

Council Policy Development Policy

Version 2.

Approval Date: 05/08/2024

Review Date: 04/08/2028

Document Control

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| Division | Regional City Strategy & Transition | |
| Last Updated (who and when) | Peter Schulz, Coordinator Council Business | 2024 |
| Document History | | |
| Authority | Date | Description of Change |
| Council | 29 February 2016 | Adopted |
| Council | 5 August 2024 | Adoption of Policy in updated format and minor amendments. |
| | | |
| References | Refer to section 8 and 9 of this policy | |
| Next Review Date | August 2028 | |
| Published on Website | Yes | |
| Document Reference No. | 2684779 | |

1. Background

Council Policy development has a key role to play in the good governance of Latrobe City Council and supports the objectives and functions of a Council described in the *Local Government Act 2020*.

Council Policy sets the broad parameters for guiding and setting the boundaries to influence the actions and operations of Latrobe City Council. Council policies are designed to provide clear, unambiguous guidelines and to provide continuity and a consistent point of accountability for Latrobe City Council.

2. Objectives

- 2.1 Policymaking will follow set procedures to ensure the efficacy of the process and the overall policy structure.
- 2.2 Generally, policies will be developed in response to potential future use or in advance of an event rather than in response to an event, crisis or problem.
- 2.3 Policies will support and be consistent with the current Latrobe City Council Plan and other strategic plans.
- 2.4 Policies will provide the broad parameters for guiding and setting the boundaries to influence the actions and operations of Latrobe City Council.
- 2.5 Policies will not provide directions in relation to the exercise of powers as prohibited of Councillors by s.124 of the *Local Government Act 2020*, specifically:
 - In the exercise of a delegated power, performance of a delegated duty or function;
 - In the exercise of a power or performance of a duty or function by an authorised officer;
 - In the exercise of a power or performance of a duty or function in an office or position held under another Act; and
 - Advice provided to Council or a delegated committee.

3. Scope

- 3.1 This policy applies to the development of new Council policies or the review of existing Council policies, it does not apply to the development of Operational policies.
- 3.2 This policy applies to any Council policy developed to achieve or further the purpose, objectives, role or functions of Latrobe City Council in accordance with the overarching governance principles of the *Local Government Act 2020*, including:
 - Council decisions are to be made and actions taken in accordance with the relevant law;
 - Priority is to be given to achieving the best outcomes for the municipal community, including future generations;
 - The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
 - The municipal community is to be engaged in strategic planning and strategic decision making;
 - Innovation and continuous improvement is to be pursued;
 - The ongoing financial viability of the Council is to be ensured;
 - The transparency of Council decisions, actions and information is to be ensured.

4. Principles of Management

4.1 Identification of need for a new Council Policy

The Council, the Chief Executive Officer or Council Officers may identify a need for a new Council policy. The identification may arise from the purpose, objectives, role or functions of Latrobe City Council, the Strategic Objectives, Strategic Risks, legal requirements or identified changes in the external or internal environment.

Major policy decisions will not be made by the Council during the election period for a local government general election unless in accordance with the exemption described in section 177 of the *Local Government Act 2020*.

4.2 Development of a new Council Policy

The Chief Executive Officer will assign responsibility for the development of a new Council policy to a Division and General Manager (or multiple Divisions and General Managers) depending on the nature of the policy.

The responsible General Manager will develop the Council policy having regard for best practice within the subject matter of the policy including undertaking a review of analogous policies in place in other Councils.

A new Council policy will be developed using the Council Policy Template, having regard for the guidance information provided within this template. All parts of the Council Policy Template should be completed. The notation 'not applicable' should be used where the part is identified as not relevant to the policy in question.

4.3 Approval of a Council Policy

A Council policy must be approved by Council in the form of a Council Resolution.

4.4 Implementation of a Council Policy

The responsible General Manager will implement the Council policy into the day-to-day operations of the Council. A plan for the implementation of the policy should be prepared and the actions required to complete the implementation documented and assigned to appropriate persons.

The implementation plan may require the creation of operational policies or modifications to existing operational policies to apply the Council policy in operation. The responsible General Manager will determine whether additional guidelines or procedures are required to support the Council policy and will be responsible for their creation and implementation.

All Council policies will be made available for inspection by the public on the Latrobe City Council website and internally for staff on the intranet.

4.5 Review of a Council Policy

All Council policies will be allocated a review date, usually four years from the date of adoption, unless specific requirements dictate otherwise, to ensure that any changes required to strengthen or update the policy and meeting changing circumstances can be made in a timely manner.

Council policies will be rescinded by the subsequent adoption of a revised policy provided there are no significant changes to the intent of the policy.

Minor administrative changes that do not alter the intent of the policy such as changes to department names, legislative references, typographic errors and minor changes to wording, can be made. Any change or update that will materially change the intent of the policy must be made by a resolution of Council.

A policy that has not been reviewed and adopted by Council prior to the scheduled review date will remain in place until such time as this process has been undertaken or it is formally rescinded.

4.6 Gender Impact Assessments

In accordance with the *Gender Equality Act 2020*, a gender impact assessment must be undertaken for all new or revised policies that may have a significant impact on the public.

5. Accountability and Responsibility

Accountability and responsibility for this policy is outlined below.

5.7 Council

- Responsibility to ensure this Policy is consistent with Latrobe City Council Strategic Direction and other Latrobe City Council Policy
- Responsibility for the decision to approve this Policy by Council Resolution

5.8 Chief Executive Officer

- Overall responsibility for compliance with this policy
- Overall responsibility for enforcing accountability.
- Overall responsibility for providing resources.
- Overall responsibility for performance monitoring

5.9 General Manager

- Responsibility for compliance with this policy
- Responsibility for enforcing accountability.
- Responsibility for providing resources.
- Responsibility for performance monitoring

5.10 Manager

- Develop frameworks and procedures in compliance with this policy.
- Enforce responsibilities to achieve compliance with frameworks and procedures.
- Provide appropriate resources for the execution of the frameworks and procedures.

5.11 Employees, Contractors and Volunteers

- Participate where required in the development of frameworks and procedures in compliance with this policy.
- Comply with frameworks and procedures developed to achieve compliance with this policy.

6. Evaluation and Review

This policy will be reviewed on request of Council, in the event of significant change in the Executive team, significant changes to legislation applicable to the subject matter of the policy or, in any other case, during each Council term (generally four years).

7. Definitions

Council Policy – An external facing policy outlining the strategic directions of Council that is used to guide decision making in specific areas.

Operational Policy – An internal facing policy referring to specific activities or requirements that is used to guide officers in the ongoing operations of Council.

8. Related Documents

Latrobe City Council Plan

9. Reference Documents

Local Government Act 2020

Gender Equality Act 2020