

Submission to change the Local Government Act of Victoria.

Abstract.

This submission argues that the present L.G.A. of Victoria is an anachronistic instrument and is totally unsuitable for protecting the quality of life of residents and ratepayers against a modern disease in cities today; over-development. It does not include sufficient checks and balances or adequately promote community participation in local government decisions. Should VCAT commissioners continue to be able to override the concerns of councils and residents in favour of over-development? What is the sustainable population growth for a local municipality and what are its capacities and limitations?

The Local Government

Act of Victoria must not only set out key performance indicators for budgeting and finances, the Act must also be amended to modernize its provisions and relevant sub-sections in relation to the capacity of the natural environment, rights of residents and ratepayers at Special Budget Meetings, the rights of residents and ratepayers at Public Question Time, and the rights of residents and ratepayers in relation to accessing council reports, council business modeling, commercial in confidence agreements; full transparency must be available in relation to the salaries and incentives paid to senior management. As the positions of Chief Executive Officer and Mayor are the key positions on council, residents and ratepayers should have a say in their tenure, appointment, and salaries. The right of VCAT commissioners should not include over-ruling council objections in favour of over-development.

(1) VCAT residents and local government.

I believe the present Act is best suited for a community that is not interested in local government affairs and is prepared to leave it to others. Such an approach has serious risks as we have seen in Casey. Where some time ago a multi-million dollar settlement (\$23.5 million) was reached between the City of Casey and the Environment Protection Authority over a toxic methane gas leak in Cranbourne at the Stevenson's rd Landfill site; near the Brookland Greens Estate. This can only be described as a man-made disaster that has lessons for the future. It was a classic case of over-development.

The builder was allowed by VCAT to ignore the buffer zone between the Landfill and the residential estate so that homes could be built up to the back of the toxic Landfill. Events such as these could occur again if VCAT, or the Environment Protection Authority, are allowed to ignore concerns expressed by councils and residents in future.

(2) CEOs, mayors and senior staff.

The CEOs position could have a limit of no more than three years and appointments could be advertised with ratepayers and residents included on a selection panel. The mayor could be elected for three years by a democratic vote from all ratepayers and residents.

Senior management positions must have all salaries and incentives transparent as should the salaries of the mayor and CEO.

(3) Council meetings, reports, budget papers, business modeling and commercial in confidence agreements.

Residents and ratepayers should have the right to read out their own questions at council meetings, including the right to seek clarification from an answer. Ratepayers should have access to all reports relevant to council decisions. There should be no commercial in confidence agreements in local government.

(4). Population growth and over-development.

Many of the quality of life issues impacting on local communities are a result of over-development and population growth. Yet the Local Government Act in Victorian has nothing to say on this important issue. We live in a finite world that is dependent on access to clean air and natural resources. Councils, residents and ratepayers need to ascertain the limits to growth and development. This can be determined by working out the capacities of resources and factoring in population growth rates. The Act should mandate councils and residents include data and estimates about local natural resources as well as projected population forecasts in future.

Can you please inform me if there has been any further developments with this and if the Law will be Gazetted reflecting not only the Council having control over the permit for 'Development' but also for "Use" of the building.