the Act that a Council should not do anything that the State is meant to do. There is a need for greater clarity about the “layers of government” and who is best placed to deliver which services most effectively and efficiently.
- There is a need to educate the community about what services a Council provides. It is important to clarify that a municipal Council does not have the power to provide certain services, and that some services are better delivered by the State or Federal Government.
- In some areas, State and Federal funding is provided but councils are used to drive the service delivery. Often there is a significant shortfall between the funding provided and the cost of delivering the service. In the climate of rate capping, Councils will need to think carefully about the priorities of their respective communities, and push back when appropriate. It may be necessary to cease to provide some of the services and functions that are currently delivered by reason of convention rather than by reason of statutory requirement.
- There is a need for tighter control on lending money to clubs and associations.

Chapter 3 – How councils are elected

1. What are the key elements of a system aimed at ensuring the integrity of council elections that should be included in the Act?
2. To ensure integrity of the electoral system should additional powers be provided to:
 - a) the Minister?
 - b) the Victorian Electoral Commission?
 - c) council CEOs?
3. Do you have any other questions/comments about the content in this chapter?

Response:

Councillors' comments:

1. The key elements of the system for council elections are:
 - Roll integrity.
 - The existence of an independent electoral body to oversee all electoral matters.
 - Candidates should have to declare where they live when they stand for election.
 - There should be more control by the VEC/AEC over candidate information. There should be a rule, for all elections, that all printed material must be factual.
 - A candidate should be required to declare any political relationship, and any donation of money or in-kind contribution. There should be no developer contributions. All donations must be traceable and declared.
2. All powers in relation to elections should sit with the VEC, which is above political interference.
3. Additional comments:
 - Councillors support the principle of “one vote one value” and think that

entitlement to vote should only include those on the state roll; property ownership should not confer additional voting rights.

- Voting should be compulsory for everyone. Due to improving health of the population, voting should be compulsory until over the age of 80.
- The current provisions for disqualification of candidates are appropriate.
- Candidate information should be factual. The goal of providing comparable information on candidates must account for the fact that diversity is one of the strengths of local government, and humans are not entirely comparable.
- The regulation of election campaign donations should be strengthened, and there should be penalties for any failure to comply. Financial/cash election campaign donations should be banned. However, in-kind donations of labour, printing, publishing etc should be permitted.
- The caretaker provision prohibition on major policy decisions should be maintained, and should include planning decisions. There should be stronger penalties for abuse of the caretaker requirements.
- A pre-election course or briefing could be used as a tool to improve candidate behaviour.

Officers' comments:

- Enrolment for all categories of voters should be automatic. Having entitlement by application could lead to candidates harvesting votes by encouraging certain voters to enrol.
- The timeline for accepting postal votes should be extended in line with changes to postal delivery services.
- The caretaker period prohibition on publication of material without CEO certification needs to be reviewed – the certification requirements imposed on Council CEOs for the 2012 elections were far too onerous.
- Mandatory Councillor induction should cover the roles and functions of Councils and Councillors, and reinforce the intended strategic and policy focus.

Chapter 4 – How councils operate

1. What are the critical elements of a council's operations that should be governed by the Act (e.g. requirements for mayoral elections, notice of, and requirements for open meetings)?
2. What penalties or sanctions should be imposed on councils who do not comply with the requirements relating to their operations?
3. Do you have any other questions/comments about the content in this chapter?

Response:

Councillors' comments:

Election of the Mayor

- The majority of Councillors support the current system where a Mayor is elected by their Councillor peers for a one year term. One Councillor was supportive of introducing the ability for voters to directly elect a Mayor.
- The current penalties and sanctions imposed on Councils who do not comply with the requirements relating to their operations are appropriate. There is an opportunity to provide more support early on, when things begin to falter.

Councillor Allowances and Expenses

- The position of Mayor should be a full time role, but Councillors should be part time.

Council meetings

- The Assembly of Councillors requirements are effective, but there should be a requirement to record the times of arrival and departure of each Councillor.
- Each Council should be able to determine its own public participation arrangements and requirements, in accordance with the needs of their municipality.
- The Mayor's casting vote should be retained.
- The mandatory requirement for Councillors to vote when present at Council meetings should be restored.

