

## Submission to Discussion Paper

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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?	<u>Myself</u> / 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.

Response:

-Accessibility to information needs to continue to make allowances for peoples' abilities and circumstances. It is hard to engage in informed, meaningful feedback with government departments without the necessary information in formats that is accessible for the individual. Not everyone has a personal/work computer, printer, etc. and printing currently may cost people ten – twenty five cents per side which adds up quickly especially for large documents. Individuals who request information should receive a printed copy for free (e.g. strategies, budgets, plans, policies, discussion papers, reviews, masterplans, consultants' reports, etc.). Organisations and business may use their work printer (e.g. media, tender business, etc.). Individuals who make a submission should receive a printed copy of the final adopted document for free if requested by the submitter. Councils should communicate with submitters how exactly the draft was altered from their submission and the other submissions. If their suggestions were not adopted Council should state why not. Government departments should not waste money on glossy reports, publications produced on mass, but print when requested.

-Accessibility of information should include displaying hard copies of documents at Council offices, and other convenient locations like public libraries. Public libraries may be open at other times than the Council office, e.g. weekend, evening.

-Maybe arrangements could be made to view/access documents outside Council business hours for people who work, need to make arrangements for dependents, etc. Maybe this could be monthly by arrangement.

-Council meetings should remain open to the public, even if technology is used to 'stream live' on the internet. Councilors and senior staff should remember the decisions being made effect peoples' lives and there should be an opportunity to talk briefly with Councilors and senior staff. Public meetings allow the community access to information, hear Councilors opinions and notice body language. It allows the community to hear the information directly, and not 'second hand' which could be misrepresented. Information from Council should be on the Council website, including media releases. Community should not have to pay for the local newspaper to access information. Maybe confidential items could be discussed at another meeting, maybe before the public meeting, not the end of the public meeting. It seems to be rare for there not to be a confidential item. People should not have to wait around for the confidential item to be discussed before being able to speak with Councilors or Council staff.

-Anyone and everyone should be allowed to make a written submission, noting where they live and if applicable where they own property, and any conflict of interest. Landholders should not be the only voice for example for special charges, etc. Decisions made by Council in one location could set a precedent for other locations in the municipality.

-Council staff should reply to written letters, emails. Council staff should acknowledge receipt of the correspondence and whom (staff member's name) will be responding with answers to the questions. There are staff who are wonderful at replying to correspondence (e.g. promptly, genuine, keep requester informed, provide information and guidance, answer questions or refer to someone else, polite, approachable, etc.). Unfortunately, there are specific staff that tend not to answer questions, and may pick which question to reply to (not answer) and not state why the other questions are not being answered. There should be a set time period for correspondence to be received by the requester. If that time period elapses, the person can send correspondence to a State government department and Council. The State Government department can intervene on behalf of the requester, and records the number of requests for each Council and publishes this on the State Government website.

-All Council documents should have position title and name of staff on it, e.g. author, proof

reader, authorized by. This will improve accountability, transparency, responsibility. Staff can take credit for their work.

-There needs to be a State Government department that can answer general and specific questions promptly about the Act and Council. Council staff may give a general reply that the decision made is in the Act, but not specify which clause, and some items are open to interpretation. Where in the Act does it state Council can....Can the Council do ...? Councils have access to this support, but community members currently do not seem too. The State government department should be able to follow up complaints and enquiries.

-Community consultation needs to be genuine, meaningful and transparent. Council staff need to be open to the feedback and not have already decided the outcome. The feedback report should be available to the community, with submitters having 'right of reply' before it goes to the Councilors. Any summary report will show the author's bias, sometimes items are omitted, misrepresented, etc. this may be unintentional or maybe allegedly be deliberate. Sometimes Councilors may only attend a briefing session, may only read the summary report and not access/read each submission. It is unfair that the person has taken the time and effort to do a submission and it is misrepresented, and the person does not know how it was presented.

-There are positive examples of community consultation been conducted open, transparent, genuine, meaningful that has resulted in positive outcomes for staff and community and strengthened partnerships/relationships. For example the Environmental Sustainability Strategy. The community and other key stakeholders actively participated in the formation of the strategy. Council staff provided regular updates and produced "What you said, Community consultation report", stating the comments made, with how that fitted into the various sections, and the resulting action/outcome/comment. These reports are on the Council website. People were also provided with information, etc. and the staff were very professional and approachable. Another positive example of genuine community engagement and consultation is conducted by the Council's - Women's Charter Alliance Advisory Committee. The staff are professional, approachable, genuine, passionate, seek and are open to feedback and provide reports on feedback. The events held are responsive to the needs and interests of the community and are very popular. Unfortunately, this positive community engagement approach is not displayed by all departments at this Council.

