



Ordinary Meeting of Council Attachments

Monday 15 July 2019

Council Chamber, Braeside Avenue, Ringwood

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ASSEMBLY OF COUNCILLORS – PUBLIC RECORD

Assembly Details:

Date: Monday 24 June 2019

Time: 6:00pm

Location: Meeting Room 4,
Braeside Avenue,
Ringwood

Attendees:

Councillors

Cr Kylie Spears (Acting Mayor)
Cr Marijke Graham

Cr Samantha Mazzuchelli
Cr Mike Symon
Cr Tasa Damante

Council Officers:

Steve Kozlowski	Chief Executive Officer	
Marianne Di Giallonardo	Director Corporate Services	
Phil Turner	Director Strategy & Community	
Adam Todorov	Director Operations, Assets & Leisure	
Andrew Fuaux	Director Development & Amenities	
Kirsten Jenkins	Manager Health, Local Laws and Emergency Management	Item 3
Belinda Rose	Coordinator Community Health	Item 3
Stephen Onans	Team Leader Governance	Item 4
Tessa Anderson	Administration Officer - Governance	

Apologies:

Councillors:

Cr Rob Steane (Mayor), Cr Tony Dib OAM JP, Cr Nora Lamont, Cr Paul Macdonald

Council Officers:

Nil

Conflict of Interest Disclosure:

Councillors:

Nil

Council Officers:

Nil

Items Discussed:

Confidential

1	Council Meeting Agenda
2	Transform Maroondah Update
3	Food Safety Risk Assessment Framework Update
4	Local Government Bill 2019
5	Post ALGA Discussions
6	Items of a General Nature raised by Councillors

Record completed by:

Council Officer
Title

Stephen Onans
Team Leader Governance



ASSEMBLY OF COUNCILLORS – PUBLIC RECORD

Assembly Details:

Date: Monday 1 July 2019

Time: 6:00pm

Location: Meeting Room 4,
Braeside Avenue, Ringwood

Attendees:

Councillors

Cr Rob Steane (Mayor)
Cr Kylie Spears (Deputy Mayor)
Cr Tony Dib OAM JP

Cr Samantha Mazzuchelli
Cr Tasa Damante

Cr Mike Symon
Cr Marijke Graham

Council Officers:

Steve Kozlowski	Chief Executive Officer	
Marianne Di Giallonardo	Director Corporate Services	
Phil Turner	Director Strategy & Community	
Adam Todorov	Director Operations, Assets & Leisure	
Andrew Fuaux	Director Development & Amenities	
Steve McIntosh	Manager Assets	Items 1 & 2
Sherryn Dunshea	Manager Communications & Engagement	Items 2 & 6
John Richardson	Coordinator Assets Projects & Facilities	Item 1
Anton Peiris	Coordinator Asset Management	Item 2
Kirsten Jenkins	Manager Health, Local Laws & Emergency Management	Item 2
Tim Cocks	Manager Leisure	Item 3
Amity Patten	Manager Karralyka Centre	Item 3
Les Schneider	Manager IT	Item 4
Sarah Phillips	Acting Manager Workplace, People & Culture	Item 6
Stephen Onans	Team Leader Governance	
Tessa Anderson	Administration Officer Governance	

Apologies:

Councillors:

Cr Paul Macdonald, Leave of Absence
Cr Nora Lamont

Council Officers:

Conflict of Interest Disclosure:

Councillors:

Nil

Council Officers:

Nil

Items Discussed:

Confidential

1	Croydon Community Precinct Engagement Plan
2	Reserves with Designated Off Leash Areas Project Update
3	Karralyka Pricing Policy
4	'Desktop as a Service' Evaluation##
5	Local Government Community Satisfaction Survey Results
6	Bill Wilkins Volunteer Award
7	Community Assistance Fund - July 2019
8	Proposed Planning Scheme Amendment GC88 - Licenced Premises (Packaged Liquor) Policy
9	Ringwood Town Square Award
10	Eastern Regional Group of Councils (ERG)##
11	Items of a General Nature as Raised by Councillors

Record completed by:

Council Officer	Stephen Onans
Title	Team Leader Governance

Maroondah Community Safety Committee (MCSC)

These minutes will be formally accepted at the MCSC meeting on 22 July 2019

Minutes of Meeting

Monday 18 March 2019

9:30am to 11:30am

Meeting Room 3, Realm

Chair Cr Rob Steane
Minutes Robyn Williams

Attendees

Cr Rob Steane (Chair)	MCC	Inspector Gerard de Vries	Victoria Police
Cr Paul Macdonald	MCC	Maggie Palmer	EACH
Mark Bracher	Victoria Police	Warren Turner	EACH
Adam Cooper	MCC	Tim Malloch	Eastland/QIC
Nicole Daws	MCC/Realm	Jodi Long	Eastland/QIC
Kate Gibson	Eastern Community Legal Centre	Jamie Robertson	Metro Trains
Geoff Marsh	Elishacare	John Shepherd	Metro Trains
Robyn Williams	MCC		

Guest Speaker

Monica Ashton	20-Minute Neighbourhood/Tarralla Creek Project Officer
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Apologies

Cr Nora Lamont	MCC	Phil Medley	MCC
Grant Meyer	MCC		

Meeting Opened

9:30 am

Cr Steane opened the meeting and welcomed all.

Welcome to Country**Introductions**

A warm welcome to new members of the Committee. Members introduced themselves and the organisation they are representing.

Conflict of Interest

No conflict of interest was advised.

Previous minutes were accepted as correct by those present

Moved Cr Paul Macdonald
Seconded Inspector Gerard de Vries

Business Arising from Previous Minutes

Nil

Terms of Reference

The draft Terms of Reference were presented to committee members for review and approval at the July meeting. In the interim any comments/feedback can be forwarded to the Community Safety Officer.

Presentation – Monica Ashton, Project Officer, 20 Minute Neighbourhood/Tarralla Creek

Full presentation distributed to attendees. Key points include:

- A 20-minute neighbourhood seeks to meet most of your daily needs within a 20-minute journey from home by walking, cycling, riding or using local public transport.
- Maroondah, Moonee Valley and Brimbank Councils have been funded as pilot project sites by the Victorian Government as part of Plan Melbourne 2017-2050.
- Other partners include the Heart Foundation and Victoria Walks.
- Croydon South was selected as the Maroondah project site.
- The pilot program will help build a framework for future neighbourhood planning for other neighbourhood activity centres.
- Consultation has included a liveability survey, face-to-face engagement activities, a placemaking event, interest group workshops/focus groups (with business, sporting, education, community members), CrowdSpot interactive map-based tool and identification of community champions.
- Community engagement results indicate a high level of satisfaction with the area and a desire to preserve positive aspects of the neighbourhood.
- Suggestions include local infrastructure improvements eg public toilets, pedestrian crossings, reduced speed limits and improved street lighting.
- Community perceived liveability gaps include affordable housing; availability of employment opportunities; community empowerment and promotion of arts and cultural activities.
- Next steps will involve reporting to Victorian Government ('opportunities report'), developing tools and indicators, establishing a neighbourhood planning toolkit and promoting alignment across other projects in Maroondah, including the 'Reimagining Tarralla Creek' and 'Greening the Greyfields' initiatives.

Monica invited feedback from the Committee. Suggestions included:

- Has the project considered the learnings from the Bayswater North Community Renewal Project where residents were invited to address a Parliamentary Inquiry into Pedestrian Safety?
- Consider learnings from the 'Mothers Living Well' project in Bayswater North.

Police Update – Inspector Gerard de Vries, SC Mark Bracher and SC Luke Bettiol

- Maroondah crime data is generally lower than Knox and Yarra Ranges.
- Road collision data is high in Maroondah, with 5 fatalities already this year - compared to zero fatalities in 2018.
- Local Police are focussing on 'driver distraction' as a cause of road incidents.
- The Maroondah Liquor Accord is strong. Approximately 50-70 people attend these meetings. The intent of the Accord is for licensed venues to work in collaboration with Council, Police and the VCGLR to promote best practice and a shared set of values around the responsible serving of alcohol and patron/venue safety in Maroondah.
- The Liquor Accord will implement Ask for Angela in Maroondah this year. This campaign provides training for venue staff to assist people (male or female) to discreetly exit a potentially unsafe

situation in a licensed venue. Training will be implemented in April/May this year in conjunction with Victoria Police, Council, EDVOS and Eastern CASA (Centre Against Sexual Assault).

- Senior Constable Luke Bettiol, Ringwood Station, has been appointed the LGBTI Liaison Officer. He is new to this role and currently introducing himself to agencies in Maroondah as well as officers in this role at other stations.
- Officers in the Family Violence Unit based at Croydon have been working with recidivist offenders as well as family violence victims. This unit is about to increase by another 11-12 detectives.
- Recently released data showed that perceptions of safety are poor at Ringwood Railway Station. However, crime data shows that crime at Ringwood Station is down 50%.
- The most common crime in Maroondah is theft from motor vehicles - 30% of vehicles from which items are stolen have been left unlocked.
- Theft of registration plates often precedes other offences such as stealing, petrol drive-offs, etc.
- Local crime prevention initiatives to address this crime include work with the motor vehicle industry to engage them in the installation of anti-theft screws.

Comments/Questions

A question was raised as to whether hospitals identify people who are presenting as LGBTIQ?

Several suggestions were made on how to distribute anti-theft screws and perhaps some exposure in 'Maroondah Focus' (which is distributed to all households) would be worthwhile. **Robyn will follow-up**

State-wide Graffiti Database

- The MAV has been working with Victoria Police and the Department of Justice, to develop a statewide graffiti management and database system for use by all Councils in Victoria. This system will be known as the Victorian Graffiti Register.
- The new system will be trialled by 6 councils over the next 2 months, before being made available to other Councils. Maroondah will await the outcome of the trial before a decision is made.

