

Motion for submission to the MAV State Council May 2023

Title
Empowering electoral representation advisory panels
Motion
<p>1. That this State Council call on the Minister for Local Government to:</p> <ul style="list-style-type: none">(a) recognise the expertise of its own appointed electoral representation advisory panels and their ability to recommend an appropriate constitution of a Council, guided by consultation with local communities; and(b) publish a notice in the Government Gazette in accordance with section 13 of the Local Government Act 2020 enabling all Victorian Councils to be constituted in any one of the three permissible manners, which will have the effect of allowing the electoral representation advisory panels to consider all options.
Rationale for Motion
<p>Why is this a state issue and why should this be endorsed by the MAV? (Maximum 300 words)</p>
<p>The MAV Strategic Plan articulates a desire for a “diverse, engaged and highly capable ... sector grounded in good governance and connected to its community”, yet the electoral structure by which Councils are composed has the effect of restricting the majority of Councils from electing Councillors that best reflect the desires of their communities.</p> <p>This situation stems from legislative provisions introduced into the Local Government Act without sector consultation that require the Minister to grant permission to Councils to be comprised of anything other than single member wards.</p> <p>In October 2022, the Minister for Local Government appointed electoral representation review panels to conduct the necessary electoral reviews ahead of the 2024 Council elections, saying they “will ensure that councils are effectively representing the communities they serve”, yet not giving them the tools necessary for that task.</p> <p>Notwithstanding the terms of reference of these panels tasking them to consider the most suitable composition of a Council (unsubdivided, single member wards, multi member wards), sections 16(7)(c) and 16(7)(ca) mean the panel is unable to consider all options without notices having first been published under section 13(5) and 13(5A) in respect of the Councils being reviewed.</p> <p>This motion requests that the Minister publish the necessary notices to allow its own expert panels to consider all of the available options and make recommendations as to the most suitable composition.</p> <p>It should be noted that this motion does not seek to tie the hands of the Minister in making a recommendation to the Governor in Council under section 15 of the Local Government Act, but merely seeks to ensure that such a recommendation is based on the best available evidence. Notwithstanding the gazettal requested, the Minister would still be free to determine the composition of a Council to be made up of single member wards.</p>