

Disclaimer: This marked-up version of Schedule 4 of the *Local Government Act 1999* is provided for reference purposes only and should be read in conjunction with the *Statutes Amendment (Local Government Review) Act 2021* and draft regulation 5 of the *Local Government (General) (Annual Report) Variation Regulations 2021* (that inserts regulation 35A into the *Local Government (General) Regulations 2013*) and may contain errors.

LEGEND:

Blue font – Amendment under the *Statutes Amendment (Local Government Review) Act 2021* – to be commenced when the new council member conduct management framework reforms commence.

Red font – Amendments under the *Local Government (General) (Annual Report) Variation Regulations 2021* – proposed to be commenced December 2021 (TBC).

Schedule 4—Material to be included in ~~the~~ annual report of a council

- 1 The following material must be included in the annual report of a council:
 - (a) a copy of the audited financial statements of the council for the relevant financial year;
 - (b) a list of the registers that are required to be kept under this Act or the *Local Government (Elections) Act 1999*;
 - (c) a list of the codes of conduct or practice required under this Act or the *Local Government (Elections) Act 1999*;
 - (d) a report relating to contraventions of Chapter 5 Part 4 Division 2 by members of the council during the relevant financial year containing the information required by the regulations;
 - (f) information on allowances paid to members of the council or a council committee;
 - (g) information on the number of senior executive officers and information on the kinds of allowances, bonuses and benefits that are made available to those officers as part of a salary package;
 - (ga) a report on the use of sections 90(2) and 91(7) by the council and its council committees containing the information required by the regulations;
 - (gb) a report on the applications made to the council under the *Freedom of Information Act 1991* during the relevant financial year containing the information required by the regulations;
 - (h) a statement of—

- (i) the council's representation quota; and
- (ii) the average representation quota for councils of a similar size and type (taking into account various factors prescribed by the regulations); and
- (iii) when the council ~~next intends~~ is next required to conduct a review under Chapter 3 Part 1 Division 2; and

~~(iv) the procedures that are available under Chapter 3 for electors to make submissions on representation under this Act;~~

- (ha) the annual report of any subsidiary received by the council under Schedule 2 for the relevant financial year;
 - (i) other material prescribed by the regulations;
 - (j) other information to be included in the annual report under this or another Act.
- 2 The following matters must be reported on in the annual report of a council:

- (a) the council's performance in implementing its strategic management plans during the relevant financial year, and the council's projections and targets under its plans for the next financial year;
- (ab) the council's performance against its annual business plan for the relevant financial year;
- (b) the extent to which activities of the council have been subjected to competitive tender or other measures to ensure services are delivered cost-effectively, and the extent (if any) to which the council has pursued policies for purchasing local goods and services;
- ~~(c) the decision-making structure of the council;~~
- (ca) the training and development activities for members of the council during the relevant financial year;
- ~~(d) the implementation of equal employment opportunity programs, and other human resource management or development programs, during the relevant financial year;~~
- (e) the progress of the council in preparing or finalising any management plans for community land required under the Chapter 11;
- (f) other matters prescribed by the regulations.

3 In this Schedule—

representation quota for a council is an amount ascertained by dividing the number of electors for the area of the council (as at the last closing date under the *Local Government (Elections) Act 1999*) by the number of members who constitute the council (ignoring any fractions resulting from the division and expressed as a quota).

ward quota for a council is an amount ascertained by dividing the number of electors for the area of the council (as at the last closing date under the *Local Government (Elections) Act 1999*) by the number of members for the area of the council who represent wards (ignoring any fractions resulting from the division and expressed as a quota).