-"Some councils consistently receive low numbers of submissions, often despite their best efforts to engage communities" (page 52). It seems the blame is unfairly being placed on communities rather than the Council. Maybe the Council has not listened to community feedback about how to improve the process. Maybe Councils in that situation who are genuine about improving community consultation could informally ask the community through their networks why people do not make submissions and seek to improve processes and communication. Maybe people feel decisions have already been made. Maybe the Council needs to educate and inform the community about the process and give examples of how submissions have improved decisions and outcomes. Maybe Councils need to vary their approach for various demographics including languages, ages, location, etc. Maybe some Councils like low numbers of submissions.

-It should be compulsory for Council to provide a community forum for the draft budget, where the community asks questions directly to Senior Council staff, with Councilors present to hear the questions and the replies given. Councilors represent the community so it is an important opportunity for Councilors to hear the views of the community and the replies that the community receives. Some questions may require the Councilor to ensure through the CEO that the questions are followed up on and information is provided to the requester/community. Senior Council staff have laptops, etc. so answers should be provided at the forum.

-Councils should give notice for public consultation and for permits, etc. on the Council

website, the local free newspaper and email people who have registered to receive emails about these items and updates should be provided.

-It should be compulsory for Council to provide an organizational structure with every position with job title on the website (including unfilled positions), not just the managers. Costs for staffing is a large portion of the budget. Listing all the positions may inspire youth and others to consider particular career that they may not have been aware was available in their town.

-Voting should generally be compulsory (with exceptions for health reasons and people over 70 years). Voting should be one person one vote, based on the State Electoral roll managed by the VEC. Candidates for local Council must live in the municipality.

-There should be compulsory training/information supplied by VEC to candidates to “reinforce understanding and compliance with their responsibilities under the Act” (page 38). This could be information on the website that candidates when nominating sign they have read and understood the document. There should be compulsory training provided by VEC to elected Councilors and Mayors. Checking the candidates’ eligibility should occur when nominating not once elected. It is unfair to the people who voted for the person, it is expensive to determine the next elected person, and there is a delay in the process.

-Councilor code of conduct should be the same across the state (page 90), and not specific clauses for each Council. This will increase transparency and reduce the chance of specific councils using intimidation and other negative tactics to make Councilors sign clauses that are inappropriate to be able to represent the community. Councilors should be able to speak to the media. Councilors should not be silenced by a requirement to “present a united front once a decision has been made” (draft Council Values and Beliefs, 15.12.2015). Decisions are made by Councilors voting. A decision can be made by one vote. Just because a decision was made (by one vote) does not make the decision a ‘united front’. Councilors should be able to facilitate community debate with factual information, allow “effective scrutiny by the community” (page 94) and try to “save the council from undertaking, or committing to, an undesirable transaction” (page 95).

Councilors are elected to represent the community and hopefully have integrity and a conscience to balance holding their view with a desire for an open mind to possibly alter their view with new information. The Winky Pop decision (page 25) should not be used as a threat to silence Councilors. Candidates and Councilors should be able to express a view and be open to modify, change their view with new information and be able to express what has changed their mind. Councilors should have ‘whistleblowers protection’ and be encouraged to act in the best interest of the community.

The statewide Councilor code of conduct and other rules should also apply to Senior Council staff and the CEO.

-State and Federal government funding to Councils needs to increase. “Councils plan, fund and deliver up to 120 individual service types” (page78), with a broad direction to “undertake any function relating to the peace, order and good government of the municipality” (page 19). Ratepayers are unable to continue to fund this broad direction and currently there are limited mechanisms for ratepayers to ask Council to not provide particular services, programs, etc. Some roles are not appropriate for local government. The state government needs to review what it is asking Councils to do and the funding arrangements. The state government needs to review what each Council provides and the cost to ratepayers.

-Review of exemptions from rateability should occur as “Victorian councils may be foregoing considerable sums in rate revenue” (page 70).

-It should be compulsory to offer a financial incentive for early bulk payment of a rate charge. Council receives a reduction in administrative, postage fees, etc. Council has the money and may obtain interest on it. The reduction in the rate charge may assist some ratepayers.

-It is unfair to evict an owner/occupier for unpaid rates of three years (page 74). It is unfair to make someone homeless, especially when there is a waiting list for public housing. Council and the ratepayer should enter into an agreement with a government body as mediator.

-There should continue to be strict conditions on selling public open space. Council need to plan for future generations, provide for fauna and flora. It is not advisable to sell land for a quick short term financial profit at the expense of sustainability.

-Council staff should prepare a regulatory impact statement including community impact statement and environmental, etc. for proposed local laws, major projects, proposed sale of land etc. (page 55).

- "Council can sell, buy or lease a dwelling to or for a member of Council staff or provide a loan or other assistance for this purpose" (page 79). This should be reviewed. This may have potential for conflict of interest and seems unfair when ratepayers are paying for it. It should be clearly reported in an open, transparent manner. It should be clearly stated in documents easily available on the Council website who the staff are and how much was paid, subsidized, etc. There should be a historical list, not just the current year, etc to avoid it being missed. Senior Council staff wages and 'perks' should also be clearly stated on the Council website. Ratepayers are paying for it.

-Draft and local laws should be on the Council website and free copies obtained upon request (page 54).

Thank you for the opportunity to provide feedback.