Comments/Questions

- Inspector de Vries indicated that Maroondah Police do not use VandalTrak, the online reporting system used until recently by Council.
- Eastland reports that they have a significant graffiti problem and they would be interested in a platform for recording graffiti incidents.
- Council is currently taking images and storing them on an internal server.

What would members like to see the Committee focus on in 2019

The Committee has a diverse range of interests. Some suggestions included:

- Elder abuse
- Sharpen our focus for better collective impact
- Illegal brothels

Information share

Adam Cooper, Team Leader, Youth and Children's Services, Maroondah City Council

- We are currently developing a 'Safe and Sound on Public Transport' session for Grade 5 & 6 students to help young people and their families feel confident to transition to the use of public transport. In partnership with Council's Sustainable Transport Officer, 5 sessions have been developed that include a presentation from Metro, developing a journey within Maroondah, presenting to their parents and families, and then taking a journey. The plan is to pilot with a

school, and then develop and make the content available for other schools in the area to be able to roll out independently.

- Youth Uploaded - We've produced 7 short videos by young people for young people about issues that matter to them in partnership with VicHealth. They are on depression awareness, sexism, how to access a helpline, supporting LGBTIQ+ young people, managing your phone, and how to calm down when anxious. They can be found on our YouTube channel [here](#) or on the [Maroondah City Council Youth Services Facebook page](#).
- We've also received another grant from VicHealth to support the promotion of the [Top Spin](#) initiative - which encourages young people to call out the dirty tactics used by the alcohol industry in marketing to young people.

Kate Gibson, Manager Partnerships & Community Development, Eastern Community Legal Centre

- ECLC have been successful in the Australian Government's Elder Abuse Service Trials recently announced by the Attorney-General, Christian Porter. Of the 12 service trials nationally, ECLC have been funded for two of these trials - a Specialist Elder Abuse Unit and a Health Justice Partnership (with Eastern Health). These are the only two service trials in Victoria.
- ECLC is having initial meetings with the Burmese community in Maroondah to progress a project that will work with this community to prevent family violence and violence against women. The project is funded by the Department of Premier and Cabinet.
- Approximately 70% of people ECLC see are in relation to family violence matters.
- The Mabels Project continues. Mabels is a health justice partnership operating in Melbourne's east between Eastern Community Legal Centre (ECLC), Boorndawan Willam Aboriginal Healing Service and two local government councils. The program, which began in early 2015, provides an opportunity for early intervention for women accessing regular child/family/health services to receive advice and assistance and get help before crisis point is reached.

Tim Malloch, Operations Manager and Jodi Long, Operations Administrator, QIC/Eastland

- Vandalism, damage and graffiti continue to escalate at Eastland, along with anti-social behaviour from young people.
- Incidents where young people climb walls in carparks to tag/graffiti, and the potential for serious injury, is a serious concern for Eastland.
- Centre Management is considering installing additional CCTV to help monitor the above issues.
- The Centre is encouraging all stores to report theft or damage to alleviate any community perception that stores in the centre are an easy target.

Jamie Robertson, Senior Station Master, Ringwood and John Shepherd, OH&S, Metro Trains

- Ringwood is a great railway station. The main issues are ongoing problems with shopping trolleys being abandoned along the Maroondah Highway frontage and some reports that people feel unsafe around the bus bays.
- Jamie mentioned that Metro employs 3% Aboriginal and Torres Strait Islander people.
- John recently caught the 901 bus from Ringwood to Knox and commented that some illegal activity may have been happening on this bus route.
- Inspector de Vries responded that VicPol are aware of issues on the 901 bus route (Frankston to Melbourne Airport) and officers recently conducted a plain clothes operation on this route.

Geoff Marsh, Elishacare

- Elishacare has been based in Croydon for 14 years. The service provides support, housing and employment through their social enterprises to men and women with addictions and is having incredible success and positive outcomes with their model for recovery, especially with men from the Burmese community.
- Currently 20 men are working in our gardening, car detailing and cleaning enterprises.
- Referrals now come from a range of places including hospitals.
- Elishacare is currently negotiating for new premises as they need to move out of their base at the old Croydon Fire Station.
- Elishacare want to expand their work to include government contracts eg garden maintenance, cleaning, etc. They have a contract with Yarra Ranges Council to clean barbeques and toilets in parks/reserves and would like similar opportunities to keep the men in employment, which is a pathway to economic independence and self-worth.
- Elishacare would be keen to be involved in opportunities for a 'safe plate' day where anti-theft screws are distributed to community members.

Robyn Williams, Maroondah City Council

A Community Safety Update is attached - see next page. Highlights include:

- Gender Equity initiatives - including Gender Equity Policy, Beyond Sparkles & Superheroes booklist and GE in Sport & Recreation
- Alcohol initiatives - including Planning Amendment, Maroondah Liquor Accord, Test Purchasing and Ask for Angela.
- Graffiti Database and CCTV Update

Next meeting

Monday 22 July 2019

Meeting closed 11:30am



Maroondah Community Safety Committee
Community Safety Update
18 March 2019

The Australian Safe Communities Foundation defines a safe community as 'one in which all sectors of the community work together in a coordinated and collaborative way, forming partnerships to promote safety, manage risk, increase the overall safety of all its members and reduce the fear of harm.'

Along with partnerships such as the Maroondah Community Safety Committee, Council's community safety activities are largely driven from three strategic documents:

- Maroondah Health and Wellbeing Plan 2017 - 2021
- Maroondah 2040: Our Vision Together
- Council Plan 2017 - 2021

Key directions within these documents that relate to community safety include:

1. Seek to enhance awareness and understanding of **preventing violence against women** and elder abuse through primary prevention initiatives.
2. Promote and facilitate **safer cultures** relating to issues of **alcohol, drugs, tobacco, gambling, child abuse and family violence**.
3. Work in partnership to **address community safety issues**, with a focus on activity centres, public spaces, roads and public transport.
4. Encourage and support the implementation of initiatives and programs aimed at **improving the actual and perceived safety** of the community.
5. Work with partners of **Together for Equality and Respect (TFER): A Strategy to Prevent Violence Against Women in Melbourne East** to prevent violence against women in Maroondah
6. Plan and advocate for the application of **community safety principles** that facilitate a safe built environment



1. Seek to enhance awareness and understanding of the prevention of violence against women

Maroondah experiences the 3rd highest rate of family violence in the EMR, behind Knox and Yarra Ranges. The following initiatives are currently being undertaken by Council and/or with others:

Maroondah Gender Equity Policy

- Council has recently endorsed an internal Gender Equity Policy which will support current and future work and the important link between gender equality and preventing violence against women. Consultations and a staff survey informed development of the Policy. The new policy contains commitments around building leadership and internal capacity; creating organisational cultural change around inclusion; applying a gender lens to Council activities, documents and social media and ensuring equitable employment/PD opportunities for staff along with flexible work options.

Gender Equity in Victorian Sport & Recreation

- Council secured \$48,000 in funding from the Victorian Government's Gender Equity in Victorian Sport and Recreation Pilot Program to work with tenant clubs of Jubilee Park Pavilion (Ringwood) on a primary prevention project. The 12-month project, funded through the Department of Health and Human Services Gender Equity in Victorian Sport and Recreation Pilot Program, will test draft design principles for the delivery of primary prevention initiatives in sports settings. Stakeholders include Eastern Football League, Cricket Victoria, Ringwood Football Club, Ringwood Cricket Club and Ringwood Spiders All Abilities Sports Club who have recently completed a gender audit which will assist them to identify club cultures in relation to inclusion and gender equity, as well as strengthen club planning processes, governance structures and member activities. As the project progresses these clubs will have input into things such as female-friendly facility design, usage arrangements and training.

Beyond Sparkles & Superheroes - booklist promoting gender equality & celebrating children's individuality

- Council in partnership with Eastern Regional Libraries, Women's Health East, EACH, Knox and Yarra Ranges Councils developed a booklist of picture books for children aged 0-6 years which was launched at Realm during Children's Week last year. The intent is that this booklist will show children that anything is possible and that small differences - such as likes, dislikes, strengths and weaknesses - are not based on gender. Promoting gender equality messages provides a strong foundation for personal development and equal and respectful relationships in the future. Discussions are underway to extend this work to develop a booklist for primary school aged children.

16 Days of Activism against gender-based violence – 23 November to 10 December

- Council displayed 7 billboards in strategic locations across Maroondah last year with messages about preventing violence against women and preventing family violence. We will work with safety committee members to deliver a new range of messages during the 16 Days in 2019.

Gender Equality Clothesline Project

- This year we will support an EACH health promotion initiative, working with community houses, Women's Health East, CHAOS and EDVOS on a Clothesline Project displaying messages, creating conversations and building awareness about gender equality.

2. *Promote and facilitate safer cultures relating to issues of alcohol, drugs, tobacco and gambling.*

Alcohol-related harm remains a key priority within the Community Safety portfolio.

- It is estimated that alcohol is involved in up to 65 per cent of family violence incidences reported to the police and up to 47 per cent of child abuse cases each year across Australia. (ADF, 2016).
- Maroondah has the 3rd highest rate of definite alcohol-related family violence incidents in the EMR (15.1 per 10,000 population in 2016/17) behind Knox (16.3) and Yarra Ranges (16.6). The EMR average is 5.6 per 10,000 population. This data is collected by residential location.
- The vast majority (80%) of alcohol sold in Australia is through packaged liquor outlets
- Maroondah has 256 liquor licences (as at September 2018), 27 of which are packaged liquor outlets
- Maroondah has the highest rate of alcohol assault during HAH in the EMR, at 8.6 per 10,000 population. This data is collected by residential location.
- The alcohol assault rate for young people in Maroondah aged 18-24 years is 29.9 per 10,000 population.

