

## Report to the Future Melbourne (Finance and Governance) Committee

Agenda item 6.5

### Reform program on disclosure and transparency over the current Council term

6 September 2016

**Presenter:** Keith Williamson, Manager Governance and Legal

#### Purpose and background

1. The purpose of this report is to meet the Year 4 Council Plan Action to 'Develop a report summarising City of Melbourne's reform program on disclosure and transparency over the last Council term'.
2. One of Council's outcomes in the 2013–17 Council Plan was to aim for 'increased public disclosure and access to information to become one of the most transparent councils in Australia'.
3. Council has for many years been a pioneer in some areas of disclosure and transparency. Prior to the Council's current term non-statutory disclosure measures available on Council's website included:
  - 3.1. All open Council and Committee reports and minutes dating back to January 2003.
  - 3.2. Details of all interstate/overseas travel by Councillors and officers dating back to December 2004.
  - 3.3. Councillor allowances and expenses dating back to January 2008.
  - 3.4. Details of interstate/overseas travel by others paid for by Council during the previous 12 months.
  - 3.5. Reports to Council or Committee approving all (with exception of a few urgent requests) interstate travel by Councillors and approving overseas travel by the Lord Mayor and Councillors.
4. During the current term of Council (since October 2012) a large number of increased transparency and disclosure reforms have been implemented (refer Attachment 2 for full list).
5. Some key highlights of the list include having made available on Council's website:
  - 5.1. Audio recordings of all open Council and Future Melbourne Committee meetings.
  - 5.2. A register of all conflicts of interest declared by current Councillors in open session dating back to December 2008.
  - 5.3. A list of purchase orders over \$500,000.
  - 5.4. A register of all property leases.
  - 5.5. A register of the total remuneration package of senior officers in salary ranges.
  - 5.6. A listing of Council's land and building assets valued at more than \$2.5 million.
  - 5.7. Submissions received under section 223 of the *Local Government Act 1989* and public submissions made to Council and Future Melbourne Committee meetings.
6. Other highlights of increased disclosure and transparency have been:
  - 6.1. Council endorsed an 'open-by-default' policy position in relation to data sets supported by five Open Data Principles allowing simple access to machine-readable Council-owned data under open licences
  - 6.2. the community panels engaged to develop the 10 year plan and Future Melbourne 2026
  - 6.3. the introduction of public question time at the start and end of Future Melbourne Committee meetings.

#### Key issues

7. Council's reforms on disclosure and transparency have been recognised by the Victorian Government.
8. The Local Government Act Review Directions Paper (Paper), *Act for the Future - Directions for a new Local Government Act* released in June 2016 stated (page 64); 'The City of Melbourne is a leader in transparency in council governance ...'.
9. One of the proposed directions contained in the Paper (page 15) is to 'Regulate for minimum standards and include in guidelines best-practice processes for ensuring transparency and accountability in council operations and administration, basing the guidelines on current Melbourne City Council practices'.

#### Recommendation from management

10. That the Future Melbourne Committee notes the disclosure and transparency changes that have been implemented during the current term of Council.

#### Attachments:

1. Supporting Attachment (page 2 of 4)
2. Disclosure and transparency reforms introduced by current Council (page 3 of 4)

**Supporting Attachment**

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**Legal**

1. The *Local Government Act 1989* does not require prescribed documents to be made available on Council website.

**Finance**

2. There are no financial implications associated with this report.

**Conflict of interest**

3. No member of Council staff, or other person engaged under a contract, involved in advising on or preparing this report has declared a direct or indirect interest in relation to the matter of the report.

**Relation to Council Policy**

4. Council's 2013–17 Council Plan states that Council has a goal to be an accessible transparent and responsive organisation.
5. Council's four year outcomes associated with Goal 8 were for:
  - 5.1. Increased public disclosure and access to information to become one of the most transparent councils in Australia.
  - 5.2. A more involved community.
  - 5.3. A better informed community.

