



ANNUAL GENERAL MEETING

AGENDA

To be submitted to the

**ONE HUNDRED AND SIXTH SESSION
OF THE ASSOCIATION**

**Will be held on
25 July 2018**

**Commencing
11.00am**

**Wrest Point Casino
Hobart**

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* Denotes Attachment

FORMAL NOTICE OF MEETING

NOTICE IS HEREBY GIVEN THAT

***The Annual Conference of
Local Government in Tasmania
will be held
commencing
Wednesday 25 July, 2018***

**NOTICE IS ALSO GIVEN THAT
One Hundred and Sixth Annual General Meeting
of the Association
will be held at
Wrest Point
Hobart**

**Commencing at
11.00am
on
Wednesday 25 July, 2018**

**NOTICE IS ALSO GIVEN THAT THE
Association's General Meeting
will be held at
Wrest Point
Hobart
commencing immediately following
the conclusion of the
AGM
on Wednesday 25 July, 2018**

**To consider
Local Government Policy and Motions
from Member Councils**

**Katrena Stephenson
CHIEF EXECUTIVE OFFICER**

2018 CONFERENCE PROGRAM**WEDNESDAY 25 JULY 2018**

11.00am	AGM	
	General Meeting	Commences immediately following the conclusion of AGM
12.30pm	Lunch	
1.30pm	Meetings continue	
5.00 6.00pm	Welcome Reception	With thanks to <i>Page Seager</i>

THURSDAY 26 JULY 2018

8.00am	Conference Registration	
8.45am	Welcome and Opening	
9.00am	Scott Rankin	
9.40am	Sally Curtain	
10.20am	Corporate Wellness - Dr Matt Constable	
10.35am	Morning Tea	<i>With thanks to Dial Before You Dig</i>
11.10am	Brook Dixon	
11.40	Mayor David O'Loughlin – ALGA President	
12.10	Speed Networking	
12.30pm	Lunch	With thanks to <i>Dial Before You Dig</i>
1.30pm	Workshop Program	
3.00pm	Afternoon Tea	With thanks to Commonwealth Bank
3.30pm	Craig Reucassel	
4.30 – 5.30pm	Happy Hour	<i>With thanks to Commonwealth Bank</i>
7.15pm	MAV Conference Dinner	

FRIDAY 27 JULY 2018

8.30am	The Rewind Walking Tour – Tasmanian Heritage Council	
9.00am	Workshop Program	
10.30am	Morning Tea	<i>With thanks to Jardine Lloyd Thompson</i>
11.15am	2018 Local Government Awards for Excellence	
11.55am	Genevieve Lilley	
12.50pm	Conference wrap up	
1.00pm	Lunch	With thanks to Jardine Lloyd Thompson

2018 ANNUAL GENERAL MEETING

The President, Mayor Doug Chipman, will welcome Members, declare the Annual General Meeting open and accept apologies.

1 MINUTES OF 105TH ANNUAL GENERAL MEETING *

Decision Sought

That the Minutes of the 105th Annual General Meeting, held 26 July, 2017 be confirmed.

The Minutes of the 105th Annual General Meeting of the Local Government Association of Tasmania, held in Hobart on 26 July, 2017 as circulated, are submitted for confirmation.

The Minutes are at **Attachment to Item 1.**

2 PRESIDENT'S REPORT

Decision Sought

That the President's report be received.

The President will present his report to the 2018 Annual General Meeting.

3 FINANCIAL STATEMENTS TO 30 JUNE 2017 *

Decision Sought

That the Financial Statements for the period 1 July 2016 to 30 June 2017 be received and adopted.
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The General Management Committee recommends consideration and adoption of the Association's Financial Statements for the period 1 July 2016 to 30 June 2017, an abridged version of which are included at **Attachment to Item 3**.

A full version is available from the Association's offices on request.

A copy of the Association's Profit and Loss report for the period 1 July 2017 to 22 June 2018 is also included at **Attachment to Item 3** to provide members with an indication of the current financial position of the Association.

At the time of preparation of this report one week remained to the end of the financial year with year-end adjustments also pending. It is anticipated that there will be a surplus (approx. \$60,000) with items below being of note –

- With the decision to revamp the Community Satisfaction Survey, the survey will not be undertaken until the 2018/19 financial year, resulting in an underspend of \$30,000 this financial year.
- Additional staffing were incorporated into the budget for 2017/18 to accommodate changes to the communications and events role and general staff changes. Consequently, a full year was not been worked in all positions. This resulted in a reduction in overall wages and superannuation costs.
- We were able to secure some excellent speakers for the July 2017 Annual Conference at a low-cost which, combined with some other cost cutting initiatives, resulted in less expense overall to hold the event.

4 LGAT BUDGET AND SUBSCRIPTIONS 2018/2019 *
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Decision Sought

That the Meeting endorse the adoption of the Budget and Subscriptions as presented.
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Subscriptions

This year we have transitioned to the new subscription formula agreed at the 2017 AGM. That formula comprises a flat fee of 40 per cent and population and revenue fees of 30 per cent each, 8 revenue categories and 8 population categories and a 10 per cent collar and cap.

In this first year, many councils trigger either the collar or cap provisions but, testing on outer years has demonstrated that the formula stabilises and that the number of councils triggering the 10% cap will reduce substantially.

Additionally, to smooth the first year when so many councils triggered caps and collars, a small adjustment against total subs has been made to ensure alignment between the formula and budget.

However, mindful of the impacts of the formula change, LGAT has applied an overall subscription increase (including the survey/advertising components) of 2.42%¹.

Budget

There are no strongly significant areas of variation to the budget this year but some moderate variations as follows:

- Staff outputs and productivity continue to be high and therefore in line with most council EBAs a 2% pay increase has been budgeted for across all second year plus staff. Staff in their first year receive a post probation period increment as per their contracts.
- There has been a change in the way conference registrations and trade and general sponsorship have been reflected in the budget to better reflect our new approach to sponsorship but overall only a modest increase in this income stream (\$10,000) is projected given the competitive conference and sponsorship environment.
- We have continued to focus on generating our own income and while it remains a relatively small component as compared to subscriptions, it is increasing. A further small but steady increase in income is predicted in relation to our events and commissions.
- Owing to a re-examination of the format of the community satisfaction survey, it was not conducted during the 2017/18 financial year but will be conducted during the 2018 calendar year. It should be noted that LGAT subscriptions allow for a portion of the costs of the four yearly survey to be captured each year so there is not a neat offset between income and expenditure in a single year. This is further exacerbated as we are still in the transition period

¹ In line with Council Cost Index.

between a two-yearly survey and a four-yearly survey. The collection of a portion of funds each year reduces the impact for councils in a survey year.

- The allocation to TV advertising has been reduced this year based on the planned program of activity and the use of some unspent advertising funds. This has helped keep the overall subscription increase in line with the Council Cost Index.
- Interest rates remain low and projected interest earnings reflect that this is unlikely to change in this financial year.
- LGAT is shifting providers for telecommunications (mobile and data) and we anticipate significant savings over time, with a smaller offset this first year because of equipment transition costs.
- There is no significant building maintenance work scheduled for this year.
- A new budget line item has been introduced for HR/IR which relates to a new contracted support service to LGAT on these matters. This will be partially offset by a reduction in consultancy costs (related to legal fees).
- Budget for a short-term mentoring project has been established to support the post-election environment.

A copy of the Budget and Subscriptions for the 2018/2019 Financial Year are at **Attachment to Item 4.**

5 PRESIDENT AND VICE PRESIDENT HONORARIUMS

Decision Sought

That the President's and Vice President's allowance for the period 1 July 2018 to 30 June 2019 be adjusted in accordance with the movement in the Wages Price Index.

The Rules of the Association provide that the Annual General Meeting will grant an annual allowance to the President and Vice President.

In the past an independent review of allowances was undertaken in the same financial year as the review of allowances for Local Government Elected Members, with the last review undertaken in 2009. The result of that review was to retain the basis of the present allowances unchanged for the two positions with movements to be in conjunction with the wages price index. This brought the escalation factor for allowances in line with Elected Member allowances across councils.

The escalation factor used for elected member allowances remains the wages price index and it is deemed appropriate that the President and Vice President Honorariums continue to escalate on the same basis.

A review of Elected Member allowances has been undertaken in the 2017/18 Financial Year but is not yet finalised. If, as anticipated, the review determines that the escalation of Elected Member Allowances will not alter, the Honorariums will not require review.

The resultant application of the wages price index has meant allowances for 2017/18 were:

- President allowance \$47,304 per annum.
- Vice President allowance \$11,826 per annum.

GMC sitting fees will also be adjusted by the wages price index.

6 RULES OF THE LOCAL GOVERNMENT ASSOCIATION OF TASMANIA

Decision Sought

That Members agree to amend the Rules to reflect electronic voting practices as outlined in Option One.

Background

LGAT introduced electronic voting for the AGM and General Meeting in July 2017.

At the November 2017 Meeting Members agreed to the practice of publishing the vote record on decision items by the Council in the General Meeting and AGM Minutes. Members also agreed that the electronic vote would be used for all items (with cards only to be used in the case of technology failure).

It is timely then to amend LGAT's rules to reflect this practice, the changes proposed are highlighted in red below.

Option 1

16. VOTING AT MEETINGS

- (a) Voting at any Meeting of the Association shall be upon the basis of each Voting Representative being provided with, immediately prior to the meeting, **an electronic voting button or** placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according to **voting entitlement and the voting buttons will be coded according to voting entitlement:**

Population of the Council Area	Number of votes entitled to be exercised by the Voting Representative	Colour placard to be raised by the Voting Representative when voting
Under 10,000	1	Red
10,000 – 19,999	2	White
20,000 – 39,999	3	Blue
40,000 and above	4	Green

- (b) **Electronic voting buttons will be the first choice for voting on all decisions, with placards only to be used if the technology fails.**
- (c) **Voting buttons allow councils to vote for or against a motion or formally abstain from voting. An abstain is not to be taken as a negative vote.**
- (d) The Chair of the meeting shall be entitled to rely upon **the electronic vote or** the raising of a coloured placard as the recording of the vote for the Member and as evidence of the number of votes being cast.
- (e) Except as provided in sub-rule (d), each question, matter or resolution shall be decided by a majority of the votes **for a motion**. If there is an equal number of votes upon any question, it shall be declared not carried.
- (f) (i) When a vote is being taken to amend a Policy of the Association, the resolution must be carried by a majority of the votes cast by Members present at the meeting.
- (ii) When a vote is being taken for the Association to sign a protocol, memorandum of understanding or partnership agreement, the resolution must be carried by a majority of votes capable of being cast by Members and by a majority of Members, whether present at the meeting or not.
- (iii) When a vote is being taken to amend these Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by Members, whether present at the meeting or not.
- (e) A Voting Representative or his or her proxy in the name of the Member is entitled to vote on any matter considered at a Meeting of the Association.
- (f) **The electronic record of votes cast for decision items will be provided with the Minutes of the Meeting.**

A critical point to understand is that when voting cards were used, it was not possible to know who abstained from voting. On that basis LGAT has simply carried a motion based on a majority of votes. The proposed amendments would continue to work on that basis. That is, to abstain is not considered a vote in the negative. If Members determined that to abstain is considered a vote in the negative, then the following Rule Amendments would apply.

Option 2

16. VOTING AT MEETINGS

- (g) Voting at any Meeting of the Association shall be upon the basis of each Voting Representative being provided with, immediately prior to the meeting, **an electronic voting button or** placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according to **voting entitlement and the voting buttons will be coded according to voting entitlement:**

Population of the Council Area	Number of votes entitled to be exercised by the Voting Representative	Colour placard to be raised by the Voting Representative when voting
Under 10,000	1	Red
10,000 – 19,999	2	White
20,000 – 39,999	3	Blue
40,000 and above	4	Green

- (h) **Electronic voting buttons will be the first choice for voting on all decisions, with placards only to be used if the technology fails.**
- (i) **Voting buttons allow councils to vote for or against a motion or formally abstain from voting. An abstain is to be taken as a negative vote.**
- (j) The Chair of the meeting shall be entitled to rely upon **the electronic vote or** the raising of a coloured placard as the recording of the vote for the Member and as evidence of the number of votes being cast.
- (k) Except as provided in sub-rule (d), each question, matter or resolution shall be decided by a majority of the votes cast, **with an abstain to be counted in the negative.** If there is an equal number of votes upon any question, it shall be declared not carried.
- (l) (i) When a vote is being taken to amend a Policy of the Association, the resolution must be carried by a majority of the votes cast by Members present at the meeting.
- (ii) When a vote is being taken for the Association to sign a protocol, memorandum of understanding or partnership agreement, the resolution must be carried by a majority of votes capable of being cast by Members and by a majority of Members, whether present at the meeting or not.
- (iii) When a vote is being taken to amend these Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by Members, whether present at the meeting or not.
- (g) A Voting Representative or his or her proxy in the name of the Member is entitled to vote on any matter considered at a Meeting of the Association.

- (h) **The electronic record of votes cast for decision items will be provided with the Minutes of the Meeting.**

Members should note that as the voting software is not currently set up to count 'abstains' as a negative vote, this rule amendment would not apply until the December General Meeting.

LGAT Policy

Does not apply.

Budget Impact

Does not apply.

7 LGAT/LG PROFESSIONALS CONFERENCE

Decision Sought

That Members note the intent to undertake scoping work with LG Professionals Tasmanian with respect to combining our conferences in future.

That Members further note, that should conferences combine, it may be prudent to shift the AGM and General Meeting to a separate date.

Background

During the organization of the LGAT Annual Conference, we have experienced the withdrawal of some of our regular sponsors and trade exhibitors, demonstrating a continued tightening of the market. Some of the withdrawing sponsors are citing a move to sponsoring Local Government Professionals Tasmania (LG Professionals Tas) which is surprising given that over the last two years, the numbers attending the LG Professionals Tas Conference has dropped dramatically. Small attendance numbers might make both sponsorship and trade significantly more difficult for LG Professionals Tas to attract in future.

Both LGAT and LG Professionals Tas are providing increased networking and professional development opportunities and in essence may be cannibalizing our big events with more tailored events. Combined with greater workloads/fewer resources in councils, more alignment with technical/professional roles and training opportunities related to those (eg PIA, IPWEA, EHA), tighter council budgets restricting paid professional development opportunities, low interest rates, tighter market conditions, more focused spend by sponsors, not to mention competition between our two organisations, the pressure on our key revenue raising events will continue.

In 2017, while LGAT and LG Professionals Tas shared a resource, LGAT undertook and funded, a sponsorship workshop with an independent consultant which highlighted the potential benefits of a joint approach to sponsorship and conference but the timing was not quite right to pursue from either a LGAT or LG Professionals Tas perspective. However, both the GMC and the LG Professionals Tas Board have agreed that if we continue to delay these discussions there is a significant risk to the viability of both events.

Both organisations have agreed to work together to develop a proposed model for a joint 2019 conference as well as a proposed model for a joint sponsorship prospectus, that is in tune with the principles of our MOU.

Before a decision can be made on whether to combine events, both organisations require some independent advice, particularly as relates to assessing historical income generation and resourcing and determining a fair methodology for distributing income and an understanding of who/how sponsorship and conference would be managed ongoing. There are implications for both organisations financially and in terms of human resource that would need to be considered. This preliminary investigative and modelling work will be funded by both organisations equally. A consultant has been engaged and a workshop will be held with representatives of both organisations in late September as part of that process.

At the November 2017 General Meeting, the CEO informally canvassed views about separating the AGM from the LGAT Annual Conference. The rationale was two-fold, it could reduce the cost of attendance of the AGM significantly and it could free up the conference to include other streams and partners as outlined above. Members indicated the viability of this should be explored. As it currently stands, there is a risk to the conference viability generally in separating the AGM and General Meeting because of the additional resourcing costs internally to LGAT (related to two separate events), the potential loss of registered participants and the subsequent loss in trade and sponsorship. Consideration of the timing of the AGM will be part of LGAT's overall considerations when modelling a partnership approach to the conference.

Budget Implications

Up to \$5000 for the initial scoping study.

Current Policy

Focus Area: Developing capacity and capability to deliver

Priority Area 9: Host an excellent Annual Conference, AGM & General Meetings

There is nothing in the rules which prevents separation of the AGM and General Meeting from the Annual Conference.

8 ANNUAL PLAN *

Decision Sought

That Members note the following report.
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Background Comment:

LGAT has made significant progress on the strategic priorities identified in the Strategic Plan for 2017-18, thanks to a small but high functioning team. There were 10 priorities:

1. Influence the State Government agenda for TasWater.
2. Shape the Code of Conduct Review.
3. Drive the planning reform agenda.
4. Build upon the resources available for Elected Members and staff.
5. Prepare communities and Councils for Local Government Elections in 2018.
6. Position the Local Government agenda in the State Government election.
7. Promote the good work of Local Government to the broader community.
8. Ensure LGAT systems and IT are fit for purpose.
9. Host an excellent Annual Conference, AGM and General Meetings.
10. Continue to expand the Procurement Program.

In particular, it should be noted that work was successfully completed in relation to TasWater advocacy, the Code of Conduct review, preparing for Local Government elections and State Government election advocacy.

In addition, internally LGAT completed significant IT upgrades and transitioned to a new staffing structure.

The GMC will soon agree the key strategic priorities for the year ahead and a new annual plan will be developed around those.

It is anticipated that training of new councillors, Federal elections, future Local Government reform and Waste Management will feature as new priorities but that planning, building resources and training and sector promotion will remain as priorities.

A report against the progress of the LGAT Annual Plan and a copy of the LGAT Strategic Plan are at **Attachment to Item 8.**

9 REPORTS FROM BOARD REPRESENTATIVES *

Decision Sought

- | |
|---|
| <p>(a) That the reports from representatives on various bodies be received and noted.</p> <p>(b) That Conference acknowledges the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.</p> |
|---|

Listed below are the bodies on which the Association had statutory representation in the 2017/2018 financial year.

Representatives on Bodies are requested to provide a report for Conference and are also requested to provide regular reports back to the Association during the year.

- **Animal Welfare Advisory Committee**
Clr David Moser
- **Community Review Committee - Threatened Species Protection Act 1995**
Ms Liz Quinn, Kingborough Council
- **Family Violence Consultative Committee**
Clr Mary Knowles OAM, Northern Midlands Council
- **LGAT Assist**
Mrs Jill Taylor
- **Local Government Board**
Mr Greg Preece
- **State Fire Commission**
Clr Hannah Rubenach, Break O'Day Council
- **State Fire Management Council**
Ms Melanie Kelly, Kingborough Council
- **State Grants Commission**
Mr Grant Atkins and Mr Rodney Fraser
- **State Marine Pollution Committee**
Mr Andrew Brown, Clarence City Council
- **Tasmanian Heritage Council**
Ms Danielle Gray, Kingborough Council; Ald Robin McKendrick, City of Launceston
- **Tasmanian Library Advisory Board**
Ald Sandra French, Burnie City Council, Clr Dick Adams, Northern Midlands Council; Ald James Walker, Clarence City Council; Ms Amanda Davison, Waratah Wynyard Council
- **Tasmanian Planning Commission**
Mr Michael Stretton, Launceston City Council
- **Tasmanian Suicide Prevention Committee**
Acting Mayor Annette Rockliff, Devonport City Council

The reports received for presentation are at **Attachment to Item 9.**

10 CLOSURE



ANNUAL GENERAL MEETING

Minutes

To be submitted to the

ONE HUNDRED AND FIFTH SESSION OF THE ASSOCIATION

Will be held on
26 July 2017

To Commence Immediately
Following the Conclusion of the
General Meeting

**Wrest Point Casino
Hobart**

Local
Government
Conference



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**Katrena Stephenson
CHIEF EXECUTIVE OFFICER**

2017 CONFERENCE PROGRAM**WEDNESDAY 26 JULY 2017**

11.00am	General Meeting AGM	Commences immediately following the conclusion of General Meeting
12.30pm	Lunch	With thanks to Telstra
1.30pm	Meetings continue	
5.30 6.30pm	Welcome Reception	

THURSDAY 27 JULY 2017

8.00am	Registration Desk Opens	
8.45am	Welcome and Opening	
9.00am	Dr Anton Kriz	
9.45am	Laughter Yoga	
9.55am	Travis Tiddy	
10.30am	Morning Tea	<i>With thanks to Jardine Lloyd Thompson</i>
11.15am	Dr Greg Moore	
12.00	Mayor David O'Loughlin, ALGA President	
12.30pm	Lunch	<i>With thanks to Jardine Lloyd Thompson</i>
1.30pm	Workshop Program	
3.00pm	Afternoon Tea	<i>With thanks to Commonwealth Bank</i>
3.30pm	Panel Discussion	
4.30pm	Happy Hour	<i>With thanks to Commonwealth Bank</i>
7.30pm	MAV Insurance Conference Dinner	

FRIDAY 28 JULY 2017

9.00am	Workshop Program	
10.30am	Morning Tea	<i>With thanks to Dial Before You Dig</i>
11.15am	Local Government Awards for Excellence	
11.45am	Laughter Yoga	
11.55am	Clr Emilia Sterjova	
12.50pm	Conference wrap up	
1.00pm	Lunch	<i>With thanks to Dial Before You Dig</i>



2017 ANNUAL GENERAL MEETING

The President, Mayor Doug Chipman, welcomed Members and declared the Annual General Meeting open at 3.05pm.

Apologies were received from -

Mrs Sandra Ayton	Central Coast Council
Mayor Duncan McFie	King Island Council
Mayor David Downie	Northern Midlands Council
Mayor Michael Kent	Glamorgan Spring Bay
Mayor Greg Howard	Dorset Council
Mr Greg Winton	Derwent Valley Council
Mayor Albert van Zetten	Launceston City Council
Mr Robert Dobrzynski	Launceston City Council

1 MINUTES OF 104TH ANNUAL GENERAL MEETING *

Circular Head Council/Devonport City Council

That the Minutes of the 104th Annual General Meeting, held 20 July, 2016 be confirmed.

Carried

The Minutes of the 104th Annual General Meeting of the Local Government Association of Tasmania, held in Hobart on 20 July, 2016 as circulated, are submitted for confirmation.

The Minutes are at **Attachment to Item 1.**

2 PRESIDENT'S REPORT

Flinders Council/Kingborough Council

That the President's report be received.

Carried

I am pleased to be able to present my Annual Report on the activities and achievements of LGAT over the last twelve months.

Before proceeding, I would like to thank you for re-electing me for a second term as President. I am inspired by your confidence in me as we continue to face difficult challenges on many fronts.

I also want to acknowledge the members of the General Management Committee.

- Vice President Mayor Daryl Quilliam from Circular Head Council;
- The Lord Mayor of Hobart, Alderman Sue Hickey;
- Mayor Tony Bisdee, Southern Midlands Council;
- Mayor Christina Holmdahl, West Tamar Council;
- Mayor Steve Martin, Devonport City Council;
- Mayor Mick Tucker, Break O Day Council, and
- Alderman Heather Chong from Clarence.

I look forward to working with you all over the next two years as we chart the course for LGAT on behalf of you our members.

I would also like to sincerely thank outgoing GMC Members Mayor Jan Bonde, Central Coast Council and Mayor Craig Perkins, Meander Valley Council for their wonderful support, friendship and significant contributions to our sector over their respective terms.

It feels somewhat an understatement to say it has been a challenging year for Local Government in Tasmania.

We have been tackling, and will continue to tackle, an intense reform agenda. On top of that, with the impact of natural disasters, pressures to deliver on feasibility studies, negative media related to Boards of Inquiries and so on; I can imagine many elected members and staff are feeling the pressure. This pressure will probably increase as we confront new issues already flagged for the year ahead, including a State Government election and the lead up to Local Government elections.

While the surprise announcement by the State Government in February with respect to TasWater has undoubtedly dominated thinking in recent months, LGAT has continued to prosecute a broad advocacy and service agenda with its usual diligence.

For example, our advocacy efforts have seen a number of successes in regard to planning reform, including \$300,000 in regional funding to support councils develop Local Provisions Schedules, and the funding and commencement of iPlan stage 2, our priority budget request for 2016-17.

Further, LGAT's advocacy has ensured a dedicated point of contact for councils experiencing issues in implementing the new visitor accommodation arrangements, based on similar successful advocacy and arrangements put in place with the introduction of changes to building regulation in January. LGAT will continue to advocate for the timely provision of guidance, appropriate consultation with Local Government as new laws and regulations are set in place.

We continue to engage on the waste management agenda and have produced a Waste and Resource Strategy from a Local Government perspective. This key document will inform the work of the EPA on the new State Waste and Resource Strategy.

LGAT was also successful in securing \$250,000 from the Tasmanian Government to support the collaborative delivery of a Health and Wellbeing Project. Working with the Department of Health and Human Services, we will use this project to help councils enhance the valuable work they are already doing in the health and wellbeing space.

LGAT has also worked closely with SES to secure funding to deliver the Municipal Emergency Management Risk project and through the budget process has ensured regional funding to support the Government's cat management plan.

In March, we commenced an advertising campaign to ensure that the amazing community support provided by our councils was not lost in the noise of adverse publicity arising from some of the many challenges facing us.

The Better Councils TV advertisement was developed very affordably using the intellectual property of our friends from the Local Government Association of Queensland and with volunteer actors and voice over artists. The screenings reaching more than 70% of the viewing audience.

The campaign was aligned with a complete re design of LGAT's communications including the launch of the new LG Tas Bulletin. Keep an eye peeled for our new style Annual Report to come out later this year as well.

In the last 12 months, LGAT has also issued a record number of media releases and opinion pieces with a high level of uptake. The new communications may be a factor in the record level of sponsorship and trade exhibitors at this year's conference, not to mention a record number of entries for this year's Awards for Excellence.

The Association also continued efforts to deliver a varied program of professional development opportunities for elected members and staff including our annual conference, elected member weekend, good governance forums for audit panel members, regional breakfasts; the 2IC forum, general managers' and mayors' workshops, preventative health and climate change forums and more.

Our investment in procurement related activity continues to bear fruit for members. For example, the whole of sector energy contract for public street lighting that has just been signed will save the sector \$800,000 in the next 12 months and likely more in the following 12 months. LGAT also continues to work with groups of councils to explore the regional roll out of LED street lighting.

Through our participation in the National Procurement Network (NPN) we have made 14 new Contracts available for councils to purchase through. In the 12 month period to the end of March 2017 councils collectively spent \$6.8m through the network with savings of over \$1m. That is a whopping 43% increase in savings over the preceding 12 months, excluding those savings made through the electricity contract project.

Significantly, some of our members have more than recouped their membership fees with savings made through their use of the NPN.

I don't want to steal all the thunder of the ALGA President David O'Loughlin, who is speaking tomorrow, but through the collaborative efforts of all the Associations under the ALGA umbrella a highly successful campaign to restore FAGs indexation bore fruit in the last Federal Budget. The loss of indexation cost Tasmanian Local Government around \$20 million and so it is fantastic that this key source of revenue won't be further degraded. I thank all Members for the part they played in the national campaign.

Other project, policy and advocacy activities have included development of a guide to minute taking, completion of the workplace behaviours toolkits, coordination of feedback on the proposed changes to the Local Government Act, development of a discussion paper to support a review of the Code of Conduct and submissions on floods, cats, dogs, smoking and gaming - to name but a few.

LGAT has just completed a new strategic and annual plan which together, lay out the long-term vision for LGAT, establishing five key focus areas and a short list of critical priorities for the next 12 months. These priorities include influencing the TasWater agenda, shaping the Code of Conduct Review, driving the planning reform agenda and preparing for elections.

The GMC and Staff of LGAT will continue the juggling act of achieving lobbying success in the context of a highly contested election environment while continuing to push your agenda.

I would like to conclude with some thankyou's.

Firstly, I would like to thank and acknowledge the amazing drive, energy and support provided by Dr Katrena Stephenson and her staff in the LGAT secretariat. Prior to serving as President, I really had not appreciated just how important a highly functional LGAT secretariat is to the coherence and credibility of the sector as a whole. It truly gives us an opportunity to speak with one voice on many fronts.

I also want to thank Vice President Daryl Quilliam and the other members of your GMC. Both individually and collectively their wisdom and commitment to our sector has been extraordinary and it has been my privilege to be part of that team.

Finally, to you as members and stakeholders, thank you for your passion and commitment to the cause of Local Government in Tasmania.

3 FINANCIAL STATEMENTS TO 30 JUNE 2016 *

Clarence City Council/Northern Midlands Council

That the Financial Statements for the period 1 July 2015 to 30 June 2016 be received and adopted.

Carried

The General Management Committee recommends consideration and adoption of the Association's Financial Statements for the period 1 July 2015 to 30 June 2016, an abridged version of which are included at **Attachment to Item 3**.

A full version is available from the Association's offices.

A copy of the Association's Profit and Loss report for the period 1 July 2016 to 23 June 2017 is also included at **Attachment to Item 3** to provide members with an indication of the current financial position of the Association.

At the time of preparation of this report one week remained to the end of the financial year with year end adjustments also pending. It is anticipated that there will be a surplus with items below being of note –

- Interest from term deposit investments due at 30 June is not reflected as yet but overall interest will be below budget due to reducing interest rates across the year however, successful workshops including Regional Breakfasts, Audit Panels, Change Management and Crucial Conversations have helped to offset this.
- Income from commissions related to insurance and procurement have exceed budget expectations and reflects the LGAT activity in this area.
- Additional staffing were incorporated into the budget for 2016/17 but with application processes and lag in start dates, a full year was not been worked. Some leave without pay arrangements were also agreed to enable Defence Reserves participation, all of which has shown a reduction in overall salaries and the superannuation paid.

- At the request of the Tasmanian Audit Office, a formal valuation of the LGAT premises has been undertaken which resulted in an adjustment to the land and building breakdowns and a reduced depreciation requirement. The Audit office has been advised that future valuations will only be undertaken as per the requirements of the Valuer Generals office, every 6-7 years.

4 BUDGET AND SUBSCRIPTIONS 2017/18 *

West Tamar Council/Tasman Council

That the Meeting adopt the Budget and Subscriptions as presented.

Carried

Subscriptions

LGAT has applied a general 2.2% increase in line with the consumer price index (CPI). The Annual percentage change for Hobart as reported by Treasury in March was 2.3%. CPI has not been applied to the community satisfaction survey and Better Councils components which are set around likely actual costs.

Three councils have moved up categories in the payment structure based on Total Assessed Revenue as determined by the States Grant Commission (with application of the Council Cost Index - decision AGM 2010) and as a consequence they see a significant shift in contribution required. These councils were advised of the likely impact ahead of setting their budgets. Two councils moved down a category.

A copy of the Budget and Subscriptions are at **Attachment to Item 4** for reference.

Budget

There are no strongly significant areas of variation to the budget this year.

There are some relatively minor variations including to staffing as the significant reform agenda being prosecuted across several Local Government areas, by a new Government, continues to stretch the Association. All staff have increased productivity and in recognition of that and the large workload predicted for next year, a 2% pay increase has been budgeted for across staff in line with most council EBAs.

As with last year there are two projects which, while core business for LGAT, are accounted for separately for transparency reasons. These are the Better Councils Better Communities promotion project which includes the television advertising and the Community Satisfaction Survey which is to be conducted in the year preceding Local Government elections.

Given this an election year, and noting that there may be an increased communications task related to TasWater, LGAT anticipates requiring all these funds again next year. If in future years, based on feedback from the sector, we determine no television presence is required, we will wind this ask back significantly. The direct cost of airing the commercial this year was \$50,000.

In relation to the Community Satisfaction Survey, we collect a proportion each year based on the cost estimated from the previous process. In this transition period, we have not collected enough to cover the cost of the survey, but have sufficient funds to draw on to cover the difference. This should not be an issue for future surveys. The collection of a portion of funds each year reduces the impact for councils in a survey year.

The HR Toolkit Project is complete so this stand-alone \$90,000 does not need to be collected anymore.

We have continued to focus on generating our own income and while it remains a relatively small component as compared to subscriptions it is increasing. A steady increase in income is predicted in relation to our events and procurement activity.

We have adjusted estimated interest earnings down based on the outcomes this year as there is limited likelihood of a significant increase in this regard, although we hope changing the nature of our investments may assist to boost this income stream.

There are no significant building maintenance works scheduled for this year.

5 PRESIDENT AND VICE PRESIDENT HONORARIUMS

Central Coast Council/Meander Valley Council

That the President's and Vice President's allowance for the period 1 July 2017 to 30 June 2018 be adjusted in accordance with the movement in the Wages Price Index.

Carried

The Rules of the Association provide that the Annual General Meeting will grant an annual allowance to the President and Vice President.

In the past an independent review of allowances was undertaken in the same financial year as the review of allowances for Local Government Elected Members, with the last review undertaken in 2009. The result of that review was to retain the basis of the present allowances unchanged for the two positions with movements to be in conjunction with the wages price index. This brought the escalation factor for allowances in line with Elected Member allowances across councils.

The escalation factor used for elected member allowances remains the wages price index and it is deemed appropriate that the President and Vice President Honorariums continue to escalate on the same basis.

A review of Elected Member allowances will be undertaken in the 2017/18 Financial Year. If the review determines that the escalation of Elected Member Allowances should alter, the Honorariums will be reviewed accordingly.

The resultant application of the wages price index has meant allowances for 2016/17 were:

- President allowance \$46,286 per annum.
- Vice President allowance \$11,572 per annum.

6.1 Subscription Modelling

Break O'Day Council/Clarence City Council

That the Members note the report on the subscription modelling undertaken.

That Members agreed to the formula outlined as Option 21 namely, a flat fee of 40 per cent, and population and revenue fees of 30 per cent each; 8 revenue categories and 8 population categories; and a 10 per cent collar and cap.

That Members agree to the amendment of the Rules allowing application of the new formula from 2018/19.

Carried

For	40
Against	15
Abstained	3

Foreshadowed Motion

Dorset Council/

That the budget required for the running of LGAT (\$1,179,099) be divided by the number of votes that sit within the membership for voting purposes (58), then multiply that figure by the number of votes held by individual councils. That figure is approximately \$20,320 per vote.

As the original motion was carried, the Foreshadowed Motion was not considered.

Background

Pursuant to feedback through the General Meeting and General Managers' workshop, LGAT agreed to undertake modelling in relation to possible changes to our subscription formula with the goal of reducing year on year movement between categories but continuing to ensure an equitable contribution basis.

It was agreed that we would look to using the following elements:

- A flat fee component (40% of total required revenue required divided by all members);
- A population based component (30% of total required revenue distributed across population bands) and
- An expenditure based component (30% of the total required revenue distributed across expenditure bands).

It was also agreed there would be consideration of a cap similar to that used in South Australia where no Council pays more than three times the average or a five per cent increase related to population and revenue changes in any year.

Preliminary analysis considered those three elements only which in themselves could provide infinite variation. LGAT was unable to find a model which, when compared to current subscriptions, did not cause significant variations across most councils from -15% to +63%. The skills set at LGAT did not lend itself to more sophisticated modelling. Consequently, in March 2017, LGAT sought further feedback from General Managers on the following:

1. In the current climate and emerging priorities, do you still want LGAT to pursue reviewing the subscription formula?;
2. If yes, explore the formula in totality or only the application of a cap?; and
3. If yes, do you have someone with expertise in such modelling that you would be willing to 'lend' to LGAT to assist, noting this was starting to get beyond the skills available in house?

Based on the feedback LGAT continued the modelling work, engaging a skilled casual to pursue more complex modelling. The outcome of the works is that LGAT has identified a formula based on the agreed components that is likely to reduce movement between categories of subscription and through the use of a cap and collar approach, dramatically reduces the initial impact for most councils, a copy of the full report is at **Attachment to Item 6.1** for reference.

It should be noted however that for some councils, the initial impact is significant, at the full cap amount of \$10,000. Without the collar and cap applied, using last years subscription data for comparative purpose, decreases would range from \$11,828 to \$1,252 and increases from \$287 to \$8,068. With a cap and collar however, decreases range from \$4,787 to \$1,252 and increases from \$287 to \$5,984. Without the collar and cap percentage swings range from -39.4% to 17.8%.

LGAT provided the modelling to General Managers in May seeking feedback as to whether General Managers were sufficiently comfortable with the recommended option for it to progress to the AGM for consideration. Subsequently LGAT provided some further information on the categories as applied (see Rule Amendments). While not all councils replied, predominantly the feedback received indicated LGAT should proceed to the AGM however one council did not support on the basis of the scale of their likely increase in subscriptions in the first year.

Two General Managers sought clarification on the relationship between voting categories and subscription categories. While we initially tried to align the use of our population categories in the subscription modelling with the voting categories, they bare no relationship under the Rules of the Association and are entirely separate. One does not influence the other.

For the modelling, we have ended up using a greater array of population categories with the aim of smoothing transitions between categories and population as just one component of the formula.

Amendment to the LGAT Rules would be as follows:

SUBSCRIPTIONS

- (a) Every Member shall pay such annual subscriptions as are set and determined in accordance with these Rules.
- (b) The amount of subscription to be paid annually to the Association by each Member is as follows:
 - (i) Each Council will pay an equal share as a flat fee, with the total to be equal to 40% of the Associations total annual subscriptions, as determined by the budget adopted at the Annual General Meeting.
 - (ii) Each Council will be placed within the appropriate population category as reported by the ABS annually. Each Council will pay an equal share of the category's percentage, with the total to be equal to 30% of the Associations total annual subscriptions, as determined by the budget adopted at the Annual General Meeting.
 - (iii) Each Council will be placed within the appropriate total assessed revenue category, as reported in the Annual Report of the State Grants Commission. Each Council will

pay an equal share of the category's percentage, with the total to be equal to 30% of the Associations total annual subscriptions, as determined by the budget adopted at the Annual General Meeting.

- (iv) At the absolute discretion of the General Management Committee, rounding up or down of the percentages referred to in Rule 45(b)(ii) may occur in the development of the budget for approval at the Annual General Meeting.
- (iv) The assessed annual revenue category parameters are to be adjusted in line with the annual Council Cost Index as set by the Association.
- (c) The subscriptions formula as set out above and the average percent payable by each category shall apply as of **1 July 2018**.
- (d) The annual subscription is due and payable at the office of the Association on the first day of July in the financial year to which it relates. The subscription must be paid within one month after a written notice specifying the amount payable has been delivered or sent by post to the General Manager of the Member.

Population Categories

Population	Category number	Percentage
<1000	1	0
1,000 to 4,999	2	0.5
5,000 to 9,999	3	2.5
10,000 to 14,999	4	3.0
15,000 to 24,999	5	4.5
25,000 to 34,999	6	5.5
35,000 to 54,999	7	6.6
55,000+	8	7.6

Revenue categories

Revenue range		Category number	Percentage
\$0.00	\$4,999,999.00	1	0.8
\$5,000,000.00	\$7,999,999.00	2	2.0
\$8,000,000.00	\$9,999,999.00	3	3.4
\$10,000,000.00	\$14,999,999.00	4	3.5
\$15,000,000.00	\$24,999,999.00	5	4.8
\$25,000,000.00	\$34,999,999.00	6	5.8
\$35,000,000.00	\$59,999,999.00	7	6.8
\$60,000,000.00	and above	8	7.0

LGAT Policy

Complies with position agreed through the General Meeting process.

Budget Impact

Casual employment was covered through surplus salaries related to resignations and refill lag.

6.2 Term of Office of President

Devonport City Council/Circular Head Council

That Members note the concerns relating to the Rules as they currently provide for vacation of the office of the President.

That Members agree to amend the rules such that –

and if the office of President becomes vacant more than six months before the next AGM where a President is due to take up office in accordance with Rule 27(a), a new President shall be elected in accordance with the procedures in Rule 26.

Carried

For	56
Against	0
Abstained	2

Background

In 2016, following a motion from Members the LGAT Rules were amended with respect to a the vacation of the office of the President.

The amendment allows that if the office of the President becomes vacant more than 12 months before the next elections, a recount is taken.

The amendment followed the death of Mayor Barry Jarvis, not long after his election to President and seemed a sensible approach in light of those circumstances. No legal impediments were found in relation to the change however more recently LGAT has received advice from the Electoral Commissioner that the process outlined in the Rules is not best or even common practice.

The Electoral Commissioner has advised:

I am not aware of any rules for conducting a recount for single member elections. While you could attempt to use the same process as a recount for a multimember election, it is not designed to be used this way and may provide results that do not reflect the will of the electors.

For all Parliamentary and most Local Government single member elections in Australia, a preferential (majority) system is used to count the votes. As you are aware this system uses elector preferences to distribute the ballot papers between candidates until one candidate receives a majority of the formal votes.