South East Melbourne Councils Packaged Liquor Proposed Planning Amendment update

- Phase 2 of the SE Melbourne Councils Alcohol Density Project is progressing well. This group of 7 Councils has formally written to the Planning Minister seeking authorisation to proceed with an Amendment to their Planning Schemes that would enable local government to take into consideration social and health impact issues in relation to applications for liquor licenses. The Act presently limits Councils, to commenting purely on amenity grounds eg parking, litter, noise, etc. I will update the Committee as this application proceeds.

Smart generation test purchasing project

- The Smart Generation supply monitoring ('mystery shopper') project was conducted in Maroondah last year by EACH/Communities that Care in conjunction with Deakin University Smart Generation Program. Maroondah packaged liquor outlets were tested for their compliance in relation to serving underage young persons with alcohol. It has also been conducted in Knox over the past 3 years, as well as in Yarra Ranges.
- The Smart Generation Supply Monitoring intervention is an evidence-based community program delivered by Deakin University that collects data on the sale/supply of alcohol through packaged liquor outlets to people who appear to be under the age of 18. The primary aim of the program is to reduce underage alcohol use by preventing alcohol sales or supply to minors.
- Following the first round of testing, outlets are sent a letter regarding their results. Those that failed to ask for ID and/or sold alcohol to a person who appeared to be under 18 were subsequently retested at a later date. A snapshot of the results is tabled below.

Local Government Area	First testing	Follow-up testing
Maroondah	47% complied	69% complied
Yarra Ranges	60% complied	90% complied
Knox	42% complied	66% complied

Maroondah Liquor Accord

- The Maroondah Liquor Accord is a joint initiative between licensees, Victoria Police, Council and the Victorian Commission for Gambling and Liquor Regulation. At the present time there are 50 member venues, including late night licenses, hotels, packaged liquor outlets, sporting clubs, cinemas, etc. Last year an Executive group was formed, which has added a renewed sense of vibrancy and purpose to the Accord, making it much more member-driven.
- The Maroondah Liquor Accord encourages and promotes best practice and high standards of behaviour in and around licensed premises within Maroondah that contribute to patron, staff and community safety. It attracts strong engagement and attendance at meetings, with generally more than 50 people in attendance.
- Their aspirations are documented in the Accord document which is currently being reviewed in consultation with members.

Ask for Angela Campaign

- The Maroondah Liquor Accord is in the process of implementing the 'Ask for Angela' campaign which encourages anyone who feels unsafe in hotels, pubs, clubs or restaurants to ask a staff member if they can 'speak with Angela'. The staff member would then ensure the person can leave the venue safely, by escorting them to a safe area away from their date and either calling a cab or calling a friend who can get them home safely.
- Given the increasing popularity of online dating apps, many people are meeting for dates at bars, clubs and pubs having never met beyond the screens of their phone or computer. Ask for Angela was originally created two years ago by Lincolnshire County Council and has since spread worldwide, and only recently in Australia.



EMR Action on Alcohol flagship

- Council continues to participate in the EMR Action on Alcohol Flagship - a consortia of agencies including local governments, community health and others - that works on primary prevention initiatives to prevent alcohol-related harm. The Flagship is currently planning their work for 2019 including building capacity of members on best practice in terms of primary prevention, professional development around values-based health promotion messages and expanding the test purchasing project into sporting clubs.

3. *Work in partnership to address community safety issues, with a focus on activity centres, public spaces, roads and public transport.*

CCTV Policy

- Council has recently implemented a CCTV Policy which will guide the regulation, operation and management of Council-owned Fixed Closed-Circuit Television (CCTV) Systems in Public Open Space and Council Facilities. The policy was developed in line with best practice frameworks including the Victorian Ombudsman Guidelines, Victorian Law Reform Commission Report, Department of Justice and recommendations from the Victorian Auditor-General's report (2018) including privacy principles and secure protection and management of images.
- The policy will also provide some strategic direction for Council decision-making in relation to requests from external agencies for new or expanded systems. The Policy is now complete and will progress through Council for endorsement.

4. *Encourage and support the implementation of initiatives and programs aimed at improving the actual and perceived safety of the community*

Graffiti Database

- The MAV has been working with Victoria Police and the Department of Justice, to develop a statewide graffiti management and database system for use by all Councils in Victoria. This system will be known as the Victorian Graffiti Register.
- The new system will be trialled by 6 councils over the next 2 months, before being made available to other Councils. Maroondah will await the outcome of the trial before making a decision as to whether to proceed with this new system or not.

Unightly properties

- There has been recent negative press about empty, unsightly properties in Maroondah which have come to the attention of Police, Council and emergency services - all of whom play a role in managing amenity, behaviour and safety of community members in and around these locations. Maroondah is rapidly expanding development-wise and this increase in vacant, unsecured properties could be sites awaiting potential developments.
- Vacant, unsecured properties can detract from the amenity of a neighbourhood, be prone to arson and attract graffiti and/or anti-social behaviour - all of which contribute to poor perceptions of safety.
- Some properties have also been occupied by people sleeping rough. Council has a Sleeping Rough Protocol which outlines steps to take to maintain the welfare of people who are sleeping rough.

Women's Safety Card

- A Women's Safety Information Card has been developed by the Community Safety Officers of the EMR. The credit card sized resource identifies what family violence is and who to contact for support and information. Please contact me if you need supplies for your organisation.

Local Government Bill – A reform proposal



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ISBN 978-1-76077-563-6

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Local Government Bill – A reform proposal



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Ministerial foreword

Councils are part of our communities, providing infrastructure and services we rely on every day.

To be able to meet the expectations of Victorians, our Councils need to be supported by legislation that empowers them to provide first class services and ensures they are accountable to the communities they serve.

The Andrews Labor Government is committed to deliver a new Local Government Bill this year.

The new Bill has been developed through rigorous consultation with the community, councils and peak bodies and builds on the reforms presented in 2018.

The Labor Government is looking at further reforming electoral laws, making councils more accountable to their communities between elections, improving councillor behaviour and lifting standards by introducing mandatory training for candidates and councillors.

This is an important step in creating strong, effective local councils.

I would like to thank everyone who contributed their time and feedback to develop the new Bill, and I look forward to working together to deliver a modern, effective Act that will help communities better understand and have confidence in their council.



Hon Adem Somyurek MP
Minister for Local Government

Local Government Bill 2019

A Bill intended to become the new Local Government Act for Victorian councils was introduced into Parliament in May 2018. The Local Government Bill 2018 (the 2018 Bill) was passed by the Legislative Assembly but lapsed in the Legislative Council when Parliament expired before the November 2018 Victorian election.

It is proposed that a new Bill be presented to Parliament in 2019. The new Bill will retain the substance of accountability and provision of services and include some additional reforms designed to further improve and strengthen the 2018 Bill.

As the independent review into the local government rating system will provide its recommendations to government by 31 March 2020, previously proposed changes to the rates and charges provisions in the *Local Government Act 1989* (LG Act) will not be introduced in the new Bill. The provisions relating to rates and charges will continue to operate under the LG Act until the rating system review has been completed. The only exception to this will be that the new Bill will amend the LG Act to provide for Environmental Upgrade Agreements to be available to residential properties.

This Paper considers the background to the 2018 Bill. It also describes the proposed additional reforms.

2018 Bill		New reforms	
<ul style="list-style-type: none"> Enhanced leadership roles and responsibilities for Mayors Each council to formally elect a Mayor and a Deputy Mayor Community engagement policy Integrated strategic planning and reporting processes Community Vision statement to inform the Council Plan 10-year financial plans and asset plans An emphasis on financial viability of councils, with overarching principles emphasising financial sustainability and collaboration with other councils and public bodies 	+	<ul style="list-style-type: none"> Simplified franchise Standardised electoral structures Training <ul style="list-style-type: none"> > Candidate training > Councillor induction training Donation reform Improved conduct <ul style="list-style-type: none"> > Codes of conduct > Arbitration process Community accountability <ul style="list-style-type: none"> > Disqualification > Community initiated Commission of Inquiry 	= Local Government Bill 2019 

Part 1 – Background

Victoria's councils need to be equipped to deliver a range of services and infrastructure for the diverse communities they represent.

This is why the Victorian Government has spent the past four years reforming the LG Act, the legislative framework that support councils' key functions. The Victorian Government embarked on a local government reform agenda in 2015 with the aim of developing a new principal Act for local government.

Since the current LG Act was made law in 1989, local government in Victoria has undergone significant changes. The 210 relatively small councils in 1989 have been incorporated into 79 larger, more capable organisations. Democratic processes have changed and the functions performed by councils have increased and diversified. Councils now manage over \$90 billion of public infrastructure and deliver services valued at more than \$7 billion each year.

The Victorian Government is working to produce an open, transparent and balanced piece of legislation to ensure councils are more engaged with and accountable to their community, improving the standards and behaviours of councillors and strengthening community confidence with the election process. Communities will also know that action can be taken to hold councillors and councils to account.

The new Local Government Bill 2019 will provide a framework that will revitalise local democracy and improve council governance.

The Bill underpins how Victoria's 79 councils function, and through the LG Act review process the Victorian Government has consulted widely with councils, peak bodies and the wider community to shape an Act that will empower councils to support their communities now and in the future.

The Reform Process

It is the first comprehensive review of the LGA in a quarter of a century, and it responds to calls from the local government sector for legislative reform after over 100 amending acts have resulted in hundreds of individual amendments to the Act in the past 25 years.

The LG Act was reviewed in four stages to ensure the local government sector and wider community were engaged in creating and shaping the new Bill.

