

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the Local Government Act 1993:

- (a) to require a council to develop a community strategic plan for the local government area that identifies the main priorities and aspirations of the local community for the achievement of a socially, environmentally and economically sustainable future and covers a period of at least 10 years (the plan is developed and endorsed by the council following engagement with the local community pursuant to a community engagement strategy), and
- (b) to require a council to have a long-term resourcing strategy for the provision of the resources required to achieve the objectives established by the community strategic plan, and
- (c) to require a council to have a 4-year delivery program detailing the principal activities to be undertaken by the council to implement the strategies established by the community strategic plan (replacing the current requirement for councils to have a management plan detailing the council's future activities and revenue policies), and

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- (d) to require a council's delivery program to be supported by an annual operational plan detailing the activities to be engaged in by the council as part of the delivery program covering that year and providing a statement of the council's revenue policy for that year, and
- (e) to consolidate and streamline annual reporting requirements for councils to reflect the replacement of the management plan with a delivery program and operational plan (with provision for the matters to be reported on to be included in the regulations) and to require a council's annual report for the year prior to the year in which an ordinary election is held to include a report on achievements in implementing the community strategic plan and a state of the environment report, and
- (f) to provide for the Director-General of the Department of Local Government to establish integrated planning and reporting guidelines to impose requirements in connection with the preparation, development and review of, and the contents of, community strategic plans, resourcing strategies, delivery programs, operational plans, community engagement strategies, annual reports and state of the environment reports, and
- (g) to amend a council's charter to include specific reference to long-term strategic planning on behalf of the local community, planning for the assets for which the council is responsible and the promotion of social justice principles, and
- (h) to include in the role of a councillor a civic leadership role in guiding the development of the community strategic plan and responsibility for monitoring the implementation of the council's delivery program, and
- (i) to include as a function of the general manager of a council the function of assisting the council in connection with the development and implementation of the community strategic plan and council's resourcing strategy, delivery program and operational plan and the preparation of its annual report and state of the environment report, and
- (j) to provide transitional arrangements for the phasing in of the new planning and reporting requirements over a 3-year period.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

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Schedule 1 Amendment of Local Government Act

1993 No 30

Schedule 1 [1] amends a council's charter to include specific reference to long-term strategic planning on behalf of the local community, planning for the assets for which the council is responsible and the promotion of social justice principles.

Schedule 1 [2], [5], [7]–[9], [11] and [13]–[18] make consequential amendments.

Schedule 1 [3] requires a community strategic plan and a council's delivery program and operational plan to be publicly available free of charge.

Schedule 1 [4] provides that the role of a councillor includes a civic leadership role in guiding the development of the community strategic plan and responsibility for monitoring the implementation of the council's delivery program.

Schedule 1 [6] provides that it is a function of the general manager of a council to assist the council in connection with the development and implementation of the community strategic plan and the council's resourcing strategy, delivery program and operational plan and the preparation of its annual report and state of the environment report.

Schedule 1 [10] replaces existing provisions that require the preparation by a council of a management plan with respect to its work, activities and revenue policy with the following provisions for strategic planning by councils:

Proposed section 402 requires each local government area to have a community strategic plan that has been developed and endorsed by the council and that identifies the main priorities and aspirations for the future of the local government area covering a period of at least 10 years. A community strategic plan must establish strategic objectives together with strategies for achieving those objectives. A council is also required to establish and implement a community engagement strategy for engagement with the local community in connection with the development of the community strategic plan.

Proposed section 403 requires a council to have a long-term resourcing strategy for the provision of the resources required to implement the strategies established by the community strategic plan.

Proposed section 404 requires a council to have a delivery program detailing the principal activities to be undertaken by the council to implement the strategies established by the community strategic plan and including a method of assessment to determine the effectiveness of each principal activity detailed in the delivery program in implementing the strategies and achieving the strategic objectives at which the activity is directed. A council must establish a new delivery program after each ordinary election to cover the principal activities of the council for the 4-year period commencing on 1 July following the election.

Proposed section 405 requires a council to have an operational plan that is adopted before the beginning of each year and details the activities to be

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engaged in by the council during the year as part of the delivery program covering that year. An operational plan must include a statement of the council's revenue policy for the year covered by the operational plan.

Proposed section 406 requires the Director-General to establish integrated planning and reporting guidelines (the guidelines) that will impose

requirements in connection with the preparation, development and review of, and the contents of, the community strategic plan, resourcing strategy, delivery program, operational plan, community engagement strategy, annual report and state of the environment report of a council.

Schedule 1 [12] makes the following changes to the annual reporting requirements for councils:

(a) a council will report annually on its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those activities are directed (instead of reporting on its achievements with respect to the objectives and performance targets set out in its management plan, as at present),

(b) a council's annual report in the year in which an ordinary election is held will also be required to report on the council's achievements in implementing the community strategic plan over the previous 4 years,

(c) an annual report must be prepared in accordance with the guidelines,

(d) the detailed content of an annual report will be provided for in the regulations and the guidelines rather than being set out in the Local Government Act 1993,

(e) an annual report in the year in which an ordinary election is held will be required to include a state of the environment report.

Schedule 1 [19] inserts a savings and transitional regulation-making power.

Schedule 1 [20] provides for the phasing-in of the proposed new strategic planning provisions over a 3-year period to 30 June 2012 and also provides for the continued application to a council of the existing management plan and annual report provisions until the council is covered by the new strategic planning provisions.