

Firstly, congratulations to the state government for undertaking such an ambitious agenda with regards to local government. In all things that government does it is appropriate, that within reasonable resourcing considerations, we undertake to continuously improve how we operate and adapt to various situations. I see the review of the act as just one such opportunity.

Regarding the substance of the act, the first point I would ask be considered is around the role of councillors. Currently the act describes Councillors as the board of directors in that they are responsible for the employment of the CEO, direction of strategy and the formal setting of policy. There are also range of statutory obligations and delegations set out elsewhere in the act.

I would argue that this does not conclusively describe the practical roles that councillors are expected to play by communities. Nor does it outline many of the activities which they undertake as elected representatives. In my time as a councillor, I have observed four chief domains, or pillars of a councillor's role:

- The first I describe as the **administrative role** – this concerns the responsibilities of councillors as the strategic directors of the council. This is well articulated currently and I think largely understood among councillors and the sector.
- The next is that of an **advocacy role** – this takes many forms, but is largely shaped by the expectation among the community that councillors will speak on their behalf, on small scale issues around maintenance of infrastructure through to more significant social issues outside of the specific remit of Local Government. The emphasis of this role would recognise these expectations, but also reinforce the democratic nature of the day-to-day role of councillors, not only to make decisions on behalf of communities, but to involve and engage with community views in decision making.
- The third personal observation is that of an **adjudication role** for councillors – namely that, where there are divergent views in the community, councillors are often expected to make a decision one way or the other. The most obvious area in which council decision-making relates to this role is in land-use planning, where views about outcomes within the community and between them and Planning legislation and policy can be vastly opposed.
By emphasising councillors' responsibility in these cases, aligned with the objectives of the act in terms of long term interests of the community (expressed currently as the social, economic and environmental well-being of the community), the Act could shift the focus of councillors as partisan agents to deliberators on complex issues and views.
- Finally, councillors are expected by their communities to take on a **leadership role**. Apart from the abstract connotations of the word, leadership in this context practically relates to the symbolic actions of a leader, that is to serve the cultural function of leader. This includes a range of formal occasions and events, often in evenings, public holidays and weekends, often at personal expense in terms of time and modes of participation.

Any Local Government Act (indeed any act) should take into account the full range of roles and expectations of those subject to that legislation. In this regards the current act is

severely deficient and so many of the political and cultural functions of councillors are insufficiently considered.

A new Local Government Act should include full description of the role and expectations of councillors, not just from a legal sense, but cultural, practical and political perspectives.

When these range of views are taken into account, the result is a much more realistic picture of the time commitment, but also the personal commitment, of effort and resources (including well-being, resilience, energy and time as well as tangible resources) required by the community and various legislation to undertake the role.

In this regards, the next area I ask to be considered is that of councillor remuneration.

Both as a councillor, but also through my involvement with the VLGA, I have observed that this level of expectation is a barrier to participation to those who have existing commitments. Among parents, carers, students, those with disability, it is somewhat unrealistic to expect that they are *able* to participate in local government as councillors at current levels of compensation.

For me personally, when I began on council, I was studying full time, receiving commonwealth benefits for studying and working for myself developing my own start-up business. The constraints of the nature of the councillor “allowance” (as it is defined according the ATO) and the requirements for Newstart, meant that I had to cease my business activities, drop back to part-time enrolment and take on a part-time waged role working three to four days a week.

As mayor, I recorded my hours spent on council duties and travel for a month. This ranged between 48 and 72 hours per week, with an average of 61 hours, while still studying. I undertook the role with a level of dedication commensurate to my own, and the community’s, expectations. However the allowance in this case was most insufficient and I effectively subsidised the role, utilising my own savings. Many mayors simply work a second job, however I believe this results in sub-standard outcomes, particularly in terms of councillor relationships and public relations. In the term after my own we increased the Mayoral allowance to the maximum amount allowable under the act. It is my view that this is still insufficient.

Further, my observation is that rural councillors spend at least as much time (if not more) on council business, due to the travel requirements, less well resourced/staffed councils and closer availability to the community. Allowance brackets defined by categories reflective of population or council revenue do not represent this.

I contest that remuneration for elected representatives should be more reflective of the time spent on carrying out the full expression of the role, provision for minimum living standards, and consider what is required in terms of time and commitment for those with other life-responsibilities.

Remuneration of Councillors should be classed as professional remuneration and be required to comply to the same basic provisions as for employees such as superannuation and workcover provisions.

These developments should also be seen as a way of reducing pressure on Councillors when personally lodging allowance claims for things like childcare provisions, encouraging parents and women to participate in local government.

Regarding the balance of power between Councillors and the operational body of council, the current arrangement is fraught with the capacity for the self-interest of professionals (particularly the CEO) to coincide with the political interests of Councillors. This should be minimised by clearly stipulating what a due process for the engagement and evaluation of CEOs must entail.

This should be backed up by an annual sector wide analysis of CEO remuneration against class of council. This classification of councils should be consistent with those classes used within the act and throughout the sector to set the range for councillor/mayoral remuneration and other purposes. It should also compare levels of LG CEO remuneration to that of other sectors and potentially other spheres of government. This benchmark information should be provided annually to all Councillors and made publicly available by way of complementing the State Government focus on rampant council expenditure and performance reporting generally.

Councillors should be given more power and clearer guidelines in recruiting and setting CEO performance requirements and remuneration.

Councils should represent the broad interests of all their constituent communities, for communities who do not feel this is the case, there needs to be some mode of recourse for investigation. Probably consisting of an initial light weight analysis of the situation by LGV, followed by a more detailed analysis by another agency, possibly VAGO or the ESC. These agencies should be empowered to make reports and direct them, with recommendations, to councils, the VEC or the Local Government Minister. Such recommendations could relate to the balance between core and discretionary expenditure and the distribution of expenditure across geographic and demographic areas.

Communities should be provided with recourse to cause assessment of whether a particular Local Government is achieving the fair and equitable provision of services and infrastructure against demographic and geographic criteria.

The success of the Local Government Victoria Collaborative Procurement Program should be built upon to encourage councils to make gains not just in the instance of individual contracts but in ongoing delivery of services. Incentives could be provided to LGAs who are willing to engage as early adopters in these sorts of arrangements.

Where possible this should be enabled by agreements with the state government to share services, assets and other aspects of public sector interests. Some areas where particular value may be gained from service sharing in this regards between State and Local

Governments include geographical information systems and government solicitors services. There should be a process under the VSLGA to identify any other areas where this could result in savings to local government.

Service sharing should be encouraged and codified in the Local Government Act. The Act should also specifically raise the potential for service sharing not just between LGAs, but between Local and State Governments and, where relevant, other government entities.