- **Stage 1** started with identifying issues, commissioning research papers and forming an advisory committee.
- **Stage 2** involved exploring reform ideas. Six technical working groups made up of local government specialists, explored a range of options at 10 community forums held around the State. These ideas informed the discussion paper, which was published in September 2015 and received 348 submissions in response.
- **Stage 3** saw a detailed examination of specific policy directions. A Directions Paper was released in June 2016 which outlined 157 potential reform directions. Responses to these included 333 written submissions and direct feedback in 18 community forums involving Mayors, council Chief Executive Officers (CEOs) and community members. Further work was then undertaken in technical working groups and meetings with key stakeholder groups from the sector and the community.
- **At stage 4**, the government released an Exposure Draft of the proposed Bill in December 2017. Extensive briefings and public meetings were held to socialise the Exposure Draft. One hundred and ninety submissions were received and analysed in the process of preparing a final Bill for Parliament.

Following extensive consultation, the 2018 Bill was introduced into the Victorian Parliament, proposing significant changes to how councils are governed and the legislative framework. The Bill lapsed when Parliament expired before the November 2018 Victorian election.

However, the work done over the past four years will not be wasted, with the Local Government Bill 2019 expected to be presented to Parliament in 2019. Once passed through Parliament, the Act will be implemented in various stages, over a two year period.

Part 2

Reform Themes

The new Local Government Act will improve the democracy, accountability and service delivery of Victoria's Councils.

A NEW RELATIONSHIP

Example
Minister will no longer set Mayor and Councillor allowances.

To support a **new relationship** between State and local government and the community by removing unnecessary Ministerial approvals and arbitrary powers. Autonomy is provided to councils to develop and adopt their own policies and procedures in accordance with principles of transparency, accountability and sound financial management.

COMMUNITY CONFIDENCE

Improve **community confidence** through reforms to election processes, electoral structures and candidate requirements. A balanced legislative framework will be provided that gives power back to the local community and makes councils and councillors directly accountable.

Example
Electoral campaign donations to individual candidates and candidate groups from a single donor will be capped and foreign donations banned.

05

04



03

IMPROVE CONDUCT

Example
A Councillor no longer being qualified to be a Councillor if they are the subject of two or more findings of serious misconduct.



Part 3

Proposed Reforms

REFORM

1

Simplified Franchise

It is proposed to make council electoral rolls more closely aligned with the State electoral roll. Voters whose only entitlement is as an owner or lessee of a property in the municipality will be required to lodge an enrolment form to vote in that municipality's election if they want to vote.

Voter Franchise

Council voters' rolls are a complex mix of state enrolled residents and property based voters. Currently, voters may have elected to be on a roll or may have been enrolled without application.

Why is this proposed?

The proposed arrangement is for people on the State electoral roll to be directly enrolled to vote in their council election and for other people who pay council rates to have a right to apply for enrolment. This type of system is commonly used in other Australian states.

The proposed arrangement will more closely align council electoral rolls with the State electoral roll. This will simplify the council elections process.

Separate arrangements will apply for Melbourne City Council reflecting its unique status.

Under current legislation, the council prepares a list of ratepayer voters and the Victorian Electoral Commission (VEC) combines that list with the State roll to form the Municipal voters' roll. The list of ratepayer voters automatically includes one or two owners for a rateable property.

There are problems with this system. In many cases property owners are already on the State electoral roll, so the VEC must go through every council's list of ratepayers to remove the duplicated voters. This is a difficult and imprecise task.

A further issue is that voting is compulsory for residents on the State electoral roll but not for property-based voters. In practice, voter participation by non-residents is historically low. Well over three quarters of residents on the State roll vote in their council elections whereas less than half the non-resident ratepayers vote.



How will it work?

Changing the voter franchise is proposed to be done in two stages over two election cycles. There are two reasons for this:

- firstly, it will allow time to ensure every person with a voting entitlement has a reasonable opportunity to exercise their rights; and
- secondly, it will allow time to review electoral structures to address changes in the distribution of voters between the wards of some councils.

Stage 1

The voter franchise for the Victorian local government 2020 elections, and any subsequent by-elections, would be as follows:

- State electoral roll voters would continue to be directly enrolled.
- Non-resident property owners who were enrolled would retain their enrolment status as an interim arrangement.
- Non-resident new property owners not previously enrolled will be entitled to apply for enrolment and will not be directly enrolled without application.
- Commercial lessees and company representatives will continue to be entitled to apply for enrolment.

Stage 2

For the 2024 Victorian Local Government elections, the final stage of the reform will come into effect. Non-resident property owners will no longer be directly enrolled to vote in council elections. Owners will be entitled to apply for enrolment if they wish to vote. Each affected person will be notified of the change and provided an opportunity to enrol.

Compulsory voting will continue to apply only to residents on the State roll in 2020. From 2024 however, it will become compulsory for all enrolled voters to vote.

Melbourne City Council Reforms

Melbourne City Council has separate voter franchise arrangements. At that Council, direct enrolment of non-resident owners will continue with one exception. It is proposed to remove the requirement for the Melbourne City Council to directly enroll property owners and corporation representatives whose primary residence is outside Australia. Overseas owners/representatives will retain the right to apply for enrolment. The changes through amendments to the *City of Melbourne Act 2001* will be fully implemented for the 2020 election.



REFORM
2

Electoral Structures

Representative structures and election processes are to be simplified and made consistent.

Electoral Structure

Representative structures and election processes are to be simplified and made consistent. It is proposed to move to a single consistent model of single member wards, unless it is impractical to subdivide a council into wards.

Currently Victorian councils may be constituted in one of five structural models.

Why is this proposed?

Single member wards for each council enable residents to more effectively receive direct representation. Councillors will be more accountable to local communities, fostering true 'local' government.

Consistent application of this model also ensures that all councillors are elected under the same system with equal vote shares within their council. This more closely reflects the way members of Parliament are elected.

How will it work?

It is proposed that an unsubdivided municipality model option will be available to those councils whose demographic profile make division into wards inappropriate, e.g. councils with large geographical areas and small populations (such as some rural councils). It is intended that the Electoral Representation Advisory Panel will investigate and advise the Minister in relation to structures for those councils that are of the type specified by the Minister as being potentially permitted for unsubdivided arrangements.

The option for councils to be constituted as multi-member wards will be removed.



REFORM

3

Training

Communities deserve the highest calibre councillors representing local community issues. It is proposed to introduce new requirements on candidates and councillors to improve competency, skills and transparency.

Election Candidates – Mandatory Training

All candidates for council elections will be required to undertake mandatory training as a condition of their candidature. The level of training required will be carefully balanced against the need to not create an unnecessary barrier to participation.

Since 2016 all candidates for local government elections have been able to choose to outline what training they have completed relevant to the councillor role in the Candidate Questionnaire published on the VEC website. Many councils provide access to free training sessions for potential candidates prior to council elections.

Almost 50 per cent of all candidates for the 2016 general election said they undertook training.

Within the first nine months in office councillors are required to make major strategic decisions and develop council and financial plans, a budget, and other matters. Councillors who come into office with a strong understanding of the strategic decision-making role a councillor must perform, will be better equipped to contribute to this important work.

Why is this proposed?

People nominating as candidates in local council elections sometimes have limited understanding of the role they are putting themselves forward for. Concerns also exist about candidates' understanding of the level of commitment required to undertake the role of councillor. In addition, many people don't understand what a councillor can legally do in their role.

How will it work?

All candidates in council elections will be required to demonstrate that they have undertaken relevant training. The VEC will reject any nominations that fail this test.

The nature of the mandatory training will be the subject of further consultation with the local government sector and then prescribed in Regulations.

Councillor Induction Training

Why is this proposed?

Requiring all councillors to complete mandatory training will improve their standards and capability to meet the requirements of office. A lack of understanding of the requirement of the role of councillor has been identified as a cause of diminished operational effectiveness in many councils.

How will it work?

Councillor induction training will be arranged by the Chief Executive Officer for councillors within six months of being elected. It will contain information relating to the role of a councillor, the Councillor Code of Conduct, conflicts of interest and any other prescribed matters, and will be subsequently prescribed in Regulations.

If a councillor fails to take the councillor induction training within the specified time, their allowance will be withheld until such time the councillor has taken the training, at which point the allowance will be refunded.

REFORM

4

Donation Reform

A number of recent changes to the electoral campaign donations arrangements in Victorian Parliamentary elections will be extended to local government elections.

Why is this proposed?

Controlling electoral donations and gifts will improve the integrity and transparency of the donations process. This will increase community confidence in council decision making by making sure that decisions are made purely on merits.

How will it work?

- Foreign donations will be banned. Donors will need to be an Australian citizen or resident, or a business with an Australian Business Number.
- Electoral campaign donations to individual candidates and candidate groups from a single donor will be capped at an aggregated amount of \$1000 for Victorian local government elections, in respect of each 'donation period' – that is, commencing 30 days after the last general election or 30 days after the last election for which a candidate was required to give a return (whichever is later), and 30 days after the election day of the current election.
- The 'gift disclosure threshold' which applies to campaign donations and other gifts received by councillors, subject to requirements of the Bill, will change from the \$500 proposed in the 2018 Bill, to \$250 for all councils.
- All councils will be required to have a gift register and a publicly transparent gift policy covering the acceptance and disposal of gifts by councillors and staff.

Melbourne City Council Reform

- Electoral campaign donations to individual candidates and candidate groups from a single donor will be capped at an aggregated amount of \$4,000 for Melbourne City Council elections.
- The 'gift disclosure threshold' which applies to campaign donations and other gifts received by councillors will remain at \$500 for the Melbourne City Council.



**REFORM
5**

Improved Conduct

Councillor conduct is an ongoing challenge for the local government sector. It is proposed to introduce mandatory standards of conduct, a clear and consistent arbitration process and provide the arbiter powers to impose sanctions.

Prescribed standards of conduct

Why is this proposed?