Single transferable vote (STV) counting systems, such as Hare-Clark and the Senate system, are used for most Australian multi-member elections. Under STV, a candidate is elected when she/he receives the required proportion of the vote, representing that proportion of the voting electors.

Some multi-member elections, such as the House of Assembly and Tasmanian Local Government councillor elections, fill a vacancy by conducting a recount. Conducting a recount from an STV election enables the proportion of electors represented by the vacating member to directly choose a replacement.

In the case of a House of Representatives, Legislative Council or a council Mayor position, a vacancy is filled by conducting a by-election.

Single member elections generally have smaller fields with candidates representing different sectors or political philosophies within the division. For single member elections, a recount to replace the vacating member may stand for very different things to the vacating member. For example, if US President Trump resigned and the recount system was used to fill the vacancy, Hillary Clinton would likely be the replacement.

On the basis of the advice, LGAT suggests reverting to the practice mapped in the Rules prior to 2016, namely that "if the office of President becomes vacant more than six months before the next AGM where a President is due to take up office in accordance with Rule 27(a), a new President shall be elected in accordance with the procedures in Rule 26".

Proposed Amendment

27 TERM OF OFFICE OF PRESIDENT

- (a) Subject to Rule 27(d), the President shall take up office at the conclusion of the Annual General Meeting following his or her election and shall hold office for a two year term concluding at the end of the relevant Annual General Meeting.
- (b) The office of the President shall be vacated if the President:
 - (i) resigns by notice in writing addressed to the Chief Executive Officer;
 - (ii) is absent without leave for three consecutive meetings of the General Management Committee;
 - (iii) ceases to be a Councillor or Alderman; or
 - (iv) has not been lawfully nominated as a candidate for election as President in accordance with Rule 26,

and if the office of President becomes vacant more than twelve months before the next Annual General Meeting where a President is due to take up office in accordance with Rule 27(a), then Rule 27(g) applies.

- (c) If the President gives notice in writing to the Chief Executive Officer that he or she:
 - (i) intends to resign as President; or
 - (ii) intends to cease being a Councillor or Alderman,

~~and if the effective date of such resignation or cessation will be more than twelve months before the next Annual General Meeting where a new President is due to take up office in accordance with Rule 27(a), then Rule 27(g) applies.~~

and if the office of President becomes vacant more than six months before the next AGM where a President is due to take up office in accordance with Rule 27(a), a new President shall be elected in accordance with the procedures in Rule 26.

- (d) Where a President is elected in an election held by operation of Rule 27(b) or 27(c), they shall take up office at the time of declaration of their election or at the date the office of President is vacated, whichever is later.
- (e) If the office of President becomes vacant within twelve months of the next Annual General Meeting where a President is due to take up office in accordance with Rule 27(a), the Vice President shall assume office as President until a new President is elected at that Annual General Meeting in accordance with Rule 26.

- (f) The term of office of the President may be extended by any Meeting of the Association for such periods as it determines.
- ~~(g) Where this Rule 27(g) applies, a recount of votes for the election of the President shall be held to fill the vacancy of President. If there are no votes to count, a new President shall be elected in accordance with the procedures in Rule 26. If, as a result of the recount or the election in accordance with Rule 26, the Vice President is elected as President, that person will resign as Vice President and the General Management Committee will appoint a new Vice President under Rule 28(a).~~

LGAT Policy

Does not apply.

Budget Impact

Does not apply.

7 REPORTS FROM BOARD REPRESENTATIVES *

Waratah Wynyard Council/Central Coast Council
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- | |
|---|
| <p>(a) That the reports from representatives on various bodies be received and noted.</p> <p>(b) That Conference acknowledges the time and effort put in by all Association representatives on boards, working parties, advisory groups and committees etc.</p> |
|---|

Carried

Listed below are the bodies on which the Association had statutory representation in the 2016/2017 financial year.

Representatives on Bodies are requested to provide a report for Conference and are also requested to provide regular reports back to the Association during the year.

- **Animal Welfare Advisory Committee**
Mr David Moser
- **Community Review Committee - Threatened Species Protection Act 1995**
Ms Liz Quinn, Kingborough Council
- **LGAT Assist**
Mr Kay Reeves
- **Local Government Board**
Mrs Elizabeth Gillam
- **State Fire Commission**
Mr Rod Sweetnam, Launceston City Council, Clr Hannah Rubenach, Break O'Day Council
- **State Fire Management Council**
Ms Belinda Loxley, Kingborough Council
- **State Grants Commission**
Mr Grant Atkins and Mr Rodney Fraser
- **State Marine Pollution Committee**
Mr Andrew Brown, Clarence City Council
- **Tasmanian Heritage Council**
Ms Danielle Gray, Kingborough Council; Ald Robin McKendrick, City of Launceston
- **Tasmanian Library Advisory Board**

- Ald Sandra French, Burnie City Council, Cllr Dick Adams, Northern Midlands Council; Ald James Walker, Clarence City Council; Ms Amanda Davison, Waratah Wynyard Council
- **Tasmanian Planning Commission**
- Mr Michael Stretton, Waratah Wynyard Council

The reports received for presentation are at **Attachment to Item 7**.

8 CLOSURE

There being no further business the President declared the meeting closed at 3.35pm.

Statement of Financial Position
as at 30 June 2017

	Note	Assist 2017 \$	General 2017 \$	Assist 2016 \$	General 2016 \$
Assets					
Current assets					
Cash and cash equivalents	3	781,775	1,055,342	794,392	653,178
Trade and other receivables	4	-	55,198	-	83,179
Financial assets	5	199,957	1,340,000	210,473	1,925,000
Other assets	6	2,203	73,356	5,234	79,009
Total current assets		983,935	2,523,896	1,010,099	2,740,366
Non-current assets					
Financial assets	5	114,772	500,000	117,507	-
Property, plant and equipment	7	-	912,463	-	928,698
Intangible assets	8	-	9,174	-	2,020
Total non-current assets		114,772	1,421,637	117,507	930,718
Total assets		1,098,707	3,945,533	1,127,606	3,671,084
Liabilities					
Current liabilities					
Trade and other payables	9	6,541	311,490	6,440	304,374
Provisions	10	-	138,308	-	93,419
Total current liabilities		6,541	449,798	6,440	397,793
Non-current liabilities					
Provisions	10	-	104,031	-	106,511
Total non-current liabilities		-	104,031	-	106,511
Total liabilities		6,541	553,829	6,440	504,304
Net Assets		1,092,166	3,391,704	1,121,166	3,166,780
Equity					
Accumulated surplus		1,092,166	3,391,704	1,121,166	3,166,780
Total Equity		1,092,166	3,391,704	1,121,166	3,166,780

The above statement should be read in conjunction with the accompanying notes.

Notes to the Financial Report
For the Year Ended 30 June 2017

	General 2017 \$	General 2016 \$
Note 15 Detailed statement of general account - revenue and expenditure		
Revenue		
Fees and commissions	129,579	100,813
Interest - general account	62,801	69,908
Interest - building proceeds	2,619	2,868
Surplus/(Deficit) on sale of plant and equipment	(393)	(9,760)
Sponsorship, conferences/seminars	349,493	346,813
Subscriptions	1,179,099	1,049,084
Other subscriptions	64,999	179,015
Rentals	9,749	3,992
Unexpensed Government Grants	250,000	-
Other	-	222
	<u>2,047,946</u>	<u>1,742,955</u>
Expenditure		
Advertising	3,165	3,239
Accommodation expenses	2,176	1,575
Accounts administration	12,985	13,775
ALGA	120,412	112,852
Amortisation - computer software	4,374	778
Annual conference	167,361	151,151
Auditors' remuneration	14,760	15,968
Catering	4,026	4,704
Cleaning	9,656	8,746
Consultancy fees	101,999	96,580
Council careers and skills shortage	63,030	165,991
Conferences and seminars	28,797	31,353
Cost Recovery - grant administration	(52,628)	(43,703)
Depreciation - buildings	1,062	8,750
Depreciation - computers	9,607	10,158
Depreciation - motor vehicles	14,334	18,680
Depreciation - furniture and equipment	2,533	3,075
Division 43 Deduction	1,521	1,452
Fringe benefits tax	12,728	15,755
Land & buildings running costs	2,144	2,744
Insurance	35,507	32,396
Members emoluments	63,587	57,485
Motor Vehicle - running expenses	6,692	8,689
Motor Vehicle - repairs and maintenance	2,503	2,372
Network and internet	13,954	14,426
Other expenses	10,693	67,180

Notes to the Financial Report
For the Year Ended 30 June 2017

	General 2017 \$	General 2016 \$
Note 15 Detailed statement of general account - revenue and expenditure (cont'd)		
Postage	5,059	5,514
Power	9,237	9,374
Printing and publications	7,242	7,992
Rates and taxes	12,334	11,723
Rentals	1,327	1,300
Salaries, wages and employee benefits (incl. Grant Staff)	882,965	789,870
Software	2,427	2,552
Sponsorship	1,500	2,750
Stationery	1,251	1,798
Subscriptions - general account	9,116	9,574
Superannuation contribution (incl. Grant Staff)	103,124	92,261
Telephone	18,920	16,818
Travelling Expenses	26,611	32,141
Government grants expenditure (excluding wages and superannuation):		
Coastal Adaption Pathway Project	-	20,000
Healthy Communities	5,717	42,089
LG Reform	31,780	1,000
IT Strategies	47,434	20,384
Revaluation of property	-	62,242
Total expenses	1,823,022	1,935,553
Operating surplus/(deficit) - general account	224,924	(192,598)

Charges incurred for the administration of both the LGAT Assist account and grant projects have been recharged to LGAT Assist or the specific project. The recovery of these costs is then shown as Cost Recovery so that the expenses on the General Account are more accurately reported.

Notes to the Financial Report
For the Year Ended 30 June 2017

	Assist 2017	Assist 2016
Note 16 Detailed statement of general account - revenue and expenditure		
Revenue		
Interest on Loans	29,491	29,251
Other Interest Revenue	17,692	19,871
	47,183	49,122
Expenditure		
LGAT Assist Accounts Administration	42,161	39,436
Auditors Remuneration	4,920	4,823
Bad Debts Written Off/(Recovered)	4,883	3,485
Donations and Research Projects	10,000	25,000
Grants to Members – Welfare	13,953	9,156
Other Expenses – Welfare	266	232
Total Expenses	76,183	82,132
Operating surplus/(deficit) – LGAT Assist	(29,000)	(33,010)

Note 17 Commitments

At 30 June 2017 the Association had no outstanding commitments.

Note 18 Fair Value Measurements

The Association measures and recognises the following assets and liabilities at fair value on a recurring basis after initial recognition:

- Financial assets at fair value through profit or loss;
- Freehold land and buildings.

Fair value hierarchy

AASB13: *Fair Value Measurement* requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurements into one of three possible levels based on the lowest level that an input that is significant to measure can be categorised into as follows:

Level 1	Measured based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.
Level 2	Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.
Level 3	Measurements based on unobservable inputs for the asset or liability.

The following table provides the fair value of the Association's assets and liabilities measured and recognised on a recurring basis after initial recognition and their categorisation within the fair value hierarchy:

**Local Government Association Tasmania
Profit and Loss (Budget Analysis)
July 2017 to June 2018**

	Selected Period	Budgeted	\$ Difference	% Difference
4-0000 Income				
4-0500 Annual Conf & Gen Sponsorship	\$308,808.65	\$230,000.00	\$78,808.65	34.30%
4-0501 Annual Conference - Rego's	\$17,833.20	\$0.00	\$17,833.20	NA
4-1000 Conferences/Seminars	\$37,285.29	\$55,000.00	(\$17,714.71)	-32.20%
4-1500 Cost Recoveries	(\$5,662.85)	\$0.00	(\$5,662.85)	NA
4-1505 Deposits Paid	(\$2,156.25)	\$0.00	(\$2,156.25)	NA
4-2000 Fees & Commissions	\$104,958.14	\$115,000.00	(\$10,041.86)	-8.70%
4-3000 Interest	\$52,673.06	\$65,000.00	(\$12,326.94)	-19.00%
4-3100 Interest - building proceeds	\$1,872.47	\$2,500.00	(\$627.53)	-25.10%
4-4000 Rentals	\$4,457.33	\$6,000.00	(\$1,542.67)	-25.70%
4-5000 Profit Sale on Plant/Equip.	(\$14.64)	\$0.00	(\$14.64)	NA
4-5500 Sponsorship	\$0.00	\$5,000.00	(\$5,000.00)	-100.00%
4-6000 Subscriptions	\$1,205,940.00	\$1,205,939.00	\$1.00	0.00%
4-6100 Subs TV Advert Better Councils	\$65,004.00	\$65,000.00	\$4.00	0.00%
4-6115 Subs Comm Satisfaction Survey	\$10,000.00	\$10,000.00	\$0.00	0.00%
Total Income	\$1,800,998.40	\$1,759,439.00	\$41,559.40	2.40%
6-0000 Expenses				
6-1050 Accommod exp - GMC	\$475.46	\$2,000.00	(\$1,524.54)	-76.20%
6-1100 Accounts Administration	\$11,235.00	\$14,800.00	(\$3,565.00)	-24.10%
6-1200 Advertising	\$4,939.86	\$5,000.00	(\$60.14)	-1.20%
6-1250 ALGA - Meeting expenses	\$22,490.05	\$20,000.00	\$2,490.05	12.50%
6-1300 ALGA Subscription	\$94,246.90	\$95,000.00	(\$753.10)	-0.80%
6-1350 Annual Conference	\$154,559.40	\$175,000.00	(\$20,440.60)	-11.70%
6-1400 Auditors Remuneration	\$14,250.00	\$15,000.00	(\$750.00)	-5.00%
6-1450 Bank Fees & Gov. Charges	\$2,464.42	\$3,000.00	(\$535.58)	-17.90%
6-1500 Catering / Entertainment	\$4,407.56	\$3,500.00	\$907.56	25.90%
6-1600 Cleaning and Supplies	\$8,994.12	\$8,500.00	\$494.12	5.80%
6-1610 Community Satisfaction Survey	\$0.00	\$30,000.00	(\$30,000.00)	-100.00%
6-1650 Conferences/Seminars	\$25,730.48	\$30,000.00	(\$4,269.52)	-14.20%
6-1700 Consultants Fees	\$22,191.54	\$30,000.00	(\$7,808.46)	-26.00%
6-1710 Council Advert/Better Councils	\$11,239.18	\$50,000.00	(\$38,760.82)	-77.50%
6-1850 Elections - GMC Bi-annual	\$10.74	\$1,500.00	(\$1,489.26)	-99.30%
6-1900 Fringe Benefits Tax	\$9,594.31	\$12,000.00	(\$2,405.69)	-20.00%
6-2000 Depreciation Expense	\$24,916.00	\$41,000.00	(\$16,084.00)	-39.20%
6-3100 Insurance	\$38,623.77	\$36,300.00	\$2,323.77	6.40%
6-3200 Land & Buildings Running Costs	\$1,883.43	\$10,000.00	(\$8,116.57)	-81.20%
6-3400 Members Emoluments	\$61,444.44	\$63,000.00	(\$1,555.56)	-2.50%
6-3410 President travel expenses	\$5,473.32	\$8,000.00	(\$2,526.68)	-31.60%
6-3450 Motor Vehicle lease/hire	\$0.00	\$500.00	(\$500.00)	-100.00%
6-3500 Network & Internet	\$13,920.29	\$12,000.00	\$1,920.29	16.00%
6-3580 Office Requisites	\$1,181.93	\$2,000.00	(\$818.07)	-40.90%
6-3600 Other & Miscellaneous	\$788.13	\$700.00	\$88.13	12.60%
6-3610 Other Extraordinary	\$2,944.81	\$0.00	\$2,944.81	NA
6-3800 Other Employment Entitlements	\$12,479.52	\$12,000.00	\$479.52	4.00%
6-3900 Postage	\$4,697.30	\$5,000.00	(\$302.70)	-6.10%
6-4000 Power	\$9,435.12	\$12,000.00	(\$2,564.88)	-21.40%
6-4100 Printing & Publications	\$12,536.21	\$7,000.00	\$5,536.21	79.10%
6-4300 Rates & Land Tax	\$12,626.51	\$12,000.00	\$626.51	5.20%

1-70

6-4310	Rentals	\$1,461.57	\$1,500.00	(\$38.43)	-2.60%
6-4350	Repairs & Maintenance	\$1,762.86	\$5,000.00	(\$3,237.14)	-64.70%
6-4400	Salaries & Wages	\$819,852.03	\$905,000.00	(\$85,147.97)	-9.40%
6-4500	Software	\$860.05	\$3,000.00	(\$2,139.95)	-71.30%
6-4600	Stationery	\$808.14	\$2,000.00	(\$1,191.86)	-59.60%
6-4700	Subscriptions - Membership etc	\$10,946.35	\$10,000.00	\$946.35	9.50%
6-4800	Superannuation	\$100,262.10	\$113,000.00	(\$12,737.90)	-11.30%
6-4900	Sponsorship/Research/Donations	\$1,740.60	\$3,500.00	(\$1,759.40)	-50.30%
6-5100	Telephone	\$17,744.33	\$15,000.00	\$2,744.33	18.30%
6-5190	Travelling Expenses	\$19,846.30	\$20,000.00	(\$153.70)	-0.80%
6-5250	Staff Training	\$3,669.04	\$10,000.00	(\$6,330.96)	-63.30%
6-5300	Uniform Expense	\$0.00	\$100.00	(\$100.00)	-100.00%
6-7000	Motor Vehicle Expense	\$10,616.65	\$12,500.00	(\$1,883.35)	-15.10%
6-7960	Grant Cost Recoveries	(\$12,338.19)	(\$27,000.00)	\$14,661.81	54.30%
6-7970	LGAT ASSIST - Cost recoveries	(\$30,800.00)	(\$34,000.00)	\$3,200.00	9.40%
	Total Expenses	\$1,536,211.63	\$1,756,400.00	(\$220,188.37)	-12.50%
	Operating Profit	\$264,786.77	\$3,039.00	\$261,747.77	8613.00%
	Adjustment for 2018/19 Conference	(\$87,882.02)			
	Outcome	\$176,904.75			
8-0000	Government Grants Income				
8-1000	Enviro Dispute Resolution	\$46,152.62	\$0.00	\$46,152.62	NA
8-1020	DPAC - Good Governance	\$4,000.00	\$0.00	\$4,000.00	NA
8-1500	Coastal Adaption	\$13,946.79	\$0.00	\$13,946.79	NA
8-2150	LG Reform Fund	\$218,774.38	\$0.00	\$218,774.38	NA
8-2500	Liveable Communities	\$9,587.00	\$0.00	\$9,587.00	NA
8-3000	Healthy Communities	\$16,278.96	\$0.00	\$16,278.96	NA
8-3150	DHHS - Health & Wellbeing	\$314,952.28	\$0.00	\$314,952.28	NA
	Total Government Grants Income	\$623,692.03	\$0.00	\$623,692.03	NA
9-0000	Government Grants Expenditure				
9-1000	Enviro Dispute Resolution	\$39,348.18	\$0.00	\$39,348.18	NA
9-3150	DHHS - Health & Wellbeing	\$32,407.89	\$0.00	\$32,407.89	NA
9-6000	LG IT Strategies	\$30,277.59	\$0.00	\$30,277.59	NA
	Total Govt Grants Expenditure	\$102,033.66	\$0.00	\$102,033.66	NA
	Net Profit/(Loss)	\$698,563.12			

**LOCAL GOVERNMENT ASSOCIATION OF TASMANIA
ESTIMATES OF INCOME & EXPENDITURE
FOR FINANCIAL YEAR ENDED 30 JUNE 2019**

	2017/18	2018/19	Comparison
Income			
Annual Conference Registrations	0	120,000	120,000
Annual Conference Trade and General Sponsorship	230,000	125,000	-105,000
Sponsorship	5,000		-5,000
Professional Development Activities	55,000	62,000	7,000
Fees and Commissions	115,000	120,000	5,000
Interest (Excl. Interest on grants)	65,000	66,000	1,000
Interest on Capital from Building	2,500	2,500	0
Profit on Sale of Plant & Equip			0
Project Admin/Cost Recovery	27,000	10,000	-17,000
Assist Revenue	34,000	35,000	1,000
Rentals	6,000	6,000	0
			0
Subscriptions	1,205,939	1,245,937	39,998
Community Satisfaction Survey	10,000	11,000	1,000
TV Advertising	65,000	55,000	-10,000
Total Income	1,820,439	1,858,437	37,998

Expenditure			
GMC Meeting Expenses	2,000	2,500	500
Accounts Administration	14,800	15,000	200
Advertising	5,000	6,500	1,500
ALGA Subscriptions	95,000	96,500	1,500
Auditors' Remuneration	15,000	15,000	0
Bank Fees and Govt Charges	3,000	3,000	0
Catering, receptions, etc	3,500	4,000	500
Cleaning and Supplies	8,500	9,500	1,000
Community Satisfaction Survey	30,000	38,000	8,000
Annual Conference	175,000	180,000	5,000
Seminars - Other	30,000	30,000	0
HR/IR Service	0	6,000	6,000
Consultants' Fees	30,000	20,000	-10,000
Consultants - Mentoring Program		15,000	15,000
TV advertising	50,000	55,000	5,000
Depreciation Building Division 43	5,000	3,000	-2,000
Computers	12,000	9,000	-3,000
Furniture & Equip	2,000	2,000	0
Motor Vehicles	18,000	16,000	-2,000
Amortisation	4,000	3,000	-1,000
Donations/Research/Scholarships	3,500	3,500	0
Fringe Benefits Tax	12,000	12,000	0
GMC Elections - Bi-annual	1,500	2,000	500
Insurance Fidelity Guarantee	1,300	1,400	100
General	12,000	13,500	1,500
Public Liability and PI	16,000	16,500	500
Workers Compensation	7,000	8,000	1,000
Land & Building Running Costs	10,000	8,000	-2,000
Members Emoluments	63,000	64,000	1,000

Motor Vehicles - Running Costs	10,000	8,000	-2,000
Repairs and Maintenance	2,500	2,000	-500
Lease Hire	500	0	-500
Network and Internet	12,000	10,000	-2,000
Office Requisites	2,000	2,000	0
Other and Miscellaneous	700	700	0
Other Employee Entitlements	12,000	12,000	0
Postage	5,000	5,000	0
Power	12,000	12,500	500
Printing and Publications	7,000	8,000	1,000
Rates and Land Tax	12,000	12,500	500
Rentals	1,500	1,500	0
Repairs and maintenance	5,000	4,500	-500
Salaries (exc Grant Staff)	905,000	919,500	14,500
Software	3,000	5,000	2,000
Stationery	2,000	2,000	0
Subscriptions - membership etc	4,000	5,000	1,000
Superannuation	113,000	115,000	2,000
Telephone	15,000	12,000	-3,000
Training	10,000	12,000	2,000
Travelling expenses	20,000	20,000	0
ALGA			
Intrastate	8,000	6,000	-2,000
Interstate	12,000	10,000	-2,000
President	8,000	7,000	-1,000
TTC Subscription	6,000	6,600	600
Uniform Expense	100	0	-100
Total Expenditure	1,817,400	1,856,700	39,300
Net Result	3,039	1,737	-1,302

All figures are ex GST

**LGAT ASSIST
ESTIMATES OF INCOME & EXPENDITURE
FOR THE FINANCIAL YEAR TO 30 JUNE 2019**

	2017/18	2018/19	Comparison
Income			
Interest	20,000	16,000	-4,000
Interest on loans	30,000	30,000	0
Assist Loan Application Fees	1,500	1,500	0
Tasplan Sponsorship		5,000	5,000
Total Income	51,500	52,500	1,000
Expenditure			
Accommodation Expenses	0	0	0
Accounts Administration	40,000	40,000	0
Advertising	0	0	0
Auditors' Remuneration	5,000	5,000	0
Bad Debts	7,000	7,000	0
Bank Fees and Govt Charges	250	250	0
Donations/Research/Scholarships	15,000	15,000	0
Grants to members	10,500	10,500	0
Other and Miscellaneous	250	250	0
Printing and Publications	0	0	0
Welfare Write Offs	200	200	0
Special Projects	0	0	0
Total Expenditure	78,200	78,200	0
Change in net assets from operations	-\$26,700	-\$25,700	\$1,000

All figures are ex GST

LGAT 2018/2019 Subscriptions

Council	Previous year subs	Cap/Collar	2018/19 Subs overall	First Year Adjust	Final Subs Due	\$ Diff from Last FY	% Diff from Last FY
Break O'Day	32,664.00	Cap	35,930.40	206.29	35,724.11	3,060.11	10.00
Brighton	44,833.00	Cap	49,316.30	270.64	49,045.66	4,212.66	10.00
Burnie	51,238.00	As Calculated	54,383.86	296.38	54,087.48	2,849.48	6.14
Central Coast	51,238.00	As Calculated	54,383.86	296.38	54,087.48	2,849.48	6.14
Central Highlands	21,776.00	As Calculated	23,290.95	126.93	23,164.02	1,388.02	6.96
Circular Head	44,833.00	As Calculated	41,789.26	227.74	41,561.52	-3,271.48	-6.79
Clarence	64,047.00	Cap	70,451.70	406.20	70,045.50	5,998.50	10.00
Derwent Valley	32,664.00	Cap	35,930.40	206.29	35,724.11	3,060.11	10.00
Devonport	57,002.00	As Calculated	62,334.20	339.71	61,994.49	4,992.49	9.35
Dorset	32,664.00	As Calculated	35,885.55	195.57	35,689.98	3,025.98	9.86
Flinders Island	21,776.00	As Calculated	21,323.05	116.21	21,206.84	-569.16	-2.08
George Town	32,664.00	As Calculated	35,885.55	195.57	35,689.98	3,025.98	9.86
Glamorgan Spring Bay	44,833.00	Collar	40,349.70	163.40	40,186.30	-4,646.70	-10.00
Glenorchy	64,047.00	As Calculated	66,663.59	363.31	66,300.29	2,253.29	4.09
Hobart	64,047.00	Cap	70,451.70	391.19	70,060.51	6,013.51	10.00
Huon Valley	51,238.00	As Calculated	54,383.86	296.38	54,087.48	2,849.48	6.14
Kentish	32,664.00	As Calculated	35,885.55	195.57	35,689.98	3,025.98	9.86
King Island	21,776.00	As Calculated	23,290.95	126.93	23,164.02	1,388.02	6.96
Kingborough	57,002.00	Cap	62,702.20	363.31	62,338.89	5,336.89	10.00
Latrobe	44,833.00	Collar	40,349.70	217.02	40,132.68	-4,700.32	-10.00
Launceston	64,047.00	Cap	70,451.70	412.64	70,039.06	5,992.06	10.00
Meander Valley	51,238.00	As Calculated	49,660.89	270.64	49,390.24	-1,847.76	-3.08
Northern Midlands	44,833.00	As Calculated	43,757.17	238.47	43,518.70	-1,314.30	-2.40
Sorell	51,238.00	Collar	46,114.20	206.29	45,907.91	-5,330.09	-10.00
Southern Midlands	44,833.00	Collar	40,349.70	195.57	40,154.13	-4,678.87	-10.00
Tasman	21,776.00	As Calculated	23,290.95	126.93	23,164.02	1,388.02	6.96
Waratah Wynyard	51,238.00	Collar	46,114.20	238.47	45,875.73	-5,362.27	-10.00
West Coast	32,664.00	As Calculated	29,981.83	163.40	29,818.44	-2,845.56	-8.21
West Tamar	51,238.00	As Calculated	54,383.86	296.38	54,087.48	2,849.48	6.14
	1,280,944.00		1,319,086.84	7,149.84	1,311,937.00		

LGAT Work Plan 2017 – 18 Progress Report



Not yet commenced



Unable to progress due to others



Ongoing



Completed

No.	Priorities	Outcome/Output Measures	Progress	Comment
1.	Influence the State Government agenda for TasWater	<ol style="list-style-type: none"> Councils retain ownership or gain significant concessions if State Government ownership model is implemented. 		<p>Subject to ratification by councils, an MOU has been developed between TasWater and the Government which addresses Local Government's key concerns and ensures ongoing Local Government majority ownership of TasWater.</p> <p>See agenda item for this General Meeting</p>
2.	Shape the Code of Conduct Review	<ol style="list-style-type: none"> LGAT's recommendations accepted by the State Government 		<p>After an extensive consultation process, LGAT provided a consolidated set of sector endorsed recommendations to the Local Government Division in November 2017. The Government's has indicated either direct or in principle support for 24 out of the 32 recommendations put forward by LGAT.</p> <p>See agenda item for this General Meeting for the State Government's full response.</p>
3.	Drive the planning reform agenda	<ol style="list-style-type: none"> Specific member survey indicated councils feel well represented by LGAT. LGAT's recommendations accepted by the State Government. 		<p>LGAT continues its strong advocacy via direct advocacy with the Government. LGAT's CEO and Policy Director have met with the incoming Planning Minister on a number of occasions and have also written to his office to reinforce the sectors reform priorities. The Minister also spoke to members at the May General Meeting. LGAT has developed a strong working relationship with the new Minister and his office and this is expected to result in a receptive audience for the sectors planning agenda.</p> <p>This has recently been demonstrated by the significant & positive changes made to the Draft Residential Housing Supply Bill following sector (& other key stakeholder) feedback and also direct discussion between LGAT and the Minister's office.</p>

No.	Priorities	Outcome/Output Measures	Progress	Comment
4.	<p>Build upon the resources available for Elected Members and staff</p>	<ol style="list-style-type: none"> 1. Increased utilisation of LGAT prepared resources (web and extranet hits) 		<p>LGAT continues to prepare resources for elected members and council staff. Recent additions to the LGAT offering include the development of further tools to support the Workplace Behaviours policies, a suite of material to support councils' procurement and this will shortly be loaded onto the LGAT website, resources to support Council's Audit Panels.</p>
5.	<p>Prepare communities and Councils for Local Government Elections in 2018</p>	<ol style="list-style-type: none"> 1. Continual improvement in community satisfaction survey findings 2. Improvement in satisfaction rating in member survey results 		<p>The 'Being a Councillor' and 'Councillor Resource Kit' were updated in early 2018, and a new series of web-based resources for prospective candidates is also available on the LGAT website. The Better Councils Better Communities TV ad has been running through June to encourage people to consider running for council. Sessions with the Local Government Division, Audit Office and Electoral Commission for prospective candidates have been successfully run in each of the three regions and King Island, with additional sessions scheduled for Flinders Island and St Helens. In addition, LGAT has supported Huon Valley Council in their candidate sessions.</p>
6.	<p>Position the Local Government agenda in the State Government election</p>	<ol style="list-style-type: none"> 1. Number of Local Government initiated policies adopted by political parties. 		<p>LGAT released its 2018 Election Priority Statement prior to the election and has subsequently met with a number of the incoming Ministers. Our priorities on TasWater and planning have been picked up by the Government, with discussion on-going related to a number of the other initiatives.</p>

No.	Priorities	Outcome/Output Measures	Progress	Comment
7.	<p>Promote the good work of Local Government to the broader community</p>	<ol style="list-style-type: none"> 1. Increased exposure to LGAT and council produced stories via LGATs communication channels. 		<p>The Better Councils Better Communities (BCBC) webpage is being regularly updated and is being cross promoted through the monthly Pulse and Twitter when. The LGAT Media contact list has been revised to include community newspapers to increase the chances of opinion editorials and media releases being published and viewed by the broader community.</p> <p>LGAT letters to the editor and opinion editorials have regularly been picked up throughout the past 12 months. Some of the pieces that have been picked up include: "Managing the True Cost of Free Camping", "The Difference between Assertion and Evidence" (in response to TCCI criticism of planning application timeframes) and an interview with the CEO discussing "The Future of Councils".</p> <p>The LGAT CEO and Strategic Communications Director met with the Editor of the Mercury Newspaper in May with the aim of developing a relationship to encourage positive interest in Local Government and raise awareness of Local Government activities.</p>
8.	<p>Ensure LGAT systems and IT are fit for purpose</p>			<p>LGAT has recently moved across to Share point and will shortly be transitioning to the NBN, with the associated infrastructure upgrades. Other IT infrastructure is upgraded on the basis of the IT asset management schedule.</p>
9.	<p>Host an excellent Annual Conference, AGM and General Meetings</p>	<ol style="list-style-type: none"> 1. Delivery of the Conference on budget 2. Conference feedback providing an overall rating of good or excellent from >70% of survey responses. 3. Increased General Meeting agenda items for decision or discussion. 		<p>Planning for the 2018 LGAT Annual Conference is progressing well, with all but a few of the sponsorship and trade booth opportunities secured. The program has been released and can viewed on the LGAT website. Registrations are currently rolling in.</p>

No.	Priorities	Outcome/Output Measures	Progress	Comment
10.	<p>Continue to expand the Procurement Program</p>	<p>1. Growth in sectoral procurement savings</p>		<p>During 2017 / 18 three new contracts were added and two were extended.</p> <p>To end March 2018 26 Tasmanian councils had purchased goods through suppliers listed on LGAT/NPN panels and the total Council spend through the LGAT/NPN contracts was around \$6.5M.</p> <p>Councils continue to save an estimated 15% on the price of trucks, 5% on plant and machinery, 25% on telecommunications and 20% on office supplies, workwear and tyres when purchasing through the LGAT/NPN contracts.</p>

About LGAT

The Local Government Association of Tasmania is the voice of Local Government to other spheres of government, stakeholders and the wider community.

LGAT has been the peak body for Local Government in Tasmania for over 100 years and is part of a national network of associations. It is funded by councils and earns other income through projects delivered on behalf of Local Government, services to members and sponsorships.

LGAT provides specialist services to its member councils including policy and strategic support, capacity building for Local Government elected members and officers and procurement of goods and services. LGAT also coordinates the Tasmanian Local Government Awards for Excellence, the LGAT Annual Conference and the LGAT Assist Program.

LGAT works collaboratively with members to support council staff and elected members. The communities our 29 councils serve are represented by 263 elected members and supported by nearly 4000 staff.

Local Government Association Tasmania
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Local Government Association Tasmania

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STRATEGIC PLAN 2017 - 2020



Facilitating change

Key Performance Indicators

- ◆ Number of positive concessions achieved in State Government policy and legislative reform
- ◆ Number of proactive policy successes

Building Local Government's reputation

Key Performance Indicators

- ◆ Continual improvement in community satisfaction survey findings
- ◆ Improvement in satisfaction rating in member survey results

Fostering collaboration

Key Performance Indicators

- ◆ Increase in joint submissions and projects
- ◆ Uptake in whole of sectoral projects

Promoting financial sustainability

Key Performance Indicators

- ◆ Improvement in Auditor General report measures
- ◆ Growth in sectoral procurement Savings

Developing capacity and capability to deliver

Key Performance Indicators

- ◆ Reduction in upheld Code of Conduct complaints
- ◆ Increased attendance at training events

To achieve this plan, in the next 12 months (2017-2018) we are committed to completing the following priorities:

1. Influence the State Government agenda for Taswater
2. Shape the Code of Conduct Review
3. Drive the planning reform agenda
4. Build upon the resources available for Elected Members and staff
5. Prepare communities and councils for the Local Government elections in 2018
6. Position the Local Government agenda in the State Government election
7. Promote the good work of Local Government to the broader Community
8. Ensure LGAT systems and IT are fit for purpose
9. Host an excellent Annual Conference, AGM & General Meetings
10. Continue to expand the Procurement Program



REPORTS FROM LOCAL GOVERNMENT REPRESENTATIVES

to be presented to the

ANNUAL GENERAL MEETING OF THE ASSOCIATION

Wednesday 25 July, 2018

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TASMANIAN LIBRARY ADVISORY BOARD (TLAB)**REPRESENTATIVE:** Ald. James Walker**NUMBER OF MEETINGS HELD DURING 2017/18** 4**OBJECTIVES OF THE COMMITTEE/BOARD:**

(Noting Libraries were referred to as Link Tasmania for the majority of 2017-2018)

TLAB is a voluntary, independent advisory group established under the Libraries Act 1984. The Board's role is to advise the Minister and the Secretary on issues concerning the delivery of LINC Tasmania services in Tasmania, in particular, the public's rights of access to information and ideas.

MAJOR ISSUES DEALT WITH AND DECISIONS MADE:

- Name change from LINC Tasmania to Libraries Tasmania
- Development of the TLAB Strategic Action Plan
- LINC Tasmania *Strategic Directions 2018-2021*
- 26Ten Strategy and options paper
- TAHO collections
- Friends Group options
- Philanthropy and potential options for LINC Tasmania.
- LINC Tasmania promotional material
- Managing ethics on government board training session
- Budget submissions

LOCAL GOVERNMENT BOARD**REPRESENTATIVE:** Greg Preece**NUMBER OF MEETINGS HELD DURING 2017/18** 15 meetings plus hearings**OBJECTIVES OF THE COMMITTEE/BOARD:**

The Local Government Board is a statutory body established under the Act. The role of the Board is:

- To conduct reviews of councils or reviews that concentrate on a specific topic or topics at the request of the Minister for Local Government
- To carry out reviews of single and joint authorities; and
- To provide general advice to the Minister at his or her request

MAJOR ISSUES DEALT WITH AND DECISIONS MADE:

- At the formal request of the Sorell and Tasman Councils the Minister authorised the Board to undertake a review into potential voluntary amalgamation options for Sorell and Tasman Councils (The Review). The Review formally commenced in December 2017
- In conducting The Review the Board had three options to consider, these being:
 - The no change option (councils to remain separate)
 - Further resource sharing between the two councils
 - A merger option on the existing boundaries of the two councils
- The review formally commenced in February 2018 with the release of a consultation paper, and a call for submissions from the community. Public hearings were held in Hobart, Nubeena and Sorell and an independent consultant was engaged to review and update the financial modelling from the South East Feasibility Study undertaken by KPMG in 2016
- The report was due to be presented to the Minister on 31 May 2018, however, due to additional financial modelling, an extension was granted until 30 June 2018

STATE GRANTS COMMISSION

REPRESENTATIVE: Greg Preece and Rod Fraser

NUMBER OF MEETINGS HELD DURING 2017/18 **8 meetings plus council hearings and visits**

OBJECTIVES OF THE COMMITTEE/BOARD:

The State Grants Commission is an independent statutory body responsible for recommending the distribution of Australian Government Financial Assistance Grant funding to Tasmanian councils. The decisions of the Commission are guided by a set of national principles that are prescribed in the Australian Government *Local Government (Financial Assistance) Act 1995*. The Commission also recommends the distribution of the amount allocated by the Tasmanian Government to councils from heavy vehicle motor tax revenues.

To provide some structure in its distribution methods the Commission operates a triennial review policy whereby major changes to methodology are only introduced every three years. Data input and minor changes are applied each year. To ensure the available funds are allocated on an equitable basis the Commission continually monitors council practices and updates its assessment methods and data as appropriate. The 2017-18 year represents the final year of the 201819 Triennium. Methodology changes decided by the Commission during the current Triennium are being implemented from the 201819 Distribution.

The State Grants Commission consists of three members. Two of those members are nominated from local government and the third is an independent chairperson nominated by the Department of Treasury and Finance and approved by the Treasurer.

Current members of the Commission are David Hudson (Independent Chairman), Greg Preece and Rod Fraser (both representing Local Government). After serving almost six years on the Commission, Grant Atkins resigned from the Commission effective 31 December 2017.

MAJOR ISSUES DEALT WITH AND DECISIONS MADE:

- The Australian Government resumed indexation of the National Financial Assistance Grant funding pool in 2017/18
- In the 2017-18 financial year, Tasmania's estimated base grant entitlement was \$34.9 million from a national pool of \$1.6 billion, being a 2.2% increase on the finalised 2016-17 year entitlement, and an estimated road grant entitlement of \$38.6 million from a national pool of \$728 million, being 3.4 per cent increase on the 2016-17 entitlement. Approximately 50 per cent of this funding was paid to councils as an advance payment in June 2017, leaving a balance of \$36.8 million of the 2017/18 entitlement payable in 2017/18. The Commission submitted its recommended allocation of 2017-18 grants to the Treasurer on 28th July 2017
- During the 2017 Hearings and Visits, it became evident that the Commission's description of the urbanisation allowance and the methodology used for identifying the recognised/eligible road length, did not fully align. Consequently, the Commission engaged an engineer, Mr John Howard, who considered submissions from councils and formulated a checklist of characteristics for this purpose. In 2017-18 the Commission adopted the checklist for councils to use to assess their roads for eligibility for the allowance, as and when circumstances change.
- The Commission has had a practice of releasing discussion papers each year for discussion at the annual hearings and visits. In December 2017, the Commission issued Discussion Paper DP1801 - *Regional Responsibility - The obligations that come with being a major regional hub*. The Commission also released two Conversation Starters, CS18-01 - *Resource Sharing effects* and CS18-02 - *Socioeconomic impacts*. The Commission prepared these flyers to act as thought provokers and conversation starters with councils in order to initiate discussions on the impacts of resource sharing and socioeconomic factors on council expenditures. The intention was to gain council input early in the process of formulating any reviews to help the Commission determine the potential direction of such reviews of these topics
- In March 2018 the Commission completed its latest round of council hearings and visits where it discussed these papers with councils and has reviewed its work program accordingly
- The Commission appreciated the hospitality shown from those councils it visited and was also very pleased with the contributions, submissions and level of engagement it received on both its Discussion Paper and Conversation Starters at the 2018 Hearings and Visits.

