**Attachment A**

***Local Government Legislation Amendment Act 2019***

**Amendments commencing on Assent — *Local Government Act 1995***

| ***LGLA Act 2019*****Section** | ***LG Act 1995*****section** | **Effect of amendment** |
| --- | --- | --- |
| 1 | Short title | Nil |
| 2 | commencement | Sets out which provisions come into effect on Assent and which on proclamation |
| 3 | LG Act amended | Nil |
| 4 | 1.4 | Removal of special majorities |
| 6 | 1.10 | Removal of special majorities |
| 7 | 2.11 | Removal of special majorities |
| 8 | 3.12 | Local laws – local notice provided in lieu of Statewide noticeNew requirement — To advise in the gazettal that the local law is available on the local government’s website |
| 9 | 3.16 | Review of local laws – local notice provided in lieu of Statewide notice |
| 10 | 3.17 | Local laws made by the Governor are to be tabled in Parliament |
| 11 | 3.59 | New requirement — To publish a copy of a business plan for a major trading undertaking or major land transaction on the local government’s website. |
| 12 | 4.32 | Typographical amendment |
| 18 | 5.10 | Changes “local government” to “council” for clarity  |
| 19 | 5.17 | Removal of special majorities |
| 21 | 5.38 | Clarifies responsibilities for annual performance reviews |
| 23 | 5.43 | Removal of special majorities |
| 24 | 5.50 | Removes the requirement to provide local public notice of adoption of policyNew requirement — To publish a copy of the policy on the local government’s website |
| 45 | 5.94 | New requirement — To make available any register of gifts at the local government’s officesRemoval of the requirement to have the following available for inspection:* the rules of conduct regulations; and
* CEO and senior employees’ contracts
 |
| 46 | 5.95 | Removal of the ability for the CEO to deem that documents should not be made available because in the CEO’s opinion the meeting should have been closed to the public. |
| 47 | New 5.96A | New Requirement — To publish additional information on the local government’s official website:* a map of the district (which includes ward boundaries);
* consolidated copies of any local law that is in force in the district;
* the annual budget;
* an up-to-date list of fees and charges;
* the local government’s plans for the future;
* confirmed minutes of council or committee meetings;
* minutes of electors’ meetings; and
* notice papers and agendas relating to council and committee meetings that have been tabled or produced by the local government and presented at a council or committee meeting (unless it concerns an item that was part of a meeting that was closed to members of the public)

The CEO is not to publish:* rate records; and
* the register of owners and occupiers and electoral rolls
 |
| 52 | 5.107 | Complaint period for a Local Government Standards Panel breach reduced to 6 months |
| 53 | 5.108 | Complaint period for a Local Government Standards Panel breach reduced to 6 months |
| 54 | 5.109 | Complaint period for a Local Government Standards Panel breach reduced to 6 months |
| 55 | 5.110 | The Standards Panel now has the ability to request the parties undertake mediation.The Standards Panel, when determining how a minor breach will be dealt with, may take into account:* the outcome of mediation requested; or
* a refusal by the council member to participate in the mediation requested

The Standards Panel will have the ability to order that no sanction is imposed when a breach is found, rather than the existing power to dismiss the complaintThe Standards Panel will be able to order that the person found to be in breach repay the local government the costs of the Standards Panel proceedings |
| 56 | 5.118 | New requirement — To publish any adverse finding of the State Administrative Tribunal and the Standards Panel on the local government’s website. |
| 58 | 5.121 | New requirements — * Include a finding of breach where no sanction has been imposed in the complaints register; and
* Publish the complaints register on the local government’s official website
 |
| 59 | 5.123 | All complaints of minor, serious and recurrent breaches must remain confidential until these have been determined with a finding that a breach has occurred. This replaces the requirement for confidentiality during the campaign periodPenalty: $5,000 fine  |
| 60 | 5.125 | Expansion of the ability to appeal to include where a breach is found but no sanction imposed |
| 62 | 6.36 | New requirement — To advise in the local notice that the objects and reasons for proposed imposition of a differential rate or minimum payment can be viewed on the local government’s websiteNew requirement — To publish the objects and reasons for proposed imposition of a differential rate on the local government’s website |
| 63 | 6.41 | New – Provides the ability to provide a rate notice via email (with the consent of the owner/occupier) |
| 69 | New 9.57A | Statutory protection for defamation to a local government (body corporate) from the publishing of any broadcast, audio recording or video recording of council or committee meetings on the local government’s official website |
| 70 | Sch 2.4 | Removal of special majorities |
| 71 | Sch 2.5 | Update reference to Local Government Professionals |
| 72 | Sch 5.1 | Update reference to Local Government Professionals |
| 73 | Sch 6.3 | New requirement — To publish the notice of sale of a property because of the non-payment of rates or service charges on the local government’s websiteRemoval of the requirement to place the notice on the local government’s notice board. |

**Attachment B**

***Local Government Legislation Amendment Act 2019***

**Amendments commencing on assent — *Local Government (Miscellaneous Provisions) Act 1960***

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| --- | --- | --- |
| ***LGLA Act 2019*****Section** | ***1960 Act*****section** | **Effect of amendment** |
| 75 | Act amended | Nil |
| 76 | 450 | Aligns the notice requirements with the notice requirements under the *Local Government Act 1995* |
| 77 | 451 | Aligns the notice requirements with the notice requirements under the *Local Government Act 1995* |
| 78 | 463 | Aligns the notice requirements with the notice requirements under the *Local Government Act 1995*New requirement — To publish the notice under this section if requested to do so by the owner or occupier of land on which cattle are trespassing on the local government’s website |
| 79 | 464 | Aligns the notice requirements with the notice requirements under the *Local Government Act 1995* |
| 80 | 469 | Aligns the notice requirements with the notice requirements under the *Local Government Act 1995* |
| 81 | 470 | Aligns the notice requirements with the notice requirements under the *Local Government Act 1995* |
| 82 | 474 | Aligns the notice requirements with the notice requirements under the *Local Government Act 1995* |