

Media Release



The Hon Natalie Hutchins MP

Minister for Local Government

Minister for Aboriginal Affairs

Minister for Industrial Relations

Tuesday, 11 August, 2015

REVIEW OF LOCAL GOVERNMENT ACT TO PUT COMMUNITIES FIRST

The Andrews Labor Government is getting on with its election commitment to review the *Local Government Act 1989*, to improve accountability and create a more contemporary, accessible Act to meet the current and future needs of Victorian communities.

Minister for Local Government Natalie Hutchins today announced the Terms of Reference and members of an Advisory Committee tasked with providing independent advice on the review - the first since the Act's inception.

Ms Hutchins said the Terms of Reference provide for a comprehensive examination that will consider all aspects of the current Act.

The six-member Advisory Committee will be chaired by Member for Yuroke Ros Spence and is made up of Councillors Mary Delahunty and David Clark, former local government Chief Executives Kathy Alexander and Kay Rundle, and public policy academic Nicholas Reece.

The Committee will provide advice to Ms Hutchins, who will also consult with local government organisations, including the Municipal Association of Victoria, Victorian Local Governance Association and LGPro.

Ms Hutchins said the review will ensure that local councils can improve their service delivery and build stronger communities for local residents.

The review will be a conversation with communities across Victoria on what they want from their local government, with the first round of consultation running from August to December 2015.

The Terms of Reference are available at: www.delwp.vic.gov.au/local-government

Quotes attributable to Minister for Local Government Natalie Hutchins

"We're reviewing the Local Government Act to bring it into the twenty-first century and give communities the strong, transparent and efficient local councils that they deserve."

"The Act needs to be modernised and the Labor Government is ensuring that local residents, councils and experts all have their say, so that we have the best possible system."

Quotes attributable to Member for Yuroke Ros Spence

"This Committee will help ensure that communities, councils and the Government work together to improve governance and cut red tape, helping local government reduce costs for local ratepayers."

Attachment

Review of the Local Government Act 1989

Terms of Reference

Purpose

1. The purpose of the review is to revise the current legislation governing local government in Victoria to create a more contemporary, accessible, plain English Act, that meets current and future needs of the community and local government sector.

Scope

2. The review will consider all aspects of the current Local Government Act 1989 with a view to more accurately and consistently reflecting policy intent and improving clarity, including provisions setting out:
 - objectives, roles, functions, and powers of councils;
 - roles and responsibilities of councillors, mayors, chief executive officers, and council staff;
 - directions about governance and administrative processes required to be followed by councils directed to ensuring all decision-making, actions and reporting is open and transparent, free from bias and improper considerations, and provides for community input;
 - the system of electoral representation that provides fair and equitable representation;
 - electoral arrangements that deliver a democratic, transparent and secure system of elections for local government resulting in high levels of participation;
 - processes for the maintenance of efficient planning and reporting, and financial arrangements by councils that provide effective accountability to their communities;
 - offences under the Act;
 - the circumstances in, and the extent to which, the Victorian Government, through the Minister for Local Government, can guide, direct or intervene in council governance.
 - The review will include consideration of all legislation for which the Minister for Local Government has administrative responsibility with a view to simplifying and integrating these Acts in the new Act where possible; but will not include consideration of legislation which imposes responsibilities on councils which is not the responsibility of the Minister for Local Government (e.g. The Planning and Environment Act 1987), except insofar as this latter legislation interacts with the Local Government Act 1989 with a view to clarifying that interaction.
 - The review will not include consideration of any changes to existing external boundaries of Victorian municipalities.

Principles

3. The review will have regard to:
 - The recognition in the Victorian Constitution of local government as a distinct and democratic tier of government in Victoria charged with responsibility for delivering peace, order and good government for local communities.
 - The necessity for the legislation to strike an appropriate balance between autonomy for councils in their operations and decision-making processes and the interests of the Victorian community and Government.
 - The need to encourage greater community engagement.
 - The need to reduce, wherever practicable, the imposition of unnecessary administrative requirements on the sector.

Process

4. The review will involve extensive engagement with the local government sector and the broader Victorian community, through the release of papers and receipt of submissions, to ensure their views are incorporated into recommendations to the Minister for Local Government in respect to the new Act.
5. Key consultation stages are:
 - i. Identification of and consultation on issues under the current Act
 - ii. Development of and consultation on proposed directions for the new Act
 - iii. Release of the Exposure Draft Bill.

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