TASMANIAN HERITAGE COUNCIL**REPRESENTATIVE:** Danielle Gray and Robin McKendrick**NUMBER OF MEETINGS HELD DURING 2017/18:** Twelve (monthly)**OBJECTIVES OF THE COMMITTEE/BOARD:**

The Tasmanian Heritage Council is a statutory body responsible for the administration of the Historic Cultural Heritage Act 1995 and the establishment and maintenance of the Tasmanian Heritage Register.

The Tasmanian Heritage Council operates as part of the resource management planning system.

Development on places on the Register require the approval of the Heritage Council before works can commence.

The Tasmanian Heritage Council provides leadership and engagement with local government, property owners, developers and professionals within Tasmania's historic and cultural heritage sector.

MAJOR ISSUES DEALT WITH AND DECISIONS MADE:

In addition to the ongoing responsibilities of the Tasmanian Heritage Council regarding decision making on applications for development to items, and the updating, addition or removal of entries within the Register, some of the issues dealt with by the Tasmanian Heritage Council over the last 12 months include:

- Continuing refinement of the Tasmanian Heritage Register of listed places and properties into an interactive and user-friendly database. This will be achieved by way of the development of the 'Tasmanian Collection' and the Living Register projects, both of which are now well underway.
- The development and creation of a stakeholder engagement plan and communication plan to raise awareness and appreciation of the value of Tasmanians' historic heritage values has been completed. This process included workshops throughout 2017 and 2018 to explore a new way to showcase historic heritage. This has resulted in a publication titled 'The Voice' which encapsulates the perception and personal feelings of heritage in the community. 'The Voice' publication is due to be launched by the Premier on 19 June 2018.
- Improvements to Tasmania's historic cultural heritage sector by implementing recommendations to improve management and assessment systems, processes and operations to deliver outcomes in a more effective and efficient way.
- Lead the sustainable management and conservation of Tasmania's historic and cultural heritage by providing input into the development and implementation of a Heritage Renewal Loan Scheme to assist the owners (including Local Government) of properties

on the Tasmanian Heritage Register to have access to loan funds to ensure the maintenance and conservation of properties.

- The establishment of a Local Government Working Group among Heritage Council Board Members comprising Danielle Gray, Robin McKendrick and Alex van der Hek. The objective of this group is to explore and develop assistance strategies programs to better enable local government to manage historic and cultural heritage.

TASMANIAN SUICIDE PREVENTION STEERING COMMITTEE

REPRESENTATIVE: Annette Rockliff

NUMBER OF MEETINGS HELD DURING 2017/18 **4**

OBJECTIVES OF THE COMMITTEE/BOARD:

Advise the Minister on all issues relating to suicide and suicidality with the objective of reducing the high rate of suicide and self-harm in the Tasmanian community

MAJOR ISSUES DEALT WITH AND DECISIONS MADE:

- Developed the Government's Suicide Prevention Strategy 2016-2020 which was launched mid 2016
- Implement and monitor actions from the Suicide Prevention Strategy 2016-2020
- Support the Tasmanian Suicide Prevention Community Network
- Monitor the progress of the Strategy and report to the Minister

FAMILY VIOLENCE CONSULTATIVE GROUP

REPRESENTATIVE: Clr Mary Knowles OAM

NUMBER OF MEETINGS HELD DURING 2017/18 **3 plus on-line consultation**

OBJECTIVES OF THE COMMITTEE/BOARD:

The FVCG was formed in 2015 by the State Government to address family violence and develop a Family Violence Action Plan, to support and promote 'Our Watch', 'Let's Stop it at the Start', White Ribbon and the National Plan to Reduce Violence Against Women and their Children 2010-2022.

MAJOR ISSUES DEALT WITH AND DECISIONS MADE:

- Implementation of 'Safe Homes, Safe Families' actions
- \$26M to fund new and direct actions to address family violence in Tasmania
- Critical service demands on existing services, as greater community awareness resulted in increased reporting
- Urgent need for crisis and supported housing for families affected by family violence
- Need to expand delivery of behavior change programs
- Early intervention service responses for at-risk families
- Build on Education Department 'Respectful Relationships' program and other primary prevention strategies, including cultural change drivers

Other meetings included:

- Family Violence Action Plan meeting with Mary Barry 'Our Watch' Oct 2017
- 'Our Watch' Tasmanian stakeholder consultation March 2018

Other actions:-

- Forwarded relevant information to all councils
- Approached by 2 schools – made relevant enquiries and delivered responses
- Supported the Sexual Assault Support Service to apply for preventative posters in council and community buildings. 15 councils participating – funding outcome will be known mid-June
- Supported 3 smaller councils to apply for funding for large stickers on rubbish trucks. This was unsuccessful.

ANIMAL WELFARE ADVISORY COMMITTEE

REPRESENTATIVE: Cr Dave Moser (originally proxy for Cr Andrew Downie). Confirmed as representative on 27 April 2017 until end 2017

**NUMBER OF MEETINGS HELD DURING 2017/18
(postponed 20 June 2017 meeting)**

26 September 2017 Prospect

OBJECTIVES OF THE COMMITTEE/BOARD:

The Animal Welfare Advisory Committee (AWAC) is set up under Part 6 of the Tasmanian *Animal Welfare Act 1993*. The functions of AWAC are:

- to advise the Minister on any matter generally relating to animal welfare
- to advise the Minister on any specific matter relating to animal welfare, as requested by the Minister
- to conduct an ongoing review of the laws relating to animal welfare

- to recommend to the Minister any changes in the laws relating to animal welfare
- to make recommendations on any matter of concern to the Advisory Committee; to identify areas which require development of public education strategies relating to animal welfare;
- to develop educational programmes relating to animal welfare
- to make recommendations to the Minister on any matter relating to animal welfare standards or animal welfare guidelines
- any other functions imposed by this Act
- any other functions the Minister may determine.

In carrying out its functions, the AWAC is to take into account: the community concerns about, and attitudes towards, animal welfare; the needs of affected industries; and the changes in, and availability of, animal management practices.

Membership of the AWAC consists of a chair; members nominated by Secretaries of the Departments responsible for the Animal Welfare Act, the Nature Conservation Act, the Police Service Act, and the Racing Regulation Act; and persons nominated by the Municipal Association of Tasmania (now LGAT), the University of Tasmania, Tasmanian Farmers and Graziers Association, the RSPCA, Animals Australia Incorporated, a registered veterinary surgeon nominated by the Australian Veterinary Association; persons representing the intensive animal industry and the sporting and recreational users of animals; as well as any such person that the Minister considers appropriate.

MAJOR ISSUES DEALT WITH AND DECISIONS MADE:

Only one meeting of the AWAC was held during 2017-18, partly because the term of the Committee expired at the end of 2017 and a new committee has yet to be established by the Minister. The establishment of the new committee is currently in progress and was affected by the State election timeframe in late 2017/early 2018.

The only meeting held, at the DPIPWE Prospect Offices on 26 September 2017, was the postponed 20 June 2017 meeting. Issues raised and discussed at that meeting included:

- ship design and criteria for Bass Strait sailings, particularly as they might relate to animal transport and welfare
- potential appointment of a scientific animal welfare expert/researcher to the AWAC
- update on the proposed amendments to the *Animal Welfare Act 1993* and the current Animal Welfare Framework Project
- recent incidents of animal abuse in Tasmanian abattoirs and the relative merits of CCTV use in abattoirs, and the potential appointment of a person to be responsible for animal welfare in each abattoir; and
- current moves within the sheep industry at the national level to strengthen the provision of standards and guidelines regarding mulesing.



GENERAL MEETING

AGENDA

**Wrest Point
Hobart**

Wednesday 25 July 2018

**Commencing
Immediately Following the
Conclusion of the AGM**

**PROCEDURAL MATTERS.
RULES REGARDING CONDUCT OF MEETINGS**

13. WHO MAY ATTEND A MEETING OF THE ASSOCIATION

- (a) Each Member shall be entitled to send a voting delegate to any Meeting of the Association, such voting delegate exercising the number of votes determined according to Rule 16(a).
- (b) After each ordinary Council election, the Chief Executive Officer shall request each Member to advise the name of its voting delegate and the proxy for the voting delegate for Meetings of the Association until the next ordinary Council elections.
- (c) Members may change their voting delegate or proxy at any time by advising the Chief Executive Officer in writing over the hand of the voting delegate or the General Manager prior to that delegate taking his or her position at a Meeting.
- (d) A list of voting delegates will be made available at the commencement of any Meeting of the Association.
- (e) Members may send other elected members or Council officers as observers to any Meeting of the Association.

14. PROXIES AT MEETINGS

- (a) Up to 1 hour prior to any Meeting of the Association, a Member may appoint another Member as its proxy.
- (b) The form of the proxy is to be provided by the Chief Executive Officer and is to be signed by either the Mayor or General Manager of the Council appointing the proxy.
- (c) The Chair of the meeting is not entitled to inquire as to whether the proxy has cast any vote in accordance with the wishes of the Member appointing the proxy.
- (d) Proxies count for the purposes of voting and quorum at any meeting.

15. QUORUM AT MEETINGS

At any Meeting of the Association, a majority of the Member Councils shall constitute a quorum.

16. VOTING AT MEETINGS

- (a) Voting at any Meeting of the Association shall be upon the basis of each voting delegate being provided with, immediately prior to the meeting, a placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according to the number of votes to which the Member is entitled:

Population of the Council Area	Number of votes entitled to be exercised by the voting delegate	Colour placard to be raised by the voting delegate when voting
Under 10,000	1	Red
10,000 – 19,999	2	White
20,000 – 39,999	3	Blue
40,000 and above	4	Green

- (b) The Chairman of the meeting shall be entitled to rely upon the raising of a coloured placard as the recording of the vote for the Member and as evidence of the number of votes being cast.
- (c) Except as provided in sub-rule (d), each question, matter or resolution shall be decided by a majority of the votes capable of being cast by Members present at the Meeting. If there is an equal number of votes upon any question, it shall be declared not carried.
- (d) (i) When a vote is being taken to amend a Policy of the Association, the resolution must be carried by a majority of the votes capable of being cast by Members, whether present at the Meeting or not.
- (ii) When a vote is being taken for the Association to sign a protocol, memorandum of understanding or partnership agreement, the resolution must be carried by a majority of votes capable of being cast by Members and by a majority of Members, whether present at the Meeting or not.
- (iii) When a vote is being taken to amend the Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by Members, whether present at the Meeting or not.

Schedule

11.20 approx.	General Meeting Commences immediately following the conclusion of the Annual General Meeting.
11.30	The Hon Peter Gutwein MP Treasurer Minister for Local Government Minister for State Growth
12.30	Lunch

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* DENOTES ATTACHMENT

1 MINUTES *

Decision Sought

That the Minutes of the General Meeting held on 18 May 2018, as circulated, be confirmed.

The Minutes of the Meeting held on 18 May 2018, as circulated, are submitted for confirmation and are at **Attachment to Item 1.**

2 CONFIRMATION OF AGENDA & ORDER OF BUSINESS

Decision Sought

That the agenda and order of business be confirmed.

Members are invited to confirm the agenda and order of business as presented.

3 PRESIDENTS REPORT

Decision Sought

That Members note the report on the President's activity since the last General Meeting (18 May to 22 June Inclusive).

Meetings

- General Meeting
- General Management Committee Meeting
- Premier's Local Government Council
- TasWater General Meeting
- Minister Elise Archer – Waste issues
- Minister Peter Gutwein – Local Government catch-up
- Senator Steve Martin - Local Government catch-up
- Mayors' Workshop
- Anita Dow - Economic Development
- ALGA Board Meeting
- ALGA Regional Cooperation and Development Forum
- ALGA National General Assembly

Media/Communication

- Pulse articles
- MR- State of the Regions

4 CEOs REPORT**Decision Sought**

That Members note the report on the CEO's activity since the last General Meeting (18 May to 22 June Inclusive).

Meetings

- ALGA Board Meeting
- ALGA National General Assembly
- Anita Dow - Economic Development
- General Management Committee Meeting
- LGAT Assist Board Meeting
- Local Government Division – regular monthly meetings
- Local Government Professionals (Tas) Board meeting
- MAV Insurance Board - teleconference
- Mayors' Workshop
- Meeting of Association CEOs
- Meeting with the ALP regarding *Residential Housing Supply Bill*
- Minister Elise Archer – Waste issues
- Minister Peter Gutwein – Local Government catch-up
- Premier's Local Government Council
- Road Safety Advisory Council Meeting
- Senator Steve Martin - Local Government catch-up
- TasCOSS, Shelter and Tourism Industry Council re short term visitor accommodation
- TasWater General Meeting
- Teleconference Minister Jaensch re short term visitor accommodation
- UTAS re short planning course

Policy and Projects

- Scoping new councillor mentor program
- Review and sign off LGAT submissions including *Emergency Management Amendment Bill*, *TasNetworks Pricing Reset*, *Residential Housing Supply Bill*.
- Scoping workshop - community survey
- Follow up Church Sale/Burials Act
- General advice on Local Government matters

Events

- Volunteering Tasmania Awards
- State Budget Breakfast

Training/Development

- Candidate Information Forums (Huon Valley, Ulverstone, Hobart) and preparation of a range of information materials for the LGAT website. Preparation for West Tamar, Flinders and East Coast.
- Mayors' Workshop
- Preliminary work with Local Government Professionals on partnership opportunities.

Operational

- Preparation of the Budget and preparation of subscription calculations using a new formula

Media and Messaging

- Budget Priorities- comment to the Mercury
- Cost of extreme weather events – comment to ABC
- Container Deposit Levy – comment to Fairfax
- Joint Media Release (TasCOSS, Shelter, Tourism Industry Council) - Air BnB Data and related media, TV, print and radio coverage
- Letter to Editor – Planning (Mercury)
- Letter to Editor – Sale of Churches (published all three papers)
- Media Release – Tasmanian Planning Commission Report on short stay accommodation
- Media Release - Free Candidate Information Sessions
- Meeting with Chris Jones – Editor of the Mercury (background briefing Local Government).
- Op Ed – LG Candidates – submitted widely
- Pulse
- Rates – comment to The Mercury
- RSPCA Shelter Closure – comment to the Mercury
- Waste Management – comment to the Advocate
- Woodheaters – comment to the Mercury

5 BUSINESS ARISING *

Decision Sought

That Members note the following information.

At **Attachment to Item 5** is a schedule of business considered at the meetings held on 18 May 2018 and the status thereof.

6 FOLLOW UP OF MOTIONS *
Contact Officer: Dion Lester

Decision Sought

That the meeting note the report detailing progress of motions passed at previous meetings and not covered in Business Arising.

Follow up on outstanding motions

A matrix indicating progress to date on motions passed at General Meetings, which remained outstanding at the last General Meeting, is at **Attachment to Item 6**.

7 MONTHLY REPORTS TO COUNCILS *

Decision Sought

That Members note the reports for April and May 2018.

Background comment:

Monthly reports to Councils that briefly outline the Associations activities and outcomes for the previous months are at **Attachment to Item 7**.

8 ITEMS FOR DECISION

8.1 Waste Management * Contact Officer – Dion Lester

Decision Sought

That Members agree to a feasibility study into the establishment of a state-wide Waste Management arrangement.

On 18 May 2018, at the Local Government Association of Tasmania (LGAT) General Meeting, the following motion was passed:

That Members agree in principle to a feasibility study into the establishment of a Local Government statewide waste management arrangement.

If supported LGAT will liaise with the relevant regional Waste Management Arrangements and State agencies to develop a detailed scope, terms of reference and costs to councils for presentation at the July General meeting of the association.

Why would Local Government undertake this work?

Tasmania lags well behind most mainland jurisdictions in our resource recovery. This poor waste management presents a risk to public health and the environment, negatively impacts on the public image of our State and represents a significant lost opportunity associated with the economic benefits that come from greater resource recovery.

A range of further issues have been identified in the current system that prevent greater resource recovery. These were outlined in the May 2018 General Meeting paper and are also discussed in the LGAT Waste and Resource Management Strategy (the Strategy), which can be found at:

http://www.lgat.tas.gov.au/webdata/resources/files/LGAT%20Waste%20and%20Resource%20Management%20Strategy_Final%20.pdf

The Strategy, endorsed by the sector at the April 2017 General Meeting, was provided to the Minister for Environment in early 2017. Since that time the State Government is yet to provide its policy setting for waste management, via the promised State waste action plan.

A critical factor for improving resource recovery and waste management in Tasmania is the establishment of state-wide arrangements. Tasmania requires an organisation to lead and provide oversight of the implementation of improvements to waste management and funding to deliver programs and or strategic actions. For example, Sustainability Victoria, Green

Industries South Australia and the Western Australian Waste Authority all have a strategic planning and program delivery roles.

The three regional waste management groups generally have a common purpose however, their governance arrangements differ across the state as do their functions, resources and funding.

Local Government has the opportunity (and experience) to investigate the benefits and risks of moving to a state-wide approach and if feasible, what roles and functions a state-wide waste organisation should perform.

Proposed Scope

In preparing this scope, LGAT proposed separate and distinct tasks to ensure appropriate consultation is undertaken, an evidence base is collected and analysis completed, to adequately inform a decision by members with respect to the feasibility and benefits of establishing a state-wide waste management arrangement (state-wide arrangement). Once the need and benefits are established the purpose, role and function of the state-wide arrangement will be identified as part of the feasibility study.

The need will be established primarily through engagement with Local Government and the three regional waste authorities, a review of existing regional waste organisations and arrangements in other jurisdictions. Once the need and benefits are established then this will set the foundation for developing the governance arrangements.

To frame the scope of works and provide guidance to consultants bidding for this work, LGAT proposes that as a minimum, the consultant be asked to consider the state-wide arrangement's role and functions within the context of planning, co-ordination and delivery of state-wide waste policies, strategies, programs and services.

LGAT is aware that establishment of a state-wide arrangement risks duplication of the role and functions of existing regional organisations. However, we propose that the feasibility study carefully consider the differing governance arrangements, roles and functions of these organisations, any gaps and how the regional organisations might integrate within a future framework that includes state-wide arrangements supporting better waste management in Tasmania.

In light of the significant importance of the consultation component of this work we will be asking tenderers to cost separately for the workshop/engagement as opposed to report drafting elements. We will also be seeking tenderers to demonstrate the level of expertise of the facilitator proposed.

As part of a feasibility study, careful consideration must be given to the constitutional/governance arrangement of the state-wide arrangement to ensure that the proposed arrangement has delegated authority and powers to make decisions aligned with its role and functions.

The detailed scope of works that is proposed can be found in **Attachment to Item 8.1**.

Budget Impact

An independent consultant in the waste sector was asked to cost the proposed scope of work. The total estimated cost for the scope of works is between \$80,000 and \$90,000 ex GST.

Current Policy

Strategic Plan:

- Facilitating change
- Building Local Government's reputation
- Fostering collaboration
- Developing capacity and capability to deliver

8.2 Review of Councillor Allowances

Contact Officer: Katrena Stephenson

Decision Sought

That the Meeting note the update on the Review of Councillor Allowances.

That the Meeting agree that LGAT pursue a review of the further areas identified.

That the Meeting agree that any such review should be completed in the next 12 months.

Background Comment:

On the 22 May the Minister for Local Government, Peter Gutwein, advised Members that the Board of Inquiry into councillor allowances undertaken by the Tasmanian Industrial Commission (TIC) was complete.

The TIC did not recommend any significant changes to allowances. Specifically, they recommended that the wage price index continue to be applied to the current base allowances.

They also deferred consideration of issues around the methodology for calculating base councillor allowances, including the categorisation of councils as well as consideration of disadvantage factors, suggesting this be a matter for a further review to be completed within three years but not acted upon until the next review in 4 years.

There was not significant input by councils or councillors into a LGAT submission, however based on the feedback received as well as past discussions and General Meeting resolutions, in follow up correspondence with councils, LGAT suggested that *the deferral of consideration of categories and disadvantage factors was disappointing and should have been a key component of the review given the length of time between reviews* and indicated there would be merit in addressing that with the Minister. However, at this stage there has been little response from Members and this might suggest *a general satisfaction with the status quo*.

At the Premier's Local Government Council Meeting on 31 May it was noted that the Minister will consider all submissions from the sector before deciding on allowances. Any changes to allowances will be captured in regulations and take effect following council elections in October 2018. The PLGC also tasked LGAT and the Local Government Division (LGD) to develop a scope for the TICs recommended review of the methodology for calculating base councillor allowances, including the categorisation of councils and disadvantage factors and to identify effective ways of attracting councillors from more diverse backgrounds.

As there has been limited feedback to date, prior to mapping a process and timeframes around a further review it seems prudent to seek direction through the General Meeting process.

The Minister has sought feedback on the TIC recommendations by 6 July, however LGAT has sought an extension so as to allow incorporation of feedback from this Meeting.

Budget Implications

A second review process may come at a direct cost to the sector and is currently unbudgeted for by LGAT or the Local Government Division.

Current Policy

Does not relate to current strategic priorities however:

Core Purpose 1: Protect and represent the interest and rights of councils in Tasmania

Core Purpose 2: Provide services to Members, Councillors and employees of Councils.

8.3 Board of Enquiry Recommendations Contact Officer – Katrena Stephenson

Decision Sought

That Members determine that the feedback to the Director of Local Government on the sector wide recommendations arising from the Glenorchy City Council Board of Inquiry (below) is that they are not system issues and a legislative response is not endorsed.

- Provide the Mayor with the power to approve the agenda prior to its release by the General Meeting;
- Provide the Mayor with the power to approve the release of draft minutes to other councillors;
- Provide the power to the Mayor to approve the General Manager's leave;
- Mandatory requirement for all council meetings to have audio recordings;
- The Minister may direct a council to terminate the employment of a General Manager; and
- The General Manager is to consult with the Mayor and councillors on senior executive appointments.

Background Comment

At the March General Meeting LGAT presented a summary of the recommendations arising through the Glenorchy City Council Board of Inquiry that have sector wide implications. At the time we noted that a number had already been dealt with through the targetted review. LGAT also noted that –

“recommendations need closer assessment as they may be more reflective of an issue specific to Glenorchy City Council (GCC) rather than changes which need to be made across the sector. It would be important to understand unintended consequences from any of the proposed changes”.

In June this year, the Minister wrote to LGAT seeking feedback on some of the recommendations arising that have sector wide implications.

In doing so, he notes that the Government would need to be convinced of the existence of systemic issues that would justify the implementation of sector-wide reform as distinct from the specific recommendations resulting from the unique circumstances of Glenorchy City Council.

Further he states that the Government will work closely with the sector to jointly consider what response, if any, is required to address these particular recommendations, noting that a number of sector-wide reforms have already been implemented as a result of changes to the Act from the Targetted Review.

This General Meeting provides the opportunity to secure a position from Members in relation to the remaining recommendations.

LGAT provides some advice and recommendations on the recommendations in question below.

<p>Provide Mayor with the power to approve the agenda prior to its release by the General Meeting.</p>	<p>Do not endorse - not a sector wide issue. As noted at the March 18 General Meeting, LGAT does not agree with this recommendation as it could see the Agenda becoming politicised. The General Manager prepares the agenda for the whole council, not solely the Mayor. There is a difference in having a Mayor being well informed about the agenda versus solely controlling the agenda. This issue was substantially addressed through Targetted Review/requirements to liaise.</p>
<p>Provide Mayor with the power to approve the release of draft minutes to other councillors.</p>	<p>Do not endorse - not a sector wide issue. Many councils already release draft/unconfirmed minutes publicly.</p>
<p>Provide the power to the Mayor to approve the General Manager's leave.</p>	<p>Do not endorse - not a sector wide issue. A more common approach across councils is for there to be a policy decision of council in relation to the management of the General Managers leave including approval processes and acting arrangements.</p>
<p>Mandatory requirement for all council meetings to have audio recordings.</p>	<p>Do not endorse - not a sector wide issue. This matter was considered as part of the Targetted Review in 2016 and was not supported by the majority of councils.</p>
<p>Minister may direct a council to terminate the employment of a General Manager.</p>	<p>Do not endorse- not a sector wide issue. This was considered during the Targetted Review of the Local Government Act and was not widely supported. The Council as the employing body and contract managers should collectively make any decision to terminate.</p>

<p>GM consultation with the Mayor and councillors on senior executive appointments.</p>	<p>Do not endorse- not a sector wide issue This was considered during the Targetted Review and Members agreed it is not a matter for prescription. The Ministerial Orders which strengthen the requirements to liaise already provide enough support for such activity to occur as required.</p>
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Budget

Does not apply.

Policy

Aligns with sector feedback represented through the submission on the Targetted Review of the Local Government Act undertaken 2016/17.

8.4 Sale of Anglican Churches *
Contact Officer: Katrena Stephenson

Decision Sought

That Members note the actions taken since the May General Meeting with respect to the sale of churches and cemeteries.

That Members note that LGAT will coordinate a response to any proposed changes to the *Burial and Cremation Act 2002*.

That Members agree that LGAT should provide appropriate support to Mayors of affected areas as requested.

That Members note the request from a member of the Uniting Church that Local Government explore taking over control of Tasmanian Cemeteries.

That Members agree that it is not the role of Local Government to take over cemeteries established by religious organisations.

That Members discuss and determine any further actions for LGAT.

Background Comment:

At the General Meeting on the 18 May 2018, Members considered a motion from the floor in relation to the sale of Anglican churches and cemeteries in Tasmania.

The following resolution was passed:

That the LGAT issue a public statement on behalf of Members -

- *Acknowledging the importance of redress for victims of abuse;*
- *Noting the concern being expressed across a number of Tasmanian communities about the sale of their local churches and cemeteries;*
- *Seeking that the Anglican Church ensure that those communities are not being made to pay unfairly for the actions of leaders in the Church; and*
- *That there is a genuine consideration given to the huge impact on communities particularly rural and regional Tasmanian.*

During the discussion it was noted that in some communities:

- The churches represent significant spiritual, cultural and heritage centres;

- There is a high level of concern about loved ones buried in cemeteries earmarked for sale;
- Some constituents will now have to travel considerable distances to a place of worship;
- There has been heavy investment in the maintenance and care of facilities and limited reliance on church funding and/or, that the land or buildings may have initially been donated to the Church; and
- That in general there has been a poor process with a lack of community engagement and an unwillingness of the Anglican Church to participate in community meetings denying parishioners the ability to directly raise their concerns.

Subsequently LGAT wrote to The Right Reverend Dr Richard Condie seeking greater engagement with councils and communities. That letter and his reply were circulated to councils and a copy is at **Attachment to Item 8.4 for reference**. Further a letter to the editor of the three regional newspapers outlining the position of the Members was supplied and published.

On 1 June the Anglican Synod passed the full list of 108 properties, including 76 churches, earmarked for sale. Parishes are able to seek a review of the decision to sell and make a case for exemption until 1 September and final decisions will be made by the Diocesan Council in December.

The process, also outlined at **Attachment to Item 8.4**, was provided by Bishop Condie in response to a second letter from LGAT seeking clarification on said process.

The State Government have committed to a review of the *Burial and Cremation Act 2002*, with a focus on preserving, protecting, and where appropriate, strengthening both the rights of community members and the obligations on cemetery managers to ensure:

1. The continued appropriate, safe and responsible management of cemeteries;
2. The honouring of exclusive burial rights; and
3. Continued public access for relatives and friends of the deceased.

The Government is currently considering legislative changes to support this commitment. In particular, potential amendments will be examined and assessed which:

- Provide greater clarity regarding the 'fit and proper person' test that is applied to prospective cemetery managers, to ensure that the community can be confident that purchasers can and will meet their significant obligations under the *Burial and Cremation Act 2002*;
- Increase sanctions for the failure of cemetery managers to perform their legal duties, and allow for the issuing of infringement notices to support compliance and enforcement; and

- Clarify how the rights of community members and religious and cultural organisations interact with the rights of cemetery owners on a range of matters following the sale of a cemetery.

At the GMC Meeting held on 30 May there was subsequent discussion on this issue, particularly around the impacts that loss of ownership will have to largely rural and regional communities and the consequent issues that will be created in relation to cemeteries located within church grounds.

As several councils are having to take a strong role in relation to this issue, GMC felt that it was appropriate that LGAT provide an appropriate level of support to the Mayors of the affected areas as requested. This includes procuring and providing information and potentially facilitating a meeting between the Anglican Diocese and Mayors. GMC also felt however, that the matter should be brought back to this Meeting for further discussion.

Uniting Church

The CEO received an email from Mr Ivan Badcock, a member of the Uniting Church, seeking to explore the possibility of Tasmanian Councils taking over control of Tasmanian Cemeteries (**refer Attachment to Item 8.4**). This approach appears largely to be in a personal capacity, not as a formal representation by the Church. It would be useful in responding, to have a clear position from Members about any such proposition, noting that other religious organisations may follow.

Budget Implications

Within existing resources.

Current Policy

Does not relate to current strategic priorities however:

- Core Purpose 1: Protect and represent the interest and rights of councils in Tasmania
- Core Purpose 2: Provide services to Members, Councillors and employees of Councils

9 ITEMS FOR NOTING

9.1 Local Government Elections

Contact Officer: Katrena Stephenson

Decision Sought

That Members note LGAT's activity in support of the upcoming Local Government elections.

That Members note the imminent changes to the Local Government Regulations with respect to 'gifts and benefits' and 'election advertising'.

LGAT Activity

The Association has already commenced activity designed to support Local Government elections in October. This work will be delivered in two phases. Phase 1 is focussed on attracting and informing candidates and Phase 2 is encouraging voter turnout and supporting newly elected councillors.

Phase 1:

- Review and update the Becoming a Councillor Handbook;
- Development of new web-based materials for candidates including video, audio and text;
- Delivery of regional and remote candidate information sessions in partnership with the Local Government Division, the Tasmanian Electoral Commission, the Audit Office and the Australian Local Government Women's Association (Tas); and
- Broadcast of the LGAT TV commercial during late May/June with an end title "Stand for Council" and direction to the LGAT website.

Phase 1 is substantially complete. The new materials are available at www.lgat.tas.gov.au (go to Quick Links), the commercial is airing and information sessions will have been completed in each of the three regions (Ulverstone, West Tamar, Hobart) as well as the two Islands, the East Coast and Huon Valley.

It is hoped that any councils running local sessions can make use of the new materials.

Phase 2:

- Review and update the Mayoral Handbook and Councillor Resource Kit and Induction Checklist;
- Develop new web-based materials to supplement those provided for candidates, including more in-depth information on functions, including Land Use Planning, Meeting Procedures, Code of Conduct and Good Governance;

1-110

- Run the *LGAT* television commercial during October with an end title encouraging people to vote in council elections;
- A Professional Development workshop for new councillors (with a special session for new Mayors) will take place on Saturday 17 November. This is intended to be run in partnership with the Local Government Division, Integrity Commission and Audit Office;
- Establishment of a short-term, regionally based mentoring program for newly elected Mayors and Councillors (see Agenda Item 9.7);
- Elected Member Weekend February; and
- Short planning course for elected Members (in partnership with University College) delivered regionally early 2019.

LGAT has been granted \$4000 by the Local Government Division towards the renewal of our materials and establishment of new webpages.

At its December 2018 meeting, the Premier's Local Government Council agreed to include in its official Communique a statement of principle that affirmed the commitment of both levels of government to promoting, in the lead-up to the 2018 council elections:

1. The important, and increasingly complex role of Local Government in serving and representing the interests of local Tasmanian communities, whilst discharging statutory obligations such as acting as a planning authority;
2. The encouragement of candidates from a diverse range of backgrounds, so that elected members reflect a broad cross-section of the community and the value diversity brings;
3. The continuous improvement in the professionalism, capacity and integrity of councils and councillors;
4. A recognition of the valuable role that a councillor plays in local communities and the personal satisfaction councillors can gain from helping their communities; and
5. An increase in active community engagement and participation at the Local Government level, both at and between council election.

Changes to the Regulations

Following consultation with the sector, changes to the Local Government (General) Regulations are due to be gazetted on Wednesday 27 June 2018. At that time a copy of the final Regulations will be circulated to councils.

The Amendment Regulations amend the General Regulations to:

1. Prescribe the requirements for the keeping of a gifts and donations register by the general manager including classes of gifts and donations to be disclosed by elected members to the general manager' the monetary threshold for disclosure (\$50 or more), the details to be contained in a notice to the general manager and the

timeframe (14 days) for the provision of this notice, and the information to be recorded in the register;

2. Amend regulation 21 to remove the requirements prescribing poster size and number;
3. Amend regulation 22 to remove the restrictions in regard to limitations on television, radio and newspaper advertising;
4. Amend regulation 22 to remove two separate electoral expenditure limits, replacing these with a single expenditure limit of \$8,000 for a candidate, regardless of whether they are running for mayor or deputy mayor or councilor, this amount will be increased each year by CPI; and
5. Amend the Declaration of Office such that elected members are required to engage in ongoing professional development and abide by the principles of good governance.

The Amendment Regulations and Part 3 of the Local Government (Targetted Review) Amendment Act 2017 (other than sections 44(b), 46 and 47) will be proclaimed on 1 August 2018.

Budget Implications

Within existing resources.

Current Policy

Strategic Plan Priority 5:

Prepare communities and councils for the Local Government elections in 2018.

9.2 Code of Conduct *

Contact Officer – Dion Lester

Decision Sought

That Members note the State Government's response to the sector's recommendations.

Background Comment

The new code of conduct framework commenced on 13 April 2016.

In early 2017, the Tasmanian Government agreed to a request by the sector for a review of the framework at the end of its initial twelve months of operation. The aim of the review was to investigate whether the framework is proving to be effective and identify and address any aspects of the framework that have not operated as intended. LGAT led consultation with

councils, while the Local Government Division (LGD) has led consultation with members of the Code of Conduct Panel and Executive Officer.

Members endorsed a series of recommendations at the November 2017 General Meeting. These recommendations and those provided by the Panel members have been considered by the LGD and a package of recommendations have been presented to the Minister. The State Government's response to the recommendations and also how they will be implemented is contained in **Attachment to Item 9.2**.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan:

- Facilitating change
- Fostering collaboration
- Developing capacity and capability to deliver

9.3 Planning Reform *

Contact Officer: Dion Lester

Decision Sought

That Members note the following report on the State Government's Planning Reform Agenda and related matters.

Background Comment:

The State Government's number one planning reform priority is to establish the Tasmanian Planning Scheme, which they accept can best be achieved by supporting councils in the preparation of their Local Provisions Schedules. The other key area of reform will be the introduction of a set of Tasmanian Planning Policies to inform the planning system.

Other aspects of Government reform related to planning are the Government's proposal to facilitate affordable housing via fast track rezoning of Crown Land and the recent media and community attention to the regulation of visitor accommodation.

Tasmanian Planning Scheme

Councils are currently preparing their Local Provision Schedules (LPSs) with it anticipated that 17 of the 29 LPSs will be submitted to the Tasmanian Planning Commission by the end of 2018, with the remainder in 2019.

Tasmanian Planning Policies (TPPs)

As part of its planning reform agenda the Government is developing a suite of new TPPs to support and inform the planning system. The new policies are anticipated to provide the long overdue strategic direction to the planning system. In mid-2017 the Government consulted on the draft Bill (the *Land Use Planning and Approvals Amendment (Tasmanian Planning Policies) Bill*), which establishes the mechanism to create the TPPs.

The Government has indicated the Bill will be introduced to Parliament in the autumn session of 2018. Once the Bill is passed by Parliament formal consultation will then begin on the actual Policies.

Housing Supply – Crown Land Rezoning

On 30 April, the Minister for Housing released the draft *Residential Housing Supply Bill* for a very limited (2 week) consultation period. This was in response to a key commitment emerging out of the Premier's Housing Summit earlier in the year. LGAT and several other key stakeholders raised significant concerns with the draft Bill, both in our written submission and also directly with the Minister's Office. As a result, a substantially reduced (and improved) Bill was introduced into Parliament on the 12 June. The draft Bill sought to establish a power for the Minister to directly rezone specific parcels of Crown land, approve related subdivision applications and to issue 'Temporary Emergency Residential Planning' Permits to allow the immediate provision of emergency accommodation. The final Bill was reduced in scope to only involve a power for the Minister to directly rezone specific parcels of Crown land and set specific planning controls for that land, as well as providing a number of other improvements to what was originally proposed. It is expected the Bill will be debated in Parliament following the Budget Estimates.

Visitor Accommodation

On 7 June the Tasmanian Planning Commission (TPC) released its report on the *draft Planning Directive 6 – Visitor Accommodation Standards in Planning Schemes*. Members will recall that the previous Minister for Planning introduced an Interim Planning Directive early last year and directed the TPC to undertake an assessment. The key findings of the TPC's assessment were that both the exemption for true home sharing (principal place of residence) and the Permitted pathway for investment properties/shacks should remain, however the floor area limit be reduced from 300m² to 200m². The exception to this will be investment properties within strata title developments, where the TPC introduced a new discretionary pathway in response to concerns that the sharing of common areas and closer proximity to residences introduced a greater risk of land use conflict and amenity impacts when compared with free standing dwellings. The TPC also re-introduced the prohibition on visitor accommodation in the Battery Point Heritage Area.

The Minister has accepted these recommendations, although it is important to note that the Minister can only:

- Accept the recommendations in full, with no modification;
- Reject the recommendations (leaving us with the draft Planning Directive); or
- Remove the Planning Directive completely, returning to what was in Planning Schemes prior to last year.

LGATs media release following the TPCs report can be found at **Attachment to Item 9.3.**

Further to this and immediately prior to the opposition parties seeking to have a motion passed on the floor of Parliament related to the regulation of visitor accommodation, LGAT and a number of the other peak bodies issued a joint media statement. This can also be found at **Attachment to Item 9.3.**

The media attention and public debate surrounding the impact visitor accommodation may be having on housing affordability and availability has prompted the Legislative Council to appoint a Select Committee to look at the growth of short-term accommodation in Tasmania and the changing character of the market, the impact it is having on the residential housing sector and tourism sector and any regulatory issues including customer safety, land use planning, neighbourhood amenity and licensing conditions.

The inquiry will take evidence in the three regions and LGAT will be preparing a whole of sector submission, councils are invited to **provide input to Dion Lester by Friday 3 August.**

Budget Impact

Being undertaken within current resources noting this accounts for a significant workload.

Current Policy

Strategic Plan:

- Facilitating change
- Building Local Government's reputation
- Fostering collaboration
- Developing capacity and capability to deliver

9.4 Local Government Sustainability *

Contact Officer: Katrena Stephenson

Decision Sought

That Members note the following report on future Local Government sustainability.

At the Premier's Local Government Council Meeting on 31 May 2018, there was discussion of the lessons learnt from the recent feasibility studies into council voluntary amalgamations and shared services arrangements. The PLGC also discussed the debate occurring within the sector, both in Tasmania and nationally, on long-term sustainability in the context of councils' changed and increased roles and expectations. This discussion is currently being mirrored and extended in public debate with statements recently on the need for council amalgamation coming from the Tasmanian and Launceston Chamber of Commerce's and Deloitte Economics in its Be Bold Tasmanian Report calling for mandatory and strategic Local Government reform as one of its 7 key actions. The report notes that -

"We need a clear, stronger and more strategic reform agenda for Local Government. Amalgamations are one source of reform and should be actioned as a minimum."

The question of council sustainability and need for amalgamations has also been raised in public discussion regarding Glenorchy's proposed 12% rate rise and also in the Mayoral race at Launceston.

The Minister noted that feasibility studies conducted for most councils during the State Government's first term indicated significant opportunities through new shared service arrangements.

While some progress is being made, the implementation of new shared service arrangements was acknowledged as slower than desired. Shared service arrangements have the ability to redirect back office resources to customer facing services that directly benefit communities.

