
LOCAL GOVERNMENT

LG301*

Local Government Act 1995

**Local Government (Administration)
Amendment Regulations (No. 2) 2011**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Local Government (Administration) Amendment Regulations (No. 2) 2011*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 26 August 2011.

3. Regulations amended

These regulations amend the *Local Government (Administration) Regulations 1996*.

4. Part 1 heading inserted

Before regulation 1 insert:

Part 1 — Preliminary

5. Part 2 heading inserted

After regulation 3 insert:

Part 2 — Council and committee meetings

6. Part 3 heading inserted

After regulation 14B insert:

Part 3 — Electors' meetings

7. Part 4 heading inserted

After regulation 18 insert:

Part 4 — Local government employees

8. Part 5 heading and Part 5 Division 1 inserted

After regulation 19A insert:

Part 5 — Annual reports and planning

Division 1 — Preliminary

19BA. Terms used

In this Part —

corporate business plan means a plan made under regulation 19DA that, together with a strategic community plan, forms a plan for the future of a district made in accordance with section 5.56;

strategic community plan means a plan made under regulation 19C that, together with a corporate business

plan, forms a plan for the future of a district made in accordance with section 5.56.

9. Part 5 Division 2 heading inserted

Before regulation 19B insert:

Division 2 — Annual reports

10. Regulation 19CA inserted

After regulation 19B insert:

19CA. Annual reports to contain information on strategic community plans and corporate business plans — s. 5.53(2)(i)

- (1) This regulation has effect for the purposes of section 5.53(2)(i).
- (2) If a modification is made during a financial year to a local government's strategic community plan, the annual report of the local government for the financial year is to contain information about that modification.
- (3) If a significant modification is made during a financial year to a local government's corporate business plan, the annual report of the local government for the financial year is to contain information about that significant modification.

11. Part 5 Division 3 heading inserted

Before regulation 19C insert:

Division 3 — Planning for the future

12. Regulation 19C replaced

Delete regulation 19C and insert:

19C. Planning for the future: strategic community plans — s. 5.56

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.
- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

19DA. Planning for the future: corporate business plans — s. 5.56

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

19DB. Planning for the future: transitional arrangements until 30 June 2013

- (1) In this regulation —

former regulation 19C means regulation 19C as in force immediately before 26 August 2011 and continued under subregulation (2);

former regulation 19D means regulation 19D as in force immediately before 26 August 2011;

plan for the future means a plan for the future of its district made by a local government in accordance with former regulation 19C.

- (2) Except as stated in this regulation, former regulation 19C continues to have effect on and after 26 August 2011 until this regulation expires under subregulation (7).
- (3) A local government is to ensure that a plan for the future applies in respect of each financial year before the financial year ending 30 June 2014.
- (4) A local government is not required to review a plan for the future under former regulation 19C(4) on or after 26 August 2011.
- (5) If, for the purposes of complying with subregulation (3), a local government makes a new plan for the future, local public notice of the adoption of the plan is to be given in accordance with former regulation 19D.
- (6) If a local government modifies a plan for the future under former regulation 19C(4), whether for the purposes of complying with subregulation (3) or otherwise —
 - (a) the local government is not required to comply with former regulation 19C(7) or (8) in relation to the modifications of the plan; and
 - (b) local public notice of the adoption of the modifications of the plan is to be given in accordance with former regulation 19D.
- (7) This regulation expires at the end of 30 June 2013.

13. Regulation 19D amended

- (1) Delete regulation 19D(1) and insert:
 - (1) After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).
- (2) In regulation 19D(2)(a)(i) and (b) delete “plan for the future of” and insert:

strategic community plan for
- (3) In regulation 19D(2)(b)(i) delete “district for a” and insert:

district for

14. Part 6 heading inserted

After regulation 19D insert:

Part 6 — Disclosure of financial interests

15. Part 7 heading inserted

After regulation 28 insert:

Part 7 — Access to information

16. Part 8 heading inserted

After regulation 29B insert:

**Part 8 — Local government payments and gifts
to members**

17. Part 9 heading inserted

After regulation 34AD insert:

Part 9 — Codes of conduct

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.
