

## Submission to Discussion Paper

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Suburb	Hawthorn East
Age*	
Gender*	

*\*Please see the last page of this document for our terms and conditions around privacy of your information*

If you work in an organisation/council, please provide the following information:

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

### Response:

Thank you for the opportunity to make a submission to the Review of the Local Government Act 1989. My particular perspective is that I am a resident of the City of Boroondara and am opposed to recent changes which that council made to public question time at its general and special meetings.

These changes place limits on both the number of questions that one person can submit at any one time and in any one year; and the nature of these questions which will only be accepted if the question has previously been submitted to a Councillor or Council Officer, received a written response and relates to matters on the agenda for the current meeting.

I consider these changes a substantial threat to the Council's capacity to fulfill its role as an expression of democracy at the level of local government. The changes also lessen the ability of local residents to counter the growing influence of the corporate world on local government decision making. In Boroondara, these interests include the private education sector and professional sporting bodies.



## Review of the Local Government and democracy Local Government Act 1989

Local Governments play a significant role in ensuring a strong and robust democracy in Australia. As noted in the report by Dr Stephen Jones and Professor Ken Wiltshire to the Council of Mayors (SEQ) in 2011, local governments use their traditional functions of managing land planning and providing a range of services to ‘...represent, mediate and balance community and development interests’ of a region<sup>1</sup>.

The level of democracy achieved in fulfilling these responsibilities will reflect the degree to which councillors are accountable to their electorate through open and fair elections and through the transparency and scrutiny surrounding their decision making.

### **A growing democracy deficit in Australian governments**

The 2011 report to the SEQ Council of Mayors discusses a growing ‘democracy deficit’ in local government<sup>2</sup>. Governments at all levels are seen to have become more identified with the economic ambitions rather than the communal or social interests of their population. Factors identified as contributing to this include:

- The declining level of community understanding of and participation in politics and policy making
- The increasing desire by governments at federal, state or local levels to be economically competitive and to attract investment, employment and development opportunities that will give them a commercial and financial edge

These trends have seen a shift in the priorities of governments and the criteria they apply to their decision making. The balance has moved away from serving the interests of the community towards meeting the demands of the corporate world.

State and federal governments have hastened this process by introducing new structures and mechanisms to plan our cities, provide infrastructure and deliver services. The result has been a reduced role for local government and an enhanced level of power and influence for private interests. Such developments include:

- The growing centralisation or commercialisation of local government functions through measures such as the privatisation of planning decisions and regulatory functions
- The increasing interference by the State Government in the decisions of local government through bodies such as VCAT
- The creation of new planning bodies that report back to the State Government and which erode the capacity of a local government to make important development decisions. A prime example of this was the Linking Melbourne Authority which the previous Coalition Government established

<sup>1</sup> Threats to Local Democracy And Community Engagement Implications of Recent Incursions into Local Government Land Use Planning Powers in Queensland Prepared for the Council of Mayors (SEQ) by Dr Stephen Jones and Professor Kenneth Wiltshire AO UQ Business School April 2011

<sup>2</sup> Ibid



## Review of the Local Government Act 1989

### Protecting democracy at the local level

With the growing urbanisation of Melbourne and its surrounds and the increasing threat of climate change, it has become increasingly important that local government provide citizens with opportunities to participate in the planning discussions and debates affecting their neighbourhood. No matter how inconvenient this may be for decision makers, this is the most effective way to ensure that our communities retain their liveability and their capacity to contribute to a sustainable future that meets the needs of all.

### The purpose of question time

Question time is a traditional part of all levels of government under the Westminster system. It is valued as a way to scrutinise government decisions and an important discipline on decision makers that they are totally in control of their responsibilities.

It is important to the proper functioning of our democracy that the decisions of our elected representatives at all levels of government be visible, transparent and open to scrutiny. Local government has a significant impact on our daily life and councillors need to be seen to be accountable in the way they perform their duties. Without this visibility, transparency and accountability, we run the risk that sectional interests will exercise undue influence to the detriment of community interest.

### Recommended reforms

1. Councils should be required to do more to increase public awareness and utilisation of their consultative and accountability processes

Question time at public Council meetings should be seen as a resident's entitlement with restrictions directed only at preventing personal abuse or slander of Councillors, officials or members of the community and ensuring questions are comprehensible, contain only relevant background material and not unnecessarily long.