Consultation with the local government sector and community groups has revealed that councils need more assistance in developing and enforcing their codes of conduct. To date, councils have had to develop and adopt their codes of conduct with limited guidance. As a result, codes vary widely in size, scope and content. An examination of existing councillor codes of conduct shows that they vary in size from three pages to 145 pages and that most only deal with conduct standards in broad terms. Many include internal council procedures with limited connection to conduct standards.

Most councils include the Councillor Conduct Principles in their codes. These Principles are specified in the LG Act and, while they may have been contemporary when first legislated in 2008, they have proven to be too general in nature to be a practical benchmark for good conduct. Councils not including the Principles generally include other material of a similar nature in their Codes.

Councils have internal resolution procedures whereby an independent arbiter can assess whether a councillor has followed the code of conduct. More specific standards of conduct need to be applied for this process to work effectively.

How will it work?

Under this proposal, the 2019 Bill will no longer include the Councillor Conduct Principles. Instead it will require each council to adopt a councillor code of conduct that includes the standards of conduct prescribed in Regulations.

The standards will define specific acts and omissions of behaviour that apply to all councillors in all councils. Councils will retain discretion to include additional material in their codes (but not to the standards of conduct). The standards of conduct will be developed in consultation with the local government sector and the community.

This will provide a clearer understanding of what is required of councillors and support arbiters when investigating alleged breaches of the standards.

Internal arbitration process

The arbitration process will become a legislated process managed by the Principal Councillor Conduct Registrar (PCCR) rather than requiring each council to develop and adopt its own process.

Why is this proposed?

Internal resolution procedures were introduced in 2016 for councils to deal with low-level misconduct locally and to resolve matters more quickly than through Councillor Conduct Panels. In practice, councils have struggled to deal with this obligation, with many adopting a multi-step approach that draws out the dispute and is costly to implement.

The LG Act currently requires internal resolution procedures to deal with interpersonal disputes as well as allegations of misbehaviour. This is unnecessarily complicated. Arguably, interpersonal disputes between councillors do not require a legislative resolution as there are various forms of mediation and counselling available when needed. Legislation should focus on allegations of misconduct where consequences may need to be imposed.

Some practical aspects of the current internal resolution procedures have proven problematic:

- It can sometimes be difficult for councils to find and appoint an independent arbiter. This can result in delays for matters being heard. Appointing arbiters from a central list managed by the PCCR will remove this problem. It will also help lead to more standardised responses to types of misconduct.
- Councils do not always deal well with adverse findings of arbitration. This can include keeping the findings confidential or not imposing sanctions where they appear warranted. It is therefore desirable that arbiters have some capacity to directly impose forms of discipline.

How will it work?

It is proposed the 2019 Bill will replace internal resolution procedures developed by councils with internal arbitration processes. The 2019 Bill will specify that the internal arbitration processes will include:

- the appointment of an arbiter by the PCCR from a pre-approved list of qualified arbiters;
- an application fee that will be refunded at the end of the arbitration process unless the application is deemed frivolous, vexatious, misconceived or lacking in substance; and
- arbiters being empowered to directly impose minor disciplinary penalties, such as requiring an apology or imposing a one-month suspension.

The terminology of the Act will change to accommodate these reforms:

- A finding by an arbiter that a councillor has breached the standards of conduct will be a finding of 'misconduct'.
- Any adverse finding by a Councillor Conduct Panel against a councillor will be a finding of 'serious misconduct'.

The term 'gross misconduct' will continue to relate only to a finding of the Victorian Civil and Administrative Tribunal that results in the disqualification of a councillor.



REFORM

6

Community Accountability

It is proposed to make councillors more accountable through stronger sanctions for serious conduct violations and the introduction of a community initiated Commission of Inquiry.

There will be two clear new pathways that can lead to disqualification, these are:

1. where a councillor has been subject to a finding of Serious Misconduct on two occasions over an eight year period; or
2. where a community initiated Commission of Inquiry, appointed as a result of a petition, makes a finding that a councillor has caused or contributed to:
 - a. a failure by the council to provide good governance; or
 - b. a failure by the council to comply with a governance direction.

Disqualification - conduct

Why is this proposed?

Occasionally, a councillor acts in ways that seriously inhibits the ability of a council to function effectively or repeatedly acts in ways that are unacceptable in public office. It is in the interests of the community that a person who acts this way be removed from office.

The 2018 Bill proposed that the Minister have powers to suspend a councillor who was preventing the council from providing good government. While this could only be done on the recommendation of an integrity body, it placed a Minister elected at one level of government in a position of having to decide whether to remove an elected member at another level of government.

A better approach is to limit the removal from office of a councillor to independent processes and/or give the community who elected the councillor the power to seek review or dismissal of the councillor.

How will it work?

Two new processes will be able to result in a councillor being removed from office and prohibited from being a councillor of any council for a period of four years.

Disqualification – Repeated Serious Misconduct

Councillor Conduct Panels hear allegations of serious misconduct against councillors. Serious misconduct can relate to bullying, conflicts of interest, improper direction of council staff, disclosing confidential information, sexual harassment or failing to comply with an arbitration process. If a panel makes a finding of serious misconduct against a councillor twice within eight years, that councillor will be automatically disqualified.

A disqualified councillor will be ineligible to contest another council election for the next four years.

Community initiated Commission of inquiry

Under the LG Act the Minister may appoint a Commissioner to conduct an inquiry into the affairs of a Council or councils. This power was included in the 2018 Bill along with some minor changes to ensure the powers of the commission align to the *Inquiries Act 2014*.

It is intended to create a second pathway for a Commission of Inquiry above the powers proposed in the 2018 Bill. Under this pathway, the Minister must appoint a Commission of Inquiry into a Council on receiving a petition signed by eligible voters in the municipal district, whose total numbers are greater than 25 per cent of the total enrolment number on the voters' roll prepared at the council's most recent general election (see **petition process** below).

In setting the terms of reference for the Commission of Inquiry the Minister must have regard to the reasons included in the application for the petition.

The Commission of Inquiry may make a finding that a councillor has significantly caused or contributed to:

- a failure by the council to provide good governance; or
- a failure by the council to comply with a governance direction.

Before a Commission proposes to make an adverse finding, that councillor must have an opportunity to respond to those matters. The Commission must consider the response before making the finding. If a Commission of Inquiry appointed as a result of a petition, makes a finding that a councillor should be disqualified, the subject councillor will be disqualified from being a councillor for four years (subject to the report being tabled in Parliament).

The Minister must provide notice of the outcome of a petition for a Commission of Inquiry to the applicant, the VEC and the council. The VEC must publish notice of the outcome in a manner prescribed in regulation.

The Minister maintains the discretion to appoint a Commission of Inquiry into the affairs of Council. Where a Commission of Inquiry (appointed at the Minister's discretion) makes a finding against a councillor, the Minister has the discretion to take appropriate action, including issue a governance direction, suspend or dismiss a Councillor. However, the Minister will not have the power to disqualify a Councillor under these circumstances.

Petition process

The process for petition will be set through regulations. The process is outlined below.

The requirements for a petition will be treated as seriously as an election. An application for a petition will be made to the VEC accompanied by the prescribed fee. This application will require specific information including a statement of up to 200 words providing grounds for why a petition is sought.

Applications will be limited to people who are enrolled or entitled to be enrolled on the voters' roll for the municipal district. Councillors, members of staff of the council and people who have previously been an applicant or nominated representative during the current council term will not be permitted to receive approval for a petition.

The VEC will provide a copy to the council named in the petition for a response of up to 200 words.

The VEC will provide public notice of the petition and include the relevant response, if any. The applicant and nominated representatives will be allowed to collect signatures to the petition for 60 days from the date of the public notice.

The applicant and nominated representatives must collect signatures in the prescribed manner and must reasonably believe that the persons signing the petition are enrolled, or entitled to be enrolled, in the municipal district and are providing informed consent to be included in the petition.

The applicant may lodge a petition with the Minister within five days of the end of the 60-day period. Upon receipt of a petition, the Minister must provide it to the VEC to provide advice on validity and percentage of signatures represented by the petition.

Part 4

Implementation and Comments



Implementation

The 2018 Bill proposed that the provisions of the Bill commence in stages to enable councils to implement the changes effectively and orderly. The government also indicated that support and guidelines would be provided to assist councils during the transition. It is proposed that this approach will also apply to the 2019 Bill.