Consultation and Engagement

- The current provisions about community consultation are appropriate.
- Councils generally consult widely, but a failure to consult should not affect the validity of a Council decision. Making these provisions more rigid would impede Councils from making difficult decisions on behalf of their communities.
- The existing practice of giving public notice in a local newspaper and on the Council's website is appropriate.

Local Laws

- Councils should continue to develop their own local laws – “model” local laws could be arbitrary and unjust.
- Penalty units should be indexed, and the maximum penalty for a breach of a local law should be increased.

Officers' comments:

Election of the Mayor

- The Mayor should continue to be elected by Councillors; having a directly elected Mayor would create the potential for the Council to be dominated by a powerful individual who may be at odds with the Council.

Councillor Allowances and Expenses

- The Minister should set a maximum amount for Mayoral and Councillor allowances, that applies to all Victorian Councils. It should then be left to each Council to determine whether to accept the maximum amount, or to set a lower figure.

Council Staff

- Many of the provisions that relate to employment (contained in Division 3 and Schedule 6) have been in the Act since its inception and need to be assessed and considered from a contemporary perspective.
- In the mid 1980s when these provisions were developed, very few Councils had a dedicated Human Resources function and resources; the provisions do not take into consideration that most Councils now have competent Human Resources capability and are able to effectively manage their employment arrangements and responsibilities.

- There is also a considerable amount of other legislation which addresses many of the employment matters which the provisions of the Act also attempt to cover.
- The provisions have failed to keep pace with legislative changes and reforms, contemporary practices and changing technology. Some of the provisions of are no longer applicable, relevant or appropriate given the changes which have taken place within the local government industry over the past 20+ years. It is timely and appropriate to remove or redraft these sections to ensure that they reflect contemporary realities, practices and needs.
- The numerous amendments have also made these sections cumbersome and have resulted in disjointed and confusing numbering and juxtaposition of provisions.
- The format and sequencing of the provisions of the Act need to be reviewed to ensure that all relevant provisions are contained and consolidated within the same sections for accuracy and ease of use.
- The Act, to the extent that it covers employment related matters, should be enabling and empowering and not prescriptive (or proscriptive), recognising that local government is an autonomous tier of government and managed by professional career officers.
- Under the Public Administration Act 2004, the State Government has set the values and employment principles for all public sector employees; it is recommended that the same values and principles apply to local government, giving recognition to the fact that local government is a part of the broader public sector in Victoria.
- Councils are independent operating entities and employers, and should have their status as an employer recognised and respected. Standards or requirements which are not imposed on other public sector bodies should not be imposed on local government authorities.
- There are also numerous other pieces of legislation which prescribe (and proscribe) the responsibilities of an employer and which apply to local government. The Local Government Act should not replicate or paraphrase the provisions and requirements of other legislation.
- There are sections which are now redundant and should be removed eg s.94AB (1) (a) – reference to changes introduced by the Local Government (Democratic Reform) Act 2003 etc.

- Equal Opportunity - Section 96 and Schedule 6 – this is covered by other legislation; the provisions are no longer required or appropriate.
- Senior Officers - All provisions relating to the appointment, employment arrangements and review of Senior Officers should be consolidated in one section for ease and accuracy of use.
- The provisions relating to employees becoming Senior Officers as a result of “an increase in the total annual remuneration of the member arising out of an entitlement or from a process which applies generally to a class or category of Council staff” [s 94 AB (1) (b)] and who are not subject to the contract and other employment arrangements for Senior Officers, needs to be considered and reviewed as it creates inequities and inconsistencies in the way in which such officers are dealt with.

