

15 December 2015

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Local Government Act Review Secretariat
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Per email: local.government@delwp.vic.gov.au

Dear Sir/Madam

On behalf of the Stonnington City Council I make the following submission to the review of the Local Government Act.

Council acknowledges that it is now more than 25 years since the Act was comprehensively reviewed and considers the review timely. The amount of time allocated for the review culminating in legislation in 2018 is considered appropriate.

Council's submission is as follows:

1. *The Act should recognise local government as a legitimate and autonomous third tier of government.*
2. *The Act should set out the purpose, objectives, role, functions and powers of Councils, similar to provisions included in the current Act.*
3. *The Act should give Councils general power of competence without undue restriction.*
4. *There should be a uniform state-wide compulsory Code of Conduct for Councillors.*
5. *There should be a uniform state-wide compulsory Code of Conduct for officers.*
6. *All elections should be conducted by the Victorian Electoral Commission and relevant sections of the Act transferred to the Election Act.*
7. *Councils to retain the power to determine the method of election – attendance or postal.*
8. *Retention of capacity for single member or multi-member electorates (wards).*
9. *Entitlement to be a Councillor based on inclusion on the State electoral roll. Candidates for election must be of good moral character and public standing with no convictions or proceedings pending for any indictable offence.*
10. *Electoral roll to be based on State Electoral Office roll plus non-resident ratepayers and company nominees (same as at present).*
11. *Mayor to be elected by Councillors from among Councillors, as at present, and not directly elected.*
12. *The standards required of State Government on public consultation apply to local government.*

13. *Matters relating to the management of roads and traffic management contained in the Local Government Act and Road Management Act be reviewed to ensure consistency.*
14. *An appropriate balance be struck to ensure proper parliamentary scrutiny of any proposed future reforms against the administrative convenience of change by regulation or Ministerial direction.*
15. *The Act to prescribe a minimum time for consultation on State Government initiatives and proposals which have an effect on local government.*
16. *The management of confidential Council items (S77) be reviewed to ensure sufficient protection of confidentiality including an option for extension of the 50 day period.*
17. *Penalties under local laws to be expressed as penalty units and reviewed annually.*
18. *Eligibility for classification as a Charity/Benevolent Institution be reviewed.*
19. *The onerous reporting burden on Councils be reviewed, redefined and reduced.*
20. *The basis of imposition of garbage charges be reviewed to better describe the basis of the charge and costs covered by it.*
21. *The basis for application of requirement to call tenders (S186) be reviewed to clarify when it is applicable and the timeframe for which it is to apply.*
22. *Penalties for breaches of the Act be reviewed on an annual basis.*

Council would welcome the opportunity to further expand on any aspects of this submission or to respond to any questions at an appropriate time.

Yours sincerely



Geoff Cockram
GENERAL MANAGER CORPORATE SERVICES