This does not mean that there has been no progress of course. Aside from the significant growth and future opportunities for efficiencies and savings through LGAT's participation in the national procurement network (**Refer Item 9.15**), clear dividends are being realised through the close collaboration of councils such as Kentish/Latrobe, Sorell/Tasman, Burnie/Waratah-Wynyard/Circular Head and the Tasmanian Local Government Common Services Model initiated by Brighton Council.

Regardless, the public debate continues and it is important the sector engages in the discussion. At the May PLGC meeting the Minister and Premier invited Local Government via

LGAT to develop ideas which could address these challenges. In order to effectively do this, we need to continue to build our understanding and evidence base in relation to the key features and attributes of efficient, effective and sustainable Tasmanian councils in the 21st century.

It is important to understand the lessons learned not only here (through the feasibility studies) but in other jurisdictions and around the world. Work such as that recently released by the Victorian Government on rural and regional councils sustainability reform program (see **Attachment to Item 9.4**).

To that end, LGAT suggests a general discussion on this issue (to share ideas, suggestions and frustrations) at the July General Meeting, to be followed up by a body of work, including a proposed process, that we would like to workshop in some detail at the next General Managers Workshop in September 2018 and the General Meeting in December 2018.

We think the key question is:

Are Tasmanian councils best orientated¹ to service the needs of modern Tasmanian Communities?

To answer the question above, it is suggested we build the evidence base in four key areas:

1. Roles

What expanded roles will councils have in serving modern communities?

What functions and services need to be considered?

What implications do modern communications and infrastructure create for our understanding of communities and how they want to receive services?

2. Communities

How are communities defined?

What shape and form do they take?

How will Tasmanian communities look in the future (demographic trends)?

3. Representation

What level of importance do communities place on representation and local democracy?

How is local engagement in democracy delivered in other places?

4. Sustainability

What criteria best indicate the likely success and sustainability of councils?

These questions could be progressed through a Research Advisory Group comprising expertise both internal (LGAT, Councils, State Government) and external to the sector (eg UTAS, UTS, past practitioners), similar to the recently established Digital Advisory Group.

¹ Or structured, aligned, organised, arranged

Whatever process we finally land on as a sector, it is important that the evidence base is built methodically and that councils are engaged along the way through the development and workshopping of papers.

Budget Implications

This depends largely on what process is agreed going forward.

For example, while a Research Advisory Group would scope, commission, direct and review the research task, there would need to be resourcing to review and critically analyse current research and practice, to collaboratively develop and workshop papers and, to produce a final report consolidating the work across all focus areas in to a strategic framework for the sector.

LGAT could provide secretariat support within current budget but significant additional tasks will likely need separate funding.

Current Policy

Strategic Plan Focus Area

Promoting Financial Sustainability

9.5 Council Camping and Competitive Neutrality

Contact Officer – Dion Lester

Decision Sought

That Members note the following report on the State Government’s review of National Competition Policy as it related to council-owned RV parking and camping facilities.

Background Comment

At the December 2017 Premier’s Local Government Council meeting, the State Government agreed to establish a stakeholder group to provide advice to Government on the practical application of competitive neutrality principles to council-owned RV parking and camping facilities. This was in response to Local Government concerns on the interpretation and application of National Competition Policy principles.

Competitive neutrality principles are part of a series of economic policies introduced in Australia in the 1990s to encourage competition and the efficient use of resources. The principles are set out in the Competition Principles Agreement entered into by the Australian Government and governments of each state and territory in April 1995.

In Tasmania the principles form part of the *Economic Regulator Act 2009*. The Act established the Tasmania Economic Regulator as the independent body responsible for conducting investigations into complaints of breaches of the competitive neutrality principles.

These principles are designed to ensure that no government business, including those run by councils, operates with an unfair competitive advantage over a private firm operating in the same market.

The current review is examining the practical application of competitive neutrality principles to council-provided camping facilities to ensure that the current arrangements strike the right balance between Tasmania's ongoing commitment to national competition policy and the efforts by both levels of government to support and grow the visitor economy.

This review is being oversighted by senior representatives from the Departments of Premier and Cabinet, Treasury and Finance and State Growth. As part of the process a stakeholder reference group has been established with representatives from LGAT and Local Government generally, caravan park operators and RV tourists and camping facility consumers. The stakeholder group has met on two occasions, the first to outline issues and concerns and second to provide feedback on a draft options paper developed by Treasury.

The draft options paper canvassed a range of options including no change, removal of the implicit assumption that competitive neutrality is always in the public benefit and improving clarity on how to conduct a public interest assessment, amending the definition of a business activity, introduction of a threshold for determining significance and, enabling a review of the Economic Regulator's decision.

The State Government is now considering stakeholder feedback and finalising their recommendations, which may be one or a combination of the options presented. A final report is anticipated by the end of June.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Facilitating change

- Building Local Government's reputation

- Developing capacity and capability to deliver

9.6 Credit Card Policy *
Contact Officer: Michael Edrich

Decision Sought

That Members note the final draft of the Model Credit Card Policy.

Background Comment:

LGAT has completed consultation on its draft Model Credit Card Policy with input from Tasmanian Audit Office (TAO), the Local Government Division (LGD) and all councils. Feedback was also offered by a private banking institution and this external perspective was welcomed.

In further refining the policy LGAT aimed to harmonise the variety of individual policies, frameworks and document styles of councils, while also sufficiently meeting the TAO requirements. With 29 councils, TAO and LGD this was a balancing act between 31 different parties.

As the LGD and TAO's endorsement is fundamental to the introduction of the policy, their feedback and the recommendations of the Auditor-General's Report informed the minimum requirements for the model policy to meet. Many of the TAO's comments were useful and improved the policy and it was clear the TAO had a strong appreciation for the significant benefit that the purchasing and operational efficiency of credit cards offers to Local Government.

Nonetheless, LGAT has suggested alternatives where the TAOs recommendations do not appropriately reflect the Local Government situation, or restrict unnecessarily the ability for the policy to be customised, or do not provide sufficient additional security in relation to the operational burden they would impose. For example, the TAO suggested:

- Regular policy review cycle of as little as 3-6 months.
 - The model policy retains a 2-year review cycle, with trigger events for out-of-cycle review.
- Full reconciliation by cardholders, rather than delegated financial personnel.
 - The model policy retains reconciliation by financial personnel.
- Statutory declaration (signed by a JP) for every purchase missing a tax invoice, regardless of value.
 - The model policy only requires a statutory declaration for higher value undocumented purchases (e.g. \$150), with the value adjustable by councils.

- Incorporating LGAT's policy guidance material on travel expenses and entertainment expenses into the main body of the policy, rather than as supplementary guidance material for councils to adapt to their policy environment.
- The model policy retains guidance material in an Appendix.

The LGD's feedback closely followed the TAO's comments, with no unique response required.

Three councils provided feedback in the second-round consultation. Their comments include seeking items such as:

- Separating policy statements and procedural steps into two separate documents.
 - While some councils follow this format, the majority dispense with separating a policy topic and dealt with policy and procedure in a single document.
 - The model policy remains as a single document but councils may choose to reformat to suit their needs.
- A change of tone in the model policy from viewing credit cards as a risky and undesirable purchase method to a viewing them as a highly efficient and traceable one that, managed effectively, can improve LG operation and service delivery.
 - The tone of the model policy has been changed to reflect this.
- Permitting non-cardholders to use a credit card (an office or departmental credit card).
 - This practice is highly insecure and opens an easily exploitable loophole for misuse (intentional or otherwise) that is very difficult to manage and clearly contrary to the A-G Report.
 - It is also very simple to facilitate secure purchasing by a cardholder on behalf of non-cardholders, diminishing the need to open the door to non-cardholder use.
 - Facilitating this practice would reduce the likelihood of the model policy achieving TAO and LGD endorsement.
 - The model policy does not permit this practice. A council could attempt to create a customised procedure around this but it is not recommended.
- Removing the ability to top-up credit card accounts if the credit limit is reached and further purchasing is needed.
 - Removing top-ups offers no benefit to councils and requires higher (and more risky) monthly credit limits to compensate for this loss of operational flexibility.
 - Using top-ups with an approval process allows tighter, more secure monthly credit limits with more flexibility in practice.
 - The model policy provides guidance around these options and recommends using top-ups as a flexible way of maintaining secure credit limits.

- Permitting Councillors and Aldermen to hold a credit card.
 - The A-G Report concluded that “credit cards were not a necessary payment method for all elected members” and very few councils employ this practice.
 - The model policy does not permit this practice. Any council could allow this within their own policy if sufficient justification exists.
- Other minor formatting details.
 - The model policy is a model that can be formatted to any council’s requirements.

The draft Model Credit Card Policy has been updated to reflect the latest feedback. In our opinion, the model policy in its current form best represents the combined positions and policy frameworks of the 29 councils while also achieving the minimum requirements of the Auditor-General’s Report and subsequent comments from the TAO and LGD. This version has the best chance of achieving endorsement by the TAO with negligible further changes.

LGAT will engage the TAO and LGD for confirmation of the Model Credit Card Policy for implementation by councils. LGAT will continue to advocate for the policy not to be mandatory to allow councils to customise the approach to their individual policy environments.

A copy of the Draft Model Credit Card Policy is at **Attachment to Item 9.6.**

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Facilitating change
- Building Local Government’s reputation
- Fostering collaboration
- Promoting financial sustainability
- Developing capacity and capability to deliver

9.7 Mentoring for New Councillors
Contact Officer: Katrena Stephenson

Decision Sought

That Members note LGAT's plans to establish a mentoring program for new councillors.

At the request of Members, LGAT has considered various proposals for mentoring of councillors, particularly new councillors, over the years. Without a strong understanding of likely uptake, limited resources and pressure to keep subscription increases to a minimum as well as the impact of a four yearly election cycle, it has been difficult to land on an appropriate response.

With Local Government elections to take place, LGAT has commenced work on a short-term mentoring program based on a simple model that has been undertaken in other jurisdictions.

The model in brief:

- Appointment, following an expression of interest process, of a mentor for each of the three regions for a period of six months (November 2018 to May 2019);
- The focus would be on recruiting Mayors (former or current) to fill these roles;
- The Mentor will be a person of public standing, experienced in the practical, real world of the day to day Mayoral and Councillor role in Local Government operations and political environment and have a reputation for fair and honest dealing and the ability to apply relevant Local Government law;
- The Mentor will visit each council in the region at least once during the period and provide a confidential advice service (verbal, telephone, email, written responses) for newly elected Mayors and Councillors (with support from LGAT staff as required);
- The focus will be on the political and relationship aspects of the role with LGAT and the Local Government Division continuing to provide advice on the Act and related legislation;
- Each regional mentor would receive \$4,000 for the 6-month period (paid monthly) with direct travel and telephone costs reimbursed;
- The role will operate independently but with access provided to LGAT resources.
- LGAT will require a regular report from the mentors, suitably redacted to remove details that might allow identification of Councils or persons, to enable analysis of issues and areas which would benefit from additional explanation and training for people in Local Government; and
- Because the demand period is not clear it is proposed that the position be remunerated under a base retainer with the initial appointment on a "contract of service" or "consultancy" basis.

At the time of writing, a position description was being finalised prior to calling for expressions of interest.

Budget Implications

Within budget.

Current Policy

Strategic Plan

Priority Area 4: Build upon the resources for Elected Members and staff.

Priority Area 5: Prepare communities and councils for the Local Government elections in 2018.

9.8 Climate Change

Contact Officer: Michael Edrich

Decision Sought

That Members note the following report.

Background Comment:

LGAT has been providing advocacy and representation for the Local Government sector on matters that relate to climate change.

In particular, LGAT has been informing the Tasmanian Climate Change Office's (TCCO) approach to Local Government targetted projects and programs. This has involved providing advice and feedback on draft documentation to promote effective and efficient use of Local Government time, as well as recommending areas of study likely to be of most benefit to Local Government. Our advice to the TCCO thus far has been generally as follows:

- Areas of study relating to climate of most use to Local Government are likely to be in the areas of:
 - Local Government risk and liability;
 - Asset management best practice;
 - Planning and delivery of new infrastructure; and
 - Community resilience to natural hazards.
- That projects should:
 - Focus on practical use and tangible outcomes to Local Government and their communities, such as natural hazards;
 - Make efficient use of Local Government time;

- Need not be explicitly focused on 'climate change' per se but rather on the end outcome to communities (e.g. resilience to natural hazards, energy or cost/resource efficiency, etc); and
- Seek to address resourcing issues of councils with funding opportunities and seek collaborative solutions.

LGAT has also been supporting individual councils in developing their own local approaches to climate change policy and planning, as well as attending regional council forums to inform LGAT's support for the sector.

In addition, several councils are increasingly dealing with issues of coastal hazards, erosion and management. This is a growing issue nationally and frequently very difficult to tackle, because coastal infrastructure:

- Is expensive to construct;
- Is prone to failure or requiring continual work to deal with changed circumstances;
- Can cause unintended consequences in current flows, sediment movement and land stability;
- Imposes a substantial long-term asset management commitment on councils;
- Requires heavy investment to deliver benefits to a limited number of properties; and
- Often involves no Local Government land, with coastal processes originating from State land and impacting private property.

Any council dealing with coastal issues should be mindful that, in deciding to intervene in coastal processes and embark on an expensive piece of infrastructure, a community expectation can be set that councils will always step in to provide coastal protection and this expectation could flow onto all councils in Tasmania.

Councils should also consider:

- What is Local Government's role, especially in cases where no Local Government land is involved?
- What is the State Government's role, if:
 - The problem is on and originates from State Land? Should it assist in funding solutions?;
 - The State originally created the private freehold land being affected, presumably with the implication that the land was suitable for private freehold use?; and
 - At the time of council approval (of the land use or development), there was likely no State planning direction regarding building in the coastal zone and no widespread awareness and understanding of either coastal processes and the effect of climate variability on this?;

- What is the role and responsibility of private land owners, considering their choice to locate themselves in such proximity to the waterline and their enjoyment of its value?;
- That deciding to build protective infrastructure carries an ongoing commitment to maintain the infrastructure, or improve it if it does not work as expected;
- That there is the question of responsibility and liability in the event of failure;
- That there is a question of equity in use of public funds to construct infrastructure to protect the value of properties of a small number of individuals.
- That there is a question of a sustainable response to the cause of the problem, whether the problem is isolated storms in a static climate or an ongoing trend of sea level changes as a result of climate variability; and
- That the prudent value of choosing to either defend or retreat should be answered in every instance, prior to further investment, both for new infrastructure and to continue maintaining existing infrastructure.

The issues around coastal infrastructure and community expectations suggest that councils should consider how their neighbouring councils are choosing to respond and how the State Government is supporting their decisions.

LGAT is aware of these challenges and is facilitating discussions around them with the Tasmanian Climate Change Office. Discussions are ongoing.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan:

- Facilitating change
- Building Local Government's reputation
- Fostering collaboration
- Promoting financial sustainability
- Developing capacity and capability to deliver

9.9 TasWater

Contact Officer: Katrena Stephenson

Decision Sought**That Members note the report on TasWater.****Background Comment**

As outlined at the General Meeting on 18 May 2018, an MOU with the State Government was signed on 1 May by the Chief Owner Representative, Mayor David Downie.

The MOU outlines that:

- The State Government will contribute \$20 million a year for 10 years in exchange for equity in TasWater;
- As a shareholder they will have a role in the Board and CEO selection and the signoff of the corporate plan;
- The State Government will not take distributions but councils' current distributions are preserved;
- The injection of funding will allow price increases for consumers to be capped and some acceleration of the capital program; and
- There will be a collaborative approach to progressing Macquarie Point, the Launceston combined system and Cameron Bay.

The principles outlined in the MOU were developed with consideration of the key concerns raised by LGAT Members which formed LGAT's advocacy and informed our legislative council submission. These included maintaining Local Government ownership, revenue/rating impacts, cost of living concerns, independent oversight, skilled board, ease of raising issues with TasWater, ensuring all community needs are considered (avoiding pork barrelling) and so on.

The detail will now be fleshed out and as advised at the General Meeting, councils will receive a full information pack which includes financial modelling and proposed constitutional and legislative changes in July, with regional forums open to all elected members (convened by Chair of TasWater) early to mid-August. There will be a special meeting on 27 September to vote on the constitutional changes, by which time councils will have needed to form a position and formally authorise their owner representative to vote on those matters.

No	Milestone	Timing
1	Board approval of Information Memorandum for release to Owners	Early July – exact date TBC
2	Release of Information Memorandum to Owner Councils	16 July 2018
3	Regional Meetings with councillors	Week beginning 6 August 2018
4	Special Meeting of Owner Council representatives to approve new ownership and governance arrangements	27 September 2018 (TBC)

TasWater are currently working on the revisions to the governance documents, as well as the financial modelling that will support the Information Memorandum. Government are similarly working on the necessary drafting of legislative changes. You will note that some of the dates in the table above are “TBC”, TasWater is hoping to lock these in ASAP and will of course advise Owner Councils.

Budget Implications

Advocacy support and actions have been funded without an additional call on Members but total direct expenditure on consultancy and advertising costs was \$40,000.

Current Policy

Advocacy against the State takeover of TasWater has been a strategic priority for LGAT. Assuming that councils ratify the MOU it was agreed at the General Meeting that LGAT’s role gradually reduce, with a focus on ensuring sector feedback on key issues, especially legislative changes as well as any support required to the Chief Owner Representative that cannot be provided by TasWater.

9.10 Foreshadowed Training

Contact Officer: Dion Lester

Decision Sought

That Members note the following training activities currently under development for the 2018/19 year.

Background Comment:

Historically LGAT has always provided regular training throughout the year for Elected Representatives and council staff. This will continue and be expanded over the next twelve months as, in our recent Performance Survey (**Refer Item 9.11**), increasing training and workshops received very strong support, plus with Local Government elections in October this year, there will be new a cohort of new Elected Representatives.

Alongside our regular offerings of Mayor, General Manager and “2IC” workshops and the Elected Representative weekend, the following training and development activities are planned or currently being scoped, and are progressively being added to.

Procurement

Throughout the next twelve months LGAT will run a series of procurement sessions providing practical tips about what can be done to improve procurement/purchasing processes in your council. These sessions will provide support to all staff within councils involved in any form of procurement and purchasing.

In the first of these LGAT, with the support of Vendor Panel, will run a Procurement Workshop alongside our Annual Conference on the 26 July in Hobart. In this session experienced Australian Local Government procurement specialists will present information about why it is important to manage procurement effectively in a council.

Health and Wellbeing

To support our Health and Wellbeing project we have a series of workshops we are preparing. The first is **Creating and funding great playgrounds and play spaces**.

This full-day forum will be held in both the north and south of the state. It will feature a range of local council officers speaking about the development of innovative playground and play space projects, a speaker from the Tasmanian Community Fund about developing great grant applications and a keynote speaker to inspire big picture thinking about play spaces.

Other sessions we are planning to deliver to support this project over the next 2 years will be:

- Working in partnership;
- Engaging with groups whose voices often aren't heard;
- Community development for health and wellbeing;
- Evaluating community development work;
- Collective impact;
- When council's role is to advocate (to other levels of government);
- Developing and implementing a community health and wellbeing plan; and
- Data sources and using data.

The other training and workshop sessions throughout the year will include:

- Welcoming Cities and Communities Project

Training and support for councils in expanding their capacity to respond to the needs of people from culturally, linguistically and religiously diverse backgrounds.

- Save the Tasmanian Devil Partnership
A workshop for road managers to determine councils' understanding of roadkill, known hot spots, what mitigation works have been used and what further information or support is required to better address roadkill in their area.
- New Councillor Training
17 November, Launceston.
- Financial and Asset Management
Providing best approaches to a range of asset and financial management practices to promote consistency and efficiency.
- Communications Series
How to get your message heard across multiple media (print, social media and TV and radio and the subtle art of story telling.
- Audit Panels
Best Practice approaches for Local Government in Tasmania.
- Rate, Revenue and Value Capture
- Waste Management
- Economic Development
- How to be a Smart Council
- The Future of roads
Innovation in road user charging, autonomous vehicles and heavy vehicles and what it will mean for Tasmanian Councils

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Facilitating change
- Fostering collaboration
- Promoting financial sustainability
- Developing capacity and capability to deliver

9.11 Performance Improvement Survey
Contact Officer: Michael Edrich

Decision Sought

That Members note the following report on preliminary findings from LGAT's performance improvement survey.

Background Comment:

LGAT uses an annual Performance and Improvement Survey to assess how good a job we are doing for members and how we can continually improve our service. The survey was open to all Tasmanian Local Government staff and Elected Members from 15 May to 8 June 2018.

The results indicate a significantly higher response rate than previous years at 129 respondents, compared with 81 respondents in 2017. This year, 69% of respondents were council staff (excluding General Managers), 6% were General Managers and 24% were Elected Members. There was an excellent representation from all three regions, with respondents from almost every council.

There was a high level of satisfaction in all of LGAT's current communications methods and their frequency, with indications of appetite for more training/workshops/events (43% of respondents), more in-depth discussion papers, technical reports and policy analysis (36%) and more in-person meetings, phone calls, webinars, and teleconferences (20%). There were indications of a slight preference for more email communications (24%) and social media (18%) and less printed media (16%). On publications, there is strong potential for growth in readership of LGATs publications (particularly perhaps among council staff) of LGATs communications including Twitter², Extranet³, LG Noticeboard⁴, and Year in Review⁵.

In reviewing LGAT's performance in the six major areas of work, respondents indicated a high level of satisfaction in policy work, communications, and representation/advocacy but there was room for improvement in engaging councils, projects and innovation and in providing workshops, training, templates and toolkits.

² Twitter: <https://twitter.com/LGATasmania>

³ LGAT Extranet: <http://www.lgat.tas.gov.au/page.aspx?u=623>

⁴ LG Noticeboard: <http://www.lgat.tas.gov.au/page.aspx?u=820>

⁵ Year in Review (Annual Report): <http://www.lgat.tas.gov.au/page.aspx?u=637>

	Good or Excellent	Needs Improvement
Policy research and development	64%	15%
Communications, media publications and public relations for LG	68%	15%
Representation and advocacy to other levels of government	67%	16%
Council consultation and engagement	56%	28%
Workshops, training, templates and toolkits for LG	52%	31%
Projects and innovation, including procurement contracts, bulk purchasing	47%	22%

However, when it came to re-allocating LGAT's resources, there was negligible desire to decrease resourcing in any area of work and overwhelmingly a desire to increase resourcing across all areas.

In reflecting on LGAT's greatest recent achievements, respondents valued the following achievements the most:

- Maintaining Local Government ownership of TasWater (70%)
- Saving money for councils with the LED street lighting replacement, energy efficiency and bulk energy purchase projects (50%)
- Informing the Planning Reform process (37%)
- The Better Councils Better Communities campaign and TV advertisement (37%)
- Expanding the LGAT Procurement contracts to save money for councils (29%)

Qualitative commentary suggests that for some respondents there is a lack of awareness of LGAT's activities and role in achieving these outcomes.

A more comprehensive analysis is being prepared for the LGAT GMC, including by respondent type, in order to review LGAT's review of Strategic Plan Priority Areas for the year ahead.

Budget Impact

Being undertaken within current resources.

Current Policy

Does not apply.

9.12 Roads and Transport
Contact Officer: Michael Edrich

Decision Sought

That Members note the following report on policy activity related to roads and transport.

Electric Vehicles

LGAT has been representing councils on the Tasmanian Government Electric Vehicle Working Group⁶ (EVWG), coordinated by the Tasmanian Climate Change Office (TCCO) of the Department of Premier and Cabinet. The EVWG was formed in late 2017 to:

- Identify and explore barriers to electric vehicle uptake;
- Review relevant policy and regulatory settings relating to each barrier;
- Identify priority areas of action to support electric vehicle uptake;
- Understand the impact of electric vehicle uptake on Tasmania's electricity sector;
- Assess approaches to support the rollout of electric vehicle charging infrastructure in Tasmania; and
- Investigate ways to improve electric vehicle data collection.

Because Tasmania is a significant energy producer, electric vehicles offer some unique advantages for Tasmania by improving our energy self-sufficiency and resilience, reducing import costs and improving our terms of trade. As a result, there is an opportunity for Local Government to be a leader in achieving these outcomes for Tasmania.

LGAT, in its role on the EVWG, has supported the development of TCCO's documentation, including *Electric Vehicles in Tasmania: Current State of Play*⁷, a draft options paper and the TCCO's funding initiatives. LGAT recently promoted the TCCO's the ChargeSmart⁸ workplace EV charger grant program, which received a high level of interest, resulting in the full funding quota being allocated. Four councils achieved funding to support their electric vehicle initiatives:

- City of Launceston
- Meander Valley Council
- Central Coast Council
- Huon Valley Council

⁶ See TCCO website:

http://www.dpac.tas.gov.au/divisions/climatechange/Climate_Change_Priorities/reducing_emissions/transport/tasmanian_government_electric_vehicle_working_group

⁷ Available here::

http://www.dpac.tas.gov.au/divisions/climatechange/Climate_Change_Priorities/reducing_emissions/transport/supporting_electric_vehicle_uptake_in_tasmania

⁸ See:

http://www.dpac.tas.gov.au/divisions/climatechange/Climate_Change_Priorities/reducing_emissions/transport/chargesmart_grants

Another round of funding might be considered, so if your council is interested in taking advantage of this, please contact LGAT in the first instance to discuss your EV ambitions. Understanding the interest and objectives of councils is crucial to advocating for the right outcomes.

In addition, the EVWG has been a productive forum for communicating and disseminating other initiatives and opportunities regarding electric vehicles, such as TasNetworks' Electric Vehicle Fast Charger Scheme⁹, another funding stream that councils are ideally placed to take advantage of.

There is a growing sense that as charging infrastructure becomes ever more available and convenient, the spread of electric vehicles is going to rapidly increase. Interest in EVs from all sectors is increasing and technology is rapidly improving appeal to all markets.

Further initiatives and opportunities for Local Government are expected to emerge from the EVWG.

Heavy Vehicles

LGAT has been actively working with the Department of State Growth (DSG), as well as the National Heavy Vehicle Regulator (NHVR), to maintain smooth progress on implementation of the Heavy Vehicle National Law (HVNL) and to ensure Tasmanian councils are well supported throughout the process.

The NHVR issued the National Class 2 B-double Authorisation Notice 2018¹⁰, which is seeking road manager (including local road manager) consent to continue access on existing B-double networks and general access arrangements for B-doubles. The aim of the notice is to simplify and reduce the number of access conditions across Local Government and state boundaries.

Providing consent is an important step in maintaining economic flow of goods and services in local areas and lawful access for these vehicles. Tasmania is performing well with all council road managers having served their consent well within the 28-day consultation process and well ahead of other states.

Tasmania is ahead of the game in managing safe and lawful access for heavy vehicles. This is largely a result of hard work and a proactive and collaborative engagement process between State and Local road managers, led by the DSG. This has allowed for the smooth economic flow of goods and services delivered by heavy vehicles to support local economies in a manner that optimises safety, lawful access and road condition, while promoting positive relationships with private sector operators.

⁹ See: <https://www.tasnetworks.com.au/industry-and-development/electric-vehicle-fast-charger-scheme/>

¹⁰ See: <https://www.nhvr.gov.au/files/201806-0847-local-government-update-june-2018.pdf>

Road Safety

LGAT has been liaising with Austroads to access their technical expertise for Tasmanian councils. Austroads personnel have indicated they are keen to deliver road safety training to Local Government across Australia and this year are presenting a workshop at the LGAT Conference.

As members of LGAT, all Tasmanian councils are members of Austroads through LGAT's membership in the Australian Local Government Association (ALGA). This also means that many of Austroads' documentation, such as the Austroads Guide to Road Safety, are free for councils to access and use¹¹.

LGAT has also been working with DSG and the Road Safety Advisory Council (RSAC) in promoting road safety events. In the year to date, DSG and RSAC have delivered the following events:

- Safe System Training in the North and North-West regions, covering:
 - Safe System Approach – aimed at non-technical decision makers, including elected members, management, communications and policy personnel;
 - Safe Systems Technical Training – technical training that expands on the Principles course targeting technical personnel, including engineers, planners, designers and road safety practitioners;
- Young Driver Symposium – addressing the overrepresentation of young drivers in road trauma.

Further Safe System training courses are planned for the southern region in September, including;

- Safe System Approach (17 Sept);
- Safe System Technical Training (18 Sept);
- Making Roads Motorcycle Friendly (19 Sept) – Safe System technical course targeted at motorcycle safety.

DSG is also working on adapting an Infrastructure Risk Rating model to Tasmanian roads to assist councils in assessing road safety risk, predicting road sections with elevated safety risk. The model analyses roads in 3-5 km sections and assigns a risk rating to each. Although there are a number of risk rating models, most are extremely resource intensive and unfeasible for many councils to employ. If suitable the model DSG is exploring, is far more practical and accessible for councils to apply to local roads. While traditionally risk has been determined by crash history, these models take proactive approach and identify risk potentially before crashes occur. LGAT will keep an eye on progress and update councils as information is supplied.

¹¹ See: <http://www.austroads.com.au/road-operations/road-safety/resources/guide-to-road-safety>

LGAT also assisted DSG on the assessment panel for the Community Road Safety Grants Program¹².

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Facilitating change
- Building Local Government's reputation
- Fostering collaboration
- Developing capacity and capability to deliver

9.13 EPA Memorandum of Understanding and Workforce Development Project
Contact Officer: Penny Finlay

Decision Sought

That Members note the following report on the Association's Memorandum of Understanding with the Environment Protection Authority and other work to support Environmental Health Officers.

Background Comment:

In December 2017 LGAT and the Environment Protection Authority (EPA) signed a Memorandum of Understanding (MOU) to clarify the roles and responsibilities of the EPA and Local Government in Tasmania and establish the principles on which the relationship between the parties is based. The 2018/19 work plan to support the MOU is almost complete following consultation with Environmental Health Officers (EHOs) and Environmental Health Australia (Tas). The broad focus areas are:

- Incident response and emergency management;
- Complaints handling (eg air quality, noise and asbestos);
- Strategic waste management;
- Identification of statutory and regulatory changes;
- Capacity building and skills development; and
- Supporting the implementation of the Tasmanian Planning Scheme.

¹² See: https://www.transport.tas.gov.au/roadsafety/community_road_safety

In a separate project, LGAT is also seeking funding to prepare a workforce development plan for EHO's that identifies the current capacity of the Tasmanian EHO workforce to meet their legislative requirements and ensure public and environmental health. The plan will:

- Summarise the roles and responsibilities of an EHO;
- Document the statutory roles EHOs undertake on behalf of councils particularly with respect to the Food Act, Public Health Act and EMPCA;
- Define the 'other' work EHOs do (or are capable of doing) such as health promotion and health-related strategic planning;
- Establish a picture of workforce levels across Tasmania and identify resource gaps; and
- Provide suggestions for supporting increased recruitment of EHOs in Tasmania.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan:

Developing capacity and capability to deliver

9.14 Communications, Media and Events Update

Contact Officer: Kate Hiscock

Decision Sought

That Members note the following report on LGAT communications and events.



106th Annual LGAT Conference - "Re-inventing the Three Rs"

25-27 July at the Wrest Point Casino, Hobart

Thank you for Registering!

Please note the 5% discount for 4 or more full registrations per council will be processed as a refund.

What's new at our 106th Annual Conference to look out for?

- Download the Conference App – visit the App store and download "Eventbase" (free), then search 106th LGAT Annual Conference;
- With the focus on minimising waste this year we are aspiring to produce as little waste as possible as part of our conference activities. Examples you will notice include:

- Reusable coffee cups at the coffee corner;
- Reusable calico delegate bags;
- Trade Exhibition displays embracing less waste and reusable giveaways;
- Easy and quick access to speaker and workshop evaluation forms through the conference App, using survey monkey - no more paper forms!;
- Refillable water bottle station; and
- Enjoy our Plenary Session with Craig Reucassel from the ABC's War on Waste.
- A focus on healthy, Tasmanian produce for our Conference menu;
- Art from Trash Exhibition;
- Look out for the big screens in the Trade Exhibition Display and in the Foyer to update you on the Conference Program and sponsor information;
- Speed networking -Trade Exhibition
Meet many new faces in the Trade Exhibition Display (and some old friends too); and
- Find out about LGAT procurement savings opportunities and meet several of our National Procurement Network partners in the Trade Exhibition Display.

LGAT Branding Update

LGAT is undergoing a small branding refresh, at minimal cost, by modernising our logo with a simplified colour scheme and updated font. Our refreshed logo will be seen on your Conference delegate bags and other Conference materials and displays. The Pulse e-newsletter, our website, Twitter, letterhead and business cards will be progressively updated with the new logo.

Media

- The LGAT CEO and the Strategic Communications Director met with the Editor of the Mercury Newspaper in May to encourage positive interest in Local Government and raise awareness of Local Government activities;
- LGAT is continuing to develop Opinion Editorials specifically for the Examiner Newspaper in addition to 'current issues' Opinion Editorials for all newspapers;
- LGAT is developing shareable content for social/web-based media for Members on whole of Local Government issues such as:
 - Becoming a Councillor Information Sessions;
 - 2018 Local Government Elections;
- Broadcast of the LGAT TV commercial during late May/June with an end title "Stand for Council" and direction to the LGAT website (See item on Elections); and
- Did you know all LGAT Media Releases are published on our website under 'Latest News' on the front page of our website once released?

Becoming A Councillor Information Sessions

LGAT, in partnership with the Local Government Division, the Tasmanian Electoral Commission, the Audit Office and the Australian Local Government Women's Association (Tas), delivered several regional Information Sessions on Becoming a Councillor. Sessions were held in Huon Valley, Ulverstone, West Tamar and Hobart. A good turnout was received, with numbers of up to 40 participants at each session. Thank you to Elected Members who gave their time to participate in the Information Sessions, offering valuable insights and advice.

Budget Impact

The LGAT Annual Conference is funded through Sponsorship and Trade Exhibition.

Current Policy

LGAT Strategic Plan

- Building Local Government's reputation
- Fostering collaboration
- Developing capacity and capability to deliver

9.15 Policy Update

Contact Officer: Dion Lester

Decision Sought

That the Meeting note the general policy update.

Customer Satisfaction Survey

A new LGAT state-wide Customer Satisfaction Survey has been drafted and will be run in the State by an independent research company. Results will be available in report form in October this year.

The main purpose of the survey is to gain high level information about Tasmanian residents' views in relation to:

- How satisfied they are with council performance;
- How they rate the image of Local Government;
- How has their opinion of Local Government changed over the past four years;
- Which Local Government services they rate as most important and how satisfied they are with those services;
- What services they rate as least important;
- What is the best thing about their council; and
- What key thing could be done to improve council performance.

The survey will provide reliable information at the regional level (North, South and North West) and at the city, urban and rural level. It will not provide reliable information at the individual council level.

The intent is that elements of the survey could be run by individual councils but that these elements be complemented by questions that operate at a more detailed level about individual council performance.

LGAT is considering (subject to council interest) drafting a survey instrument that can be used consistently at the individual council level post October 2018.

Gifts and Benefits

In late 2017 the *Local Government Act 1993* was amended as part of the targeted review. A key amendment was the inclusion of a head of power to provide that elected members notify the general manager of receipt of gifts or donations and that the general manager maintains a gifts and donations register.

Consequential amendments to the *Local Government (General) Regulations 2015* (General Regulations) are now required to prescribe the classes of gifts and donations, the monetary threshold for disclosure, notification requirements and the details recorded in the register.

The draft *Local Government (General) Amendment Regulations 2018* were released for formal consultation during May, with LGAT providing a submission on behalf of the sector. As outlined in item 9.2, Gazettal will be 27 June, at which time the final regulations will be circulated by the Local Government Division. The draft amendments to the General Regulations included:

- A period for notification of receipt of a gift or donation of 14 days. If a councillor receives a gift or donation while overseas, the 14-day period will commence on the councillor's return to Australia;
- Amending regulation 21 to remove unnecessary prescriptions for the size and number of electoral posters and signs;
- Amending regulation 22 to introduce a single electoral expenditure limit of \$10,000 for a candidate, regardless of whether they are running for mayor or deputy mayor or councillor, increased each year by CPI; and
- Amending regulation 22 to remove restrictions on the conditions of advertising, specifically in relation to the limits on television, radio and newspaper advertising.

Emergency Management

Significant activity has occurred in the Emergency Management policy area this year. Of note:

- The State agreed to 1/3: 1/3: 1/3 contributions as part of the flood studies grant program to be run through the Tasmanian Flood project;

- Consultation and submissions provided in relation to the Local Government Relief and Recovery Policy, *Emergency Management Bill*, Evacuation Framework, and State Special Plan on Recovery;
- DPAC has agreed to engage with Crown land to address the current gap in roles and responsibilities around the clean-up of crown land post emergencies; and
- Funding was secured by LGAT to update the Municipal Emergency Management Guidelines to better support councils in understanding the plethora of changes to the arrangements in recent years.

Energy

LGAT continues to actively engage in the Southern Lights LED Project with councils and TasNetworks. This project has not been as smooth as the Northern Lights Project but issues are being worked through and project roll out is likely to begin in the coming months. LGAT has also entered into a partnership with the Municipal Association of Victoria to tender for energy efficient street lighting and installation. Contracts will be in place for councils in July.

LGAT has been very active in its advocacy role on the TasNetworks network and distribution pricing reset, particularly in relation to street lighting. The work and liaison with the Australian Energy Regulator (AER) and the Consumer Advocacy Panel has resulted in some reduction in pricing from TasNetworks. It is hoped that the AER will recommend a further review of the pricing when it hands down its draft determination in September.

Procurement

LGAT Contract/panel arrangement activity for 2017/18:

- New Fuel contract – commenced February 2018
- New Mobile Garbage Bin contract – commencement 1 September 2018
- New Energy Efficient Street Lighting contract – commencement July 2018
- Extension of Telecommunications contract to April 2019
- Extension of Corporate Wardrobe contract to 1 July 2019

Each of these contracts are now available for councils to purchase from.

The total council spend through LGAT/NPN contracts/panel arrangements from the end of March 2017 to the end March 2018 was \$6.5m, with total estimated savings for councils over the same period being \$1.08m. This equates to an estimated saving per council (total savings divided by 29 councils) of \$372,413.

Eight Councils made savings that were sufficient to fully offset their LGAT annual subscriptions and a further seven made savings that covered more than 50% of their LGAT annual subscription.

The key LGAT/NPN panel arrangements used over the 12 months to end March 2018 includes:

- Plant Machinery and Equipment;
- Trucks and Specialised Trucks and Bodies;
- Telecommunications; and
- Corporate Wardrobe.

The total savings negotiated for electricity (street lighting), was in the order of \$820,000 for the period 2017/18.

The total LGAT procurement savings for 2017/18 was \$1.08 (LGAT/NPN) plus \$820,000 (electricity), a total of \$1.9m.

LGAT Development Standards

LGAT has been collaborating with the Institute of Public Works and Engineering Australasia (Tasmania) regarding improving the technical engineering and development standards documentation available to councils. There are four documents, three of which are currently complete and available on the LGAT website¹³. The documents assist councils in infrastructure planning and development, or in communicating the standards required for development, typically through conditions of approval.

Currently, documentation is being administered by LGAT and IPWEA staff, with the actual document production and updating relying on the expertise and time of IPWEA members, who are typically technical council staff. To do this work, the IPWEA/council staff donate their time and technical expertise, which is in addition to their core daily tasks. This means that this work is not in their main workflow and not prioritised, so new or updates to existing documents can take a very long time. In addition, as the time is generously donated, LGAT and IPWEA have no authority to get results in a timely manner, so progress can often languish.

To remedy this, LGAT and IPWEA primarily need the ability to procure timely action, so propose to use consultants to undertake the work, rather than rely on internal council staff donating their time. To do this, LGAT proposes to raise a small annual fee of \$500 per council to undertake the work. The subscription would cover production and ongoing updating and maintenance, including the following:

- 1) Stormwater System Management Planning (2016)
The document exists but requires ongoing maintenance.
- 2) Update of the Subdivision Guidelines (2013)
The document exists but needs a general update, plus a longer term more complete overhaul;

¹³ See: <http://www.lgat.tas.gov.au/page.aspx?u=658>

- 3) Standard Drawings (2013)
Document update in progress;
- 4) Municipal Specification
Document not yet produced but close to completion. This will be a supporting document for the Standard Drawings;
- 5) Any other additional sector-wide engineering or development documentation required, as needs arise and budget allows.

This proposal was canvassed with General Managers earlier this year at the March workshop and received strong support from all those present. LGAT will be writing to each council in late June to confirm the arrangements.

