

Agenda

Special Meeting of Council

Wednesday, 17th July 2019

Commencing at 7.00pm

Council Chamber
1230 Nepean Highway, Cheltenham

kingston.vic.gov.au

John Nevins
Chief Executive Officer
Kingston City Council

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City of
KINGSTON

Notice is given that a Special Meeting of Kingston City Council will be held at 7.00pm at Council Chamber, 1230 Nepean Highway, Cheltenham, on Wednesday, 17 July 2019.

1. Apologies

2. Foreshadowed Declaration by Councillors, Officers or Contractors of any Conflict of Interest

Note that any Conflicts of Interest need to be formally declared at the start of the meeting and immediately prior to the item being considered – type and nature of interest is required to be disclosed – if disclosed in writing to the CEO prior to the meeting only the type of interest needs to be disclosed prior to the item being considered.

3. Corporate Services Reports

3.1 Local Government Bill Reform Proposal Submission 5

4. Confidential Items

Nil

3. Corporate Services Reports

Agenda Item No: 3.1

LOCAL GOVERNMENT BILL REFORM PROPOSAL SUBMISSION

Contact Officer: Stephanie O'Gorman, Governance Officer

Purpose of Report

The purpose of this report is to present a submission regarding the Local Government Bill Reform Proposal for Council's adoption.

Disclosure of Officer / Contractor Direct or Indirect Interest

No Council officer/s and/or Contractor/s who have provided advice in relation to this report have declared a Conflict of Interest regarding the matter under consideration.

OFFICER RECOMMENDATION

That Council adopt the submission regarding the Local Government Bill Reform Proposal contained in Appendix 1.

1. Executive Summary

The Victorian Government recently released several proposed reforms to form part of a new Local Government Bill 2019.

A submission has been prepared and is contained in Appendix 1. The submission outlines the concerns raised by Councillors regarding the proposed reforms including the limited timeframes to provide feedback, lack of detail and inadequate community engagement. The submission also highlights concerns with the timing of the proposed reforms in conjunction with Council's current Victorian Electoral Commission Representation Review.

2. Background

The Local Government Bill 2018 lapsed in the Legislative Council when Parliament expired before the November 2018 Victorian election. The Victorian Government has now advised that the recently released proposed reforms will form part of a new Bill to be presented to Parliament in 2019.

3. Discussion

3.1 Council Plan Alignment

Goal 5 - Our well-governed and responsive organisation

Direction 5.4 - A responsive and well managed organisation

Making a submission on the Local Government Bill Proposed Reforms ensures that Council's views are made known to the Government.

3.2 Consultation/Internal Review

Councillors were consulted on the proposed reforms and the feedback received formed the basis of the submission.

3.3 Operation and Strategic Issues

Submission Content

The submission addresses the following concerns raised by Councillors:

- Inadequate Timeframes for Feedback
There is a limited period between the release of the proposed reforms and the feedback submission deadline.
- Lack of Details regarding Reforms
The limited detail regarding the proposed reforms precludes Council from providing a comprehensive submission.
- Inadequate Community Engagement on Reforms
The community has not been adequately consulted on the significant reforms proposed, such as single member wards.
- Current VEC Representation Review process
Council is currently the subject of a statutory required Electoral Representation Review process at significant financial cost. A specific focus of this review is the structure of ward boundaries; however, the reform proposal mandates a single consistent model of single member wards.

Appendices

Appendix 1 - Submission - Local Government Bill - A Reform Proposal July 2019 plus attachment (Ref 19/152342) 

Author/s: Stephanie O'Gorman, Governance Officer

Reviewed and Approved By: Paul Franklin, General Manager Corporate Services

3.1

LOCAL GOVERNMENT BILL REFORM PROPOSAL SUBMISSION

1	Submission - Local Government Bill - A Reform Proposal July 2019 plus attachment.....	9
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2 July 2019



Local Government Victoria

Local.government@delwp.vic.gov.au

Dear Sir/Madam

Re: Local Government Bill 2019

I write on behalf of the City of Kingston in relation to the Reform Proposal released by Local Government Victoria, outlining several significant additional reforms proposed to form part of a new Local Government Bill for 2019.

The City of Kingston Council would like to provide the following feedback:

1. Inadequate Timeframes for Feedback

The City of Kingston Council is concerned that there was an extremely short period of time between the release of the proposed reforms and the submissions deadline. It is our view that this doesn't provide adequate time for consideration of the reforms and preparation of a thorough submission as a Council.

2. Lack of Details regarding Reforms

The City of Kingston Council is concerned that Local Government Victoria has only provided a brief summary of the proposed reforms. Without the provision of further detail, it is difficult to provide a comprehensive response to the proposals. The reforms proposed will have a significant impact and further detail should have been provided prior to undertaking consultation.

3. Inadequate Community Engagement on Reforms

The City of Kingston Council does not believe that sufficient community engagement has been undertaken to inform the community on proposals such as single member wards. This lack of information coupled with extremely tight submission deadlines is not conducive to obtaining feedback from the broader public. The implementation of Single member wards is a major reform for the City of Kingston and communities should be aware of the impact of this change.

4. Current Victorian Electoral Commission Representation Review Process

The City of Kingston is currently the subject of a Victorian Electoral Commission Representation Review at a significant financial cost to the community. A specific focus of the review is the structure of ward boundaries whilst the reforms propose a move to a single consistent model of single member wards. Council has previously written to the Minister for Local Government on the conflict between these two simultaneous processes in greater detail and this letter is attached for your reference.

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TRIM 19/132982

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The City of Kingston looks forward to receiving further detail about the Local Government Bill 2019 and providing further feedback as soon as possible.

Yours sincerely,

CR GEORGINA OXLEY

MAYOR, CITY OF KINGSTON

Attachment: Letter to Minister for Local Government re: Local Government Bill 2019 Proposed Reforms – Electoral Representation



2 July 2019

The Hon Adem Somyurek MP
Minister for Local Government
Level 16
121 Exhibition Street
MELBOURNE VIC 3000

Dear Minister

Re Local Government Bill 2019 Proposed Reforms – Electoral Representation

On 24 June 2019, Kingston Council formally resolved to express our disappointment with the State Government's lack of prior consultation, with the community and local government sector, in relation to the ward boundary structure reforms outlined in the proposed Local Government Bill 2019 (the Bill).

As you may be aware, Kingston Council is currently the subject of a Victorian Electoral Commission Representation Review at a cost to the Kingston community of more than \$50,000. A specific focus of this Review being the structure of our ward boundaries.

Given that the Bill clearly proposes mandatory single member wards, it is not hard to imagine that the community will feel the VEC Review consultation is both predetermined and a poor use of rate payer money.

Council requests that the implementation of the contemplated changes in the Local Government Bill be deferred until after the 2020 Council elections to allow for such changes to be properly communicated to the community. Alternatively, we request that the Victorian Electoral Commission Representation Review for Kingston be postponed until such a decision can be made on the timelines and implementation of the new Local Government Act.

The Bill also should be delayed until adequate details concerning new initiatives such as Councillor candidate training eg: duration and cost and implementation dates for the draft Bill's new initiatives are provided.

Council also requests an extension to 30 July to provide its submission which would allow Council to formally consider its submission at its 24 July Council meeting. Also at your convenience, we would welcome the opportunity to discuss this draft Bill with yourself.

I appreciate your immediate consideration of these matters and look forward to your response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G Oxley'.

Cr Georgina Oxley
MAYOR

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TRIM 19/128405