



Dear Local Government Review Secretariat

Thank you for the opportunity to respond to this important review.

I am the Secretary of the Boroondara Reconciliation Network, and represent the Network in this response.

We submit as follows:

**1. Mandate Acknowledgement of Country at Council Meetings open to the public.** Due to the wide acceptance and usage of Acknowledgement of Traditional Owners within the community, and especially given its statement at all sittings of State Parliament (achieved with support of all parties), it should now be considered to be a community standard practice for the third tier of government and should be mandated for Council Meetings open to the public. Failure to include this in the legislation would be to abnegate the stated intent of the existing legislation to require Councils and Councillors to be community leaders, and avoid requiring Councils to fully demonstrate community leadership. A clause to this effect could be included in Section 59.

We understand from DELWP that nearly all Councils have a policy to this effect, but that there is no reliable indication as to its implementation. In Boroondara, the previous policy to this effect has been effectively changed by an inclusion in the Councillor Code of Conduct making it voluntary; as a result it is no longer being used at Council meetings. We provide this information as an indication that, without mandating it in the legislation, Councils can avoid exercising their responsibility to exercise community leadership in this important matter.

**2. Mandate a Council Reconciliation Action Plan.** In addition to the mandated Council Plan, Financial Plan, Asset Plan and Revenue and Rating Plan and in Division 4, the legislation should contain provision for a mandated

Reconciliation Action Plan. Again, this would be in accordance with government policy, and support Councils' community leadership in the critically important national and state process of Reconciliation with our First Peoples.

**3. Include a statement on Council's community leadership responsibility.** The following statement from the existing legislation Part 1 "(4) It is the role of the Council to provide governance and leadership for the local community through advocacy, decision making and action." should be included in the Bill, as a critically important signal to Councils and Councillors that they should exercise community leadership; and as a way for communities to hold Councils and Councillors to account as to their role and responsibilities.

**4. Restrict Councillor Code of Conduct to actions with a direct relationship to the Councillor conduct principles and purpose in Division 5,** thus remove or change 179 (3) "(f) may include any other matters relating to the conduct of Councillors which the Council considers appropriate." We suggest replace it with "(f) may include any other matters relating to the conduct of Councillors which are directly related to the Councillor conduct principles and purposes as set out in this Division."

Boroondara Council, in February 2017 included, without community notice or consultation, a provision in their Code of Conduct making the Council prayer compulsory and the Acknowledgement of Country discretionary at Council meetings. We regard this as a misuse of the Code of Conduct provisions and a clear breach of their responsibility to act transparently in their decision-making. We would, clearly, not like see this kind of behaviour repeated there or elsewhere, and submit that the current wording of the clause provides too great an opportunity for Councils to misuse the legislative freedom so provided.

Thank you once again for this opportunity.

Yours faithfully

Leigh Naunton  
for and on behalf of the Boroondara Reconciliation Network