Cats

In 2017 the State Government released the Cat Management Plan. This plan had several key focus areas, including a shared responsibility for cat management across all levels of government, business and the community. The plan included seven objectives:

- Tasmanian pet cat owners manage their cats responsibly;
- Increased community awareness, participation and commitment in cat management;
- Best practice techniques are used to guide the planning, management and control of stray and feral cats;
- Improved knowledge about feral, stray and domestic cats to better inform management;
- Minimise impacts of cats in areas with important conservation values and agricultural assets;
- Undertake legislative change to create an effective framework for managing cats and support other objectives; and
- Roles and responsibilities related to cat management are clearly defined and understood by the Tasmanian community.

To support Local Government, the Plan included \$1.44m, or \$360,000 annually over four years, to fund three regional coordinators. Three coordinators are now employed at the Cradle Coast Authority, NRM North and Kingborough Council. The coordinators will:

- Develop and implement awareness and education programs to improve levels of responsible cat ownership across the coordinator's region;
- Assist councils in the development of policies linked to the implementation of the Tasmanian Cat Management Plan, including the development of by-laws;
- Assist councils to develop and implement compliance programs for the *Cat Management Act 2009*;
- In conjunction with council animal management officers, undertake compliance activities under the *Cat Management Act 2009*; and
- Encourage participation by other organisations with an interest in cat management.

An Advisory Committee with representatives from DPIPWE, LGAT, Ten Lives (formally Hobart Cat Centre), RSPCA and the regional coordinators host organisations will meet at least three times a year to guide the project.

In addition, existing regulatory powers for the management of cats will be strengthened through a new legislative framework that includes both the *Cat Management Act* and the proposed *Biosecurity Act*.

Local Government Community Health and Wellbeing

The Local Government Community Health and Wellbeing Project is a three-year project that commenced at the beginning of this year funded by the Department of Health and Human Services. The project's key aim is to support councils in improving the health and wellbeing of their communities. To date, meetings have been held with 45 council officers from 27 councils to discuss how the project can best support their work. Three key focus areas have been identified:

- The facilitation of a series of Local Government forums on topics related to community health and wellbeing;
- Support for councils interested in developing community health and wellbeing plans; and
- Acting as a conduit for sharing information between councils and also external organisations.

Planning has commenced for the first Local Government forums in the north and south of the state.

Youth Local Government

Tasmanian Youth Local Government (TYLG) came about in 2017 through Tasmanian youth identifying the need for a platform for their voice to be heard at the Local Government level. A very successful conference was delivered with LGAT's support in late 2017, with some of the priorities including waste management, youth employment, public transport and smoke free areas.

Planning for the 2018 conference has commenced, with the conference to be held in October at the Hobart City Council chambers. The target group (Year 9 and 10 high school students) will also be involved in workshops in the north-west, north and south prior to the conference itself. All councils have been asked to support the involvement of two students from their local area to attend the program. Last year's participants were from Flinders Island, George Town, City of Hobart, Kingborough, Meander Valley, Break O'Day, Southern Midlands, Dorset, Clarence City, Brighton, Glenorchy City, Latrobe and Huon Valley Councils.

LGAT is supporting the TYLG with a full day training program for the youth facilitators running the workshops and conference. They will learn about the functions and processes of Local Government. Presenters include Mayor Doug Chipman, Katrena Stephenson, Kate Hiscock and Penny Finlay (LGAT), Alex Tay (Local Government Division), Andrew Hawkey (Tasmanian Electoral Commission).

Budget Implications

Being undertaken within current resources.

Current Policy

Strategic Plan

- Facilitating change
- Building Local Government's reputation
- Fostering collaboration
- Promoting financial sustainability
- Developing capacity and capability to deliver

Motions For Which Notice Has Been Received

10 ROADS AND INFRASTRUCTURE

10.1 Interpretive Tourist Signage Council – Circular Head

Decision Sought

That LGAT seek that the State Government provides a strategic commitment of a 4 year resources funding program for the implementation of international (Non English) visitor interpretive signage to ensure the dispersal of the increased international tourism economic benefits across the state.

Background Comment

This motion relates to regional tourism. The strategic development and funding for international interpretive signage is not a visible priority for the State Government. International and domestic based non-English speaking visitors are a strategic economic development opportunity for the whole state and to promote better international tourism experiences in Tasmania across all areas, especially the North West. This emerging opportunity is not a current policy priority, but a significant untapped market of opportunity for all the state regions to leverage higher levels of visitation and positive economic growth.

The multicultural demographic changes to the Australian population & market sectors in traditionally targetted promotional destinations requires, a clear and targetted multicultural language response to maximise the positive nature of a welcoming visitor experience to Tasmania. The presence of positive self-identification non-English way finding signage, provides the greatest example of promoting a truly global welcome to high value tourists to the entire Tasmanian market place. This initiative will provide broader market acceptance and promoting inclusive cultural links and increasing positive visitor experiences

LGAT Comment

LGAT received the following related motion in 2016:

That LGAT call on the State Government to provide funding for upgrades, maintenance and provision of tourism infrastructure in areas where tourist numbers have increased significantly in recent years and that the process for providing this funding be an open and transparent process.

The Tasmanian Government 2018-19 Budget Papers¹⁴ state that the Tasmanian Government has allocated funding of \$16 million over four years for “Improved State-wide Visitor Infrastructure”. This includes a range of works in national parks and on heritage assets but visitor interpretive signage or a grants program is not specifically listed. It is not known if there are any unallocated portions of this budget stream.

There are some tourism-related grants programs¹⁵ in operation, however it is not clear that this proposal would be considered by any of them.

Tasmanian Government Agency Comment

With an increase in international visitors to Tasmania, particularly from China, a number of strategic actions have been taken regarding the provision of information in languages other than English. The *Be China Ready* booklet helped businesses to understand the importance of the growing Chinese market and outlined a number of cultural differences to be aware of. Welcome stickers translated into Chinese were distributed to businesses across the state and a series of workshops saw participants gain a deeper understanding of the needs of Chinese customers.

To support international visitors’ safe travel on our roads, a Chinese language campaign has been run explaining Tasmania’s road rules and the Road Safety Advisory Council’s website presents this information in 20 languages.

Destination Action Plans were prepared through a facilitated workshop process involving business and community representatives. These groups considered and reached consensus on tourism development, marketing and management opportunities and challenges for their destination. With different visitor patterns throughout the state, initiatives such as non-English visitor interpretive signage would be best addressed region by region through inclusion in the local DAP.

¹⁴ See: <http://www.treasury.tas.gov.au/budget-and-financial-management/2018-19-tasmanian-budget>

¹⁵ See: <https://www.tourismtasmania.com.au/industry/grants> and <https://www.business.tas.gov.au/finances-tax-and-insurance/seeking-finance-and-funding/applying-for-grants>

11 SECTOR PROFILE AND REFORM

11.1 Elected Members Election to State Government

Decision Sought

That LGAT pursue legislative changes which would:

1. Require a councillor who is standing for State or Federal Parliament to take a leave of absence from Council for the period between accepting the nomination and declaration of the poll.
2. Require a councillor who is elected to State or Federal Parliament to resign their council position following declaration of the poll.

There is some similarity and cross over between the motions presented by Break O'Day, Glamorgan Spring Bay and Devonport City Councils. LGAT suggests this could be considered collectively through the motion above (to be voted on in two parts).

The three councils were amenable to this suggestion but as they were unable to formally ratify the proposed approach through a council meeting or workshop, all three motions, as well as LGAT Comment and Tasmanian State Government comment are provided below.

A) Devonport City Council

That LGAT pursue a legislative change which would require an elected councillor to immediately, following the declaration of the poll, resign their council position if they are elected as a member of either the State or Federal Parliaments.

Background Comment

The *Local Government Act 1993* was amended to include the following:

Vacation of Office

1. The office of councillor becomes vacant if the councillor:
 - (eb) becomes, after the day on which he or she begins to hold that office, a member of the Legislative Council, or the House of Assembly, and is such a member for 12 months continuously during that term of office as councillor.

At present, a councillor is entitled to stay in office for 12 months as both a councillor and a member of the Tasmanian Parliament. There is no such coverage for a Federal Member, they can be both a councillor and a member of Federal Parliament with no requirement to resign their council position.

The Act should be amended to provide a consistency for both State and Federal Parliamentarians. Preference is that a Local Government elected member, once declared elected to either State or Federal Parliament, should immediately resign their council position.

LGAT Comment

In 2012, Members considered a number of proposed amendments to the legislation around Local Government Elections. The following motions were passed:

“That the Meeting support a move to prevent people, in future, from serving on Council and in State Parliament at the same time”.

In 2013 legislation was passed that meant that Members of Parliament could not service as elected members of local councils, however the legislation allows someone who is on council, who is elected to State Government, up to 12 months more service as a councillor.

Schedule 5

(3) Vacation of office

(1) The office of a councillor becomes vacant if the councillor –...

(ea) is, on the day on which he or she begins to hold that office, a member of the Legislative Council, or the House of Assembly, and is such a member for 30 days continuously during that term of office of the councillor; or

(eb) becomes, after the day on which he or she begins to hold that office, a member of the Legislative Council, or the House of Assembly, and is such a member for 12 months continuously during that term of office as a councillor; or

(f) is no longer eligible to nominate as a candidate under [section 270](#).

There are no specific provisions related to election to councillors/Federal Parliament in either the Local Government Act or the Commonwealth Electoral Act.

Tasmanian Government Agency Comment

The Tasmanian Government notes that the policy rationale that underpins the provision in the Act that prevents a State Parliamentarian from remaining a councillor for more than 12 months (i.e. the clear conflict in seeking to simultaneously represent multiple levels of government) applies equally to Federal Parliamentarians. The Government supports amending the Act to achieve consistency of treatment in this regard.

The Government proposes to amend the Act at the same time as it is making legislative changes to implement recommendations emanating from the Code of Conduct Review (anticipated to occur in late 2018).

B) Break O’Day Council

That Councillors who stand for State and/or Federal Office on a party-political platform are to stand aside from their Council role from the acceptance of nomination until the conclusion of the poll.

Background Comment

In the past some Councillors have elected to take leave of absence in the lead up to an election. At the last Local Government election, all councillors stood as independent candidates for Break O' Day Council. They did not stand on party platforms. If they run for a political party at State or Federal level, this could be perceived as influencing their stance on issues.

If we look at the rules relating to candidacy for Federal Parliament, there was recently some uncertainty around the position of local Councillors being allowed to run for Federal Parliament which gave rise to the matter being considered by the Federal Court. Section 44 of the Constitution sets out the restrictions on who can be a candidate for Federal parliament. All public servants (both federal and state) are regarded as excluded by S.44 subsection (iv.) which reads-

"Holds any office of profit under the Crown, or any pension payable during the pleasure of the Crown out of any of the revenues of the Commonwealth".

By requesting Councillors to stand down during an election campaign at which they are running on a party platform, would provide a similar safeguard as that afforded to Public Servants.

Therefore, if Councillors should choose to stand for State and /or Federal office for a given political party, they should request leave of absence from the acceptance of nomination until the conclusion of the poll. This would provide for greater transparency, it would avoid any perceived conflict of interest during the election period, and would offer a standardised policy for dealing with the situation outlined above.

LGAT Comment

Refer comment provided for the Devonport City Council motion above.

Tasmanian Government Agency Comment

Councillors are not currently required by law to resign or take leave from their position as councillor when they nominate for election to office for either the Tasmanian or Australian Parliaments. However, it is noted that some councillors do decide that this is an appropriate course of action to avoid perceived or actual conflicts where a councillor is also actively campaigning for election to office for another level of government. The risk of such conflicts can emerge irrespective of whether the individual is standing as an independent or party-aligned candidate.

It should be noted that the Code of Conduct for councillors contains several relevant provisions that are relevant to the scenario where councillors are standing as candidates for election to State or Federal Parliament. For instance:

- Part 2 of the Code requires councillors to declare conflicts and, where such a conflict is material, physically remove themselves from discussions of Council. The non-declaration of a conflict of interest between a person's role as a candidate in a State or Federal election and their role as councillor could therefore constitute a breach of the Code, depending on decisions or policy positions they take; and
- Part 8 (3) of the Code provides that a "...councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body". This means that a councillor who used their position as councillor to promote their own interests as a candidate in a State or Federal Election would likely be in breach of the Code.

This motion would require an amendment to the *Local Government Act 1993* to implement. The Government will further consider this and other motions relating to electoral provisions following the conclusion of the 2018 local government elections.

Further consideration would need to be given to the detail of how a formal, statutory requirement for councillors to take a leave of absence would be implemented, including whether or not councillors would remain eligible to receive their allowance during that period.

C) Glamorgan Spring Bay Council

That any elected member currently serving as a Councillor be required to request a "Leave of Absence" from their respective Council if that person wishes to nominate and run for a State or Federal Parliament seat if that election falls within their term of office and that the Councillors position on their Council remains unfilled until after the election results are known and should this person be successful they resign from their Local Government office within six weeks of the polls being declared.

Background Comment

The recent State Election caused total confusion in the mind of the community with some Councillors resigning, some requesting leave of absence while others continued on with their Local Government roles including being spokesperson for the Council.

LGAT Comment

Refer comment provided above for both the Devonport City and Break O'Day Council motions.

Tasmanian Government Agency Comment

Refer to comments provided for both the Devonport City and Break O'Day Council motions above.

11.2 Mayoral Vacancies Council – Burnie City

Decision Sought

That LGAT lobby for a change to the Local Government Act 1993 to allow for a recount on the previous election to be used to fill a vacancy of Mayor at any time throughout the term, instead of the current provision for a by-election which applies up to six months prior to the next ordinary election, which can be costly for a community.

Background Comment

In the event a Mayor's position becomes vacant it is mandatory that a by-election is held by virtue of s308(4) of the *Local Government Act 1993*, unless it is during the period six months before any forthcoming Local Government election.

This places Mayors in a difficult position especially when considering election in a higher office, with on one hand, a suggestion of unfair advantage and on the other, an accusation of placing an unnecessary financial burden on ratepayers. This could equally be the same for any reason associated with a vacancy. It is unfair for elected members to be placed in such a position when they are determining what may be in their best interest and those of the broader community.

With regard to the recent by-elections in Burnie the cost was \$47,531 for the by-elections of positions of Mayor and Alderman.

It is suggested that the *Act* should be modified so that if a Mayor was to resign, for any reason that the Mayoral vacancy be determined, if possible, by a recount of the previous election of the Mayor.

This would allow a Mayor to make a decision without placing a financial burden on ratepayers. It is accepted that a by-election would still be necessary should there be no other candidate in the prior election or none willing to be nominated in a recount, or alternatively this could be done by a ballot as per a Deputy Mayor vacancy.

LGAT Comment

In 2014 the following motion was passed: 7.1

That the LGAT request a change to the Local Government Act to ensure a Mayoral vacancy does not trigger a by-election if the vacancy occurs within 12 months of an election.

The issue was not raised in any significant way during consultation on the targetted review of the Act.

Tasmanian State Government Agency Comment

The Tasmanian Government appreciates the salience of this issue in light of the recent resignation of a number of Mayors who have taken up positions as State or Federal Parliamentarians.

The issue of costs associated with by-elections needs to be balanced against democratic considerations and the broader community interest. The Act currently supports the policy position that the community should be given the opportunity to elect a replacement Mayor, except where the next scheduled election is due to occur within the next six months and cost and inconvenience of a stand-alone mayoral election would therefore outweigh any democratic benefit.

It is noted that there was not a strong appetite from the sector during the recent Targetted Review of the *Local Government Act 1993* to amend the current electoral provisions relating to Mayors and Deputy Mayors.

This motion would require an amendment to the *Local Government Act 1993* to implement. The Government will further consider this and other proposals relating to electoral provisions following the conclusion of the 2018 Local Government elections.

11.3 Code of Conduct Council – City of Hobart

Decision Sought

That LGAT lobby the State Government to remove the ‘materiality’ test as it relates to conflict of interest set out in Part 2 of the Model Code of Conduct.

Background Comment

The City of Hobart has noted that there are particular concerns with the operation of the Code of Conduct as it relates to conflicts of interest and materiality, in that a two-stage requirement is necessary with an Alderman first identifying a conflict of interest and then secondly determining whether or not that conflict is ‘so material that it requires removing himself or herself physically from any Council discussion and remaining out of the room until the matter is decided by Council’.

The current process is out of step with the way in which non-pecuniary conflict of interest is dealt with in other jurisdictions and it is recommended that a legislative change be made to remove the ‘materiality’ test from the Model Code of Conduct.

LGAT Comment

In November 2017 the following motion was supported:

That Members note the report from the Code of Conduct review.

That Members endorse the recommendations as outlined in the record of discussion table.

That a review of Part 5 of the Local Government Act be implemented.

The final list of recommendations did not include removal of the 'materiality' test from Part 2 of the Model Code. This suggestion was discussed at the November 2017 meeting; however it was not one of the recommendations that was supported at that meeting.

Tasmanian State Government Agency Comment

The Model Code of Conduct currently provides that elected members are to –

“...act in good faith and exercise reasonable judgement to determine whether the conflict of interest is so material that it requires removing himself or herself physically from any Council discussion and remaining out of the room until the matter is decided by the Council”.

The 'materiality test' attracted a range of diverging views from stakeholders during the recent Code of Conduct review process. While removing the test would provide clear and unambiguous direction to elected members, it also has the potential to diminish the autonomy of elected members in making judgments as to whether conflicts are significant enough to warrant physically removing themselves from deliberations.

As part of its response to the Code of Conduct Review, the Government has determined that further consultation will be undertaken as part of the forthcoming process to amend the Model Code before any changes are made to Part 2(6).

11.4 Qualified Advice for General Manager Contracts Council – Glenorchy City

Decision Sought

That the Local Government Association of Tasmania recommends that the Local Government Act 1993 be amended to allow a Mayor (or their delegate) to qualify a Council or council committee agenda item that relates to the performance of or contractual arrangements with the General Manager.

Background Comment

The Local Government Act 1993 provides that:

Section 65. Qualified persons

- (1) *A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.*
- (2) *A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless –*
 - (a) *the general manager certifies, in writing –*
 - (i) *that such advice was obtained; and*
 - (ii) *that the general manager took the advice into account in providing general advice to the council or council committee; and*
 - (b) *a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.*

Logically, in order for the General Manager to fulfil their obligations under section 65 the General Manager must have knowledge of the advice, information or recommendations in order to establish to their satisfaction that it has been given by a qualified or experienced person. Furthermore section 65 requires the General Manager to take that advice into account when providing advice.

Section 65 provides an important mechanism for ensuring that Council and Council committees receive quality and reliable advice on which to base their decisions on. However, it is also important to ensure that advice to Council is not tainted by conflicts of interest.

Section 55 of the Local Government Act 1993 provides that:

Section 55. Interests of employees and general manager

- (1) *An employee of a council must notify the general manager, or in the case of the general manager the mayor, in writing of having an interest as referred to in [section 49](#) in any matter in respect of which he or she–*
 - (a) *provides advice to the council or council committee; or*

- (b) makes a decision or determination; or
- (c) makes a recommendation to the council or council committee.

Penalty: Fine not exceeding 50 penalty units.

- (1A) Section 51 applies as if a reference to a councillor were a reference to an employee or a general manager.
- (2) The general manager is to –
 - (a) advise the council of the existence of any interest notified under subsection (1); and
 - (b) keep a register of any such interest.
- (3) Any register kept under subsection (2) (b) is exempt from the provisions of the Right to Information Act 2009.

Where an agenda item relates to the General Manager (e.g., an assessment of their performance or renewal/termination of contract) the General Manager would have a clear conflict of interest which ought to be declared and appropriately managed.

It is well established that when such a pecuniary conflict of interest exists the only appropriate mechanism for managing it is to excuse oneself from all aspects of the advice, discussion and decision. Unfortunately a pure interpretation and implementation of section 65 does not permit the General Manager to do this unless by delegation of that function to another Council Officer (under section 64).

Although the function under section 65 could be delegated to another Council Officer this in turn would create a conflict of interest whereby a staff member of the General Manager is asked to provide and/or qualify advice in relation to their direct supervisor.

This is a highly undesirable outcome and this practice has been the subject of criticism from the Glenorchy City Council Board of Inquiry and Glenorchy City Council Ministerial Directions.

As noted above the issue arises when the General Manager is required to qualify reports for both Council and Council Committees.

By way of practical example, Glenorchy City Council now has its General Manager's Performance Review Committee (GMPRC) constituted as a Council Committee in compliance with the Ministerial Directions. All matters discussed by the GMPRC relate in some way to the contract and performance of the General Manager. In complying with the *Local Government (Meeting Procedures) Regulations 2015* and the *Local Government Act 1993* the GMPRC have been issuing Council committee agendas and have identified the need to have them qualified. The GMPRC considered at its meeting on 14 February 2018 that the need to have the General Manager qualify reports relating to him is a direct pecuniary conflict of interest and sought the advice of the Division of Local Government.

The Assistant Director of the Division of Local Government provided advice to the Mayor to the effect that in order to remove the General Manager's conflict of interest the General Manager should delegate this function. GMPRC further considered this advice at its 16 March 2018 meeting and considered this to be an unsatisfactory resolution as it merely created a new and different conflict of interest.

To date the General Manager has been qualifying the reports as authored by the Chair of the GMPRC (the Mayor) however GMPRC are of the view that it is not appropriate that the General Manager or a Council Officer be placed in a position of conflict.

Glenorchy City Council has considered this issue and has formed the view that to rectify the situation the Local Government Act needs to be amended such that in the specific circumstances where a report relates to the performance of or contractual arrangements with the General Manager that the Mayor (or their delegate) may provide the necessary qualification to agenda items.

Glenorchy City Council requests that LGAT agree to advocate for this important amendment to the Act.

LGAT Comment

This issue has not been raised previously but it would appear that prevalent practice in relation to performance review reports to council is not well aligned with the Act or good governance practices around conflict of interest. It would be important to consult broadly on any proposed changes to ensure there are no unintended consequences and on that basis, it may be better to direct LGAT to advocate for a solution to the problem as opposed to advocate on a particular solution. That will be a matter for Members to decide at the Meeting.

Tasmanian State Government Agency Comment

This issue has largely arisen out of the Ministerial Directions provided to the Glenorchy City Council in January 2018, which directed that if the Council chose to establish a review committee, it must be established as a council committee. The Tasmanian Government is aware that other General Manager Review committees are established as Special Committees, which are not subject to the section 65 requirements.

This would require a legislative amendment. The Tasmanian Government will consider any such amendment if there is sector wide concern on this issue.

11.5 Elected Member Titles Council Burnie City

Decision Sought

That LGAT lobby for a change to the Local Government Act 1993 to remove the word alderman from the Act entirely, leaving only councillor.

Decision Sought

In the interests of inclusiveness for all those currently serving in Local Government in Tasmania, and all those who potentially seek to serve as councillors or alderman, the removal of this gender specific descriptor is warranted.

There is precedent for this to occur. It is understood that the introduction of the *Local Government Act 1993*, replaced the word 'chairman' with the word 'chairperson'. This motion seeks to achieve a similar goal. A former president of MAT/LGAT has contacted the General Manager since this motion received media attention recalling the replacement of the term "aldermen" to "councillor" being a policy position, and argued in the drafting for such a change. This statement would need clarification from the LGAT archives.

The word 'alderman' appears in the *Act* on two occasions.

Firstly under definition of councillor in s3:

"councillor means a person elected to a council and includes the Lord Mayor, Deputy Lord Mayor, mayor, deputy mayor and alderman;"

The second mention is in s25(2) under constitution of council:

"A person elected to a city council is a councillor but may be known as an alderman."

Such an amendment would affect the six councils that are defined cities under Schedule 3B; Burnie; Clarence; Devonport; Glenorchy; Hobart; and Launceston.

This may seem like semantics and while some may argue that "alderman" is gender neutral by default, this motion seeks to make the language used in the *Act*, truly neutral and inclusive for any person that may wish to serve their local community.

It is understood that in around 1994 Queensland reverted to the use of the term councillor for both country and city councils. The largest council in Australia "Brisbane City Council" have councillors not aldermen. The term alderman is used in other states, however Melbourne City Council are known as councillors.

LGAT Comment

There have been no previous motions on this matter.

Tasmanian State Government Agency Comment

While the Act provides that city councillors may also be 'known as Aldermen', there is nothing to prevent individual city councils determining that their elected members should be referred to as 'councillors', rather than 'aldermen'. Therefore, the Tasmanian Government considers that this matter should appropriately be determined by individual city councils.

12 SECTOR CAPACITY**12.1 Environmental Health Officer Training
Council - Latrobe****Decision Sought**

That the Local Government Association of Tasmania lobby the University of Tasmania for the continuation of the Bachelor of Health Science (Environmental Health) or similar tertiary degree that is eligible for the Environmental Health University Course Accreditation with Environmental Health Australia.

Background Comment

In Tasmania, legislation including the *Local Government Act 1993*, *Public Health Act 1997* and the *Food Act 2003* all refer to Environmental Health Officers. The *Environmental Management and Pollution Control Act 1994* recognises the EHO as a Council officer who is suitably qualified to apply this legislation on behalf of Local Government.

Minimum educational qualifications are required to be an authorised officer under the *Food Act 2003* and *Public Health Act 1997*. The University of Tasmania has offered a Bachelor of Health Science (Environmental Health) since 2008. This course was accredited by Environmental Health Australia (EHA) under the *Environmental Health University Course Accreditation* system and provided the minimum educational qualifications for the aforementioned legislation.

The Bachelor of Health Science (Environmental Health) was a professionally accredited 3.5 year program designed to produce graduates who will work as EHO's in State and Local Government and specialised allied health fields.

EHA is the premier environmental health professional organisation in Australia which advocates environmental health issues and represents the professional interests of all environmental health practitioners. EHA is committed to the professional development and

status of its members and the enhancement of environmental health standards and services to the community through advocacy, promotion, education and leadership. The professional organisation has been in existence since 1936 and is a member of the International Federation of Environmental Health (IFEH).

There are currently only six (6) Australian universities offering accredited undergraduate degrees, three (3) offering post-graduate studies in environmental health and one (1) university offering a masters degree in environmental health. All graduates from the University of Tasmania's Bachelor of Health Science (Environmental Health) have obtained employment in the environmental health profession.

In February 2016 the Tasmanian EHA board (EHA Tas) was made aware that the University of Tasmania was undertaking a review of a number of Health Science courses it provided. It was announced in February 2016 that the intake for the Bachelor of Health Science (Environmental Health) course was suspended for a year pending a successful business case for a revised course. In January 2017 the University announced the course was in teach out mode.

EHA Tas played a key role in the establishment of the degree course in 2008 and have provided ongoing commitment to its success. The course does not produce high numbers of graduates but produces significant benefits to environmental health in Tasmania, including:

- Increasing the number and quality of local graduates;
- Increasing the profile and credibility of the environmental health workforce in Tasmania;
- Ensuring the profession can meet future capacity challenges;
- Providing opportunities for existing practitioners to improve and upgrade their qualifications in a local setting; and
- Provides mechanisms for specialisation in allied fields.

EHA (Tas) met with the Head and Deputy Head of the School of Health Science to discuss this decision to teach out the degree. We expressed our immediate concern regarding the decision as this is the only course offered in Tasmania which meets the minimum qualification under the *Food Act 2003* and *Public Health Act 1997* for EHOs in Tasmania.

EHA (Tas) has also met with the Minister for Health, Michael Ferguson MP on several occasions to discuss the university degree. The Minister for Health and the Leader of the Opposition have both provided written support for localised education and training pathways for statutory health protection roles.

Local Government is the largest employer of EHOs in Tasmania and Local Government is required to provide statutory and other essential community services regarding environmental health matters. There are currently (April 2018) 73 EHOs employed in Local

Government in Tasmania. At present there are many Councils understaffed or without an EHO to uphold the important health protection roles our communities need. This situation will be exacerbated with the ageing EHO workforce. A study conducted by EHA (Tas) in 2015 indicated that approximately 40% of EHOs surveyed will be retiring over the next 15 years.

The lack of a University course specific to this key profession in Tasmania, providing quality local graduates, will have a significant impact on the environmental health profession and the capacity of Local Government to deliver public health regulation in Tasmania.

LGAT Comment

There have been no previous motions on this matter.

LGAT is already supporting the Environmental Health Australia (Tas) negotiations with UTAS for continuation of the Bachelor of Science, via letters of support and also direct and on-going discussions with the Director of Public Health.

LGAT is also seeking funding to prepare a workforce development plan for EHOs that identifies the current capacity of the Tasmanian EHO workforce to meet their legislative requirements and ensure public and environmental health. Please refer to the Policy Update in this meeting for more information.

Tasmanian Government Agency Comment

No State Government comment was sought.

12.2 State Wide Training and Employment Council – Circular Head

Decision Sought

That LGAT seek that the State Government provides a strategic commitment of a 4 year resources funding program working with Local Government and established industry training providers for the implementation of targeted VOC Training initiatives to ensure the dispersal of employment and apprenticeship opportunities from all emerging industry investment and expansion opportunities across the state.

Background Comment

This motion relates to regional education. Provision of targetted regional VOC training for a minimum of 4 years to address trades skills shortages in regional areas, is vital to state wide economic prosperity. Sound industry-based training support will advance regional employment and support current and emerging industries with skill shortages.

A key regional training focus in supporting the current and emerging skills shortages will reinvigorate state wide communities with the opportunity to grow state prosperity and effect change to support all industries in the state with quality trades and vocational workers. This strategy initiative when implemented will affect meaning full community opportunity and change, reinforcing community prosperity through higher education standards for generations to come.

LGAT Comment

There have been no previous motions on this matter.

Since the writing of the State Government comment, Skills Tasmania has also announced funding of \$400,000 to go to the South East Regional Development Association (SERDA) to support implementation of the 2017 workforce planning report. The approach being trialled in the SERDA region offers significant potential for it to be rolled out in other regions to support regional training and workforce development.

Tasmanian Government Agency Comment

Supporting education and training is a key government mechanism to enable regions to meet local challenges and build on the opportunities presented by a modern, connected economy. Building the skills of our regions will help more Tasmanians participate in the workforce and ensure businesses have access to the skilled labour they need to be productive, create jobs and grow.

The Government, through Skills Tasmania in the Department of State Growth, funds workforce development and training activities throughout the State, including training delivered by the public provider TasTAFE. Skills Tasmania funds training activity through a range of programs, with funding targetted in a flexible and responsive way to support regional priorities.

Skills Tasmania's workforce development program is supporting regional development through a range of initiatives, including:

- 2018 regional workforce development projects for King Island Regional Development Organisation and Break O' Day Council;
- 2017 workforce planning reports with South East Regional Development Association (SERDA) and the Southern Central Sub-Region (around the Brighton area);
- Developing local solutions based on regional needs such as the Huon Valley Works local employment hub; and
- Working with Regional Development Australia on supporting workforce development capability in the economic development sector.

Tasmania's regions are unique and have differing industry, demographic and business mixes, which means a 'one-size-fits-all' approach does not work. In July 2017 the Government launched a \$4.1 million Jobs Action Package: Employment Partnership with TasCOSS and the TCCI. This partnership commits to work in four regional communities - Derwent Valley, north-east, south-east, west coast, with businesses and local people who are looking for work, to build their capacity to take advantage of growing employment opportunities.

In regional locations, Trade Training Centres (TTC) offer specialised trade training facilities managed by Department of Education that enable school students and adult community members to undertake accredited training in purpose built facilities. There are eight such facilities in regional Tasmania.

The objectives of the Trade Training Centres are to:

- Increase the proportion of students achieving a Year 12 or equivalent qualification;
- Address national skills shortages in traditional trades and emerging industries by improving relevance and responsiveness of trade training programs in secondary schools,
- Improve student access to industry-standard trade training facilities;
- Improve the quality of education offered to secondary students undertaking trade related pathways; and
- Assist young people to make a successful transition from school to work or further education/training.

13 FINANCIAL SUSTAINABILITY

13.1 Accounting Standards Council - Break O'Day

Decision Sought

That LGAT lobby the State Government to amend the Local Government Act to provide the Tasmanian Audit Office with the power to consider whether an Australian Accounting Standard should be applied to Local Government and to what extent.

Background Comment

Recently the Tasmanian Audit Office (TAO) made General Managers aware of a forthcoming change in relation to reporting in Financial Statements, the application of AASB 16 Leases to Local Government activities. Whilst it is logical that it apply to operating leases which have some significance and materiality, say lease of vehicles or premises, the relevance of applying this to the multitude of crown land leases which Councils hold is highly questionable and of little material relevance.

The TAO indicated that as an Office they could see the impact but due to the Local Government Act provisions they have no latitude in the application of Accounting Standards. Apparently in some other Australian states this latitude exists and is used

LGAT Comment

There have been no previous motions on this matter.

Tasmanian Government Agency Comment

AASB 16 Leases was issued by the Australian Accounting Standards Board in February 2016 with an application date for annual reporting periods beginning on or after 1 January 2019 (for councils this means it will apply for year ending 30 June 2020). The likely effects of the revised leasing standard have been presented by the Tasmanian Audit Office at client information sessions since 2015. Most councils have already presented their assessment of the impact of AASB 16 in their financial statements. As such, councils have had significant lead time to prepare for implementation of this new standard.

Under AASB 16, lessees will be required to recognise leased assets with a value of US \$5,000 as a right to use asset with a corresponding liability for the future lease payments. This could result in a number of assets being recognised by councils, including crown land leases.

The new standard sets out the principles for the recognition, measurement, presentation and disclosure of leases. The objective is to ensure that lessees and lessors provide relevant information in a manner that faithfully represents those transactions. This information gives a basis for users of financial statements to assess the effect that leases have on the financial position, financial performance and cash flows of an entity.

Section 17 of the Audit Act 2008 requires State entities, including councils, to submit financial statements to the Auditor-General each year. Section 17 (4) requires that unless otherwise required by any other written law, the financial statements are to be prepared in accordance with the accounting standards and other requirements issued by the Australian Accounting Standards Board which is defined as the body of that name continued in existence under the Australian Securities and Investments Commission Act 2001 of the Commonwealth.

The Local Government Act 1993 at section 84 requires the general manager to prepare and forward to the Auditor-General a copy of the council's financial statements for each financial year in accordance with the Audit Act 2008.

As neither piece of legislation provides for exemption from application of the accounting standards or are there any other written law that enables this, councils are required to comply with all accounting standards, including AASB 16. Divergence from Australian Accounting Standards is not supported, as the framework facilitates for users consistent, comparable, transparent and useful financial statements.

The Tasmanian Audit Office advises that it is not aware of any other jurisdictions planning not to apply the requirements of AASB 16. Were Tasmania to legislate to allow councils not to comply with all accounting standards, this would create divergence from other jurisdictions and associated loss of comparability. In addition, this would place the Auditor-General in a position where councils could “lobby” for relief from compliance with accounting standards, which would compromise the independence of Auditor-General.

13.2 Accounting Standard - Depreciation Council – Circular Head

Decision Sought

That LGAT seek that the State Government, in conjunction with the Tasmanian Audit Office, provides a strategic commitment to lobby for a new change in accounting standards for depreciation calculation and management of all state and federal government funded projects, as the present model significantly disadvantages low growth communities and undermines opportunities to reinvigorate and re-energise local economic prosperity and community wellbeing.

Background Comment

This motion relates to regional economic development and prosperity. Accounting standards amendment is required to reflect the opportunity to grow regional economic development. If depreciation could be deferred for the grant components of infrastructure, as the present policy substantially disadvantages low growth regional communities by placing an unsustainable burden upon financial resources. This is a major burden to local community prosperity, growth and advancement moving forward. The present model of accounting standards significantly disadvantages low growth communities and undermines opportunities to reinvigorate economic prosperity and community wellbeing. Currently the acceptance of project based state and federal grant assistance in low growth regional economies drives a targetted reduction in the capacity to pay for local communities.

As an example, the state election promises of funding to community groups does not come with a depreciation expectation in perpetuity. Yet all funds to projects in the Local Government context have the expectation of fully funded depreciation in perpetuity. In effect community innovation and adaption is constrained and reduced by the limiting policy position as communities are bound to retain like for like as there is limited opportunity to reinvigorate and re-energise local socio-economic prosperity.

LGAT Comment

In December 2013 the following motion was supported:

That the Meeting endorses the proposed responses to the issues raised at the jobs forum subject to additional information being sought from councils and included in the response in relation to their past and future 4-year capital spends. Details should also be sought as to the extent to which councils are meeting their depreciation obligations and an assessment be made as to whether this is relevant in terms of inclusion in any response.

In July 2014 the following motion was supported:

That the Local Government Association of Tasmania request the State Government to advise of their strategic asset management plans for the funding of depreciation e.g. asset replacement of roads and bridges, for the Dept of State Growth (formerly DIER) as per the expectations that are being required of Local Government .

Tasmanian Government Agency Comment

The motion seeks to have the Government and the Tasmanian Audit Office provide a strategic commitment to lobby for a new change in accounting standards for depreciation calculation and management of all State and Federal Government funded projects.

Depreciation is the systematic allocation of the current replacement cost of an asset (a valuation technique that reflects the amount that would be required to currently replace the service capacity of an asset) over its useful life. Current replacement cost is the cost to acquire or construct a substitute asset of comparable utility, adjusted for obsolescence. As such, the current replacement cost can be adjusted to reflect comparable utility and any obsolescence, thereby reducing the annual depreciation expense. It may be difficult for a council to justify a large decrease in an asset's current replacement cost soon after it is acquired or constructed, if for example it had excess capacity based on council's needs. If an asset has been acquired and is in use there should be an annual depreciation expense reflecting the service capacity of the asset consumed each year. How the asset is funded is not of relevance to the depreciation expense.

It is unclear from the motion how depreciation expense can disadvantage low growth communities and undermines the opportunities to reinvigorate and re-energise local economic prosperity and community wellbeing. It seems that the question is implying that because of the future depreciation expense associated with such assets, councils are likely not to take up opportunities, such as those arising from grants, to acquire or construct them, thereby disadvantaging communities. Decisions to construct or acquire assets should reflect an analysis of total whole of life costs of such assets, including depreciation expenses, compared to benefits accruing to the community.

The Tasmanian Audit Office does not have a policy-making role. Divergence from the application of Australian Accounting Standards is not supported for the reasons outlined under motion 1.1.

13.3 Accounting Methodologies Council – George Town

Decision Sought

- a) That Councils and the Local Government Association of Tasmania work with the Local Government Division of Premier and Cabinet to review the various accounting methodologies being used by Councils with a view to developing standardised reporting; and
- b) Address some of the complexities such as volume/length of reporting driven by disclosures required in the Local Government Act and International Accounting standards which are not necessarily relevant to Council operation and reporting.

Background Comment

Council officers have spent the last nine months carrying out an extremely thorough audit on Council's operating procedures and finances. This has included, but not limited to, a complete overhaul of the long term financial plan, an organisational review and a financial asset management review. During this process, which included discussions with officers from the Audit Office and with external financial specialists, it became obvious that there can be quite a disparity between the way Councils operate and report financially. The differentiation between the application of standards and report can make a vast difference to a Council's bottom line.

Both the New South Wales (NSW) Office of Local Government and Local Government Victoria provide a great deal of guidance in this area to the respective Councils and Shires and promote consistent application of various methodologies.

While each Council in Tasmania is required to comply with the preparation of financial reports in accordance with Australian Accounting standards and are subject to independent auditing, the application of various methodologies within those standards have a reasonable degree of flexibility. This has become more apparent as various financial management indicators have been produced in recent years which has provided opportunity to carry out a higher-level comparisons across Councils.

Identified Areas of Difference

It has been identified that the key areas of divergence across Councils are where there is some judgement needed to recognise a liability or asset and its value. Other differences are tied to

the way Councils capitalise wages and equipment, apply on-costs and determine what is Capital Works versus Operational.

More areas of focus include:

- Landfill rehabilitation provisions;
- Improvements to land – whether to depreciate or not, eg sports fields or aesthetic earthworks such as garden beds;
- Regularity of asset valuations and consistency between Councils eg: one Council could be on 2013 values, another on 2017 values;
- Identification and valuation of assets without any future service potential to the community eg: some town halls;
- Valuation and depreciation of assets that would be replaced but with a different type of asset; and
- Valuation and depreciation of assets that cannot be replaced eg: Heritage assets.

One suggestion to identify these differences is to provide comparison tables for each area of reporting. This would highlight areas where variances in methodology may be present. For example, a table showing a comparison of useful lives for each for each Council would highlight those outside of average which would then require justification.