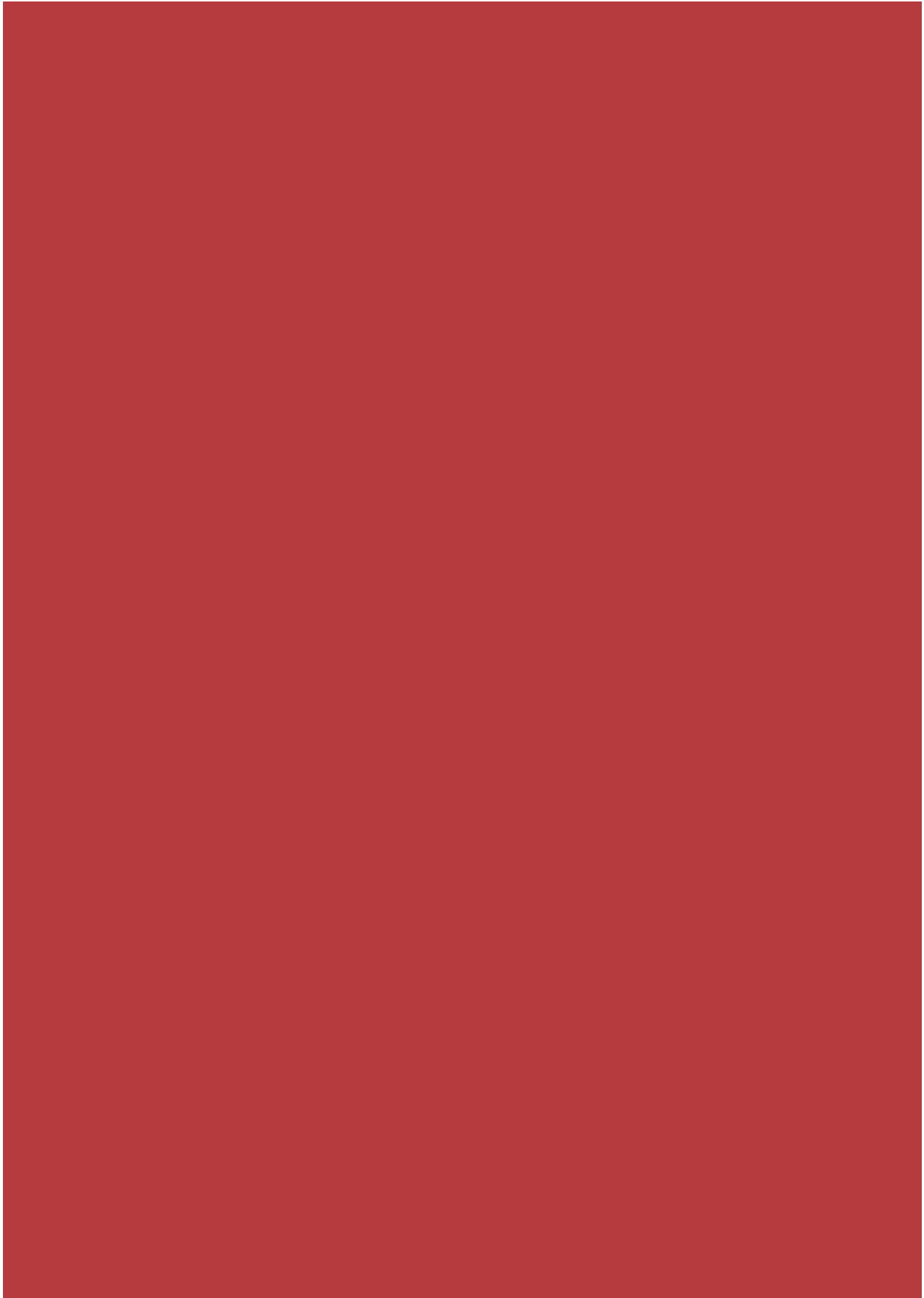
The implementation support will be tailored to the timeframe and nature of the change and continue beyond implementation as a continuous improvement approach.

If enacted, the provisions of the Bill would be implemented in stages up until late 2021.

Comments

We welcome your feedback on these reforms before **17 July 2019**.

Please send any feedback you have on the proposed reforms to local.government@delwp.vic.gov.au using the subject line Local Government Bill 2019.



LOCAL GOVERNMENT BILL 2019
 SNAPSHOT of six new reforms announced by the Minister for Local Government on 17 June 2019
 Local Government Victoria

MAROONDAH RESPONSES
 (as considered by Council at its meeting on 15 July 2019)

1	<p>Voter Franchise</p> <p>Proposal to make council electoral rolls more closely aligned with the State electoral roll. Voters whose only entitlement is as an owner or lessee of a property in the municipality will be required to lodge an enrolment form to vote in that municipality's election if they want to vote.</p> <p>How will it work? Changing the voter franchise is proposed to be done in two stages over two election cycles. There are two reasons for this:</p> <ul style="list-style-type: none"> • firstly, it will allow time to ensure every person with a voting entitlement has a reasonable opportunity to exercise their rights; and • secondly, it will allow time to review electoral structures to address changes in the distribution of voters between the wards of some councils. 	<p>Support / Not Support / Neutral Comments</p> <p>Maroondah CC supports this proposal</p> <hr/> <p>MAV's Proposed Position It is proposed to reiterate MAV's position that the retention of the existing voter franchise is supported.</p>
2	<p>Electoral Structure</p> <p>Proposal to move to a single consistent model of single member wards, unless it is impractical to subdivide a council</p> <p>The intent being to simplify and make consistent representative structures and election processes. Currently Victorian councils may be constituted in one of five structural models.</p> <p>How will it work?</p> <p>It is proposed that an unsubdivided municipality model option will be available to those councils whose demographic profile make division into wards inappropriate, e.g. councils with large geographical areas and small populations (such as some rural councils). It is intended that the Electoral Representation Advisory Panel will investigate and advise the Minister in relation to structures for those councils that are of the type specified by the Minister as being potentially permitted for unsubdivided arrangements.</p> <p>The option for councils to be constituted as multi-member wards will be removed.</p>	<p>Support / Not Support / Neutral Comments</p> <p>Maroondah CC supports a multi-member ward model, which best provides for fair representation to voters.</p> <p>This was the preferred position previously supported by the VEC at the last review of electoral boundaries undertaken in 2008.</p> <p>Ever since the transition from triennial elections to 4 year term, proportional representation has been promoted by the VEC as being the way in which Councillors were ideally elected; meaning multi-member wards. Accordingly, this has been a consistent theme whenever ward boundaries have been reviewed. Therefore, in the main wherever single-member wards existed, there has always been resistance experienced by those Councils wishing to retain that model, and many, including Maroondah, were not successful. In 2003 there were 43 Councils with single-member wards, however, now there are only 7.</p> <hr/> <p>MAV's Proposed Position It is proposed to oppose this reform and support the retention of the current range of electoral structures in the <i>Local Government Act 1989</i>. Victorian local government comprises 79 unique councils and flexibility in electoral structure is needed to effectively respond to local needs.</p>

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3	<p>Mandatory Training - Election Candidates</p> <p>All candidates for council elections will be required to undertake mandatory training as a condition of their candidature. The level of training required will be carefully balanced against the need to not create an unnecessary barrier to participation.</p> <p>How will it work?</p> <p>All candidates in council elections will be required to demonstrate that they have undertaken relevant training. The VEC will reject any nominations that fail this test.</p> <p>The nature of the mandatory training will be the subject of further consultation with the local government sector and then prescribed in Regulations.</p>	<p>Support / Not Support / Neutral Comments</p> <p>Maroondah CC supports in principal mandatory training; understanding that 2 types of training are proposed, i.e. For all candidates, and for all Councillors after being elected. However, more detail is required, as there is a lack of information as to how this will occur.</p> <hr/> <p>MAV's Proposed Position The MAV supports the provision of appropriate information to candidates prior to standing for election or information.</p> <p>MAV considers candidate training should be provided in the context of raising awareness about local government elections, should continue to be provided by the MAV, with a state- wide consistent format and an auditable attendance record that can be provided to the VEC.</p>
4	<p>Donation Reform - Capping electoral campaign donations and gifts</p> <p>A number of recent changes to the electoral campaign donations arrangements in Victorian Parliamentary elections will be extended to local government elections.</p> <p>Controlling electoral donations and gifts will improve the integrity and transparency of the donations process. This will increase community confidence in council decision making by making sure that decisions are made purely on merits.</p> <p>How will it work?</p> <ul style="list-style-type: none"> Foreign donations will be banned. Donors will need to be an Australian citizen or resident, or a business with an Australian Business Number Electoral campaign donations to individual candidates and candidate groups from a single donor will be capped at an aggregated amount of \$1000 for Victorian local government elections, in respect of each 'donation period' – that is, commencing 30 days after the last general election or 30 days after the last election for which a candidate was required to give a return (whichever is later), and 30 days after the election day of the current election. 	<p>Support / Not Support / Neutral Comments</p> <p>Maroondah CC acknowledges that the intent is to capture all donations, however, is concerned that the 'gift disclosure threshold' of \$250 is not per annum, but across the entire electoral term of 4 years. Council would support this threshold if per annum.</p> <p>Election donations should not be blended with gifts.</p> <p>Further clarification is sought.</p> <hr/> <p>MAV's Proposed Position: That:</p> <ul style="list-style-type: none"> The prohibition on foreign donations be supported The reduction in the gift disclosure threshold to \$250 be supported The position on the cap of \$1000 per donation be considered after feedback from the sector The requirement for a gift register and gift policy be supported

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	<ul style="list-style-type: none"> The 'gift disclosure threshold' which applies to campaign donations and other gifts received by councillors, subject to requirements of the Bill, will change from the \$500 proposed in the 2018 Bill, to \$250 for all councils. All councils will be required to have a gift register and a publicly transparent gift policy covering the acceptance and disposal of gifts by councillors and staff. 	
5	<p>Improved Conduct - Councillor Conduct</p> <p>Proposal to introduce mandatory standards of conduct, a clear and consistent arbitration process and provide the arbiter powers to impose sanctions.</p> <p><i>Prescribed standards of conduct</i></p> <p>Most councils include the Councillor Conduct Principles in their codes. These Principles are specified in the LG Act and, while they may have been contemporary when first legislated in 2008, they have proven to be too general in nature to be a practical benchmark for good conduct. Councils not including the Principles generally include other material of a similar nature in their Codes.</p> <p>Councils have internal resolution procedures whereby an independent arbiter can assess whether a councillor has followed the code of conduct. More specific standards of conduct need to be applied for this process to work effectively.</p> <p>How will it work?</p> <p>Under this proposal, the 2019 Bill will no longer include the Councillor Conduct Principles. Instead it will require each council to adopt a councillor code of conduct that includes the standards of conduct prescribed in Regulations.</p> <p>The standards will define specific acts and omissions of behaviour that apply to all councillors in all councils. Councils will retain discretion to include additional material in their codes (but not to the standards of conduct). The standards of conduct will be developed in consultation with the local government sector and the community.</p>	<p>Support / Not Support / Neutral Comments</p> <p>Maroondah CC supports this proposal, provided that all underlying provisions are clear and consistent.</p> <hr/> <p><i>MAV's Proposed Position (prescribed standards of conduct)</i> That the proposal be supported in principle subject to further consultation with the sector on the detailed standards of conduct to be prescribed in regulation.</p> <p><i>MAV's Proposed Position (repeated serious misconduct disqualification)</i> That the proposal be supported.</p>