The City of Boroondara claims it has an effective array of consultative mechanisms. However, it can be extremely difficult to locate appropriate information on these processes which can be hidden deep inside their website or publicised on bulletin boards or newsletters in an unobtrusive and at times misleading manner. The results are often superficial and appear to add little to the final outcome. Much more use should be made of public workshops and other forms of open public conversation to discuss significant issues.

2. Minutes of all council meeting should accurately and comprehensively reflect the nature and content of the discussion that occurred in the meeting around specific decisions.

Minutes should also include a record of how councilors voted for each item.

Minutes and agenda papers should also be freely available, readily accessible and

retained for a period of at least 10 years

3. Councils should be required to make better use of other forms of recording meeting deliberations including video and audio. These records should be publicly accessible and retained for a similar period.

## Terms and conditions of this submission paper

### Privacy Policy

Bang the Table Pty Ltd (Bang the Table) manages the website on which this consultation takes place – on behalf of DELWP (Review of Local Govt Act 1989).

Bang the Table takes the privacy of the participants using this site very seriously.

Our collection, use and disclosure of your personal information is regulated by the National Privacy Principles under the *Privacy Act 1988*, as amended from time to time and also by the relevant State legislation (depending on the State in which the client is located). You can find more information about your privacy rights at the Privacy Commissioner's web site, <http://www.privacy.gov.au>

Note: This Privacy Policy applies to the Bang the Table's behaviour and treatment of your information and should be read in conjunction with the DELWP (Review of Local Govt Act 1989) Privacy Policy.

### DELWP (Review of Local Govt Act 1989) - Privacy Policy

#### Who do I contact for more information?

Bang the Table may be contacted in relation to privacy policy issues by email at [myprivacy@bangthetable.com](mailto:myprivacy@bangthetable.com) or addressed to Bang the Table Pty Ltd, Suite 15, 104 Moor Street Fitzroy VIC 3065 Australia.

#### What information do we collect?

##### ***Basic Identifying Information***

We collect information from you when you register to use the website [www.yourcouncilyourcommunity.vic.gov.au](http://www.yourcouncilyourcommunity.vic.gov.au). This information may vary depending on the specific needs of DELWP (Review of Local Govt Act 1989), however, at a minimum is includes your:

- Screen Name
- Email Address

Additional demographic information such as your age, sex, suburb and interests may also be collected at this time.

### **Why do we collect this information?**

#### ***To Collect and Collate your Feedback to Inform Better Policy***

The principle reason for collecting this information is to help inform the creation of better policy. The information is therefore provided to DELWP (Review of Local Govt Act 1989) for analysis and interpretation at their discretion.

#### ***To Send you Periodic Emails***

The email address you provide for registering on the site may be used by either Bang the Table or DELWP (Review of Local Govt Act 1989) to send you information and updates pertaining to the issues discussed on this site or any other site that we feel may be of interest to you.

Note: If at any time you would like to unsubscribe from receiving future emails, we include a simple unsubscribe link at the bottom of each email.

#### ***To Protect the Integrity of the Discussion***

By monitoring the information you provide we are able to protect the integrity of the discussion from individuals and groups who may attempt to unduly influence the outcomes of the consultation process.

#### ***To Improve the Website & Software***

The principle use of this information by Bang the Table is to help us to improve this website and the software that underpins it. We are continually striving to improve the experience of our participants based on your feedback.

### **Who has access to this information?**

When you sign up for a user account you provide three types of information:

1. Publicly available information
2. Information available to both DELWP (Review of Local Govt Act 1989) and Bang the Table
3. Information available to Bang the Table only

### ***Publicly Available Information***

Publicly available information is limited to your screen name and any comments you leave under that name in the forums or other tools on the site.

Note: We strongly recommend use of an anonymous screen name.

Individual survey responses, voting patterns and quick poll responses will not immediately be made available publicly on the site, however, feedback (including overall results of polls and surveys, and in some instances, unidentifiable and randomly chosen quotes or comments from surveys) may be published in publicly available reports at the end of the consultation period.

Please also keep in mind, however, that under most local Freedom of Information laws formal submissions uploaded to this site can be made available for public viewing by DELWP (Review of Local Govt Act 1989) at its own volition or at the request of a member of the public.

### ***Information available to both DELWP (Review of Local Govt Act 1989) and Bang the Table includes:***

- All information from the Sign Up form.
- Comments
- Survey, Quick Poll, and comment voting responses
- General site activity such as document downloads.

### ***Information Available to Bang the Table only***

Information which is available only to Bang the Table is restricted to your IP address for site security purposes.

### ***Do we disclose any information to third parties other than DELWP (Review of Local Govt Act 1989)?***

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