**Stakeholder consultation**

6. No external consultation has been undertaken given the report is not seeking a decision.

**Environmental sustainability**

7. There is no significant sustainability impact arising from the recommendation in this report.

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**Disclosure and transparency reforms introduced by current Council**

1. Change in default position on consideration of tenders. Tenders now determined in open session of Council where practicable.
2. Appointment process of directors to Council's subsidiary companies altered to require positions to be advertised and for recruitment search companies to be appointed.
3. Disclosure of Council's position on Ministerial planning decisions by requiring that all applications above 25,000 m<sup>2</sup> be considered by Council or Future Melbourne Committee.
4. Audio recordings of open sessions of Council and Future Melbourne Committee meetings made available on Council's website the morning following the meeting.
5. Record of open resolutions made available on Council's website the morning following the meeting.
6. Introduction of public question time at the beginning and end of Future Melbourne Committee meetings.
7. Publication of Council's property lease register online.
8. Allowing members of the public more time to review the public agendas for Council and Committee meetings by releasing them online at 2pm on the Thursday before the Tuesday meeting. Changed timeframe for Notices of Motion to ensure they are included on agendas appearing online.
9. Inclusion on Council's website of the following:
  - 9.1. senior officer salary register
  - 9.2. register of delegations
  - 9.3. submissions received under section 223 of *Local Government Act 1989* (the Act)
  - 9.4. property lease register
  - 9.5. authorised officers under section 224 of the Act
  - 9.6. authorised officers under section 188 of the *Planning and Environment Act 1987*
  - 9.7. list of expenditure of \$500,000 or more per quarter.
10. Disclosure of the 20 most valuable land and building valuations.
11. Councillor Code of Conduct revised to require a planning officer to attend meetings between a Councillor and a developer on specific applications.
12. Future tender opportunities, together with proposed advertising period and current value, published online.
13. Disclosure on Council's website of major service contracts above \$1 million.
14. Automatic call-in of planning matters which have given rise to substantial public objection (denoted either by the qualitative strength of submission/s or there being a quantity of 16 or more non-identical submissions), or appears likely to do so, and is not recommended to be refused.
15. Online register of conflict of interest declarations (made in open session) for current Councillors dating back to December 2008.
16. People's panel engaged to advise on 10 year financial plan.
17. Disclosure in Council's Annual Report of remuneration arrangements for Chief Executive Officer and Directors.
18. Disclosure online of public open space contributions to Council dating back to 1994.

19. Developer contributions now included in quarterly financial reports.
20. Disclosure on Council's website of all council-owned properties worth more than \$2.5 million.
21. Council endorsed an 'open-by-default' policy position in relation to data sets supported by five Open Data Principles allowing simple access to machine-readable Council-owned data under open licences.
22. Publication of Chief Executive Officer's remuneration and full contract of employment on Council's website.
23. Improved reporting on financial position of Citywide Services Solutions Pty Ltd and Queen Victoria Market Pty Ltd in quarterly reports by separating the two entities performance.
24. Public submissions to Council and Future Melbourne Committee published online.
25. Council motions for Municipal Association State Council meetings considered and endorsed in open Future Melbourne Committee meetings.
26. Dedicated web page for council submissions (including submissions made by the administration) to third party bodies.
27. Engagement of Citizen's Jury to assist in development of Future Melbourne 2026.
28. The Annual Audit Committee Performance Report is presented to Council in August annually and published on the website, together with Performance Reports from prior years issued during the current term of Council.
29. Creation of a dedicated speeches page on Council's website which includes at least 10 speeches given by the Lord Mayor, Councillors or seniors officers to external bodies since the commencement of the Lord Mayor's period in office in late 2008.
30. Resolution to establish an online gift register commencing on 1 November 2016, capturing all council-related gifts, benefits or hospitality valued at more than \$150 received and kept by Councillors after 1 November 2016.