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<p>This will provide a clearer understanding of what is required of councillors and support arbiters when investigating alleged breaches of the standards.</p> <p>Internal arbitration process</p> <p>The arbitration process will become a legislated process managed by the Principal Councillor Conduct Registrar (PCCR) rather than requiring each council to develop and adopt its own process</p> <p>How will it work?</p> <p>It is proposed the 2019 Bill will replace internal resolution procedures developed by councils with internal arbitration processes. The 2019 Bill will specify that the internal arbitration processes will include:</p> <ul style="list-style-type: none"> the appointment of an arbiter by the PCCR from a pre-approved list of qualified arbiters; an application fee that will be refunded at the end of the arbitration process unless the application is deemed frivolous, vexatious, misconceived or lacking in substance; and arbiters being empowered to directly impose minor disciplinary penalties, such as requiring an apology or imposing a one-month suspension. <p>The terminology of the Act will change to accommodate these reforms:</p> <ul style="list-style-type: none"> A finding by an arbiter that a councillor has breached the standards of conduct will be a finding of 'misconduct'. Any adverse finding by a Councillor Conduct Panel against a councillor will be a finding of 'serious misconduct'. <p>The term 'gross misconduct' will continue to relate only to a finding of the Victorian Civil and Administrative Tribunal that results in the disqualification of a councillor.</p>	<p>MAV's Proposed Position (internal Arbitration process)</p> <p>That the proposal be supported in principle subject to further consultation with the sector on the content of the regulations.</p>
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MAROONDAH RESPONSES
 (as considered by Council at its meeting on 15 July 2019)

6	<p>Community Accountability</p> <p>Proposal to make councillors more accountable through stronger sanctions for serious conduct violations and the introduction of a community-initiated Commission of Inquiry.</p> <p>There will be two clear new pathways that can lead to disqualification, these are:</p> <ol style="list-style-type: none"> 1. where a councillor has been subject to a finding of Serious Misconduct on two occasions over an eight-year period; or 2. where a community-initiated Commission of Inquiry, appointed as a result of a petition, makes a finding that a councillor has caused or contributed to: <ol style="list-style-type: none"> a. a failure by the council to provide good governance; or b. a failure by the council to comply with a governance direction. <p><i>Disqualification - conduct</i></p> <p>The 2018 Bill proposed that the Minister have powers to suspend a councillor who was preventing the council from providing good government. While this could only be done on the recommendation of an integrity body, it placed a Minister elected at one level of government in a position of having to decide whether to remove an elected member at another level of government.</p> <p>A better approach is to limit the removal from office of a councillor to independent processes and/or give the community who elected the councillor the power to seek review or dismissal of the councillor.</p> <p>How will it work?</p> <p>Two new processes will be able to result in a councillor being removed from office and prohibited from being a councillor of any council for a period of four years.</p> <p><u><i>Disqualification – Repeated Serious Misconduct</i></u></p> <p>Councillor Conduct Panels hear allegations of serious misconduct against councillors. Serious misconduct can relate to bullying, conflicts of interest, improper direction of council staff, disclosing confidential information, sexual</p>	<p>Support / <u>Not Support</u> / Neutral Comments</p> <p>Maroondah CC does not support this proposal.</p> <p>A Councillor can easily be excused of something without any private process to establish whether the accusations can be substantiated or not. In the context of the proposed introduction of single-member wards, effectively this means that a candidate requires 51% of the vote to get elected, yet only 25% to be dismissed.</p> <p>Whilst it is stated that another opposing candidate cannot lodge a petition, there appears to be nothing to prevent a friend/acquaintance of an opposing candidate from initiating and lodging a petition. In which case, potentially dislodge a candidate who obtained a majority of the vote.</p> <p>No mention is made about imposing a limit on the number of concurrent petitions that can be initiated, or whether upon finishing one petition another can be commenced.</p> <p>Potential for besmirching of one's good character, defamation proceedings.</p> <p>There should be a consistent approach across all levels of government in Victoria.</p> <p>-----</p> <p><i>MAV's Proposed Position</i></p> <p>This is a significant reform that has not been the subject of previous discussion or consultation. MAV is most concerned at the sparse detail provided and the potential implications for councils and councillors both in terms of damage to reputation and the costs of being involved in a Commission of Inquiry. MAV seeks full and proper consultation with the sector on this reform and requests that it be held over from the current Bill until such time as this occurs.</p>
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 SNAPSHOT of six new reforms announced by the Minister for Local Government on 17 June 2019
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<p>harassment or failing to comply with an arbitration process. If a panel makes a finding of serious misconduct against a councillor twice within eight years, that councillor will be automatically disqualified.</p> <p>A disqualified councillor will be ineligible to contest another council election for the next four years.</p> <p><u>Community initiated Commission of inquiry</u></p> <p>Under the <i>LG Act</i> the Minister may appoint a Commissioner to conduct an inquiry into the affairs of a Council or councils. This power was included in the 2018 Bill along with some minor changes to ensure the powers of the commission align to the <i>Inquiries Act 2014</i>.</p> <p>It is intended to create a second pathway for a Commission of Inquiry above the powers proposed in the 2018 Bill. Under this pathway, the Minister must appoint a Commission of Inquiry into a Council on receiving a petition signed by eligible voters in the municipal district, whose total numbers are greater than 25 per cent of the total enrolment number on the voters' roll prepared at the council's most recent general election (see petition process below).</p> <p>In setting the terms of reference for the Commission of Inquiry the Minister must have regard to the reasons included in the application for the petition.</p> <p>The Commission of Inquiry may make a finding that a councillor has significantly caused or contributed to:</p> <ul style="list-style-type: none"> • a failure by the council to provide good governance; or • a failure by the council to comply with a governance direction. <p>Before a Commission proposes to make an adverse finding, that councillor must have an opportunity to respond to those matters. The Commission must consider the response before making the finding. If a Commission of Inquiry appointed as a result of a petition, makes a finding that a councillor should be disqualified, the subject councillor will be disqualified from being a councillor for four years (subject to the report being tabled in Parliament).</p> <p>The Minister must provide notice of the outcome of a petition for a Commission of Inquiry to the applicant, the VEC and the council. The VEC must publish notice of the outcome in a manner prescribed in regulation.</p>	
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<p>The Minister maintains the discretion to appoint a Commission of Inquiry into the affairs of Council. Where a Commission of Inquiry (appointed at the Minister's discretion) makes a finding against a councillor, the Minister has the discretion to take appropriate action, including issue a governance direction, suspend or dismiss a Council. However, the Minister will not have the power to disqualify a Councillor under these circumstances.</p> <p><i>Petition process</i></p> <p>The process for petition will be set through regulations.</p> <p>The requirements for a petition will be treated as seriously as an election. An application for a petition will be made to the VEC accompanied by the prescribed fee. This application will require specific information including a statement of up to 200 words providing grounds for why a petition is sought.</p> <p>Applications will be limited to people who are enrolled or entitled to be enrolled on the voters' roll for the municipal district. Councillors, members of staff of the council and people who have previously been an applicant or nominated representative during the current council term will not be permitted to receive approval for a petition.</p> <p>The VEC will provide a copy to the council named in the petition for a response of up to 200 words. The VEC will provide public notice of the petition and include the relevant response, if any. The applicant and nominated representatives will be allowed to collect signatures to the petition for 60 days from the date of the public notice.</p> <p>The applicant and nominated representatives must collect signatures in the prescribed manner and must reasonably believe that the persons signing the petition are enrolled, or entitled to be enrolled, in the municipal district and are providing informed consent to be included in the petition.</p> <p>The applicant may lodge a petition with the Minister within five days of the end of the 60-day period. Upon receipt of a petition, the Minister must provide it to the VEC to provide advice on validity and percentage of signatures represented by the petition.</p>	
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MAROONDAH RESPONSES
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7	Councillor Allowance Proposal that the Minister will no longer set Mayor and Councillor allowances How will it work? Allowances to be set by an Independent Remuneration Tribunal	Support / Not Support / Neutral Comments Maroondah CC supports this proposal. However, further clarification/information is sought
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ATTACHMENT NO: 1 - 2019 LOCAL GOVERNMENT COMMUNITY SATISFACTION SURVEY RESULTS