PROPOSED CLAUSES – ADAPTED FROM THE PUBLIC ADMINISTRATION ACT 2004

Public sector values (AMENDED)

- (1) *The following are the public sector values—*
- (a) *responsiveness—Council officers should demonstrate responsiveness by—*
- (i) *providing frank, impartial and timely advice to the Council; and*
 - (ii) *providing high quality services to their community; and*
 - (iii) *identifying and promoting best practice;*
- (b) *integrity—Council officers should demonstrate integrity by—*
- (i) *being honest, open and transparent in their dealings; and*
 - (ii) *using powers responsibly; and*
 - (iii) *reporting improper conduct; and*
 - (iv) *avoiding any real or apparent conflicts of interest; and*
 - (v) *striving to earn and sustain public trust of a high level;*
- (c) *impartiality—Council officers should demonstrate impartiality by—*
- (i) *making decisions and providing advice on merit and without bias, caprice, favouritism or self-interest; and*
 - (ii) *acting fairly by objectively considering all relevant facts and fair criteria; and*
 - (iii) *implementing Council policies and programs equitably;*
- (d) *accountability—Council officers should demonstrate accountability by—*
- (i) *working to clear objectives in a transparent manner; and*
 - (ii) *accepting responsibility for their decisions and actions; and*
 - (iii) *seeking to achieve best use of resources; and*
 - (iv) *submitting themselves to appropriate scrutiny;*

- (e) *respect—Council officers should demonstrate respect for members of the community, Councillors, clients and other Council officers by—*
 - (i) *treating them fairly and objectively; and*
 - (ii) *ensuring freedom from discrimination, harassment and bullying; and*
 - (iii) *using their views to improve outcomes on an ongoing basis;*
- (f) *leadership—Council officers should demonstrate leadership by actively implementing, promoting and supporting these values;*
- (g) *human rights—Council officers should respect and promote the human rights set out in the Charter of Human Rights and Responsibilities by—*
 - (i) *making decisions and providing advice consistent with human rights; and*
 - (ii) *actively implementing, promoting and supporting human rights.*

- (2) *The Chief Executive Officer must promote the public sector values to Council officers and ensure that any statement of values adopted or applied by the Council is consistent with the public sector values.*

- (3) *Nothing in subsection (1)—*
 - (a) *creates in any person any legal right or gives rise to any civil cause of action; or*
 - (b) *subject to subsection (4), affects the rights or liabilities of—*
 - (i) *a Council officer; or*
 - (ii) *a council.*

- (4) *Subsection (3) does not affect the status or enforcement in accordance with this Act of a code of conduct or any other instrument created under this Act that is based on the public sector values.*

Public sector employment principles (AMENDED)

Chief Executive Officers must establish employment processes that will ensure that—

- (a) *employment decisions are based on merit; and*
- (b) *public sector employees are treated fairly and reasonably; and*
- (c) *equal employment opportunity is provided; and*
- (d) *human rights as set out in the Charter of Human Rights and Responsibilities are upheld; and*
- (e) *employees adhere to the requirements of the Code of Conduct; and*
- (f) *public sector employees have a reasonable avenue of redress against unfair or unreasonable treatment.*

SPECIFIC COMMENTS ON DIVISION 3 – COUNCIL STAFF

Section	Provision	Issues/Actions	Comments
Management of Council staff and employment issues			
94	Chief Executive Officer	<ul style="list-style-type: none"> Review section numbering Ability to appoint staff [s 94A (2)] needs to be in accordance with approved budget Advertising in newspaper [s 94 (3)] – needs to reflect contemporary technology Order of 94A (2) and (3) – which should come first? S 94A (3A) – inserted by the 2015 amendments, needs clear guidelines, support/protections and sanctions 	<ul style="list-style-type: none"> Note definition of “publish” in s 3 of the Act – this is more appropriate and applicable Councillors can influence the ability to appoint staff and total staff numbers through the budget process
94 A	Functions of CEO	<ul style="list-style-type: none"> Re-number sections Include s95AA – Code of Conduct 	
94AB	Transitional provisions for Senior Officers	<ul style="list-style-type: none"> Delete or consolidate in other sections as appropriate 	
94B	Senior Officers - see below	The issue of employees whose total remuneration exceeds the Senior Officer threshold needs consideration	There is a fairness, equity and consistency issue.
94C	Employment Principles	<ul style="list-style-type: none"> Should be consistent with the public sector employment principles in the <i>Public Administration Act 2004</i> Should include a requirement to adhere to the Code of Conduct for Council staff 	Replace with redrafted clause based on the provisions of the <i>Public Administration Act 2004</i> (see below)
94D	Advertising positions	<ul style="list-style-type: none"> Delete Not required and not appropriate in an empowering and enabling Act 	The responsibilities of the CEO – s 94A (3) includes appointing staff – this is adequate

