

Submission to Discussion Paper

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Organisation/council name:	
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Are you providing this submission on behalf of yourself or the organisation?	Myself / Organisation

On the following pages are questions on each chapter of the discussion paper to assist you in the preparation of your submission. In addition, there is space at the end of the document to add your own views/comments on any matters relating to the Local Government Act review.

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:

1. THE NEW ACT MUST CLARIFY THE ROLE OF THE 3 LEVELS OF GOVERNMENT. THE CONSTANT DISMISSAL OF ISSUES AS THEY ARE THE RESPONSIBILITY OF THE OTHER LEVEL MUST CEASE.
2. THE KEY OBJECTIVE SHOULD BE TO PROVIDE COMMUNITY SERVICES. TO DO RESEARCH IN ADVANCE. WHY IS BOROONDARA STILL SHORT ON CHILDCARE AND KINDERGARTENS NOW WHEN IT HAS EVIDENT DECADES AGO. IT WAS ONE OF THE MAIN REASONS I WAS ELECTED TO KEW COUNCIL IN THE 1980S.
3. ROLE OF COUNCIL IS TO LISTEN AND CONSULT IN ADVANCE, NOT WHEN THE DECISION IS ALMOST MADE.
4. THERE SHOULD BE KPIS AND CONSEQUENCES AS PER THE NORM IN ALL BUSINESS PRACTICE.



**Review of the
Local Government Act 1989**

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:

1. ELECTIONS ARE CURRENTLY A FARCE. PEOPLE “STAND” PURELY TO AID THE “TICKET” OF ANOTHER. PARTY POLITICS IS EVIDENT. GOOD COUNCILLORS ARE UNSUCCESSFUL IN RE-ELECTION IF THEY DO NOT MEET THE REQUIREMENTS OF THE ELITE IN THE COUNCIL.
2. ONE WAY TO OVERCOME THIS IS TO LIMIT THE NUMBER OF TERMS THAT A COUNCILLOR CAN SERVE.
3. THE QUALITY AND INDEPENDENCE OF THE PUBLIC OFFICERS IS CRUCIAL AND ABSENT IN MANY QUARTERS.
4. REVIEW OF ALL THE PARTIES ROLES IN QUESTION 2 IS REQUIRED.



**Review of the
Local Government Act 1989**

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:

1. MEETINGS SHOULD BE ON LIVE BROADCASTING. COMPLETE MINUTES AND VOTING RECORD AVAILABLE TO THE PUBLIC IMMEDIATELY.
2. MAYORAL ELECTIONS TO REMAIN IN THE COUNCIL ONLY.
3. PENALTIES REQUIRED TO BE DETERMINED IN NEW ACT.
4. I UNDERSTAND THAT SOME COUNCILS SAY THEY ARE HAMPERED FINANCIALLY BY ENORMOUS SUPERANNUATION PAYMENTS. HOW CAN THIS BE REMEDIED AND AVOIDED IN THE FUTURE? AND IS IT RELATED TO THE RENUMMERATION OF OUR OFFICERS? ARE THEIR WAGES REFLECTIVE OF THE WIDER COMMUNITY AS THEY SHOULD BE.
5. I HAVE LOTS MORE TO SAY BUT NO TIME.
6. WE NEED AN INCREASED AWARENESS OF COUNCILS COMMITMENT TO ALL OF THE COMMUNITY. NOT JUST THE WELL, RICH OR VOCAL. THEY SHOULD BE BRAVE AND REPRESENT ALL, AND PLAN FOR DECADES IN ADVANCE.



**Review of the
Local Government Act 1989**

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:

1. ALL OF THESE ISSUES REQUIRE IMPROVED CONSULATATION AND NOT THE CONSTANT STREAM OF FANCY BOOKLETS.
2. THE BUDGET SHOULD REFLECT COMMUNITY NEEDS FIRST.
3. WHY HAVE WE OVERSPENT ON INFRASTRUCTURE EG THIS BEAUTIFYING SHOPPING CENTRES AND PUTTING FANCY BRICKWORK AT THE ENTRANCE TO SIDE STREETS WHEN WE HAVE KNOW FOR DECADES THAT THIS IS A SIDE STREET. DO THEY THINK WE HAVE SUDDENLY GOT STUPID?
4. WHY ALL THE TRAFFIC LIGHTS IN FOR EXAMPLE IN BURNLEY STREET RICHMOND.?
5. WHY ALL THE NEW SPORTING FACILITES AND ART GALLERIES IN BOROONDARA? AND A DEMISE IN COMMUNITY SERVICES EG FAMILY DAY CARE; OCCASSIONAL CARE; OUTSOURCING MEALS ON WHEELS. WILL HAAC BE NEXT?
6. THE ABOVE ITEMS ARE PRESUMABLE IN THE “ENGINEERING DEPARTMENT” BUDGET. AN INCREASED DEPARTMENTAL BUDGET REQUIRES INCREASED STAFF AND COSTS IN THIS AREA.
7. WHY NOT IN THE PROVISION OF COMMUNITY SERVICES?