ITEM 1

Local Government Community Satisfaction Survey																													
Maroondah City Council - 2019 Results																													
Core Performance Measures	Our 2019 result	Trend compared with last year	Statistically significant difference to 2018 results	Our trend in recent years						Compared with Metro Melbourne					Compared with Statewide					Proportion rating as Very Good / Good (or improved)					Proportion rating as Poor / Very Poor (or deteriorated)				
				2018	2017	2016	2015	2014	recent trend	Metro 2019	Metro 2018	Metro 2017	In 2019, Maroondah's score is...	Statistically higher/lower	Statewide 2019	Statewide 2018	Statewide 2017	In 2019, Maroondah's score is...	Statistically higher/lower	2019	2018	2017	2016	Compared with 2018 result	2019	2018	2017	2016	Compared with 2018 result
Overall performance	69	Up by 2		67	63	68	66	67	▶	67	65	64	2 points higher	Higher	60	59	59	9 points higher	Higher	68%	66%	53%	63%	More	4%	8%	7%	5%	Less
Community consultation	58	Up by 2		58	55	58	55	57	▶	58	57	57	Same		56	55	55	2 points higher		39%	38%	33%	39%	More	16%	16%	18%	14%	Same
Advocacy	61	Up by 4	Higher	57	57	56	57	59	▶	57	56	56	4 points higher	Higher	54	54	54	7 points higher	Higher	33%	31%	27%	28%	More	9%	12%	10%	12%	Less
Customer service	80	Up by 7	Higher	73	70	77	73	74	▲	76	72	71	4 points higher	Higher	71	70	69	9 points higher	Higher	82%	72%	69%	82%	More	4%	11%	21%	7%	Less
Overall Council direction	59	Up by 1		58	53	59	57	56	▶	55	54	54	4 points higher	Higher	53	52	53	6 points higher	Higher	20%	21%	17%*	23%*	Less	4%	6%	12%*	5%*	Less
Making decisions in the interest of the community	62	Up by 3		59	58	61	61	61	▶	60	58	58	2 points higher		55	54	54	7 points higher	Higher	48%	44%	39%	44%	More	9%	11%	14%	13%	Less
Service Performance Measures	Our 2019 result	Trend compared with last year	Statistically significant difference to 2018 results	Our trend in recent years						Compared with Metro Melbourne					Compared with Statewide					Proportion rating as Very Good / Good					Proportion rating as Poor / Very Poor				
				2018	2017	2016	2015	2014	recent trend	Metro 2019	Metro 2018	Metro 2017	In 2019, Maroondah's score is...	Statistically higher/lower	Statewide 2019	Statewide 2018	Statewide 2017	In 2019, Maroondah's score is...	Statistically higher/lower	2019	2018	2017	2016	Compared with 2018 result	2019	2018	2017	2016	Compared with 2018 result
Informing the community	64	Up by 4	Higher	60	58	61	63	63	▶	62	61	61	2 points higher		60	59	59	4 points higher	Higher	53%	47%	43%	50%	More	11%	18%	16%	13%	Less
Condition of sealed roads	70	Up by 2		68	66	68	69	68	▶	69	68	66	1 point higher		56	53	53	14 points higher	Higher	68%	68%	60%	67%	Same	7%	11%	10%	7%	Less
Condition of local streets and footpaths	65	Up by 2		63	60	62	64	61	▲	65	64	62	Same		59	58	57	6 points higher	Higher	58%	57%	52%	58%	More	14%	16%	20%	17%	Less
Traffic management	58	Up by 2		56	56	59	58	63	▼	58	57	56	Same		58	57	59	Same		45%	47%	45%	46%	Less	17%	20%	21%	17%	Less
Enforcement of local laws	64	Same		64	64	66	68	66	▶	64	64	64	Same		64	64	64	Same		54%	55%	51%	52%	Less	11%	10%	12%	9%	More
Family support services	71	Up by 3	Higher	68	68	69	70	72	▶	69	68	68	2 points higher		67	66	67	4 points higher	Higher	43%	42%	39%	42%	More	3%	5%	4%	4%	Less
Elderly support services	70	Up by 5	Higher	65	68	66	68	70	▶	67	67	67	3 points higher	Higher	68	68	68	2 points higher		37%	32%	36%	37%	More	5%	5%	4%	4%	Same
Disadvantaged support services	64	Up by 6	Higher	58	63	60	62	65	▶	63	61	62	1 point higher		62	61	61	2 points higher		31%	25%	32%	25%	More	6%	7%	8%	6%	Less
Recreational facilities	80	Same		80	77	78	74	78	▲	76	74	73	5 points higher	Higher	70	69	70	10 points higher	Higher	83%	82%	78%	78%	More	2%	4%	3%	4%	Less
Appearance of public areas	72	Down by 1		73	72	72	71	69	▶	74	73	72	2 points lower		72	71	71	Same		72%	81%	73%	74%	Less	6%	7%	7%	4%	Less
Arts centres and libraries	82	Up by 4	Higher	78	78	77	73	74	▲	76	75	75	6 point higher	Higher	74	74	73	8 points higher	Higher	79%	74%	71%	73%	More	1%	3%	2%	5%	Less
Community and cultural activities	72	Up by 2		70	72	71	69	72	▶	70	70	70	2 points higher		69	69	69	3 points higher	Higher	68%	62%	61%	61%	More	4%	4%	3%	3%	Same
Waste management	76	Same		76	75	76	77	75	▶	73	75	75	3 points higher	Higher	68	70	71	4 points higher	Higher	82%	81%	80%	79%	More	4%	5%	5%	5%	Less
Business and community development and tourism	64	Same		64	64	67	64	62	▶	60	60	60	4 points higher	Higher	61	60	61	3 points higher	Higher	43%	49%	43%	44%	Less	8%	10%	7%	7%	Less
Council's general town planning policy	58	Up by 4	Higher	54	53	58	58	58	▶	56	53	53	2 points higher		55	54	53	4 points higher	Higher	38%	33%	29%	37%	Less	13%	19%	19%	14%	Less
Environmental sustainability	65	Up by 2		63	64	65	65	66	▶	64	64	64	1 point higher		62	63	64	3 points higher	Higher	47%	51%	50%	49%	Less	9%	10%	9%	7%	Less
Emergency and disaster management	70	Up by 1		69	69	72	69	70	▶	70	69	68	Same		72	71	70	2 points lower	Lower	48%	51%	44%	46%	Less	3%	3%	4%	2%	Same

Local Government Community Satisfaction Survey Maroondah City Council - 2019 Results Snapshot					
Core Performance Measures	Our 2019 result	Statistically significant difference to our 2018 result	Statistically significant difference to Metro Melb result	Statistically significant difference to Statewide result	Summary
Overall performance	69		Higher	Higher	
Community consultation	58				
Advocacy	61	Higher	Higher	Higher	
Customer service	80	Higher	Higher		
Overall Council direction	59		Higher	Higher	
Making decisions in the interest of the community	62			Higher	
Service Performance Measures	Our 2019 result	Statistically significant difference to our 2018 result	Statistically significant difference to Metro Melb result	Statistically significant difference to Statewide result	Summary
Informing the community	64	Higher		Higher	
Condition of sealed roads	70			Higher	
Condition of local streets and footpaths	65			Higher	
Traffic management	58				
Enforcement of local laws	64				
Family support services	71	Higher		Higher	
Elderly support services	70	Higher	Higher	Higher	
Disadvantaged support services	64	Higher			
Recreational facilities	80		Higher	Higher	
Appearance of public areas	72				
Arts centres and libraries	82	Higher	Higher	Higher	
Community and cultural activities	72			Higher	
Waste management	76		Higher	Higher	
Business and community development and tourism	64		Higher	Higher	
Council's general town planning policy	58	Higher		Higher	
Environmental sustainability	65			Higher	
Emergency and disaster management	70			Lower	

ATTACHMENT NO: 3 - 2019 LOCAL GOVERNMENT COMMUNITY SATISFACTION SURVEY RESULT SUMMARY

ITEM 1

Local Government Community Satisfaction Survey Maroondah City Council - 2019 Results Summary									
Core Performance Measures	Our 2019 result	Trend compared with last year	Statistically significant difference to 2018 results	Compared with Metro Melbourne		Compared with Statewide		Proportion Very Good/Good Compared with 2018 result	Proportion Poor/Very Poor Compared with 2018 result
				In 2019, Maroondah's score is...	Statistically higher/lower	In 2019, Maroondah's score is...	Statistically higher/lower		
Overall performance	69	Up by 2		2 points higher	Higher	9 points higher	Higher	More	Less
Community consultation	58	Up by 2		Same		2 points higher		More	Same
Advocacy	61	Up by 4	Higher	4 points higher	Higher	7 points higher	Higher	More	Less
Customer service	80	Up by 7	Higher	4 points higher	Higher	9 points higher	Higher	More	Less
Overall Council direction	59	Up by 1		4 points higher	Higher	6 points higher	Higher	Less	Less
Making decisions in the interest of the community	62	Up by 3		2 points higher		7 points higher	Higher	More	Less
Service Performance Measures	Our 2019 result	Trend compared with last year	Statistically significant difference to 2018 results	In 2019, Maroondah's score is...		In 2019, Maroondah's score is...		Compared with 2018 result	Compared with 2018 result
				In 2019, Maroondah's score is...	Statistically higher/lower	In 2019, Maroondah's score is...	Statistically higher/lower		
Informing the community	64	Up by 4	Higher	2 points higher		4 points higher	Higher	More	Less
Condition of sealed roads	70	Up by 2		1 point higher		14 points higher	Higher	Same	Less
Condition of local streets and footpaths	65	Up by 2		Same		6 points higher	Higher	More	Less
Traffic management	58	Up by 2		Same		Same		Less	Less
Enforcement of local laws	64	Same		Same		Same		Less	More
Family support services	71	Up by 3	Higher	2 points higher		4 points higher	Higher	More	Less
Elderly support services	70	Up by 5	Higher	3 points higher	Higher	2 points higher		More	Same
Disadvantaged support services	64	Up by 6	Higher	1 point higher		2 points higher		More	Less
Recreational facilities	80	Same		5 points higher	Higher	10 points higher	Higher	More	Less
Appearance of public areas	72	Down by 1		2 points lower		Same		Less	Less
Arts centres and libraries	82	Up by 4	Higher	6 point higher	Higher	8 points higher	Higher	More	Less
Community and cultural activities	72	Up by 2		2 points higher		3 points higher	Higher	More	Same
Waste management	76	Same		3 points higher	Higher	4 points higher	Higher	More	Less
Business and community development and tourism	64	Same		4 points higher	Higher	3 points higher	Higher	Less	Less
Council's general town planning policy	58	Up by 4	Higher	2 points higher		4 points higher	Higher	Less	Less
Environmental sustainability	65	Up by 2		1 point higher		3 points higher	Higher	Less	Less
Emergency and disaster management	70	Up by 1		Same		2 points lower	Lower	Less	Same