95 (1)	Conduct principles	<ul style="list-style-type: none"> Replace with public sector values (amended) in the <i>Public Administration Act 2004</i> 	<ul style="list-style-type: none"> Replace with redrafted clause based on the provisions of the <i>Public Administration Act 2004</i> (see below) This would recognise local government as part of the broader public sector – see below
95 AA	Code of conduct for Council staff	<ul style="list-style-type: none"> Code of Conduct should incorporate the employment principles and values Should be included in the section outlining the functions of the CEO 	Employment principles should include a requirement for staff to adhere to the Code of Conduct
96	Equal Opportunity	<ul style="list-style-type: none"> Delete – no longer required Outdated Included in Employment Principles 	<ul style="list-style-type: none"> Not required of other public sector bodies under the <i>Public Administration Act 2004</i> Covered by other legislation
97	Senior Officers	<ul style="list-style-type: none"> Consolidate all sections relating to Senior Officers 	
98	Delegations	No change	
101	Long Service Leave	<ul style="list-style-type: none"> No change Covered by the <i>Local Government (Long Service Leave) Regulations 2012</i> 	This is not part of this review and the Regulations are reviewed separately
102	Appointment of ex-Councillors	Retain – no change	
Schedule 6	Equal Opportunity	<ul style="list-style-type: none"> Delete – no longer required Unnecessary Covered by other legislation and the proposed Employment Principles 	<ul style="list-style-type: none"> Not required of other public sector bodies under the <i>Public Administration Act 2004</i>
Other provisions			
	Definition of bullying – new	The definition of bullying should reflect the definitions	

		in other legislation – “behaving unreasonably” is too vague	
<ul style="list-style-type: none"> • The advertising requirements for Senior Officer roles should be made more contemporary. • Requirements and standards imposed on local government should not be stricter than those that apply to the State Government. • There should be more autonomy for Councils to manage their staff. <p>Council Meetings</p> <ul style="list-style-type: none"> • It should be a requirement for Councillors to be physically present at Council meetings. It is a key role of a Councillor to sit as a member of the Council, and to perform this role they must be physically present at meetings in front of the community. If a Councillor cannot commit to attending Council meetings in person, they should not stand for election. <p>Consultation and Engagement</p> <ul style="list-style-type: none"> • Councils should be required to demonstrate their efforts to disseminate necessary information widely to the community, at a minimum by publishing it on its website. <p>Local Laws</p> <ul style="list-style-type: none"> • Penalties should be indexed as State penalties are. • The maximum penalties for Local Laws has not been increased since the introduction of the Act; • NSW has a uniform model local law – maybe not a bad thing. <p>Indemnities and Insurance Cover</p> <ul style="list-style-type: none"> • Councils are best positioned to determine what insurance policies they require, with a minimum level. • Over the years there has been some confusion as to whether section 186 applies to insurance policies. The requirement to comply with this section does not take into account the specific attributes of insurances, ie that they are contracts of indemnity, not ‘goods or services’; a policy only lasts for 12 months before it has to be renewed again; and, a Council must appoint an insurance broker or advisor, to act as its Agent, in order to access the insurance market. The additional requirement that procurement be 			

undertaken via a public tender and notice is inconsistent with the operation of the insurance market.