Simplifying Accounting Reports

If Local Government were to commence reviewing various accounting processes in an attempt to align reporting more closely, it would also be an opportunity to address some of the complexities such as volume or length of reporting. The financial instruments disclosures for example are not particularly useful and take up a lot of pages. The reports are largely driven by disclosures required in the Local Government Act and International Accounting standards but there may be a way to obtain dispensation from certain disclosures through legislative means if they are irrelevant to Council operation and reporting.

Potential Benefits of a More Standardised System

A standardised reporting system for Local Government would create a number of opportunities, not only for possible resource sharing and efficiencies but also for the Audit Office. In fact, one suggestion provided to Council was that if every Council reported in the same manner using the same methodology, a centralised system could eventually be established and information could be lodged through a self-service type portal which is then checked by the Audit Office rather than having them spend days on site, trawling through reports and checking methodology to ensure the same is applied each time.

The process could be much more simplified and more cost effective for both the TAO and Council.

Financial Implications

No financial implications are identified in submitting the proposed motion for inclusion on the Agenda for the July LGAT General Meeting. Should the motion be supported at the LGAT General Meeting and pursued at a State/Federal level potential benefits to Councils could be greater confidence in performance comparisons, reduction in variation of reporting processes and possible reduction in cost of auditing due to Councils using a more consistent approach. There would also be less work if the requirement to report to standards not applicable to Local Government were removed.

Legislation

Council is required to prepare annual financial statements in accordance with Part 8 Division 3- 84 of the Local Government Act 1993, Part 4 Division 1 – 17 of the Audit Act 2008.

The statements are to be prepared in accordance with the accounting standards and other requirements issued by the Australian Accounting Standards Board.

LGAT Comment

There have been no previous motions on this matter.

However, LGAT has previously delivered joint projects with the Tasmanian Audit Office and Local Government Division on matters similar to this motion. For example, earlier this year additional resources were developed to support Council Audit Panels (including a practice guide, model code of conduct and panel charter) and, last year a model Related Parties Disclosure Policy was developed for councils. Both projects facilitated support for the sector in changes to either legislation or accounting standards and were also designed to facilitate greater consistency in approach.

Tasmanian Government Agency Comment

The proposal is in two parts which will each be addressed in turn.

- a) *That Councils and the Local Government Association Tasmania work with the Local Government Division of Premier and Cabinet to review the various accounting methodologies being used by Councils with a view to developing standardised reporting.*

As a result of the *Local Government Amendment (Targetted Review) Act 2017* model financial statements will be issued by the Director of Local Government each year. These model financial statements will be provided to the Director by the Auditor-General. Councils will be required to adopt these statements, which will effectively represent minimum disclosure requirements. These model statements, which are set to apply from year ending 30 June 2020 will do much to alleviate concerns expressed by part (a) of this proposal.

- b) *Address some of the complexities such as volume/length of reporting driven by disclosures required in the Local Government Act and International Accounting standards which are not necessarily relevant to Council operation and reporting.*

The model financial statements noted previously may assist councils to reduce the volume/length of disclosures to some extent, especially through greater decluttering to remove immaterial or irrelevant disclosures.

As noted previously under motion 1.1, divergence from Australian Accounting Standards is not supported, as this framework facilitates for users consistent, comparable, transparent and useful financial statements.

13.4 Fire Service Levy Council - Burnie City

Decision Sought

That LGAT:

- 1. Advocate on behalf of all Councils the deep concern at the level of the Fire Service Contribution that councils are expected to collect from ratepayers each year on behalf of the State Fire Commission; and**
- 2. Seek justification for the excessive level of financial burden that has been imposed over the last five years.**

Decision Sought

The State Fire Commission determines the fire service contribution and advises Council in May each year. In Burnie there are three rating districts in 2018/19 and contribution has been advised as follows:

- Composite Brigade Rating District (Burnie)	\$1,809,476
- Volunteer Brigade Rating District in (Ridgley)	\$10,609
- General Land	\$87,817
TOTAL	\$1,907,902

This is a 7.36% increase on the fire service contribution of \$1,777,079 in 2017/18.

The table below shows the level of the contribution for Burnie compared to CPI since 2014.

Fire Service	Contribution	CPI for Hobart (June)
2014	3.94%	2.8%
2015	5.05%	0.6%
2016	4.49%	1.2%
2017	6.84%	2.3%
2018	5.40%	2.1% (to March)
2019	7.36%	

The State Fire Commission sources their operating costs of all brigades from three sources in accordance with the *Fire Services Act 1979*.

s77A of the Act states:

77A. Sources of contributions towards operating costs of all brigades

The operating costs of all brigades shall be defrayed out of contributions to be paid to the Commission –

- (a) by insurance companies as provided in Division 2B;*
- (b) by the Treasurer as provided in Division 2C ; and*
- (c) by local councils as provided in Division 3 .*

s77A of the Act states:

79. Contributions payable by local councils

- (1) The local councils in the State, for the financial year commencing on 1 July 1995 and for each subsequent financial year, must contribute an amount determined in accordance with this Division towards the operating costs of brigades, being operating costs that are included in the Commission's estimates for the relevant financial year and approved by the Minister.*
- (2) The Commission, for a financial year to which subsection (1) applies, must provide for the recovery from councils of such an amount as will be sufficient to cover the operating costs of brigades for that year, as approved by the Minister, less the prescribed amount.*
- (3) For the purposes of subsection (2) the prescribed amount means the aggregate of the following amounts:*
 - (a) the contribution towards the operating costs of brigades required to be made for the relevant financial year by insurance companies under Division 2B ;*
 - (b) the contribution towards the operating costs of brigades required to be made for the relevant financial year by the Treasurer under Division 2C ;*
 - (c) any contribution towards the operating costs of brigades made or expected to be made in respect of the relevant financial year by the Commonwealth; and*
 - (d) any money received or expected to be received by the Commission in respect of the relevant financial year from its marketing activities.*

Division 3 of the *Act* determines the provisions relating to contributions payable by local councils towards operating costs of brigades. The contribution is determined by the *Act*, being operating costs that are included in the Commission's estimates for the relevant financial year and approved by the Minister.

The contribution is to provide for the recovery from councils of such an amount as will be sufficient to cover the operating costs of brigades for that year, as approved by the Minister, less the prescribed amount. The prescribed amounts are any contributions from insurance companies, Treasurer, Commonwealth and/or marketing activities.

The calculation in Division 3 of the *Act* is complex with its methodology and irrelevant for the purpose of this report. A requirement on council in s81A is that the allowable annual increase or decrease calculated in s81 is to be no more than 5%. This is 5% after the increase imposed by the State Fire Commission that has been verbally advised 5.5% for 2018/19. Therefore the increase/decrease imposed by Local Government may be between 0.5% - 10.5%.

Burnie has a target in the Financial Management Strategy to reduce rate revenue in Burnie to close the "rates per capita" gap against the state average while maintaining acceptable levels of service. Council has no control over the amount of the fire rate, however this is calculated as rate revenue in rates per capita calculations. The purpose of this Strategy is to reduce the burden being placed on the residential and business community of Burnie an approach not dissimilar to the State Government with regard to energy pricing and TasWater.

Another challenge for Burnie is the disparity between houses on either side of the Cam River. A house with an AAV of \$18,200 in the Burnie municipality will pay a fire levy of \$260 while the same value house across the river in Somerset only attracts a levy of \$75. The reason being the various fire rating districts, however the response can come from either brigade, volunteer or permanent, as they rightly cross districts to ensure the most appropriate and timely response.

The amount of the increase in the fire service contribution to the State Fire Commission is well and truly above CPI for the last five years, without any explanation or accountability. Council merely receives notification each year and while explanation has been sought each year, nothing meaningful is provided.

The 2017/18 State Budget detailed the State Fire Commission and shows that the taxation collected (including Local Government contribution) is \$68.2m in 2017/18 compared to \$67.2m in 2016/17. This is an increase across Tasmania of 0.2% while in Burnie the increase was 5.4%. The forward estimate for 2018/19 was \$71.1m, an increase of 4.2% compared to actual increase of 7.36% in Burnie.

It is difficult to ascertain from the publicly available information whether the increases experienced in Burnie are in isolation to the rest of Local Government, however it is assumed most communities are experiencing the same pain.

A review of the Annual Report for the State Fire Commission reveals that the actual revenue increases in the Local Government contribution across Tasmania is as follows:

2015	5.5%
2016	5.5%
2017	5.5%

This shows that the State Fire Commission has placed a standard increase of 5.5% on the state fire service contribution without having regard to the allocation necessary for the operating costs for the various brigade district around Tasmania.

The *Act* clearly states that the contribution must provide for the *recovery from councils of such an amount as will be sufficient to cover the operating costs of brigades for that year, as approved by the Minister, less the prescribed amount.* Is it a coincidence that the operating costs of all brigades have consistently risen by 5.5% from 2015?

It is timely for the sector to review the governance arrangements for determining the fire service contribution as increases are high and placing a financial burden on ratepayers with no justification or transparency as to reasons.

LGAT Comment

In 2006 the following motion was supported:

That the LGAT take up the matter of the increased fire levy contribution from Local Government with the State Government, with a view to persuading the State Government to:

- *Acknowledge Local Government's disappointment in the increased contributions at a time when most councils have entered into Partnership Agreements with the State, with no indications given during these (Partnership) discussions of the pending increase; and*
- *That Local Government indicates that it no longer wishes to be a collection agency for the State Government and requests the State government to collect the levy via its own means.*

Concern has been raised in relation to the level of increase and also the role of Local Government in collecting a State Tax. Over the last decade, LGAT has lobbied the Government of the day as well as independent upper house representatives around the issue. The issue of significant increases to the fire levy, at a rate greater than the State Government contribution to the Fire Commission through recurrent funding is also of concern and given the integration of SES with TFS it is important that processes are put in place to ensure the government is not

using the Fire Levy as a blunt mechanism to boost its budget. It is understood that the current budgeting process for the State Fire Commission does not include consultation with Local Government, except through the Local Government representation on the Commission. The *Fire Services Act* is currently up for review and this is an opportunity for the sector to lobby for processes to be put in place to ensure engagement with Local Government in relation to the Fire Service Levy.

Tasmanian Government Agency Comment

The Fire Service Act 1979 (the Act) prescribes the revenue sources for the Tasmania Fire Service (TFS). The broader Tasmanian community, as recipients of this service, are required to meet the operating expenses of TFS in order to maintain a modern, effective and responsive fire service to protect all Tasmanians.

Section 79 of the Act requires Councils to contribute an amount formulated by Part VI of the Act towards the operating costs of the TFS brigades included in the Commission's corporate plan and approved by the Minister. During the 2017 financial year the gross Fire Service Contribution was \$41.0M.

Section 91 of the Act entitles Councils to a prescribed collection fee for collecting the Contribution, this is currently set at 4 per cent and in 2017 the total collection fee was \$1.64M. The Contribution net of the collection fee and pensioner discounts (\$1.3M), was \$38.06M and this represented 42 per cent of the total revenue (\$89.6M) of the State Fire Commission.

A review of the Act is currently in progress and this includes a review of the funding of the Commission. This review was approved by Cabinet in April 2017 and one of the outcomes is to ensure that there is sustainable, stable and equitable funding for TFS, with the sources of that funding aligning with the functions that they need to perform.

A Discussion Paper is currently out for consultation until September. Councils, LGAT and all other interested stakeholders are encouraged to make submissions in response to the Discussion Paper.

Further details about the review can be found by visiting this link:
<http://www.fire.tas.gov.au/Show?pageId=colFireServiceActReview>

14 LAND USE PLANNING & ENVIRONMENT

14.1 Stream Management Council – Break O’Day

Decision Sought

That LGAT lobby the State Government to take greater responsibility for the management of streams.

Background Comment

Over a number of years successive State Governments have reduced the resources applied to the overall management of streams (rivers etc) and increasingly relied upon Local Government to take responsibility to address stream management issues as they arise and to play the lead role on addressing problem areas and locations. The Break O’Day Council is actively working on two local issues, St Marys township and the Lower Georges River catchment next to St Helens.

Through discussions with the Water & Marine Resources Division of DPIPWWE it is clear that they are relying on Local Government to enforce and regulate works through planning schemes. Specifically they have advised in one instance that they are only interested in unauthorised levee bank works.

Philosophically it could be argued that streams are an important piece of infrastructure which is transporting a tradeable commodity (water) which the State Government is more than happy to regulate access to and charge accordingly, but are unwilling to actively participate in the management of the infrastructure.

LGAT Comment

There have been no previous motions on this matter.

This motion refers to two separate functions in managing streams, approval and regulation and management. Councils have a role through the land use planning system (planning schemes) in approving streamside developments and will have a role in compliance and prosecuting illegal works. The responsibility for the management of streambanks and streams is the responsibility of various land managers including a number of State Government departments such as Crown Land Services, Parks, Sustainable Timber Tasmania. The former of these is well defined via the land use planning system however the maintenance and management of waterways (and beaches in instances such as coastal erosion from sea level rise) is not well articulated in State Legislation and receives little attention from State Agencies.

A number of councils have raised concerns previously with the uncertainty regarding responsibility for clean-up and rehabilitation of waterways following flood events (most recently following the 2016 floods). This issue was also noted in the Blake Review. LGAT has recently raised this through the Premier's Local Government Council Officials meeting. The Office of Security Management has been asked to work with Crown Land Services to review the current arrangements, with the aim of providing greater clarity. In practice, Crown Land Services provided assistance and advice to landowners in relation to recovery and clean-up after floods. However, the Blake review highlighted that "this role may need to be formalised with clear objectives and priorities, and a review undertaken of whether funding arrangements to Crown Land Services are sufficient to fulfil this role".

Tasmanian Government Agency Comment

The *Water Management Act 1999* and the *Water Management Regulations 2009* outline the management and regulation of Tasmanian water resources and the permitting of dam and well works. The Act and Regulations do not regulate or outline responsibilities for maintenance of streams and rivers.

In particular, the Act is to provide for the use and management of freshwater resources in Tasmania having regard to the need to:

- Promote sustainable use and facilitate economic development of water resources;
- Recognise and foster the significant social and economic benefits resulting from the sustainable use and development of water resources for the generation of hydro-electricity and for the supply of water for human consumption and commercial activities dependent on water;
- Maintain ecological processes and genetic diversity for aquatic and riparian ecosystems;
- Provide for the fair, orderly and efficient allocation of water resources to meet the community's needs;
- Increase the community's understanding of aquatic ecosystems and the need to use and manage water in a sustainable and cost-efficient manner; and
- Encourage community involvement in water resources management.

The Water and Marine Resources Division have assisted many stakeholders with the development and improvements of properties and infrastructure through the water licencing and dam permitting processes. At times the Division is called upon to clarify or determine the legality of river works and whether the correct permits or procedures have been followed. The Division did assist Break O'Day Council to resolve issues with particular levee works approved by Council, however this is not the sole focus of the Division.

The Water and Marine Resources Division and the Natural Cultural Heritage Division (NCH), are addressing relevant recommendations from the Blake flood review, of interest for this topic NCH is undertaking the following:

- Actively liaising with the Forest Practices Authority regarding the progress of work to examine the Forest Practice Code 2015 for relevant concepts to farming and other activities near rivers, streams and dams.
- Working closely with NRMs and Crown Land Services in the clarification of responsibility for river restoration and riparian management and how this is communicated to the wider community, through delivery of the Agricultural Landscape Rehabilitation Scheme, Flood Recovery Concessional Loans Program, Primary Producer Clean-up, Grants and Transport Subsidies and through engagement with Local Government in effected municipalities.

The Department also provides access to and promotes several resources that provide information on river management and maintenance.

The Waterways and Wetlands Works Manual (link provided below) provides environmental best practice guidelines for undertaking works in these sensitive areas. Guidelines are available on practical strategies to minimise environmental harm when undertaking works on waterways and wetlands in Tasmania. The manual covers works in waterways and wetlands that are often undertaken by government, industry, farmers and community groups. These include activities such as constructing bridges and other stream crossings, excavating the stream bed and banks and operating machinery in these areas, constructing drainage channels, managing large woody debris, and riparian vegetation management.

The manual also outlines the legislative and policy requirements in Tasmania when undertaking works in these areas. The manual has been developed to give council staff guidance on the environmental issues that should be considered when undertaking works in waterways and wetlands and the ways the risk of causing environmental harm can be minimised. It is also a resource for other groups and individuals planning to undertake works. The manual was developed by the Department in partnership with the Local Government Association of Tasmania, with funding from the Natural Heritage Trust.

<http://dpiwwe.tas.gov.au/conservation/flora-of-tasmania/tasmanias-wetlands/wetlands-waterways-works-manual>

14.2 Building Act 2016 Council – Break O’Day

Decision Sought

That LGAT request that the State Government provide the necessary resources and undertake an urgent review of the Building Act 2016 to address the shortcomings being experienced by Local Government in relation to the operation of this Act.

Background Comment

The new Building Act 2016 has now been in operation since 1 January 2017 and a number of deficiencies have been identified which are resulting in either an over-complication of processes or the Act not meeting present day requirements. A number of these issues have been raised with Consumer, Building and Occupational Services (CBOS) through various working groups but these matters are not getting resolved.

By way of examples:

Introduction of Category 2 – Low Risk Work

This category of work does not require approval from Council but does require the submission of a Form 80 – Notification of Low Risk work. This form is problematic because Council has no legal requirement to require the form and therefore works can be carried out without Council Building or Plumbing Approvals, examples of this work include:

- Porches less than 18m squared;
- Kit sheds less than 36m squared;
- Non prefab sheds less than 18m squared; and
- Most stormwater works to non-habitable structures.

These are the type of structures that have less ‘red tape’ however they can be constructed without Councils knowledge which may leave issues for future owners and encourages illegal works and means land use planning requirements are not addressed.

Standard of Work Certificate - Standard of Work Certificate

No one really knows if this plumbing certificate is going to stand up if challenged in relation to defective work, similarly to other parts of the poorly written legislation. The government wanted the ‘self-certification’ removed so that Councils could no longer rely on such certification and instead they want Councils inspecting all of the ‘High Risk’ plumbing works.. This has had a significant impact on the resource requirements of smaller rural Councils like BODC. The research by BODC has highlighted that rural Councils were heavily affected by requiring additional resources yet the City Councils now have less work because of the introduction of ‘Low Risk Work’ and Form 80’s (Notification of Low Risk Work).

The plumbing maintenance requirements are unnecessary in Council's view. The intent was for home owners and businesses to become aware of any ongoing maintenance requirements but no one takes any notice of a 'plumbing permit'. The additional resource is for the plumbing permit authority to go through all of the maintenance requirements and cut/shut the ones that are relevant for each application/development.

Plumbing Authority

1. The Introduction of the New Building Act 2016 has seen a major shift in responsibility from the General Manager to the Permit Authority Roles.
2. The Major impact for BODC has been the introduction of the additional assessment process with the implementation of the Certificate of Likely Compliance – Plumbing Work (an extra form under the Building Act 2016).
3. The introduction of the new legislation has put additional responsibility onto the Plumbing Permit Authority to carry out **ALL** High Risk Plumbing Work (examples of high risk work are, waste water systems, works involving Tas Water Consent, Commercial Projects, Trade Waste Applications, pumped systems etc).
4. The technical assessment has evolved over time due to the required detail that the Act requires Licenced designers to provide on proposed plumbing plans resulting in a shift of responsibility onto the Council's Plumbing Permit Authority to check for compliance when issuing the Certificate of Likely Compliance – Plumbing.

The Plumbing Permit Authority must be 'competent' to carry out the Duties and Functions under the Building Act 2016. This means that the General Manager must be comfortable that the officer delegated is experienced with the National Construction Code and Australian Standard 3500 – Plumbing and Drainage. BODC has had to introduce further resources to cover for technical plumbing assessment and High Risk plumbing inspections

LGAT Comment

There have been no previous motions on this matter.

Following the introduction of the Building Regulatory Framework at the beginning of 2017, LGAT raised concerns (directly to the Minister and via the Premier's Local Government Council) related to the implementation of the *Building Act 2016* (the Act) and the associated transitional arrangements.

This prompted fortnightly meetings with the Director of Building Control to allow LGAT to raise the sectors concern and try to work out the best way forward. In response to the concerns raised, the Department of Consumer and Building Occupational Services (CBOS) offered to meet individually with each council to provide training for Permit Authorities, almost all councils accepted this offer. In addition, CBOS also re-established the Technical Reference Groups, held targetted forums for practitioners and looked at other activities for streamlining and clarifying processes and roles.

These activities were all undertaken in mid-2017. One of the things LGAT called for when initially raising our concerns with the State Government in early 2017 was a review of the Building Act to occur in 2017. The previously discussed responses from CBOS rendered the review unnecessary at that time, however if this motion is passed, it may be timely to review how the Act and related instruments are performing.

Tasmanian Government Agency Comment

- A new package of legislation to regulate the building industry was introduced on 1 January 2017. Four reference groups were convened to review implementation of this legislation. The reference groups represented technical specialists, local council, industry associations and the plumbing industry. In addition, face to face meetings were conducted with 25 of the 29 Local Government councils in Tasmania, including Break O' Day Council.
- Issues raised by these reference groups and via other stakeholder feedback, have been worked through by the Department of Justice, resulting in some minor deficiencies and omissions being identified in the legislation.
- The Government is currently drafting amending legislation to rectify these issues and improve the operation of the Act. These amendments are in direct response to the issues identified and raised by stakeholders.

Introduction of Category 2 - Low Risk Work

- Low Risk Work is a category similar to the work that was previously "exempt" from a building permit, under the previous legislation. There is no requirement for any "approvals" of Low Risk Work, in the same way that the "exempt" work did not require building approval and were "constructed without council knowledge".
- Councils had asked the Department that they be notified of the completion of certain types of Low Risk Work. The intent was that it would enable surveillance of building or plumbing work in their community, and ensure collection of statutory fees and levies if the building work was \$20,000 or more.
- The Government responded by the introduction of a new Form called "Notice of Low Risk Work (building or plumbing)". The Building Regulations 2016 requires owners to submit that form and a failure to do so is an offence. The Form 80 and reporting process is intended for some larger types of Low Risk Work such as swimming pools, sheds, garages, farm sheds and internal shop fit-outs.
- The process is that the Notification Form is provided to the council after completion work for its records. It provides details of the nature of the work, including as-constructed plans and who the builder was. The council does not need to do anything with it.

- No building approval does not mean that this work is exempt from planning laws or plumbing approval if required. The Director's Determination on Categories of Building and Demolition work specifically warns owners about those issues before they commence any work.
- It should be noted that absence of council documentation about a Low Risk structure is not evidence that it was illegally erected.
- No amendment of the Act can replace Council land use compliance activities, which are subject to the Land Use Planning and Approvals Act 1993.
- The low risk building work category and associated control process in the Act allows Councils to focus limited resources on the higher risk building permit projects.
- Building approval processes under the previous legislation did not prevent illegal building work occurring and as such, a return to that process seems unlikely to have the desired effect.

Standard of Work Certificate

- The Standard of Work Certificate is a statement given by the responsible licensed plumber (or builder) that the work is complete and complies with legal standards (the National Construction Code).
- It also serves as information to a homeowner that the residential work contracted for complies with the statutory warranties given by the new Residential Building Work Contracts and Dispute Resolution Act 2016.
- Inspections of plumbing work by councils have always been a requirement of building legislation. However some councils previously relied on a Certificate of Plumbing Compliance (Form 33) given by the plumber and did not inspect work that they granted a plumbing permit for. That old system of an informal "self-certification" by plumbers was dropped from the Building Act 2016, as it was an abuse of the former Act by some councils and plumbers and potentially failing community expectations. Therefore, councils should not "rely" on the receipt of a Standard of Work Certificate in the same way as they had in the past.
- It is unfortunate that many smaller councils are in rural areas, where many owners rely on on-site wastewater management systems that will require inspections. However, councils have always had a community obligation to allocate appropriate resources to inspect plumbing work, especially those types of "high risk" plumbing work.

Plumbing Maintenance

- Few councils would agree that proper maintenance of high-risk plumbing installations is unnecessary. Failure to maintain them may pose significant threats to public health and the environment.
- The requirements in the Building Act 2016 for the maintenance of plumbing

installations are not new. The Act has carried forward Councils' previous obligations to ensure that on-site wastewater management systems, backflow prevention devices or similar high-risk installations are being properly used and maintained in good order.

- Maintenance requirements were previously performed under a system called "special plumbing permits ". The requirements of the Building Act 2016 place clearer enduring obligations on owners and it does not mention concepts associated with issuing of "permits".
- The new system focusses on maintaining all types of plumbing installations that pose a high risk, regardless of when they were installed on the owner's premises.

Plumbing Permit Authority

- The Permit Authority has been the council's key regulator of building or plumbing work since 2004, through issuing of permits. The Building Act 2016 transferred the role of undertaking compliance activities to the Permit Authority from the General Manager. However, that change reflected the fact that the Permit Authority will know what work is either illegal, or non-compliant with the permits it issued, and best placed to take action.

Introduction of additional assessment process with the implementation of the Certificate of likely compliance

- The changes in the Building Act 2016 are mainly to the format, rather than the substance, of the approvals process for a plumbing permit. The Council still has the responsibility for assessing and giving its approval for the work.
- The Certificate of Likely compliance is the step for the technical assessment of the plans.
- Granting the plumbing permit then requires consideration of some other elements, such as will the work be performed by a licensed plumber.
- Effectively both assessment steps may be performed using one application and done concurrently.

Additional responsibility onto the Plumbing Permit Authority

- This comment appears to mean that "inspections" of all high risk plumbing work have to be carried out or arranged by the permit authority. It is entirely appropriate that the council's compliance resources are allocated to these types of work. Thorough inspections of work is what council's should have been doing all along. A failure could pose an immediate threat to building occupants, the community and the environment.
- The separation of plumbing work approval processes based on risk, allows Councils to focus resources on the highest risk work and use less resources on lower risk work.
- It is incorrect to suggest that there has been any significant "shift of responsibility

onto the Council" under the new Act. The council has always been the regulator of plumbing work in its municipality and part of that role is the technical assessment of plumbing plans for their compliance with the National Construction Code, prior to granting permits. That function is required prior to granting a Certificate of Likely Compliance.

- Tasmania has a system for the licensing of hydraulic designers and plumbers who are capable of designing plumbing work and installations. However, it is the role of the permit authority to be the independent regulator and Tasmania's building legislation has never provided for a formal "self-certification" system by the practitioners of their designs or their work.
- The role of the plumbing permit authority is a technical regulator, therefore councils must ensure that persons performing that role are competent, skilled and knowledgeable on plumbing matters, or else the permit authority has access to technical advice from another party, such as a council engineer or plumbing inspector.
- This role has not changed under the various building legislation that has been in force during the past half century and councils have traditionally employed plumbing inspectors for this role.

14.3 Single Use Packaging Council – City of Hobart

Decision Sought

That the Local Government Association of Tasmania lobby the State Government for the introduction of legislation to ban the provision of petroleum-based single-use take-away food packaging currently used to enable prepared food or beverages to be carried from the retailer's premises.

Background Comment

In August 2017 the City of Hobart resolved to tackle the issue of single-use plastic items and packaging associated with takeaway food. The decision to ban plastics either through a local by-law or statewide legislation was based on an acknowledgement that plastic pollution of the marine environment is a real and global issue and there is considerable public momentum for a reduced availability of such products including plastic straws, cutlery, cups, lids, bags and food containers.

Takeaway packaging is a major contributor to the litter stream in Tasmania. Whilst a ban on plastic items is not the sole solution to litter, the transition to the use of suitable replacement products which are readily available and affordable is a key ingredient to minimising

environmental harm. The City's preferred option is for any ban to be as fair and as effective as it can be, which is why a statewide approach is considered vital.

The City wrote to the Minister for Environment and Parks late in 2017 to inform her of the Council resolution and to commence to lobby for a statewide approach. The Minister's main concerns were that the impacts on small business be comprehensively considered, as well as the cost and availability of alternative products. The Minister welcomed further information on the benefits and impacts.

Officers have conducted significant research into replacement products, suppliers, costs and relevant certifications of compostability. A database of products has been developed and will continue to be refined and expanded and made available to businesses and the public to assist them to make informed choices.

A face-to-face business survey was completed over the period December to March 2018 examining current knowledge, attitudes and perceptions of Hobart businesses in choosing packaging products, investigating packaging types, reasons and usage levels. The survey results indicate that -

- 56% agreed that single-use packaging is unsustainable and 74% agreed that plastic packaging has a negative environmental impact;
- Businesses chose products predominantly based on functionality;
- Very few businesses believe a Local Government by-law is the best way to reduce single-use packaging; and
- Most businesses would prefer to see a statewide ban.

The City conducted an online community survey in February and March 2018 to which 2923 responses were received. The survey sought feedback from the community on support for a ban and asked questions about choices and behaviours. The survey results indicate that-

- 96% of the community do not think it is appropriate to use single use plastics;
- 69% make choices about where to buy takeaway food based on packaging options offered;
- 90% are happy to pay more to ensure sustainable packaging is used and 45% are happy to pay between 2-5% more; and
- A statewide law was rated the most effective way to reduce single-use packaging, with 58% of respondents selecting this option above a local by-law or an educational approach.

The City also engaged LGAT to survey the Local Government sector informally. Responses were received from 10 councils (comprising a mixture of officer level and council responses), with all respondents indicating they would support a statewide approach to the issue.

Challenges and issues raised included the potential resourcing impact on councils, impacts on small business and concerns about a lack of commercial composting facilities. Solutions to some of these issues are better explored through a statewide process or policy.

As a result of all of the above and in line with the City's ambitious Waste Management Strategy, the City remains committed to phasing out single-use plastic items. The City seeks sector support to achieve real outcomes for the community and the environment by pushing for statewide legislative change.

LGAT Comment

At the November 2017 General Meeting, the issue of plastics was discussed in detail following a Kingborough Council motion. The following motion was passed:

That Members reaffirm their commitment to improving waste management and raise with the State Government -

- *The importance of Waste Management, in particular plastics;*
- *Our disappointment in the lack of progress of the waste strategy; and*
- *The need for additional resourcing to be implemented.*

In late November LGAT wrote to the Minister for the Environment, Elise Archer, to highlight this motion and re-emphasize the sector concern over lack of action on waste management from the State Government. The lack of any progress of the development of a state waste strategy or "State Waste Action Plan" was also raised at the December 2017 and May 2018 Premier's Local Government Council meetings. The President, CEO and Policy Director recently met with the Minister for the Environment, where the Minister indicated that the State Waste Action Plan was almost complete but was being reconsidered in light of the recent challenges to recycling emerging out of the Chinese Policy Change (the National Sword Policy).

Better waste management remains a key advocacy area for LGAT.

In Tasmania our landfill diversion rate of 37% is significantly lower than the national average of 58% and almost half that of the ACT, NSW, Victoria and South Australia. This poor waste management practices are presenting a risk to public health and the environment and are soon likely to negatively impact on the public image of our State. The recent issues resulting from the Chinese policy changes and its impact on kerbside recycling further highlights the need for there to be leadership and action on waste management in Tasmania. This motion offers one area where Tasmania could be nation leading and for that reason, if this motion is supported, it is appropriate Local Government works with the State Government to introduce the legislation as an immediate priority.

Tasmanian Government Agency Comment

The City of Hobart is undertaking a comprehensive survey and should be commended for the detail of their investigation. DPIPWE is aware that the work is being looked at closely at the national level and in particular, by the Australian Packaging Covenant Organisation (APCO) as a potential demonstration project, or "local" case study.

The national Meeting of Environment Ministers (MEM) recently set the ambitious target of 100 per cent of Australian packaging being recyclable, compostable or reusable by 2025 or earlier. Governments will be working with the Australian Packaging Covenant Organisation (APCO), representing over 900 leading companies, to deliver this target.

In addition, Ministers endorsed:

- The development of targets for the use of recycled content in packaging, which will be closely monitored;
- Encouraging waste reduction strategies through greater consumer awareness, education and with industry leadership;
- Increasing recycling capacity and in particular, to grow our domestic capabilities; and
- Increasing the demand for recycled products by advocating for increased use of recycled materials in the goods that government and industry buy such as paper, road materials and construction materials and to collaborate on creating new markets for recycled materials.

DPIPWE (EPA Tasmania) will continue to work collaboratively with Local Government in the areas of national policy development and delivery as the most efficient way of delivering outcomes in Tasmania. It is also intended that a new Waste Action Plan for Tasmania be developed collaboratively with Local Government and will be the means of strategically coordinating our actions to deliver both the national and Tasmanian-specific waste management priorities. As such, the work of the City of Hobart is best progressed through the national partnerships with APCO and will seek to be included as appropriate in Tasmania's waste action plan.

14.4 Recycling Council – City of Hobart

Decision Sought

The LGAT urgently consider through its appropriate body a response to the recent increase in costs of recycling to Local Government as a consequence of changes to the Chinese government's policies and consider development of a range of responses, including collective negotiations between the Federal and State Governments and other stakeholders, to prompt a market response for recycling opportunities in Tasmania.

Background Comment

The Chinese Government, through their National Sword Policy, has restricted the volume and quality of recycled product that can enter China.

These decisions have a flow on effect for the price of recycled products across the world that is affecting the commercial viability of contractors providing services for the receipt of recyclable products to councils throughout Australia.

If the commercial viability associated with the processing of recyclable materials falls further, councils could face cost increases to provide a kerbside recycling service to the community.

Given this, a collective response between Councils, State and Federal Governments and other stakeholders is required in relation to this issue.

LGAT Comment

There have been no previous motions on this matter.

LGAT has been extremely active in responding to the changes to the Chinese Government's policies. This has included leading joint negotiations with the Southern Material Recovery Facility operator, submissions to State Government and input into Federal Government deliberations. For further information please refer to the Waste policy item in this agenda.

Tasmanian Government Agency Comment

State Government comment was not sought.

14.5 Sustainable Council Events Council – City of Hobart

Decision Sought

The LGAT lobby all councils to adopt the use of reusable and compostable items for use in council sponsored events.

Background Comment

Councils can reduce the harm caused by plastics which end up in the marine environment by using reusable and compostable items for events.

The City of Hobart's Waste Management Strategy 2015-2030 contains an action to implement mandatory recycling and waste diversion requirements on all City coordinated events.

The Council's undertaking sets an example for other event organisers to follow as we aim to reduce waste and improve the environment. Local Governments have the ability to set parameters for events they undertake or contribute to and this should include measures to protect the environment such as using compostable and reusable products.

LGAT Comment

There have been no previous motions on this matter.

In addition to City of Hobart, a number of councils are already progressing waste avoidance or minimisation at events. For example, Kingborough Council recently adopted a Waste Wise Events Policy to support the *Kingborough Waste Management Strategy 2018*. The policy will be applied to all Council run events, Council supported events and all public events held on Council owned or managed property within the Kingborough municipal area.

Amongst other things, event organisers are required to promote and practice waste avoidance principles by:

- Prohibiting the sale and/or distribution of single-use plastic products and single use sachets, polystyrene, plastic bags, plastic straws, bottles and/or balloons; and
- Having an emphasis on the use of reusable, recyclable or compostable/biodegradable products.

There may be benefit in having a motion which rather than seeking LGAT to lobby councils, seeks to have Members commit to increase the use of reusable and compostable items for use in council sponsored events.

Refer Item 8.1 Waste Management.

Tasmanian Government Agency Comment

State Government Comment was not sought.

14.6 Tourism Destination Action Plans Council – Circular Head

Decision Sought

That LGAT seek from the State Government a strategic commitment of a 4 year resources funding program for the implementation of all Tourism destination action plans to ensure the dispersal of the increased tourism economic benefits across the state.

Background Comment

This motion relates to regional tourism. Currently limited dedicated and or targetted funding is available for any Destination Action Plan implementation from the state Government. To secure progress on the developed action plans for the next 4 years funding is a vital component of making any significant progress and stimulating local economic betterment from the increased state tourism visitation.

A clear investment and action strategy is required from the State Government to give effect to the local community effort already invested in developing and empowering communities with the current suite of destination action plans around the entire breadth of the state. The release of a clear funding strategy for the next 4 years will give voice and inspire the passion of local communities to embrace the opportunities of increased tourism development and produce new and innovative product for the growing state tourism market.

LGAT Comment

In July 2016 the following motion was supported:

That LGAT call on the State Government to provide funding for upgrades, maintenance and provision of tourism infrastructure in areas where tourist numbers have increased significantly in recent years and that the process for providing this funding be an open and transparent process.

LGAT has been engaging with the State Government on a number of related topics in this space and has urged the State Government to include Local Government when considering funding allocations and tourism infrastructure priorities within the State. Funding of tourism infrastructure is named as one of the five key areas which build successful regional tourism which are delivered by Local Government.

LGAT specifically highlighted tourism infrastructure as part of its 2017/18 budget submission to the State Government.

Tasmanian Government Agency Comment

Destination Action Plans (DAPs) are an implementation initiative of the T21 – the Tasmanian Visitor Economy Strategy. The DAPs were prepared through a facilitated workshop process involving business and community representatives. These groups considered and reached consensus on tourism development, marketing and management opportunities and challenges for their destination.

The Tourism and Hospitality Supply Unit (THSU) within the Department of State Growth established a grant program to support the implementation of active Destination Action Plans (DAPs). This fund leverages public and private funding sources to support priority visitor engagement projects that must clearly demonstrate direct links to DAPs and/or the Strategy. Destination leadership groups need to work with their Regional Tourism Organisation (RTO) to access the fund.

The DAPs are strongly supported and funding of \$250,000 was initially allocated to support the delivery of actions, which has seen the delivery of a number of projects. Funding continues to be offered and the THSU is actively working with the four RTOs to encourage applications and support the leadership groups.

**14.7 Container Deposit Scheme
Council – Glamorgan Spring Bay**

Decision Sought

That Tasmanian Councils, through LGAT, support a container deposit scheme within Tasmania and call on the State Government to investigate the best model for implementation within the State.

Background Comment

For many years the people of Tasmania have been calling upon the State Government to commence some form of investigation into a container deposit scheme.

Our clean green image is tarnished by roadside rubbish mainly consisting of drink containers. Coles Bay was the first to be plastic bag free and now this has spread to the whole of Tasmania. Our Councils need to be leading the way in this area within Tasmania

LGAT Comment

In July 2017 the following motion was supported:

That the Local Government Association of Tasmania lobby the State Government to introduce container deposit legislation for the state.

Under the 2017/18 State Budget, the EPA received \$100,000 to develop a model framework for the implementation of a Container Deposit Scheme in Tasmania. Recognising the importance of Local Government, LGAT was invited to sit on the Steering Committee for this project. The consultants have completed their work and the report is currently being considered by the Minister.

Tasmanian Government Agency Comment

In the May 2017 Budget, \$100,000 was provided to DPIPW (EPA Tasmania) to develop a model framework for the implementation of a Container Refund Scheme that complements other mainland jurisdictions. Marsden Jacobs and Associates were contracted to undertake the work, which has been finalised and their report is now being considered by the Government.

Analysis has been previously undertaken on the best-fit scheme for Tasmania, in light of the schemes being implemented or considered in other States. This new initiative builds upon that work.

The model framework for Tasmania has been developed in consultation with Local Government and industry to ensure the most appropriate coverage and access to a beverage container refund scheme. In a small jurisdiction such as Tasmania, it is important to be sure that the implementation of a container refund scheme will be cost effective and in the public interest. Being nationally consistent is also particularly important.

Introducing a container refund scheme in Tasmania will have a range of benefits but will also incur a range of costs. The Government has indicated it will not be rushed into implementing a scheme that is not right for Tasmania. This includes being sure that the material collected under a container refund scheme will be recycled or re-processed in the most appropriate way.

14.8 Implementation of Statewide Planning Scheme Council - Circular Head

Decision Sought

That LGAT seek from the State Government a strategic commitment to developing and implementing in the new state-wide planning scheme provisions to allow the as of right development of existing small titles of land in the rural production zone that does not compromise or fetter agricultural production capacity and provides opportunities to diversify and reinvigorate local economic prosperity and community wellbeing.

Background Comment

This motion relates to Regional Economic Development. The State-wide planning scheme and legislation requires changes to promote small scale development activation and development of small rural holdings which does not compromise core agricultural production. This would potentially release across the state some significant development potential and diversify employment opportunities into new and emerging market sectors.

The development of existing holdings as of right will facilitate the reinvigoration of state wide economic prosperity through land use diversity and promote more targeted small scale entrepreneurial development across the state. Releasing the opportunity to invigorate all communities should be the priority of the state-wide planning scheme and not as it presently operates and as a reduction in community prosperity and wellbeing.