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

1. RATE CAPPING IS NOT THE ANSWER AS COUNCILS WILL BLAME IT FOR ALL THE DEMISE IN SERVICES. THERE SHOULD BE DETAILED LEGISLATIVE PROVISIONS REGARDING RATES AND CHARGES AND APPROPRIATE EARLY SANCIONS ON NON COMPLIANCE.

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:

1. YES TO POINT 3.
2. THIS WHOLE AREA NEEDS LEGISLATION.
3. IMPROVE THE FINIANCIAL DECISION MAKING PROCESS. IT SHOULD BE INVOLVED IN ALL THE DECISIONS MADE THROUGHOUT A YEAR OR TERM. THIS WOULD AVOID THE SUDDEN DEMISE OF COMMUNITY SERVICES SUPPOSEDLY DUE TO A NEW FINANCIAL ISSUE.
4. THE BUDGET SHOULD HAVE INCREASED COMMUNTY INPUT.
5. WHY ARE THE RATES INCREASING?



**Review of the
Local Government Act 1989**

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:

1. CONDUCT OF COUNCILLORS SHOULD BE IN LINE WITH THAT OF ALL ELECTED PUBLIC OFFICERS WITH APPROPRIATE IMMEDIATE SANCTIONS AS NECESSARY.
2. LIMITATIONS OF TERMS SERVED TO 2 WOULD BE BENEFICIAL IN AVOIDING THE FIEFDOM PHENOMON.
3. THE ROLE OF ADVISORY COMMITTEES SHOULD BE REVIEWED. OUR ADVISORY ROLE IS MINIMAL DUE TO THE COUNCIL GUIDELINES. THEY ARE FOR PUBLICITY ONLY. EVERYTHING THAT OUR EXPERTS IN THE COMMUNITY AND BROAD REGION RECOMMEND OR ADVISE IS IGNORED AS IT DOES NOT COMPLY WITH OUR COMMITTEE GUIDELINES.



**Review of the
Local Government Act 1989**

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:

1. THE MINISITER SHOULD HAVE INCREASED POWER.
2. AN IMPROVED REGULAR REPORTING SYSTEM TO THE DEPARTMENT.
3. THE DEPARTMENT SHOULD HAVE APPROPRIATE STAFF TO AVOID OUTSOURCING AND ENABLE THE INCREASED KNOWLEDGE AND SKILLS TO REMAIN IN THE PUBLIC SERVICE.
4. WHY DO COUNCILS NOT ACT FOR A REGION AS A WHOLE? WHY ARE SOME ABLE TO SAY NO TO COMMUNITY HOUSING? WHY DON'T THEY LEARN AND FOLLOW PORT PHILLIP COUNCIL IN THIS AREA. ? WHY DON'T WE HAVE COMMUNITY HOUSING OVER CAR PARKS IN APPROPRIATE AREAS? WHY ARE BLOCKS OF LAND OWNED BY US; THE COUNCIL AND RESIDENTS EMPTY FOR DECADES?
5. WHY DO WE HAVE A FLAWED BUILDING AND PLANNING APPROACH? WHY THE DEMISE OF TREES?
6. I UNDERSTAND THAT WE HAVE TO INCREASE OUR HOUSING CAPACITY BUT SURELY A RESIDENTAL STREET SHOULD BE PROTECTED FROM SUPERMARKET TRUCKS WITH SIMPLE NARROWING AND LAWS? WE DID IN THE 1980S WHEN I WAS A COUCILLOR.
7. THE OUTER NEWER SUBURBS ARE STRUGGLING WITH THE RIGHTS OF RESIDENTS VS INTENSIVE FARMING AND FISHERMANS BEND IS GOING TO BE A DISASTER AND REQUIRES INCREASED MINISTERIAL OVERSIGHT.

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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:

1. TIME DOES NOT ALLOW COMMENT ASIDE FROM LESSEN THE BLAME GAME ABOUT THE LEVELS OF GOVERNMENT AND RESPONSIBITLY.

Any other comments?

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

Response:

1.

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- Email Address

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