- Section 186(5) should include an additional clause stating “the contract is a contract of indemnity”.
- Section 76A should include new wording stating ‘*Council’s insurance broker/advisor must have invited quotations from the insurance market at least once during the term of its contract with its insurance advisor / broker*’. This requirement should be supported by acknowledging that it is not necessarily beneficial to approach the insurance market annually, however, Councils are still required to demonstrate Best Value principles and therefore further wording such as ‘*It is acceptable for annual contracts of indemnity that a Council can rely on the advice of its insurance advisor / broker to determine the best outcomes after an assessment of the insurance market conditions and the level of policy coverage, premium cost and the overall performance of the recommended insurer / underwriter*’.
- The Discussion Paper notes that the insurance market has changed significantly since 1993. More recently, tort reform and improved risk management practices within the industry has meant that insurers / underwriters now have an increased appetite for accepting local government risks. The Victorian Auditor General’s Office report on the Municipal Association of Victoria made some recommendations regarding the operation of the scheme.
- There is also a significant disparity between the indemnity limit offered by the scheme (\$400M) and the minimum required under the Act (\$30M). Therefore, it is recommended that section 76A(2) and (3) should be removed.
- The public liability policy is probably most Councils’ second most expensive insurance policy, behind WorkCover, but is presently exempt from a procurement process. By not requiring Councils to undertake a competitive process, the scheme has not been required to maintain a product which is consistent with the insurance market and it could be argued that it now offers an inferior and more expensive policy for Councils.

Chapter 5 – Planning and reporting

1. What requirements should be imposed in the Act on councils in relation to planning and reporting on their strategy, budget and operations?
2. Can council planning and reporting processes be streamlined? If so, how?
3. What rights should be granted to ratepayers to better contribute to council planning and reporting processes?
4. What sanctions should be imposed on councils not complying with planning and reporting requirements?
5. Do you have any other questions/comments about the content in this chapter?

Response:

Councillors' comments:

- The current planning and reporting requirements and controls work well, and do not require substantial adjustment.
- Sanctions for not complying with requirements could include the withholding of grant funding.

Officers' comments:

1. The current reporting requirements in the Governance and Management Checklist require that Councils conduct performance reporting on their Council Plan and Performance Reporting framework on a six monthly basis. This is sufficient combined with the Annual Reporting requirements.

A resource / funding plan should be adopted as part of the Council plan for four years, at the beginning of each term.
2. The Council planning and reporting processes could be streamlined by ensuring that Councils determine their initiatives to put together an annual plan, which is based on its adopted plans, e.g. strategies. This may enable alignment between the Council plan, community plan and strategic resource plan. Alternatively, the Act could stipulate where/how the strategies in the Council plan are derived.

3. Ratepayers could contribute through the community engagement process in identifying and confirming the community priorities. These should inform the community plan and Council plan at the same time they are reviewed at the start of a new term of Council.
4. Perhaps Councils that do not comply with planning and reporting requirements should have to report to the community about the failures through the annual report.
5. Consider making the preparation of a long term community plan a legislative requirement – reviewed every four years in line with the new term of council. A 10-year financial plan might be worthwhile in reflecting long-term service delivery requirements.

Chapter 6 – Council rates and charges

1. Is the current method of declaring rates and charges based on “land” still appropriate?
2. What powers do councils require in relation to levying rates and charges?
3. What obligations or restrictions should be imposed on councils in relation to these powers?
4. What rights should rate-payers have in relation to the exercise of councils powers in relation to levying rates and charges?
5. Should there be detailed legislative provisions regarding processes associated with levying rates and charges? If so, are the current processes for levying rates and charges in the Act appropriate? If not, what changes should be made?
6. What sanctions should be imposed on councils failing to comply with the requirements relating to levying rates and charges?
7. Do you have any other questions/comments about the content in this chapter?

Response:

Councillors’ comments:

1. The current method of declaring rates and charges based on “land” is equitable.
2. It would be useful to clarify that a Council’s ability to levy rates and charges is constitutional. However rate capping, which has been imposed by the state government, will impede a council’s ability to deliver services to its community.
Councils should have additional powers to levy rates in relation to boarding houses etc. which are effectively commercial properties, not sole occupancy houses.
There should not be any concessions in relation to rates and charges, but it should be left to individual councils to determine applications for deferral or waiver in accordance with their own hardship policy.
3. This question is nebulous.

4. Ratepayers should continue to have the right to make a submission in accordance with section 223, in relation to the Council budget, and should also be able to appeal a valuation.
5. Rate capping should be removed. Existing provisions in relation to preferential rating do not require substantial change. Property owners should be liable for rates in all instances. The current process for collecting rates debts is complicated and difficult, and should be simplified. Exemptions from rateability should be left for determination by individual councils, based on local knowledge. Other relevant considerations to exercising the discretion include ability to pay and use of services.
6. Ministerial intervention would be appropriate in cases where councils have failed to comply with the requirements relating to levying rates and charges.