Clear leadership to inspire community opportunity is required to maximise the diversity of land use and investment into the future. Current restrictions are hampering banking and financial sector support for development investment and regional growth.

LGAT Comment

There have been no previous motions on this matter.

The State Policy on the Protection of Agricultural Land (the PAL Policy) provides the Government position on the protection (and development) of agricultural land.

Its purpose is:

“To conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land.”

The nature of what development is permitted (or “as of right”) is set out in the Interim Planning Schemes and also provided for in the State Planning Provisions, once they commence. Any changes to either of these instruments must be consistent with the PAL Policy.

Tasmanian Government Agency Comment

- The motion includes references to the way the ‘state-wide planning scheme’ is presently operating, however the Tasmanian Planning Scheme is not yet operational. It is presumed that the comments relate to the operation of the current interim planning schemes, which were drafted by the councils at a regional level without State Government involvement.
- The State Policy on the Protection of Agricultural Land (the PAL Policy) provides overarching direction to both the interim planning schemes and the Tasmanian Planning Scheme. This acknowledges the importance of protecting agricultural land and not fettering agricultural activity. Residential use in productive rural areas sets up a fundamental land use conflict, which is often intensified by modern agricultural operations.
- The Tasmanian Planning Scheme provides for two zones for application to areas suitable for agriculture, the Agriculture Zone and the Rural Zone. While the Agriculture Zone is the primary zone for more intensive agriculture, the Rural Zone provides opportunities for a range of complimentary uses. In both cases, residential use must be tested to determine its impacts on or relationship to agricultural activity. This is consistent with the qualifications that the Motion seeks to provide but does not require the issuing of a permit. It is not appropriate to provide ‘as of right status’ where there needs to be assessment against certain issues. ‘As of right’ or no permit required and permitted uses are assigned where the use is fundamentally consistent with the zone purpose and there is no risk of establishing a land use conflict.
- While allowing increased residential activity in rural areas may suggest increased economic prosperity and community well-being, the reality is that it is a recipe for ongoing and increased constraints on agriculture especially as it becomes more mechanised, with associated declines or foregone opportunities for growth of the

agricultural sector, as well as having a range of implications for the provision of services and infrastructure by the local councils and other infrastructure providers. Irrespective of the impacts on agriculture, the impact of uncontrolled settlement through residential uses being 'as of right', does not represent good planning.

The settings in the SPPS for allowing residential use in the Agricultural and rural zones is considered to reflect the right balance.

14.9 Telecommunication Towers Council – Break O'Day

Decision Sought

That Members note a lack of input into the location of telecommunications towers and other similar infrastructure emitting radiation/microwave links and request that LGAT investigate options to allow councils to have more input prior to the submission of the Development Application.

Background Comment

Recently Break O'Day Council has been faced with a development application for an nbn tower on the outskirts of St Helens but located within a residential area.

When acting as a Planning Authority Council have no parameters within the current planning scheme to refuse such an application on any grounds.

Representations are often received on the grounds of health risks associated with such towers in populated areas, however Council has no grounds to take these sorts of matters into consideration nor negotiate with the provider to find a more suitable location.

LGAT Comment

Telecommunications companies have some powers to enter land and install and maintain some types of telecommunications facilities and some immunities from some state and territory legislation. In using their powers and immunities carriers need to meet the requirements in the [Telecommunications Act 1997](#) and the [Telecommunications Code of Practice 2018](#).

In June 2017 the Federal Government's Department of Communications sought comments on possible changes to telecommunications carrier powers and immunities. LGAT, with the other State Associations, provided input into an ALGA submission on this review. On 1 March 2018, the Federal Government announced that it was proceeding with 9 of the 24 proposed changes to telecommunications carrier powers and immunities. However, a number of the proposals

that were opposed by ALGA and State Associations were amongst the 9 changes endorsed.

There will be further consultation with stakeholders on the other amendments proposed, as well as other issues raised in the consultation process. A further update on developments in this area is expected to be provided by the Federal Government later this year, with the Department indicating it will meet with ALGA in the near future and discuss how best to consult further with Local Government. Throughout this process ALGA has developed strong links with the Federal Communications Department and so if this motion is supported this will be the best avenue to progress it.

Tasmanian Government Agency Comment

The siting of telecommunications is a matter that is subject to Commonwealth legislation and regulation. There is no response from the State Government in the management of the planning system that can meet the request for “more input prior to submission of the Development Application”. The State Government is required to give effect to Commonwealth legislation.

Comment on this item may be more appropriately addressed to the Commonwealth Government as the level of government that is responsible for the administration of relevant telecommunications legislation.

14.10 Fruit Tree Management Council – Derwent Valley

Decision Sought

That Local Government consult with Fruit Growers Tasmania and the State Government regarding the biosecurity risk with roadside fruit trees on state and local roads.

Background Comment

Feral roadside fruit trees growing on public land are a biosecurity hazard by providing a home for common orchard pests like codling moth, light brown apple moth, aphids and black spot.

In the terrible event of another fruit fly outbreak in Tasmania they would provide habitat for fruit fly making control and eradication significantly harder and more expensive.

Local Government can significantly help the fruit industry in Tasmania by putting removal of feral fruit trees into the normal daily works programs of its outdoor crews. For example if a works crew is trimming a gumtree back from overhanging a road/blocking a sight line they could cut down and poison a nearby feral fruit tree at the same time. This would not impose much cost on Local Government but would be a huge help to industry.

The other more complex issue is neglected orchards throughout the state, for all the same reasons as feral roadside trees, these provide a biosecurity hazard for industry as well as being an eyesore for the community in general. Is there anything that can be done to encourage the removal of these without getting people badly offside.

LGAT Comment

LGAT understands that the management of roadside vegetation is usually managed by contractors for State Roads. The objective of this program would be to ensure roadside safety through the management of weeds and any other debris.

Tasmanian Government Agency Comment

The two issues highlighted by this motion, feral fruit trees and abandoned orchards, are genuine biosecurity risks.

Including feral fruit trees into normal daily works by councils would be a positive step in the management of that particular risk. Abandoned and neglected orchards are more problematic. However, Biosecurity Tasmania hopes that developments in the proposed new Biosecurity Act will provide some tools to address this risk.

Industry has come to recognise that a system for understanding who grows fruit and where would be of great value to our biosecurity system in much the same way as Property Identification Codes for livestock producers is. The Biosecurity Bill allows for such a system.

The other principle which will be underpinned by the new Act is that of the General Biosecurity Duty, which effectively requires a duty of care by orchard owners and provides enforcement tools giving authorities powers to manage the problem.

Further work is required prior to implementation of these kinds of tools, including extensive stakeholder consultation.

15 PUBLIC POLICY GENERAL

15.1 Decentralised Action Plan Council – Circular Head

Decision Sought

That LGAT seek from the State Government a strategic commitment, resources and a funding program for the implementation of a State and Federal Government services decentralisation action plan to leverage and ensure the dispersal of employment opportunities across the state.

Decision Sought

This motion relates to regional economic development. An effective decentralisation policy for State and Federal Government services can advance regional communities diversity and employment opportunities through skills mixing and leveraging information technology platforms which creates new centres of regional excellence. On line service centres can now be in any location which has access to a sound telecommunications network. Locating services more regionally in Tasmania will limit some of the housing pressure in the state capital.

The opportunity to think and act differently in the knowledge economy by promoting strong decentralisation outcomes will reduce housing and other social pressures on the state's major cities whilst promoting a strong centres of excellence culture in the regions. Decentralisation promotes greater state-wide equity and gives voice to a bright future in the knowledge economy for the entire state.

LGAT Comment

LGAT, via our State Election Priority Statement, have called on the State Government to recognise that the Tasmanian community must be thought of as resulting from the combination of connected and interdependent smaller locations. We must focus locally to effect positive social and economic change at the regional and state level. Rather than call for decentralisation of Government Services, LGAT has indicated to the State Government that we need a coordinated approach to locally based initiatives, via establishment of regionally based community infrastructure roles. To support this, we have called on the State Government to provide additional funding to support connectivity and digital transformation across the State and importantly, to enable responses to be scaled so they can suit both larger urban areas and smaller regional locations.

Tasmanian Government Agency Comment

Tasmania has the most regionalised and dispersed population of any state in Australia with 56 per cent of the population living outside the greater capital city area. Regional development is a key economic driver in Tasmania with variation in the economic and competitive advantage spread across the different regions of the State.

The 2016 Census identified 37,425 persons employed in the public sector (Commonwealth, State and Local Government) in Tasmania. This includes 5,893 people in the Commonwealth government and 28,190 working for State Government, 41.6 per cent of these positions are located outside of Hobart.

The Tasmanian Government has committed to supporting regional locations establishing the Office of the Coordinator General in Launceston and relocating Mineral Resources Tasmania to Burnie. In addition, the more recent announcement of the relocation of 100 positions from the Department of Primary Industries, Parks, Water and Environment to Launceston and Devonport are part of the Government's strategy to stimulate economic growth and innovation in North and North-West Tasmania.

The Government is also committed to building economic development in the regions. Initiatives such as the Launceston City Deal, Devonport Living Cities and supporting the move of the University of Tasmania into the Burnie CBD aim to increase jobs and population in regional locations.

Decentralisation of Commonwealth Entities through a regional hub model provides people in regional locations with access to more diverse, high quality employment opportunities. The co-location and collaborative model adopted by the Tasmanian Government in Launceston is one example. The sharing of office space between Australian Government departments, including the Department of Industry, Innovation and Science, the Major Projects Approval Agency and Regional Development Australia Tasmania has provided an opportunity for government colleagues to interact and collaborate.

The delivery of government programs such as the Australian Government's Entrepreneurs Programme by regionally based personnel highlights the benefits of decentralising government services. Programmes such as this, delivered regionally, support local businesses to grow and improve productivity and are improved through the local relationships forged by regional based staff.

The Tasmanian government's submission to the Parliamentary Inquiry into regional development and decentralisation, advocated for the decentralisation of Commonwealth government entities or functions as it has the potential to deliver significant opportunities and positive outcomes for regional areas with diversification of employment opportunities helping to boost economic confidence and support population growth.

Tasmania also has a strong and positive history with specialised facilities such as the colocation of the CSIRO and the Antarctic Climate and Ecosystem Cooperative Research Centre with the University of Tasmania's Institute for Marine and Antarctic Studies (IMAS). Hobart is also home to the Bureau of Meteorology's Antarctic Office, the Australian Antarctic Division and the Commission for the Conservation for Antarctic Marine Living Resources.

**15.2 Spirit of Tasmania
Council – Northern Midlands**

Decision Sought

That LGAT lobby the State Government and Spirit of Tasmania to ensure the availability of sailings adequately meets demand of Tasmanian residents, tourists and other users and that affordable pricing is available to users.

Background Comment

It is noted that Tasmanians are finding it increasingly difficult to secure a booking on the Spirit of Tasmania ferries within desired timeframes. Tourism operators have also noted that visitors to Tasmania have difficulty in securing bookings.

Concern has also been raised about the cost of the service.

This service was touted as being an extension of Australia's national highway, however, the costs associated with travel on the service are far greater than the toll which any traveller would expect to have to pay, this is especially evident when making a booking for a vehicle with trailer/caravan or vehicle of extended length. It is understood that extra length vehicles compete directly with freight and cargo carriers and therefore attract a premium rate.

Decreased cost and an increase in the number of sailings would likely be a boon to Tasmania tourism, with a likely increase to the number of users of the service.

Council would like to see the State Government and Spirit of Tasmania undertake a comprehensive assessment of the adequacy of the availability of sailings and costings for Tasmanian residents/tourists, including costs and availability relative to longer vehicles and those towing caravans/trailers.

LGAT Comment

In the November 2012 General Meeting the following motion was carried:

That LGAT take the necessary approach to State and Federal Governments for equal treatment of Tasmania (compared with all other states of Australia) in relation to all aspects of freight transport and travel costs associated with Bass Strait.

Further, that LGAT lobby for costs to be equivalent to those associated with the national highway infrastructure which currently exists for all other states of Australia.

LGAT notes that this motion raises issues of capacity and supply in the existing Bass Strait vehicle ferry service, in addition to the cost of the service. Increased cost is often associated

with constrained supply, so increasing supply may also improve the service cost to consumers.

LGAT also notes that there has previously been two Bass Strait crossing services, including the Spirit of Tasmania and the Devil Cat. It is understood that two new Spirit of Tasmania vessels with increased passenger and freight capacity are due to come on line in 2021¹⁶¹⁷, reported to be two years ahead of schedule. Information from the Tasmanian Government indicates that the next-generation vessels will be 30% larger, accommodate 1800 passengers and up to 600 passenger vehicles, accounting for a 43% increase in passenger capacity and 39% increase in freight capacity.

Tasmanian Government Agency Comment

TT-Line has recently signed a contract with European shipbuilder Flensburger Schiffbau-Gesellschaft (FSG) to build two new roll on/roll off ships to replace the current Spirit of Tasmania vessels for delivery in 2021. These new vessels will have greater capacity to carry caravans and motorhomes than the current vessels. The uplift in capacity will be around 40 per cent for both passengers and freight. Priority will be given to passenger movements, with freight capacity increased in line with uplift in the time sensitive freight market.

Whilst Spirit of Tasmania fares fluctuate according to passenger demand, on average, fare prices have dropped by 15 per cent over the last four years.

The cost of travelling across Bass Strait is also reduced through the Australian Government's Bass Strait Passenger Vehicle Equalisation Scheme (BSPVES). The BSPVES assists in reducing the cost of sea travel across Bass Strait for passengers accompanying an eligible vehicle. The fare rebate for a standard vehicle as at 1 July 2018 is \$229 each way, while motor homes are eligible for a rebate of \$459 each way and eligible passenger vehicles towing a caravan are eligible to a rebate up \$459 each way.

¹⁶ See: http://www.premier.tas.gov.au/releases/the_next_generation_spirits_of_tasmania

¹⁷ See <https://www.spiritoftasmania.com.au/company-information/media/media-releases/major-investment-new-ships-for-spirit-of-tasmania>

15.3 Affordable Housing Council – Southern Midlands

Decision Sought

That the Local Government Association of Tasmania be requested to lobby the State Government to ensure that the State is taking sufficient measures and allocating sufficient resources to provide affordable, low cost housing, particularly in rural and outer suburban areas.

Background Comment

When it comes to affordable housing the State Government should take an active role in conjunction with the Federal Government to address the significant issue regarding the shortage of affordable/low cost housing that exists in all States and our respective rural and urban communities, (especially when it comes to retirees). Many retirees are living below the poverty line due to high rental payments, in many cases the rental cost is more than two thirds of their pension.

LGAT Comment

It is clear that there is a deepening shortage of affordable and social housing across Tasmania. Often fingers are pointed at councils in relation to land use planning but the causes are complex and multifaceted. The University of Tasmania analysed Hobart data and found that there has been a decline in housing completions relative to the 5-year average since 2016, that there has been population growth and that there have been significant increases in short stay accommodation listings across the State. This has led to a gap in housing supply which includes low rental vacancy rates, rising rents and declining affordability.

The Government are in the process of implementing Tasmania's Affordable Housing Strategy 2015-2025 and Action Plan 2015-2019 and this includes significant investment in housing supply but it is widely acknowledged that further growth in the supply of public and community housing is required.

The CDC data clearly demonstrates that permit assessment times in Tasmania, including in the South, are well and truly within the statutory limits. Despite claims to the contrary, planning schemes do not appear to be the most significant inhibitor to supply as data has shown there is a failure to convert planning applications to building permit stage.

The planning and planning systems under which Local Government operates are defined by the State Government. There has already been agreement by the State and Local Government that the residential provisions in the Tasmanian Planning Scheme need review, as they are modelled on those that were required to be introduced in interim planning schemes. The

feedback from councils is that the current provisions, developed by the State, trigger significantly more discretionary applications which must be considered by the full council.

LGAT has been keeping a close watching brief on housing affordability issues and participated in the Premier's Housing Summit. The Minister for Housing and Planning, Roger Jaensch was invited to address the last General Meeting.

There has not been a motion on housing affordability and housing supply since 2003.

Tasmanian Government Agency Comment

New supply and access to affordable homes will continue to be a focus under the next Affordable Housing Action Plan 2019-23 (AHAP). While priority is being given to locating housing close to services, rural areas are not being overlooked.

The Regional Supply Initiative aimed to achieve 50 new units of accommodation in rural areas by June 2019. Response to the initiative was excellent, resulting in potentially an additional 25 units of accommodation being achieved from the additional resources contributed by successful proponents.

Up to 75 new affordable and appropriate units of accommodation will be built in 10 rural locations, with construction to be completed by June 2019. The units are to be made available to vulnerable client cohorts with applicants taken from the Tasmanian Housing Register. It is likely that this initiative will continue under the next AHAP.

Consultation for the next AHAP is commencing in June 2018 and invitations to participate will be sent to a range of government, community and industry stakeholders, including local councils and the Local Government Association of Tasmania.

16

CLOSE



General Meeting

Minutes

18 May 2018

Tamar Function Centre

326 Macquarie Street,
GPO Box 1521, Hobart, Tas 7000
Phone: (03) 6233 5966
Email: admin@lgat.tas.gov.au
Home Page: <http://www.lgat.tas.gov.au>

PROCEDURAL MATTERS.
RULES REGARDING CONDUCT OF MEETINGS

13. WHO MAY ATTEND A MEETING OF THE ASSOCIATION

- (a) Each Member shall be entitled to send a voting delegate to any Meeting of the Association, such voting delegate exercising the number of votes determined according to Rule 16(a).
- (b) After each ordinary Council election, the Chief Executive Officer shall request each Member to advise the name of its voting delegate and the proxy for the voting delegate for Meetings of the Association until the next ordinary Council elections.
- (c) Members may change their voting delegate or proxy at any time by advising the Chief Executive Officer in writing over the hand of the voting delegate or the General Manager prior to that delegate taking his or her position at a Meeting.
- (d) A list of voting delegates will be made available at the commencement of any Meeting of the Association.
- (e) Members may send other elected members or Council officers as observers to any Meeting of the Association.

14. PROXIES AT MEETINGS

- (a) Up to 1 hour prior to any Meeting of the Association, a Member may appoint another Member as its proxy.
- (b) The form of the proxy is to be provided by the Chief Executive Officer and is to be signed by either the Mayor or General Manager of the Council appointing the proxy.
- (c) The Chair of the meeting is not entitled to inquire as to whether the proxy has cast any vote in accordance with the wishes of the Member appointing the proxy.
- (d) Proxies count for the purposes of voting and quorum at any meeting.

15. QUORUM AT MEETINGS

At any Meeting of the Association, a majority of the Member Councils shall constitute a quorum.

16. VOTING AT MEETINGS

- (a) Voting at any Meeting of the Association shall be upon the basis of each voting delegate being provided with, immediately prior to the meeting, a placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according to the number of votes to which the Member is entitled:

Population of the Council Area	Number of votes entitled to be exercised by the voting delegate	Colour placard to be raised by the voting delegate when voting
Under 10,000	1	Red
10,000 – 19,999	2	White
20,000 – 39,999	3	Blue
40,000 and above	4	Green

- (b) The Chairman of the meeting shall be entitled to rely upon the raising of a coloured placard as the recording of the vote for the Member and as evidence of the number of votes being cast.
- (c) Except as provided in sub-rule (d), each question, matter or resolution shall be decided by a majority of the votes capable of being cast by Members present at the Meeting. If there is an equal number of votes upon any question, it shall be declared not carried.
- (d)
 - (i) When a vote is being taken to amend a Policy of the Association, the resolution must be carried by a majority of the votes capable of being cast by Members, whether present at the Meeting or not.
 - (ii) When a vote is being taken for the Association to sign a protocol, memorandum of understanding or partnership agreement, the resolution must be carried by a majority of votes capable of being cast by Members and by a majority of Members, whether present at the Meeting or not.
 - (iii) When a vote is being taken to amend the Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by Members, whether present at the Meeting or not.

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* Denotes Attachment



GENERAL MEETING SCHEDULE

- 9.00** **Morning Tea on arrival**
- 9.30** **Meeting Commences**
- Council Round Up**
 Flinders Island
- 10.00** **Minister Roger Jaensch**
 Minister for Planning
- 11.00** **Reconciliation Tasmania**
 Fiona Hughes and Russell Reid
- 1.00 approx** **Lunch**



The President, Mayor Doug Chipman welcomed Members and declared the meeting open at 9.30am.

Apologies were received from –

Mr John Brown	Break O' Day Council
Mayor Duncan McFie	King Island Council
Mr Troy Brice	King Island Council
Mayor Peter Freshney	Latrobe Council
Mr Tim Kirkwood	Southern Midlands Council
Mayor Tony Foster	Brighton Council
Mr Ron Sanderson	Brighton Council
Mayor Michael Kent	Glamorgan Spring Bay
Mr David Metcalf	Glamorgan Spring Bay
Mr Greg Winton	Derwent Valley Council
Ms Justine Brooks-Bedelph	George Town Council
Mr Michael Stretton	Launceston City Council
Mayor Carol Cox	Flinders Council
Mr Bill Boehm	Flinders Council
Mrs Lyn Eyles	Central Highlands Council
Mayor Don Thwaites	Kentish Council
Mr Scott Riley	Circular Head Council
D/Mayor Mary Dunaim	Waratah Wynyard Council
Mayor David Downie	Northern Midlands Council
Mr Robert Higgins	Tasman/Sorell Councils
Mr Tony McMullen	Glenorchy City Council
Mayor Martyn Evans	Derwent Valley Council
Ms Sandra Ayton	Central Coast Council
Ald Lyn Laycock	Devonport City Council

1. GOVERNANCE

1.1 CONFIRMATION OF MINUTES *

Circular Head Council/Clarence City Council

That the Minutes of the meeting held on 2 March 2018, as circulated, be confirmed.

Carried

Background:

The Minutes of the General Meeting held on 2 March 2018, as circulated, are submitted for confirmation and are at **Attachment to Item 1.1**.

1.2 BUSINESS ARISING *

Circular Head Council/West Tamar Council

That Members note the information.

Background:

At Attachment to Item 1.2 is a schedule of business considered at the previous meeting and its status.

1.3 CONFIRMATION OF AGENDA

Clarence City Council/Tasman Council

That consideration be given to the Agenda items and the order of business.

Carried

Background:

Delegates will be invited to confirm the Agenda for the meeting and the order of business.

1.4 FOLLOW UP OF MOTIONS*

Central Coast Council/Circular Head Council

That Members note the report.

Carried

Background:

A table detailing action taken to date in relation to motions passed at previous meetings is at **Attachment to Item 1.4.**

1.5 PRESIDENT'S REPORT

President Mayor Doug Chipman/Huon Valley Council

That Members note the report on activity since the last General Meeting (15 February to 4 May inclusive).

Carried

Meetings

- General Meeting
- General Management Committee Meeting
- ALGA Strategic Planning
- Elected Member Weekend
- Lyons candidate forum
- State Election Leaders' forum
- International Stewardship Forum (panelist for ALGA)
- Future of TasWater (TasWater/State Government) – pre and post election
- David O'Byrne re shadow portfolios

Media/Communication

- Pulse articles
- LGTas article
- Radio – TasWater, RV/Caravans, election priorities

1.6 CEO REPORT

Launceston City Council/Tasman Council

That Members note the report on activity since the last (15 February to 4 May inclusive).

Carried

Media and Messaging

- Pulse
- LGTas
- Brian Carlton/ABC/Examiner/Mercury regarding Waste
- MR reappointment and related article Examiner
- MR Council Cost Index
- MR International Women's Day/ Women Can and related media
- Op Ed – CCI and rates
- Op Ed – Difference between assertion and evidence
- Op Ed – Managing the cost of free camping

Policy and Projects

- TasWater advocacy during election campaign including production of newspaper advertisement, op ed and letter for Mayor Downie.
- TasWater advocacy post-election including letter to Government seeking meeting, and meeting between TasWater/LGAT and Treasurer.
 - Election campaign advocacy
 - Internal workshop on Model Credit Card Policy

Meetings

- Aboriginal and Dual Naming Policy Steering Committee
- David O'Byrne re shadow portfolio
- Director of Local Government regular meetings
- General Management Committee Meeting
- General Meeting
- Lead Peak Body Coalition candidate forums during the election - one in each of 5 electorates as well as the Leader's Forum
- MAV Insurance Board Meeting
- Minister Roger Jaensch re housing and planning
- Premier's Housing Summit
- Presentation on LGAT activity to Launceston City Council
- RDA Tasmania Board Meeting
- Road Safety Advisory Committee
- TASSIC Chair (teleconference)
- Various meetings with conference speakers and stakeholders
- Veolia re waste matters
- Youth Local Government Conference – re MOU re support and participation.

Events

- N/NW Breakfasts
- International Women's Day Breakfast and support to launch Women Can campaign.
- General Manager's Workshop
- Duke of Edinburgh Awards Employer Breakfast
- Farewell for Bertrand Cadart (speaking on behalf of sector)

Training/Development

- Elected Member weekend
- Presentation to MAV/JLT Risk Forum (South)
- Women's Leadership Symposium

Operational

- Local Government Association of QLD re a range of policy and projects and opportunities for sharing
- Telecommunications review

1.7 MONTHLY REPORTS TO COUNCILS*

Launceston City Council/Huon Valley Council

That Members note the reports for January, February and March 2018.

Carried

Background:

Monthly reports to Councils that briefly outline Association activities and outcomes for the previous months are at **Attachment to Item 1.7**.

1.8 COUNCIL ROUND UPS

That Members determine who will present briefings at the next meeting.

Noted

Background comment:

Flinders Council has offered to conduct a brief presentation on a matter that is of interest in their municipality. The session also allows time for questions and provides an opportunity to briefly share and highlight problems or opportunities facing councils.

2. ITEMS FOR DECISION

2.1 TASWATER *

Contact Officer – Katrena Stephenson

Break O'Day Council/Southern Midlands Council

That the Meeting

1. Note the current status of the TasWater debate; and
2. Agree that LGAT's advocacy effort on TasWater gradually reduce to a focus on ensuring sector feedback on key issues, especially legislative changes, as well as any support required to the Chief Owner Rep that cannot be provided by TasWater.

Carried

For 50
Against 3
No Vote 0

Participant	Response	Weight
Break O'Day Council 1	For	1
Brighton Council 2	For	2
Burnie City Council 3	For	2
Central Coast Council 4	For	3
Central Highlands Council 5	[No Response]	1
Circular Head Council 6	For	1
Clarence City Council 7	For	4
Derwent Valley Council 8	For	2
Devonport City Council 9	For	3
Dorset Council 10	For	1
Flinders Council 11	[No Response]	1
George Town Council 12	For	1
Glamorgan/Spring Bay Council 13	[No Response]	1
Glenorchy City Council 14	For	4
Hobart City Council 15	For	4
Huon Valley Council 16	For	2
Kentish Council 17	For	1
Kingborough Council 18	Against	3
King Island Council 19	[No Response]	1
Latrobe Council 20	For	2
Launceston City Council 21	For	4
Meander Valley Council 22	For	2
Northern Midlands Council 23	For	2
Sorell Council 24	For	2
Southern Midlands Council 25	For	1
Tasman Council 26	For	1
Waratah - Wynyard Council 27	For	2
West Coast Council 28	[No Response]	1
West Tamar Council 29	For	3

Background

As outlined at the last Meeting, on the 6 February 2018 the Liberal Party confirmed their commitment to taking over the ownership of TasWater and announced they had 'sweetened' the deal for councils with:

- An immediate 12-month price freeze for customers, with no subsequent catch-up, meaning prices will always be lower;
- Total savings to customers of approximately \$700 on average over six years, an increase of \$200 on the original proposal; and
- The provision to councils of either 50 per cent of TasWater's profits or \$20 million (whichever is greater), indexed forever instead of until 2025.

The GMC convened a special teleconference to consider this announcement and determined that the risks had not fundamentally changed and that the Government had still not addressed concerns about governance, scrutiny, debt, viability and risks of political interference.

They determined that the position developed by Members in May 2017 (as well as that outlined in our election document) stood and that we would continue to advocate for "no further action by State Government with respect to ownership" and "collaboration between State Government, TasWater and Council Owners to prioritise those major water and sewerage initiatives that have the potential to provide significant shared benefits at a regional level".

After the election, LGAT, through the President, took swift action to engage with the Premier and Treasurer on the issue of TasWater. The Government were receptive to developing a different approach and following meetings developed a new pathway which could be taken to councils, in the form of an MOU.

That MOU was signed on 1 May by the Chief Owner Representative, Mayor David Downie, but is subject to ratification by owner councils. It will be discussed in some detail at the Owner Representative Meeting on 10th May.

The MOU and related press releases, as distributed to councils is at **Attachment to Item 2.1**.

In summary if endorsed:

- The State Government will contribute \$20 million a year for 10 years in exchange for equity in TasWater;
- As a shareholder they will have a role in the Board and CEO selection and the signoff of the corporate plan;
- They State Government will not take distributions, but council's current distributions are preserved;
- The injection of funding will allow price increases for consumers to be capped and some acceleration of the capital program.
- There will be a collaborative approach to progressing Macquarie Point, the Launceston combined system and Cameron Bay.

The principles outlined in the MOU were developed with consideration of the key concerns raised by LGAT Members which formed LGAT's advocacy and informed our legislative council submission. These included maintaining Local Government ownership, revenue/rating impacts, cost of living concerns, independent oversight, skilled board, ease of raising issues with TasWater, ensuring all community needs considered (avoiding pork barrelling) and so on.

It is important to understand that the MOU is non-binding and serves at this stage as a vehicle to consult with councils. This is because it was not practical to consult widely in the post-election environment.

Even if the MOU is endorsed there is much more detailed work to be undertaken and agreed by owners. TasWater and the Government must work together to determine the necessary changes to Legislation and the TasWater Constitution. TasWater will then call a meeting of Owner Councils with a detailed Information Memorandum that includes resolutions to approve constitutional changes. If the proposed resolutions are endorsed by Councils, government will then take the agreed the legislative changes to Parliament.

Budget Implications

Advocacy support and actions have been funded without an additional call on Members but total direct expenditure on consultancy and advertising costs was \$40,000.

Current Policy

Advocacy against the State takeover of TasWater has been a strategic priority for LGAT. Assuming that councils ratify the MOU it is intended that LGAT's role will gradually reduce, with a focus on ensuring sector feedback on key issues, especially legislative changes as well as any support required to the Chief Owner Rep that cannot be provided by TasWater.

Strategic Plan, Priority 1:

Influence the State Government agenda for TasWater.

2.2 GMC REPRESENTATIVE – NORTH- NORTH WEST REGION

Contact Officer – Katrena Stephenson

Break O'Day Council/Southern Midlands Council

That the Meeting agree to deferring a GMC by-election to fill the vacancy left by Steve Martin until after the October Local Government elections and allow the proxy, Mayor Jan Bonde to continue to serve on GMC until that time.

Carried

Background

The former Mayor of Devonport, Senator Steve Martin, was a member of the GMC. He resigned from council and therefore under our rules the position on GMC became vacant. The position on GMC (NW >20,000 population) is currently being filled by the proxy, Mayor Jan Bonde.

Ordinarily LGAT would run a by-election to fill the casual vacancy (Rule 21 (d)) however with Local Government elections in October there is always a risk we will have a vacancy arise if a current GMC member is not re-elected.

On that basis, we are seeking agreement of the Members to hold off running an election process until after the October elections, which reduces the cost risk to LGAT. Further, we are seeking agreement not to hold an election for a proxy for the NW position being filled by Mayor Bonde, on the same basis.

Under the LGAT Rules, 21 (c) The term of office of the General Management Committee may be extended by any Meeting of the Association for such periods as it determines.

Budget Implications

Potentially LGAT may have to fund two by-elections if the motion is not supported.

Current Policy

There is precedent for applying Rule 21(c), it has been applied several times over the last decade including most recently with Mayor Tony Bisdee and Ald Heather Chong.

2.3 WASTE MANAGEMENT
Contact Officer – Dion Lester

Decision Sought

That Members agree to a feasibility study into the establishment of a Local Government statewide waste management arrangements.

If supported LGAT will liaise with the relevant regional waste organisations and State agencies to develop a detailed scope, terms of reference and costs to councils for presentation at the July General Meeting of the Association.

For	44
Against	10
No Vote	0

Participant	Response	Weight
Break O'Day Council 1	For	1
Brighton Council 2	For	2
Burnie City Council 3	Against	2
Central Coast Council 4	For	3
Central Highlands Council 5	[No Response]	1

Circular Head Council 6	For	1
Clarence City Council 7	For	4
Derwent Valley Council 8	For	2
Devonport City Council 9	For	3
Dorset Council 10	Against	1
Flinders Council 11	[No Response]	1
George Town Council 12	For	1
Glamorgan/Spring Bay Council 13	[No Response]	1
Glenorchy City Council 14	For	4
Hobart City Council 15	For	4
Huon Valley Council 16	For	2
Kentish Council 17	Against	1
Kingborough Council 18	For	3
King Island Council 19	[No Response]	1
Latrobe Council 20	Against	2
Launceston City Council 21	Against	4
Meander Valley Council 22	For	2
Northern Midlands Council 23	For	2
Sorell Council 24	For	2
Southern Midlands Council 25	For	1
Tasman Council 26	For	1
Waratah - Wynyard Council 27	For	2
West Coast Council 28	For	1
West Tamar Council 29	For	3

Background

In Tasmania our landfill diversion rate of 37% is significantly lower than the national average of 58% and almost half that of the ACT, NSW, Victoria and South Australia. This poor waste management practices present a risk to public health and the environment and negatively impacts on the public image of our State.

The lack of a state-wide landfill levy has created a market environment where resource recovery has a limited capacity to compete with landfill. The low landfill diversion rates in Tasmania result in a low economic benefit from the waste and recycling sector and the loss of the value of recoverable resource. Resource recovery operations employ more people and require greater investment in infrastructure per tonne of material processed compared to landfills.

A range of further issues have been identified in the current resource recovery system that prevent greater resource recovery. These include a lack of infrastructure planning, an absence of clear performance targets for resource recovery and data collection management systems to monitor and evaluate the effectiveness of programs and provide public transparency. Significant opportunities exist for improving resource recovery rates which target priority materials such as organics and materials from the construction and demolition, optimising kerbside systems, upgrade of Local Government infrastructure to best practice and addressing more efficient collection of problematic wastes such as Hazardous Household Wastes.

At the May 2016 Premier's Local Government Council meeting, the State Government advised that they would not be introducing a waste levy but that the Environment Protection Authority (EPA) would be updating the Tasmanian Waste and Resource Management Strategy (TWRMS). The draft Strategy was expected to be released by mid-2017 with a three to five-year time horizon. It was likely to be project and action based in the first instance.

At the July 2016 LGAT General Meeting, members moved that LGAT re-establish the Waste Reference Group (WRG) to develop recommendations for Members, with respect to the TWRMS and/or a waste levy. The WRG consists of representatives from each of the three regional waste authorities and the LGAT Policy Director.

At the November 2016 General Meeting, members moved that LGAT reconfirm its commitment to the introduction of a statutory waste levy of \$10 per tonne to be collected by public and private landfills, as endorsed at the Local Government General Meeting in July 2012. In late 2016 the WRG determined that it was strategically important that a "statewide waste strategy", from a Local Government perspective, be prepared. This document would be used as our main tool to engage with the EPA. The completed strategy was presented at the April 2017 General Meeting and is available on the LGAT website:

<http://www.lgat.tas.gov.au/webdata/resources/files/LGAT%20Waste%20and%20Resource%20Management%20Strategy%20Final%20.pdf>

The Strategy was provided to the EPA and Minister for Environment shortly after the April 2017 General Meeting to inform the State Government's work on preparing a State Waste Strategy. Since that time LGAT staff have met with the EPA several times to discuss their progress. At the time of writing, the State Government was yet to release a draft State Waste Strategy, despite promising its imminent release more than once.

The recent issues resulting from the Chinese policy changes and its impact on kerbside recycling highlight the need for there to be leadership and action on waste management in Tasmania and Local Government can no longer afford to wait for the State Government. In addition, when the State Waste Strategy is released it will be project and action based in the first instance and this will not address some of the issues and challenges associated with waste management in Tasmania.

A critical factor which is key to improving our resource recovery and waste management in Tasmania is an adequately resourced state-wide organisation to lead, champion and deliver improvements to waste management. Evidenced by the lack of progress on a State Waste Strategy, the capacity of the EPA is constrained with respect to being able to adequately undertake this task.

Tasmania requires an organisation to lead and provide oversight of the implementation of improvements to our waste management, and funding to deliver programs and or strategic actions. Tasmania does not have a dedicated body with capacity to provide advice on state-wide waste issues to the Tasmanian Government, or the resources to deliver state-wide programs. For example, Sustainability Victoria, Green Industries South Australia and the Western Australian Waste Authority all have a strategic planning and program delivery roles with guaranteed core funding (hypothecated from a landfill levy).

The three regional waste management groups generally have a common purpose; however, their governance arrangements differ significantly across the state as does their function, resources and funding. Currently regional activities focus primarily on the waste generated from the Municipal Solid Waste sector, as it is the focus of and directly within the sphere of influence of their member councils.

It is unlikely that the State Government will establish an organisation to undertake this state-wide role, but Local Government has the opportunity (and experience) to investigate the benefits and risks of doing so and if feasible, what roles and functions such an organisation should perform. Any such investigation would need to look at delineating between function, roles and responsibilities of the regional groups and State government but at a minimum any state-wide organisation could support greater collaboration and coordinated delivery of strategies and programs across Tasmania.

As a first step it is requested that Members support a feasibility study to look at whether Tasmania would benefit from an organisation with state-wide oversight of our waste management and potentially what its roles and functions should be but, noting for it to be effective these functions should include:

- Providing leadership in developing and implementing improvements to our waste management;
- Delivering programs and or strategic actions; and
- Expand on opportunities in the waste sector.

While infrastructure ownership impacts and commercial arrangements would be part of the study, it would be recognised that historically councils have invested differently in waste infrastructure. Further, the final solution may or may not include infrastructure and ownership considerations.

It would be stipulated in the scope of work that any new arrangements would have to be at no detriment to councils.

Budget Impact

This work is substantial and will require additional resourcing, outside of LGAT's existing subscriptions. It is anticipated that approximately \$100,000 will be required for this work. If this motion is endorsed, the 2018-19 budget would contain a per council share to cover the additional cost, based on the subscription formula.

Current Policy

Strategic Plan:

- Facilitating change;
- Building Local Government's reputation;
- Fostering collaboration; and
- Developing capacity and capability to deliver.

3. ITEMS FOR NOTING

3.1 CREDIT CARD POLICY Contact Officer – Michael Edrich

Launceston City Council/Clarence City Council

That Members note the report on the Model Credit Card Policy.

Carried

Background

LGAT has completed a draft Model Credit Card Policy for Tasmanian Local Government. An earlier draft version was provided to General Managers in March for initial consultation and feedback. After incorporating comments, LGAT has provided an updated version to all councils as well as to key State Government stakeholders, particularly the Local Government Division and the Tasmanian Audit Office (TAO).

This latest version provides clear guidance on the roles and responsibilities required to manage credit card allocation, appropriate use, as well as statement reconciliation and acquittal. The draft model policy aims to reflect the sound basis found in councils' existing credit card policies while reconciling their diversity.

The draft policy aims to reflect that, despite intense media publicity and detailed independent auditing, the TAO *"did not find evidence of serious or systemic misuse of public funds or fraud"* and recommended *"the development of a model credit card policy and its adoption by all councils to maintain a degree of consistency across the Local Government sector"*.

Therefore, to respond to this, LGAT's draft policy aims to harmonise the variety of individual policies across the sector, while recognising and building upon the strong existing level of policy foundation that already existing across Tasmanian Councils. A degree of customisation is built into the model policy to allow councils to adapt it to their own policy framework, while still addressing the TAO recommendations.

The draft policy is intended to be a model, not a mandatory requirement, so the intention is for it to form a robust guideline for councils in customising their response to the TAO recommendations.

Consultation will be open until **Monday 28 May**, a total of five weeks with feedback or questions to be directed, in the first instance, to Michael Edrich at michael.edrich@lgat.tas.gov.au.

Budget Impact

Being undertaken within current resources

Current Policy

Strategic Plan:

- Facilitating change;
- Building Local Government's reputation

3.2 TASNETWORKS PRICING RESET 2019-2024 Contact Officer – Georgia Palmer

Launceston City Council/Clarence City Council

That Members note the report on the TasNetworks Pricing Reset.

