

5.4 DRAFT GOVERNANCE RULES

(NA.)

Responsible Officer: Jarrod Doake, Chief Operating Officer

RECOMMENDATION*That:*

1. *The draft Governance Rules, including the Election Period Policy, be released for public consultation, for a period of 28 days.*
2. *A committee of the whole Council be appointed by Council to consider submissions received on the Governance Rules, including the Election Period Policy and to hear any submitters requesting in writing to be heard in support of their submission, at 7.00 pm, in the Council Chamber on Tuesday 18 August 2020.*

INTRODUCTION

This report proposes the release of the draft Governance Rules, which will include the Election Period Policy, for public consultation.

BACKGROUND

With the commencement of the *Local Government Act 2020* (the Act), Council must develop and adopt its Governance Rules, which includes its Election Period Policy, by or on 1 September 2020.

The Governance Rules concern the following—

- (a) the conduct of Council meetings;
- (b) the conduct of meetings of delegated committees;
- (c) the form and availability of meeting records;
- (d) the election of the Mayor and the Deputy Mayor;
- (da) the appointment of an Acting Mayor;
- (e) an election period policy;
- (f) the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee;
- (g) the procedure for the disclosure of a conflict of interest by a Councillor;
- (h) the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of section 126(1) of the Act;
- (i) any other matters prescribed by the regulations.

Draft Governance Rules have been developed with the assistance and advice of Council's solicitors and guidance from Local Government Victoria.

The Act requires the Governance Rules to be subjected to a public consultation process, without stipulating what that process must be.

DISCUSSION

It is proposed that the draft Governance Rules, including the Election Period Policy, be approved for release for a thorough public consultation process to be conducted, similar to that under section 223 of the *Local Government Act 1989*.

This would allow the consultation to be undertaken in July, with Council assessing the feedback and making any amendments it deems appropriate, to the Governance Rules, prior to their adoption at the scheduled 25 August 2020 meeting of Council.

A public notice will be published and the Governance Rules, including the Election Period Policy will be made available to the public via Council's website.

The draft Governance Rules and Election Period Policy are attached.

FINANCIAL IMPLICATIONS

There are no financial implications with this recommendation.

CONCLUSION

It is recommended that Council releases the draft Governance Rules, which will include the Election Period Policy, for public consultation.