Chapter 7 – Service delivery and financial decision-making

1. What powers do councils need to undertake their financial decision-making functions?
2. What obligations or restrictions should be imposed on councils in relation to their financial decision-making functions?
3. Should the Act contain detailed processes regarding councils financial decision-making? If so, what sanctions should apply for non-compliance with these requirements?
4. Do you have any other questions/comments about the content in this chapter?

Response:

Councillors' comments:

- Existing provisions in relation to investments and borrowing and tenders are satisfactory.
- A Council's ability to sell and purchase land should not be limited.
- Councils' ability to engage in entrepreneurial activities should be broadened.
- Collaborative arrangements between councils should not be broadened.

Chapter 8 – Councillor conduct, offences and enforcement

1. Do standards of councillor conduct need to be improved? If so, how can this be achieved?
2. What powers do councils need to deal with instances of councillor misconduct?
3. Does the system of councillor conduct panels need to be improved? If so, how?
4. Is there a need for additional offences to be included in the Act? If so, what are they?
5. Is there a need to improve investigation and enforcement of the Act in any way? If so, how?
6. Do you have any other questions/comments about the content in this chapter?

Response:

Councillors' comments:

1. Existing provisions in relation to standards of councillor conduct are satisfactory.
2. Existing powers for councils to deal with instances of councillor misconduct are adequate.
3. The MAV's involvement in the councillor conduct panel system should cease. It should be up to the Minister to appoint a panel when required.
4. There is no need for additional offences to be included in the Act.
5. Most councillors think that the existing investigation and enforcement provisions are appropriate.
6. Existing conflict of interest provisions are cumbersome and very difficult to understand.

There is a need for improved adherence to the Councillor Code of Conduct provisions. Existing enforcement arrangements are toothless.

Chapter 9 – Ministerial powers

1. Should the role of the minister be described in the Act? And if so, how should this be described?
2. What powers should be provided to the minister in the Act in relation to:
 - a) the structure of the sector (i.e. circumstances in which new councils are established or existing councils amalgamated, numbers of councillors etc)?
 - b) to ensure councils comply with the Act?
 - c) to ensure the integrity of governance and standards of behaviour?
 - d) What penalties should be included in the Act in relation to councils not complying with the exercise of the minister's powers?
3. Do you have any other questions/comments about the content in this chapter?

Response:

Councillors' comments:

1. There is no need to describe the role of the Minister in the Act.
2. The structure of the sector is okay as it is.
There is no need to change the powers of the Minister.
A definition of "failure to provide good government" should be included in the Act, to provide greater clarity about when Ministerial intervention is warranted.

Chapter 10 – Harmonisation of the Local Government Act

1. What aspects of the Act should be amended to better harmonise with related legislation?
2. How can council responsibilities in relation to other legislation be made clearer?
3. Are there provisions in the Act that could be improved to clarify their interaction with other legislation? How could they be improved?
4. Is there other Victorian legislation that inappropriately impacts on provisions under the current Act that could be improved or clarified? How could they be improved?
5. Does the Act contain any matters that should be transferred to other Victorian legislation? If so, why?
6. Do you have any other questions/comments about the content in this chapter?

Response:

Councillors' comments:

- Issues that need to be addressed in planning legislation include a need for more powers on planning decisions, ability to recoup application costs, a need to define high, medium and low density, planning overlays and lack of planning powers.
- Gaps in state legislation need to be addressed more quickly as they emerge, eg. tree protection provisions in response to inappropriate lopping of trees following the introduction of the 10/30 legislation, and provisions to enable effective management of the monkey bikes issue.

Any other comments?

Do you have any other questions/comments not raised in the above chapters?

Response:

Councillors' comments:

- There should be a process to enable councils to notify the Minister about serious issues with a CEO (eg. where the Councillors and CEO are at loggerheads) so that appropriate action can be taken to resolve issues before they hit the front page of the newspaper.
- Local government is the most efficient form of government. It is agile, reactive and responsive to the community.