

## 5.1 Local Government Act 2020 - Draft Governance Rules and Public Transparency Policy

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*Governance Coordinator*

*Directorate: Governance*

*Ward:*

*Attachments:*

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### **PURPOSE**

The purpose of this report is to provide the Community with an update on the *Local Government Act 2020*, and to introduce two of the significant associated policies, the draft Public Transparency Policy, and Governance Rules.

### **RECOMMENDATION**

That Council and the community note the presentation.

### **KEY ISSUES**

The *Local Government Act 2020* (the *Act*) received Royal Assent on 24 March 2020. Due to the complexity of this significant reform, the implementation of The *Act* has been divided into four stages.

The *Act* aims to strengthen democracy, accountability and equity in local government, delivering a higher degree of transparency and integrity for the public. The *Act* is predominantly defined through the overarching Governance Principles specified in Section 9.

Section 57 of the *Act* says a council must adopt and maintain a “Public Transparency Policy,” and Section 60 of the *Act* says a council must adopt and keep in force “Governance Rules”.

These provisions came into operation on 1 May 2020 and each Council must adopt the policies by 1 September 2020.

The Public Transparency Policy is a new policy which will set some guidelines around how and when Council’s will make information available and accessible to its community. Although this policy sets some guidelines, Council will always strive to be transparent and release information to the public without the need for a formal process.

The Governance Rules is a new policy which will incorporate and replace the existing Meeting Procedure Local Law, Community Participation Time Policy and Election Period Policy. This policy will determine how Council Meetings are run and how the community can participate in Council Meetings. This policy aims to offer greater opportunity for the public to participate in Council Meetings.

Officers wish to seek feedback and comment from the public on these documents, and the proposed public exhibition period of 9 - 23 July 2020 seeks to achieve this.

Under the *Act*, the Public Transparency Policy and Governance Rules are not required to go on public exhibition, but Officers felt it was in the best interest of the community and Council for public exhibition to occur.

Officers expect the Public Transparency Policy and Governance Rules to change significantly as a result of public exhibition, and welcome the community's feedback.

## **TRIPLEBOTTOMLINE IMPLICATIONS**

### **Financial Impact**

Costs for the implementation of the *Act* and associated policies will be absorbed within existing operational budgets in the 19/20 and 20/21 financial years.

### **Environmental Impact**

There is no environmental impact with relation to this report.

### **Community Impact (Covid 19)**

There is no impact on the *Local Government Act 2020* implementation requirements, including the public exhibition of the Draft Public Transparency Policy and Governance Rules.

## **CONSULTATION**

The Public Transparency Policy and Governance Rules (which includes the current Meeting Procedure Local Law, Community Participation Time Policy and Election Period Policy) will go out for public consultation.

The Public Exhibition period will run from 9 July - 23 July 2020.

Community members will also be able to provide submissions at two Council Meetings, the meeting to endorse the Public Consultation Period (8 July 2020) and the meeting in which the final policies are proposed to be adopted (August 2020).

## **COUNCIL PLAN/LEGAL/POLICY IMPACT**

### **Council Plan**

#### **Strategic Objective 4: *Organisational Excellence***

- *Innovative, community focused and future ready.*
- *Positive leadership, advocacy and decision making around shared goals.*
- *Providing community benefit by effectively managing council's resources and finances.*
- *Staff who are supported to ensure they are effective, safe and skilled in the workplace.*

## **Charter of Human Rights and Responsibilities**

This project has been reviewed under the *Charter of Human Rights and Responsibilities* and is considered compatible.

### **Legal**

The *Local Government Act 2020* requires new and revised policies to be implemented across several key dates, the policies identified in this report are due on 1 September 2020.

### **Policy Impacts**

The *Local Government Act 2020* requires the implementation of several new policies, and the amendment of existing policies, all in accordance with The *Act*.

### **Conflict of Interest Declaration**

No officer involved in the preparation of this report has a disclosable interest.

### **OPTIONS FOR CONSIDERATION**