

# Public Transparency Policy

Corangamite Shire

September 2021



**CORANGAMITE  
SHIRE**

# Council Policy



## Public Transparency

### Introduction

Council is committed to maintaining good governance and values the importance of transparency, accountability, and making Council information publicly available, except where that information is confidential or its release is contrary to the public interest.

### Purpose

Council is required to adopt and maintain a public transparency policy under section 57 of the *Local Government Act 2020* (the Act). This policy gives effect to the Public Transparency Principles under section 58 of the Act, formalises Council's commitment to transparent decision-making processes, and outlines Council information that is available to the public.

### Scope

This policy applies to all Councillors, Council staff, and members of Delegated Committees (if established by Council).

### Definitions

In this policy:

<b>Confidential Information</b>	means	information that is defined as confidential by the <i>Local Government Act</i> or any other Act.
<b>Council Decision</b>	means	a decision made by Council or a Delegated Committee at a formal meeting held in accordance with the <i>Local Government Act</i> and Governance Rules, or by a member of Council staff delegated to make the decision by Council or the Chief Executive Officer.
<b>Contrary to Public Interest</b>		There is no definition in the Act as to when the public availability of information would be contrary to the public interest. Council will determine this on a case by case basis.

### References

*Charter of Human Rights and Responsibilities Act 2006*  
*Freedom of Information Act 1982*  
*Local Government Act 2020*  
*Privacy and Data Protection Act 2014*

## **Policy Detail**

### ***Council Decision Making***

Councillors, members of Delegated Committees, and staff members undertaking delegated decision making responsibilities, will make Council Decisions:

- in accordance with the Act and Governance Rules;
- in a transparent manner, except when it involves information that is confidential by virtue of the *Local Government Act* or any other Act;
- fairly and on the merits; and
- respecting a person's entitlement to communicate their views and have their interests considered if their rights will be directly affected by the decision.

### ***Available Council Information***

The following Council information will be made **readily available on Council's website and from Council's offices**:

- Annual Report
- Budget
- Council meeting agendas and minutes
- Council Plan, including the Annual Action Plan
- Council plans and strategies
- Council policies, adopted by Council
- Councillor Code of Conduct
- Councillor contact details
- Customer Service Charter and complaints procedures
- Freedom of Information Part II Statement
- Governance Rules
- Local Laws and any incorporating documents
- Summaries of personal interest returns.

In addition, Council publishes a range of newsletters, reports and handbooks for residents, businesses and visitors to Corangamite Shire. These will be available on Council's website or from Council's offices.

The following information will be made **readily available on Council's website**:

- Public notices required by legislation and Council's Governance Rules
- Summaries of election campaign donation returns.

The following information will be made **available for inspection on request at Council's offices**:

- Copies of election campaign donation returns
- Minutes of Delegated Committees (if established)
- Register of delegations made by Council
- Register of delegations made by the Chief Executive Officer
- Any other public registers required by Local Government legislation, including regulations, or any other Act.

Council will also make available open data via <https://data.gov.au> in accordance with Council's Open Data Access Policy.

Public awareness of the availability of Council information will be facilitated through Council's website, social media and community engagement processes.

**Information Not Available**

Council information will not be available to the public when it is confidential by virtue of the *Local Government Act* or any other Act, or when public availability of the information would be contrary to the public interest. However, from time to time Council may determine to make some confidential information publicly available in the interests of transparency.

**Requests for Information and Freedom of Information**

Requests for information that is not readily available on Council’s website or at Council’s offices may be directed to Council staff by contacting Council on 5593 7100 or emailing shire@corangamite.vic.gov.au. Where possible, information will be provided within the parameters of this policy.

In the event that Council is unable to provide the information requested, an application may be possible under the *Freedom of Information Act 1982* (FOI Act). Details regarding Freedom of Information (FOI), including Council’s Part II Statement under the FOI Act, can be found on Council’s website or by contacting Council. Alternatively, information about FOI can be obtained from the Office of the Victorian Information Commissioner ([www.ovic.vic.gov.au](http://www.ovic.vic.gov.au)).

**References to Related Council Policies, Procedures or Guidelines**

Freedom of Information Part II Statement  
Governance Rules  
Open Data Access Policy.

**Review Date**

This policy will be reviewed within 12 months following each general council election, or earlier if required.

It is considered that this Policy does not impact negatively on any rights identified in the *Charter of Human Rights and Responsibilities Act 2006*.

It is considered that this policy does not adversely impact community members or employees of different genders and has been developed in accordance with the *Gender Equality Act 2020*.



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Andrew Mason  
**Chief Executive Officer**

12/10/2021  
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Date