Carried

Background

TasNetworks submitted its combined Transmission and Distribution Regulatory Proposal (Proposal) for 2019 to 2024 to the Australian Energy Regulator (AER) on 31 January 2018.

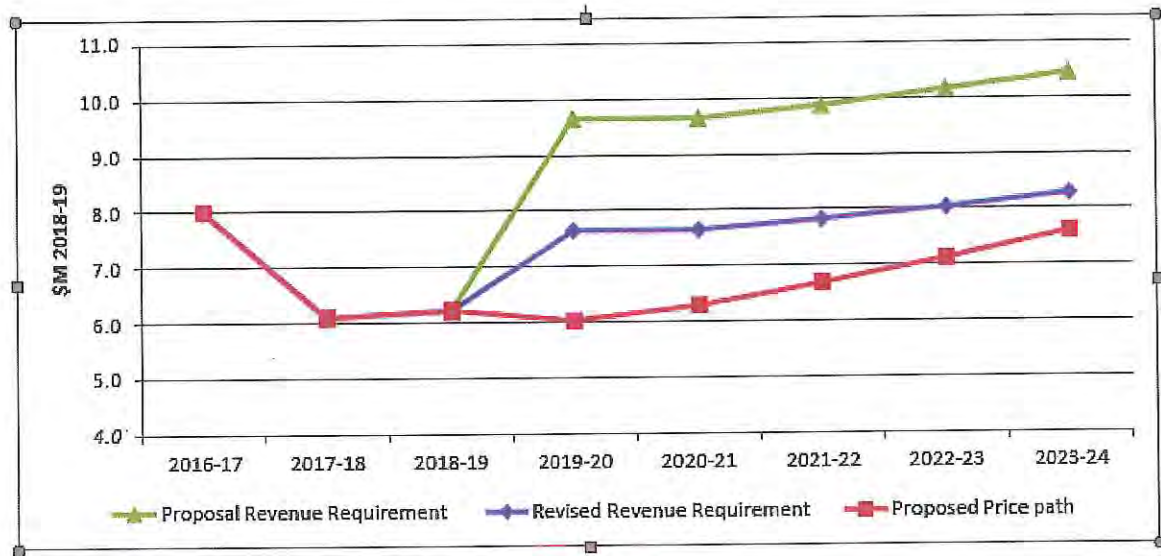
As a monopoly provider of transmission and distribution network services, the amount of revenue TasNetworks is able to earn from its customers each year is set by the Australian Energy Regulator (AER). This regulation exists primarily to protect electricity customers by ensuring specific performance standards and by capping revenue based on expected costs forecast during a regulatory period (usually five years).

The TasNetworks proposal has highlighted that the current prices for public lighting assets fall significantly short of full cost recovery. As a result, TasNetworks proposes to increase its public lighting prices over the 2019-24 and 2024-29 regulatory period to fully cost reflective pricing. Accordingly, TasNetworks proposes to increase the prices charged for public lighting service by the consumer price index (CPI) plus 2.5 per cent annually. TasNetworks submits that this will still be under full cost recovery in this period.

In reviewing the TasNetworks proposal, LGAT identified several issues, notably:

- The significant increase in overheads and corporate capex annuity attributed to each light type, accounting for much of the cost increase;
- That the capital cost of LED lights and new technology is priced in the model for 5 years with the price being the same in year 1 and year 5. This is concerning as the technology continues to move quickly and it is likely that prices will decrease over the 5-year period. It is also difficult to price a technology which hasn't yet been developed or approved;
- That the cost of installing a new light seems to be significantly higher than it should be; and
- That the model may not account for the northern lights project and the change in ownership.

LGAT has raised these concerns directly with TasNetworks as well as the AER and the Consumer Challenge Panel. The Australian Energy Regulator has identified public lighting as one of the key areas of scrutiny as part of its assessment of the TasNetworks proposal. Due of this scrutiny, TasNetworks has reviewed the public lighting model and identified that it had made an error to the numbers and the split between public lights and contract lights and the forward program of lighting replacement. As a result of the review of inputs into the model TasNetworks has reduced the overheads by \$1.4 million a year for the 5-year period (see graph below).



However, as the TasNetworks pricing proposal is not for full cost recovery during this period (e.g. the red proposed price path above), this reduction will not lead to any council savings in the 2019-2024 period. The savings to councils because of this adjustment are likely to occur in future determinations, e.g. post 2024.

Although the initial response to feedback on the model by TasNetworks is good news, LGAT believes that there are other pricing issues in their model that need to be addressed. LGAT has raised these concerns in its formal submission to the AER. It is hoped that the AER will require further adjustments to the public lighting proposal when it provides a formal response to TasNetworks in September. The final determination will be made by the AER in January 2019.

Budget Implications

Does not apply

Current Policy

Strategic plan:

- Facilitating Change; and
- Promoting financial sustainability.

3.3 LOCAL GOVERNMENT ELECTIONS Contact Officer – Katrena Stephenson

Launceston City Council/Clarence City Council

That Members note the actions LGAT has in train to support the upcoming Local Government Elections.

Carried

Commission Adrianna Taylor reported on the well-attended program of candidate information sessions being rolled out in the Huon Valley and noted LGAT's contribution to the Program.

Background

The Association has already commenced activity designed to support Local Government elections in October. This work will be delivered in two phases. Phase 1 is focussed on attracting and informing candidates and Phase 2 is encouraging voter turnout and supporting newly elected councillors.

Having had some early opportunity to consider our process, materials and partnership in relation to the Glenorchy City Council elections the following activities are being put in train.

Phase 1:

- Review and update the Becoming a Councillor Handbook.
- Develop new web based materials for candidates including video, audio and text. Topics covered include:
 - Are you able to stand for council?
 - What skills do you need?
 - What's in it for me?
 - What do councillors do?
 - Working together.
 - Planning Authority role.
 - What you need to know about campaigning.
 - If you are elected.
 - How to nominate.

It is hoped that this provides a source of information for those who can't attend regional sessions or for councils to use in local sessions.

- Provide template text and links for councils to use on their websites.
- Deliver regional and remote candidate information sessions in partnership with the Local Government Division, the Tasmanian Electoral Commission, the Audit Office and the Australian Local Government Women's Association (Tas). Dates have been secured and forums will commence in late May with advertising in mid May. Partners are also participating in a series of forums in the Huon Valley Municipality at different dates over the next few months.
- The *Better Councils Better Communities* television commercial will be run during late May/June with an end title "Stand for Council" and direction to the LGAT website.

Key Dates

North West Forum	5 June
Northern Forum	6 June
Southern Forum	13 June

Phase 2:

- Review and update the Mayoral Handbook and Councillor Resource Kit and Induction Checklist.
- Develop new web-based materials to supplement those provided for candidates, including more in-depth information on functions, including Land Use Planning; Meeting Procedures, Code of Conduct and Good Governance.
- The *Better Councils Better Communities* television commercial will be run during October with an end title encouraging people to vote in council elections.
- A Professional Development weekend for new councillors (with a special session for new Mayors) will take place on 17 November. This is intended to be run in partnership with the Local Government Division, Integrity Commission and Audit Office.

Key Date:

New Councillor/New Mayor Training -Launceston 17 November.

In addition to supporting the LGAT sessions the Local Government Division has indicated they will also engage with councils and councillors on a prioritised basis following the elections, to assist with induction. This might include councils that experience a significant change in councillors, and particularly where there are several first-time councillors.

The Division also advise that their regulatory activities will include efforts to ensure the integrity, and confidence in, the democratic process in the lead up to, and in the conduct of, the October election. These activities will complement the jurisdiction of the Tasmanian Electoral Commission (TEC) and the Director has been in discussion with the TEC on this issue. The integrity of the electoral roll and the eligibility of candidates for each council are vital to the community's confidence in the outcomes of the elections.

At its December 2018 meeting, the PLGC agreed to include in its official Communique a statement of principle that affirmed the commitment of both levels of government to promoting, in the lead-up to the 2018 council elections:

1. The important, and increasingly complex role of Local Government in serving and representing the interests of local Tasmanian communities, whilst discharging statutory obligations such as acting as a planning authority;
2. The encouragement of candidates from a diverse range of backgrounds, so that elected members reflect a broad cross-section of the community and the value diversity brings;
3. The continuous improvement in the professionalism, capacity, and integrity of councils and councillors;
4. A recognition of the valuable role that a councillor plays in local communities and the personal satisfaction councillors can gain from helping their communities; and
5. An increase in active community engagement and participation at the local Government level, both at and between council election

Budget Impact

Within current resources.

Current Policy

Strategic Plan -

- Building Local Government's reputation;
- Developing capacity and capability to deliver.

Priority 5. Prepare communities and councils for the Local Government elections in 2018.

3.4 PLANNING REFORM

Contact Officer – Dion Lester

Launceston City Council/Clarence City Council

That Members note the following report on the State Government's Planning Reform Agenda.

Carried

Background

The State Government's planning reform agenda priorities are establishing the Tasmanian Planning Scheme and the introduction of a set of Tasmanian Planning Policies to inform the planning system. In addition, the Government is undertaking measures to facilitate affordable housing.

Tasmanian Planning Scheme

Councils are currently preparing their Local Provision Schedules (LPSs), with it anticipated that 17 of the 29 LPSs will be submitted to the Tasmanian Planning Commission by the end of 2018, with the remainder in 2019.

At the time of writing concerns had been raised by a number of councils that the Natural Assets Code was not workable. The state-wide mapping undertaken collectively by councils has substantially improved what was available from the State Government, however it does not overcome the poorly drafted Code. Discussions are on-going with the Tasmanian Planning Commission on how this can be resolved in a reasonable timeframe.

Tasmanian Planning Policies (TPPs)

As part of its planning reform agenda the Government is developing a suite of new TPPs to support and inform the planning system. The new policies are anticipated to provide the long overdue strategic direction to the planning system. In mid-2017 the Government consulted on the draft Bill (the Land Use Planning and Approvals Amendment (Tasmanian Planning Policies) Bill), which establishes the mechanism to create the TPPs.

The Government has indicated the Bill will be introduced to Parliament in the autumn Session of 2018. Once the Bill is passed by Parliament formal consultation will then begin on the actual Policies.

Regional Land Use Strategies

The three regional land use strategies were declared on 27 October 2011, with the northern and southern strategies undergoing a number of revisions in the intervening years. The strategies provide strategic direction (at a regional level) for land use and development and are implemented via the interim planning schemes (and subsequently the LPSs).

A broader review of the strategies and the governance arrangements has been discussed with Government, although it is not anticipated this would occur until the TPPs are developed and implemented (2 – 3 years off). However, owing to the growth pressure being experienced in the south of the State, the Government has agreed to consider a medium-term review of the southern strategy contingent on their LPSs being submitted. The scope of this medium-term review will address some of the concerns raised by councils in relation to the urban growth boundary, growth management strategies and general interpretation issues identified in the Strategy.

The Government is not intending to undertake a similar medium-term review for the Northern and Cradle Coast strategies.

Housing Supply – Crown Land Rezoning

On 15 March 2018, the Premier hosted a Housing Summit comprising key stakeholders in the housing sector. The Summit was called as a result of community concern about the availability of housing in the Greater Hobart region. A key action arising from the Summit was for the Government to develop fast-track legislation for land release and development. This will involve the introduction of enabling legislation in the autumn session of Parliament to fast track the required zoning changes for identified surplus government land.

A draft Bill was released for a very limited (2 weeks) consultation on Monday 30 April. The Bill establishes a power for the Minister to directly rezone specific parcels of Crown land, which will be identified in a schedule attached to a Regulation. It also allows the Minister to approve related subdivision applications and nominate specific planning controls that apply to the land.

The Bill will also provide a power for the Minister to issue ‘Temporary Emergency Residential Planning’ Permits to allow the immediate provision of emergency accommodation in appropriate locations where that might normally be prohibited under a planning scheme. This power applies to both Crown and private land.

Budget Impact

Being undertaken within current resources, noting this accounts for a significant workload.

Current Policy

Strategic Plan:

- Facilitating change;
- Building Local Government’s reputation;
- Fostering collaboration; and
- Developing capacity and capability to deliver.

3.5 EMERGENCY MANAGEMENT Contact Officer – Georgia Palmer

Launceston City Council/Clarence City Council

That Members note the following report.

Carried

Local Government Relief and Recovery Policy

Feedback from LGAT on the draft Local Government Relief and Recovery policy has now been reviewed by the Office of Security and Emergency Management. Some of the feedback has been incorporated into a revised draft and a suite of guidelines have been developed to support the draft. The draft will now go to the State Recovery Committee for endorsement before going to the State Emergency Management Committee for ratification. LGAT will continue to liaise with the State Government in relation to the policy and will look to ensure that the policy and supporting guidelines are reviewed after the first major event so as to ensure councils have the information they need through the guidelines.

Flood Debris Management on Crown Land

LGAT recently raised the issue of flood debris management on crown land at the Premier's Local Government Council Officials meeting. A number of councils have raised concerns in relation to the clean-up of debris in waterways and on coastal beaches after flooding. This is in relation to safety of the public as well as the potential impact of the debris on future flood events. The current emergency management documentation does not clearly articulate responsibility for clean-up and rehabilitation of our waterways and beaches and this needs to be addressed.

As a result of the item and following discussion, the Deputy Secretary of Premier and Cabinet has agreed to task the Office of Security and Emergency Management with working with Crown land to address the gap, with LGAT to be consulted throughout the work.

Lidar Data and Flood Study Funding

The Commonwealth and Tasmanian Governments have committed to jointly funding the Tasmanian Flood Project under the Natural Disaster Relief and Recovery Arrangements. The Tasmanian Flood Project will:

- Ensure that most if not all communities will have access to a high-resolution surface model for the purpose of flood modelling through the collection of light detection and ranging (LiDAR);
- Development of a Tasmanian Flood Hazard Map to support flood risk assessment and the development of land use planning and building controls; and
- Partner with Local Government (on a 1/3, 1/3, 1/3 funding basis) to undertake detailed flood studies and evacuation planning for the communities most at risk of flooding that do not have a current flood study.

The Tasmanian Flood Project has a budget of \$3 million that is roughly evenly spread across the tasks above. The project will commence in the third quarter of 2018 under the SES and will take three years to complete. The first year will be dedicated to LiDAR data capture, the second year the Tasmanian Flood Hazard Map and, the third year to detailed flood studies. Enquiry's should be directed to Luke Roberts at OSEM or Chris Irvine at SES.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan:

- Facilitating change;
- Fostering collaboration; and
- Developing capacity and capability to deliver.

3.6 COMMUNICATIONS AND EVENTS UPDATE

Contact Officer – Kate Hiscock

Launceston City Council/Clarence City Council

That Members note the following report.

Carried



106th Annual LGAT Conference - "Re-inventing the Three R's"
25-27 July at the Wrest Point Casino, Hobart

Registrations open mid May!

With excitement, we announce the 2018 LGAT Annual Conference
Plenary and Workshop Program:

Key Note Speakers:

**Craig Reucassel – ABC TV War on Waste,
The Chaser**

Re-inventing the challenges of waste

**Scott Rankin – 2018 Tasmanian Australian of the
Year**

*Everyone has the right to thrive –
Rejuvenation and hidden disadvantage*

**Sally Curtain – Thought leader, Strategist and
Reformer**

*Digital Transformation - How the City of Casey
drove impactful change*

**Brook Dixon - Managing Director Delos Delta &
President Australian Smart Communities Assn**

Smart People Make Smart Communities

Genevieve Lilley- Architect, Writer & History Buff

Re-imagining Place

Mayor David O-Loughlin, ALGA President

Workshop Program:

Stream 1: Infrastructure & Engagement

David Bobberman - Austroads Safety Program Manager

The 5 R's to help achieve the safest road network; Local Government liability, standards, & practices

Kimbra White - Co-founder and director of MosaicLab

Engagement - the Good, the Bad and the Ugly.

Stream 2: Innovation & Digital

Sally Curtain - Thought Leader, Strategist and Reformer

Reform Program on a Page – Understanding your digital maturity

Eyal Halamish - OurSay - Founder and Risk Communication Expert

Risky business: Community in the Digital Space

Stream 3: Corporate Development

Dr Matt Constable – Chiropractor, Business and Clinical Consultant

Rejuvenate and Reinvesting in your greatest Assets: You and your Team.

Dr Seth Nicholls – Principal Consultant, Nicholls Consulting

Rejuvenating, Reforming and Reinventing your Council's Decision-Making Process

The 106th LGAT Awards for Excellence

The annual Local Government Awards for Excellence aim to promote outstanding achievement and inspire leading management practice and continuous improvement among Tasmanian councils. The Awards for Excellence recognize and reward councils for their hard work benefiting local communities. The Awards for Excellence celebrate and raise awareness of successful Local Government projects and promote networks and collaboration between Local Government organisations

The nomination process is now open. The Guidelines and entry form can be found [here](#). Nominations close 1 June 2018.

Entries can be submitted to Reception@lgat.tas.gov.au

LGTas

The April edition of LGTas is out now and available [here](#)

This LGTas we are showcasing Local Government collaboration and partnerships; celebrating the achievements of our members.

All Elected Members have been provided a printed edition of April LGTas. If you would like any further printed copies, please contact Kate Hiscock: kate.hiscock@lgat.tas.gov.au

Mayors' Professional Development Day

Thursday 17 May, Windsor Park, Riverside.

David Dilger will lead an interactive discussion about steps your Council can take to ensure councillors and managers are communicating effectively with their peers and employees to

avoid dealing with sexual harassment, bullying, conflicts of interest breaches, victimisation and other legal claims.

Budget Impact

The LGAT Annual Conference is funded through Sponsorship.

Current Policy

LGAT Strategic Plan:

- Building Local Government's reputation
- Fostering collaboration
- Developing capacity and capability to deliver

3.7 POLICY UPDATE

Contact Officer – Dion Lester

Launceston City Council/Clarence City Council

That Members note the Policy Update.

Carried

Local Government Community Health and Wellbeing Project

The engagement and consultation phase of the project has commenced through face-to-face meetings with Community Development Officers (and equivalent officers) at 23 councils and one video link meeting. These meetings included discussion of councils' current work on community health and wellbeing, information about upcoming funding opportunities and sharing of documents and resources. Face to face or video link meetings will be sought with the remaining five councils.

The Project Advisory Committee met for the first time in May and is expected to provide useful input into the project.

Community Satisfaction Survey

Since October 2001 LGAT has undertaken state-wide community satisfaction surveys, typically interviewing (by telephone) around 1240 Tasmanian residents from all Local Government areas.

There have been seven (7) previous surveys in 2001, 2002, 2006, 2009, 2011, 2013 and 2015, with the next one due this year. Nine areas of council services were identified and within these areas some 30-35 distinctive service areas were identified. The service areas were Council staff, other council service areas, waste management, community health and safety, recreation and cultural facilities, social and community services, roads, footpaths and traffic, community involvement, and planning and development. The questions have largely remained the same since 2001.

Analysis of the results across each survey has indicated that the scores, or community satisfaction, tends to vary very little from year to year. Beyond the positive media that has

been gained from the results (average satisfaction has tended to be around 70 out of 100) the results offer little value to councils or LGAT on areas for improvement.

Given the limited value received from the survey and the cost involved (~\$30,000 per survey) it has been determined that for 2018, the survey will be reviewed and updated to try and make it more useful for councils and LGAT. LGAT will look to academic research and the work of other associations in developing robust and sustainable measures for the future. Certain questions will inevitably remain. All going well, LGAT is intending to release the survey results during the Local Government election period as another mechanism for encouraging voter turnout.

Code of Conduct

The new code of conduct framework commenced on 13 April 2016. In early 2017, the Tasmanian Government agreed to a request by the sector for a review of the framework at the conclusion of its initial 12 months of operation. The aim of the review was to investigate whether the framework is proving to be effective and identify and address any aspects of the framework that have not operated as intended. LGAT led consultation with councils, while the Local Government Division (LGD) has led consultation with members of the Code of Conduct Panel and Executive Officer.

Members endorsed a series of recommendations at the November 2017 General Meeting. These recommendations and those provided by the Panel members have been considered by the LGD and a package of recommendations have been presented to the Minister. At the time of writing the Minister was still considering this information.

Gifts and Benefits

In late 2017 the *Local Government Act 1993* was amended as part of the targeted review. A key amendment was the inclusion of a head of power to provide that elected members notify the general manager of receipt of gifts or donations, and that the general manager maintains a gifts and donations register.

Consequential amendments to the *Local Government (General) Regulations 2015* (General Regulations) are now required to prescribe the classes of gifts and donations, the monetary threshold for disclosure, notification requirements and the details recorded in the register.

The draft *Local Government (General) Amendment Regulations 2018* have been released for formal consultation, with comments due to by **close of business Friday 25 May** to Dion (dion.lester@lgat.tas.gov.au). The draft amendments to the General Regulations include:

- A period for notification of receipt of a gift or donation of 14 days. If a councillor receives a gift or donation while overseas, the 14-day period will commence on the councillor's return to Australia;
- Amending regulation 21 to remove unnecessary prescriptions for the size and number of electoral posters and signs;
- Amending regulation 22 to introduce a single electoral expenditure limit of \$10,000 for a candidate, regardless of whether they are running for mayor or deputy mayor or councillor, increased each year by CPI; and
- Amending regulation 22 to remove restrictions on the conditions of advertising, specifically in relation to the limits on television, radio and newspaper advertising.

The Government is aiming to amend the General Regulations well before the October 2018 Local Government elections so that persons nominating for election are aware of their obligations.

New Valuation Information System of Tasmania

The Office of the Valuer-General (OVG) within DPIPWE is working on a new valuation and information system, which is scheduled to go-live at the end of August 2018. The primary business objective of the new Valuation Information System of Tasmania (VISTAS) is to develop a contemporary property information system, which provides an authoritative property and valuation register that underpins the framework for all Tasmanian land.

The transition to the new VISTAS system will not affect existing interaction and processes between the OVG and local councils. The OVG will be better placed to service the councils with their queries and statutory valuations more efficiently, with opportunities in the future to automate or streamline processes across all municipality in Tasmania.

LGAT's Policy Director sits on the Steering Committee for the project.

Free Camping

The Government formally commenced a review into how national competitive neutrality principles are applied to council-owned RV parking and camping facilities early this year. This review is being oversighted by senior representatives from the Departments of Premier and Cabinet, Treasury and Finance and State Growth. As part of the process a stakeholder reference group has been established with representatives from LGAT and Local Government generally, caravan park operators and RV tourists and camping facility consumers. The stakeholder group has met once and is due to meet again on 23 May. Following the first stakeholder meeting Treasury commenced developing an options paper based on initial feedback from the reference group and this will be used as the basis for further consultation with stakeholders. A final report is anticipated by the end of June.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan:

- Facilitating change;
- Building Local Government's reputation;
- Fostering collaboration; and
- Developing capacity and capability to deliver.

3.8 YOUTH LOCAL GOVERNMENT CONFERENCE Contact Officer – Katrena Stephenson

Launceston City Council/Clarence City Council

That Members note the following report on the Tasmanian Youth Local Government Taskforce

Carried

Background

Late last year LGAT hosted a training session for Tasmanian Youth Local Government Taskforce members in preparation for their Youth Local Government Conference. In the session Mayor Doug Chipman and media consultant Keryn Nyland gave the young people an overview of some of the procedural and communication issues for the sector.

The Youth Local Government Conference was held at the Hobart City Council from 14-16 October and attracted 28 young people from all over Tasmania (including Flinders Island). The attendees were nominated by their council. The young people used the Council Chambers to run mock council meetings and discuss the topics that they highlighted as important in their municipalities.

Participants noted the priorities for Tasmania's youth as mental health, public health, development, fisheries, waste management and recycling, recreational facilities, employment, public transport and youth advisory groups.

The Taskforce aims to raise the youth voice with councils. In summary, the Taskforce stated that:

“the Tasmanian Youth Local Government program of meetings has proven to be beneficial for students. It has encouraged youth to contribute to their local communities and ensured those youth who are engaged are genuinely listened to. The quality of debate and depth of understanding of the young councillors was inspiring, and it will be wonderful to see the conference blossom in future years. This conference is set to be an annual event that will provide a link between Tasmania's youth and the Local Government sector”.

Last year LGAT provided \$500 in sponsorship for the conference to support accommodation for those attending from regional areas.

Last month, LGAT entered into an MOU with the Tasmanian Youth Government Association with the aim of supporting further collaboration over the next few years, including through ongoing partnership for the Tasmanian Youth Local Government conference. Support includes promotion to councils and to that end, Members are encouraged to nominate students locally for participation in the program.

A copy of the MOU is at **Attachment to Item 3.8.** *

Further, the TYGA are providing some information for dissemination at the meeting.

3.9 ANNUAL PLAN *
Contact Officer – Dion Lester

Launceston City Council/Clarence City Council

That Members note the following report.

Carried

Background

A report against the progress of the LGAT Annual Plan is at **Attachment to Item 3.9.**

4. ITEMS FOR DISCUSSION

4.1 PROCEDURAL MOTION

Tasman Council/Circular Head Council

That a procedural motion be put to allow for an additional motion to come before the Meeting.

Carried

For	39
Against	11
No Vote	0

Participant	Response	Weight
Break O'Day Council 1	For	1
Brighton Council 2	For	2
Burnie City Council 3	For	2
Central Coast Council 4	For	3
Central Highlands Council 5	[No Response]	1
Circular Head Council 6	For	1
Clarence City Council 7	Against	4
Derwent Valley Council 8	For	2
Devonport City Council 9	Against	3
Dorset Council 10	For	1
Flinders Council 11	[No Response]	1
George Town Council 12	For	1
Glamorgan/Spring Bay Council 13	[No Response]	1
Glenorchy City Council 14	For	4
Hobart City Council 15	[No Response]	4
Huon Valley Council 16	For	2
Kentish Council 17	For	1
Kingborough Council 18	For	3
King Island Council 19	[No Response]	1
Latrobe Council 20	For	2
Launceston City Council 21	Against	4
Meander Valley Council 22	For	2
Northern Midlands Council 23	For	2
Sorell Council 24	For	2
Southern Midlands Council 25	For	1
Tasman Council 26	For	1
Waratah - Wynyard Council 27	For	2
West Coast Council 28	For	1
West Tamar Council 29	For	3

4.2 SALE OF ANGLICAN CHURCHES AND CEMETERIES

Tasman Council/Southern Midlands Council

That the LGAT issue a public statement on behalf of Members -

- **Acknowledging the importance of redress for victims of abuse;**
- **Noting the concern being expressed across a number of Tasmanian communities about the sale of their local churches and cemeteries;**
- **Seeking that the Anglican Church ensure that those communities are not being made to pay unfairly for the actions of leaders in the Church; and**
- **That there is a genuine consideration given to the huge impact on communities particularly rural and regional Tasmanian.**

Carried

For 25
Against 18
No Vote 11

Participant	Response	Weight
Break O'Day Council 1	For	1
Brighton Council 2	Abstain	2
Burnie City Council 3	Abstain	2
Central Coast Council 4	Against	3
Central Highlands Council 5	[No Response]	1
Circular Head Council 6	For	1
Clarence City Council 7	Against	4
Derwent Valley Council 8	Abstain	2
Devonport City Council 9	Against	3
Dorset Council 10	Against	1
Flinders Council 11	[No Response]	1
George Town Council 12	Abstain	1
Glamorgan/Spring Bay Council 13	[No Response]	1
Glenorchy City Council 14	For	4
Hobart City Council 15	Against	4
Huon Valley Council 16	For	2
Kentish Council 17	For	1
Kingborough Council 18	For	3
King Island Council 19	[No Response]	1
Latrobe Council 20	For	2
Launceston City Council 21	For	4
Meander Valley Council 22	Abstain	2
Northern Midlands Council 23	Abstain	2
Sorell Council 24	For	2
Southern Midlands Council 25	For	1
Tasman Council 26	For	1
Waratah - Wynyard Council 27	Against	2
West Coast Council 28	Against	1
West Tamar Council 29	For	3

5. OTHER BUSINESS & CLOSE

There being no further business, the President declared the Meeting closed at 12.10pm.

General Meeting 18 May 2018

Item No			
2	Items for Decision		
2.1	TasWater		Refer Item 9.9
2.2	GMC Representative - North North-West Region		No Further Action
2.3	Waste Management		Refer Items 8.1
3	Items for Noting		
3.1	Credit Card Policy		Refer Item 9.6
3.2	TasNetworks Pricing Reset 2019-2024		Refer Item 9.15
3.3	Local Government Elections		Refer Item 9.1
3.4	Planning Reform		Refer Item 9.3
3.5	Emergency Management		Refer Item 9.15
3.6	Communications & Events Update		Refer Item 9.14
3.7	Policy Update		Refer Item 9.15
3.8	Youth Local Government Conference		Refer Item 9.15
3.9	Annual Plan		Refer AGM Agenda Item 8
4	Items for Discussion		
4.2	Sale of Anglican Churches and Cemeteries		Refer Item 8.4

Follow Up of Motions Report

Report to the General Meeting

LGAT has streamlined its reporting on Motions which have been passed at General Meetings.

This report details motions where LGAT is still pursuing an outcome.

Local Government Legislation	
<p>That the LGAT request a change to the Local Government Act to ensure a Mayoral vacancy does not trigger a by-election if the vacancy occurs within 12 months of an election.</p>	<p>Passed: July 2014 Notes: LGAT has raised this with the division via the targeted review, however it was not picked up in the subsequent amendments to the Local Government Act. Subsequently LGAT has written to the Local Government Division (LGD) to seek to have this item included as part of an upcoming miscellaneous amendments package, currently being developed. At the time of writing no formal response had been received from the LGD.</p>
<p>That LGAT request the Local Government Division alter section 339F (4) Local Government Act 1993 from requiring a council to review its customer service charter at least once every 2 years to within 12 months after a council election.</p>	<p>Passed: July 2015 Notes: As above</p>
<p>That the Local Government Association of Tasmania urge the State Government to support the transfer of the administration of the General Manager's Roll to the Tasmanian Electoral Commission.</p>	<p>Passed: July 2015 Notes: As above</p>
<p>The Local Government Association of Tasmania urge the State Government to review the eligibility for inclusion on the General Manager's Roll by reviewing the definition of occupier to better capture all citizens, inclusive of refugees and permanent residents living in a Local Government area.</p>	<p>Passed: July 2015 Notes: As above</p>
Environment	
<p>That the Local Government Association of Tasmania be requested to consult with the regional waste management bodies (and other relevant bodies) for the purpose of:</p> <p>a. Identifying the extent of problems associated with the disposal of car wrecks/car bodies. This recognises the lack of disposal options given the current steel recycling market (or lack thereof); and</p>	<p>Passed: July 2016 Notes: In early 2017, the LGAT Waste Reference Group has completed a Statewide Waste and Resource Management Strategy and provided this to the EPA to inform the update of the Tasmanian Waste and Resource Management Strategy. In that Strategy, it is noted that there is an absence of baseline data which inhibits a detailed analysis of the quantity and source of</p>

<p>b. In conjunction with the regional bodies, determine what cost effective options can be considered to address and manage the issues identified.</p> <p>Note: Consideration should be given to an option for car enthusiasts to access these car wrecks/car bodies for sourcing parts and/or bodies for restoration purposes.</p>	<p>materials being landfilled versus illegally dumped across the state. In the absence of empirical data, it is difficult to determine the extent of the problem, however each regional waste authority has been contacted to determine what anecdotal information is available. This information is currently being collated.</p>
<p>That the Local Government Association of Tasmania reconfirm its commitment to the introduction of a statutory waste levy of \$10 per tonne to be collected by public and private landfills as endorsed at the Local Government General Meeting in July 2012.</p>	<p>Passed: November 2016</p> <p>Notes: The Statewide Waste and Resource Management Strategy, prepared by the LGAT Waste Reference Group, to inform the State Government's Waste Action Plan (still under development) notes the establishment of a statewide waste levy should be an immediate high priority action. Waste management (including the establishment of a levy) was one of the five election priorities for LGAT and was a State Budget priority also for the sector.</p> <p>For further information, see item in the July General Meeting Agenda.</p>
<p>That the Local Government Association of Tasmania lobby the State Government to introduce container deposit legislation for the state.</p>	<p>Passed: July 2017</p> <p>Notes: Under the 2017-18 State Budget, the EPA received \$100,000 to develop a model framework for the implementation of a Container Deposit Scheme in Tasmania. Recognising the importance of Local Government, LGAT was invited to sit on the Steering Committee for this project. The consultants have completed their work and the report is currently with the Minister for Environment.</p>
<p>That Members reaffirm their commitment to improving waste management and raise with the State Government -</p> <ul style="list-style-type: none"> • The importance of Waste Management, in particular plastics; • Our disappointment in the lack of progress of the waste strategy; and • The need for additional resourcing to be implemented. 	<p>Passed: November 2017</p> <p>Notes: See item in the July General Meeting agenda.</p>

Planning and Building	
No Current Motions	
Roads and Infrastructure	
That LGAT and member Councils continue to lobby the Minister for Infrastructure for improved roadside vegetation management on State Government controlled roads.	Passed: April 2017 Notes: Not yet commenced.
That the State Government be urged to increase its per capita spending on the provision of public transport services within metropolitan and regional Tasmania.	Passed: July 2017 Notes: Not yet commenced.
Emergency Management	
That LGAT lobby the State Government to boost Tasmania's disaster resilience by providing a significant increase in funding and work with the Commonwealth Government to change the disaster resilience mitigation funding under the National Partnership Agreement back to 1/3 Commonwealth, 1/3 State and 1/3 Council contributions.	Passed: July 2017 Notes: LGAT has continued to lobby in relation to increasing mitigation funding and to change the funding split for mitigation funding through our election documents, budget submission and through the Premiers Local Government Council. The Australian Local Government Association also included increased mitigation funding as a priority in their budget submission. At this stage there appears to be little appetite from the State and Federal Governments to change the current arrangements. However, LGAT continues to liaise and provide input to the State Government and ALGA in relation to the Federal Governments review of Mitigation funding. On a more positive note, as part of the joint Federal & State Government Tasmania Flood Project, LGAT successfully advocated for the flood studies component of the project to include a 1/3:1/3:1/3 split in contributions from the three levels of Government.
Local Government Business and Finance	
No Current Motions	

Other matters	
<p>That LGAT Supports the entitlement of all councillors in Tasmania to be provided with a hard copy or electronic copy of the electoral roll for their Local Government Area, including the General Manager's Roll for that area, with regular updates; and</p> <p>That LGAT calls on the Tasmanian Government to put forward the legislative changes necessary to give effect to this entitlement, noting that details such as the regularity of updates, permitted uses of the roll and how the costs of providing the roll will be funded; and what safeguards will be put in place to ensure copies of the roll are transmitted securely are matters to be determined by the Tasmanian Government in consultation with Local Government.</p>	<p>Passed: February 2017 Notes: LGAT has written to the Director of the Local Government Division to request the legislative change required to enable the electoral roll to be made available to all councillors. At the time of writing no formal response had been received from the LGD.</p>
<p>That the Local Government Association of Tasmania lobby the State Government to investigate the coordination of school immunisation programs being undertaken on a State wide basis, rather than being an individual council responsibility to coordinate.</p>	<p>Passed: July 2017 Notes: LGAT has raised the issue of coordination of immunisation with the Department of Health and Human Services (DHHS). DHHS have advised that the statewide immunisation strategy is currently being developed, with consultation expected during July and August 2018. It is expected that this strategy will deal with the school immunisation programs and the strategic coordination of immunisation more broadly.</p> <p>This motion will be removed following the July General Meeting.</p>
<p>That LGAT lobby the State Government to amend the Public Health Act 1997 to declare all school road crossings and surrounds, a smoke free area under section 67B.</p>	<p>Passed: July 2017 Notes: LGAT has raised the issue of making smoke free school road crossings with DHHS in the March quarterly meeting. DHHS have advised that councils can make their own declaration under the provisions of the <i>Public Health Act 1997</i> to enable school crossings to be made smoke free. Further DHHS have offered to assist councils with the wording of a declaration and mapping, if support is required. For example, DHHS recently assisted Georgetown Council with their declaration to make school crossings smoke free, which commenced on the 7 May 2018. The broader issue of declaring smoking illegal near public buildings including hospitals is under consideration by DHHS.</p> <p>This motion will be removed following the July General Meeting.</p>



Key LGAT Activity – April 2018

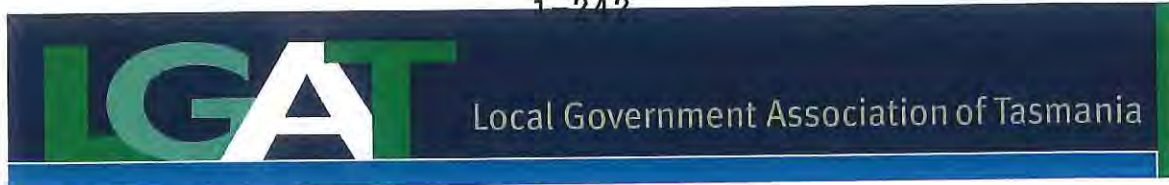
Issues in Focus

LGAT continued its sustained advocacy effort in relation to TasWater post the State Election culminating in the recent announcement of a MOU between TasWater and the State Government which outlines the principles to a new collaborative way forward to be taken to councils for consideration. The State Government, TasWater and the Chief Representative of the Owners' Representatives Group reached in principle agreement to work together to progress water and sewerage reform, with the following key principles:

- The State Government to become a part owner (10%) of TasWater, involving revised governance arrangements;
- the State will provide contributions to TasWater, to a total of \$200 million over the ten year period commencing on 1 January 2019, with the first contribution in the 2018-19 financial year;
- TasWater will accelerate its water and sewerage infrastructure investment program;
- Future regulated water and sewerage prices in Tasmania will be capped until 30 June 2025; and
- Under the proposal, TasWater will continue to be a majority council owned, sustainable and financially viable corporation, with an appropriate governance, that delivers water and sewerage services in Tasmania effectively and efficiently.

Policy/Project Activity

- Submission on the Draft Local Government Relief and Recovery Policy to Office of Security and Emergency Management, Department of Premier and Cabinet
- Development of a submission to Australian Energy Regulator on TasNetworks Pricing Reset Proposal
- Initiated consultation with Councils on Draft Emergency Management Amendment Bill
- Preparation of draft Workforce Development Grant for Environmental Health Officers (EHOs)
- Negotiation of updated contract variation for recycling on behalf of southern Tasmanian Councils
- Input into Code of Conduct position paper by Local Government Division
- Update the LGAT Awards for Excellence
- Preparation of procurement workshop at the LGAT Annual Conference
- Sector consultation on planner resourcing within councils
- Collation of council data on rental vacancy rates and visitor accommodation compliance activities
- Council advice on Federal Government proposal for changes to regional airport security
- Ministerial briefing notes (Local Government and Environment Ministers) on impact to Tasmanian Councils of Chinese recycling policy changes
- Council advice on Monetary Penalties Enforcement Act



- Research on other jurisdictions public space by-laws
- Update the Guide for Minute Takers Handbook
- Finalised LGAT's draft Model Credit Card Policy and released it for consultation with all councils as well as key stakeholders in the State Government
- Development of website content and audio-visual material to promote nominations to run for council elections
- Session chair at the Coast to Coast Conference, Local Government workshop on Coastal Adaptation.

Media

LGAT Media	Date	Publication
Opinion Editorial – <i>Setting Rates a Balancing Act for Local Government</i>	30.4.2018	Advocate
Feature Article – <i>What lies ahead for Local Councils</i> LGAT CEO Dr Katrena Stephenson interviewed by Lucy Stone	24.4.2018	Examiner
Radio Interview and online article – Tasmania Talks on Recycling: LGAT CEO Dr Katrena Stephenson interviewed by Brian Carlton	19.4.2018	Tasmania Talks
LGAT Media Release:		
Council Cost Index	12.4.2018	
LGAT CEO Contract Renewed	9.4.2018	

Drafted another Opinion Editorial for The Examiner (not yet run) on Road User Charging.

Communications

- LGTas - The April edition of LGTas showcases Local Government collaboration and partnerships; celebrating the achievements of our Members. Read it [here](#).
- The Pulse e-newsletter March
- LG Noticeboard
- Twitter.

Training and Events

- Development of a range of new web-based materials targeted at candidates for the October Local Government elections
- Altered the Better Councils Better Communities TV advert to help promote nominations to run for council elections
- MAV/JLT Risk Forums – LGAT presented at both Sorell and Meander Valley Forums
- Exploring event partnership opportunities with LG Professionals Tas.



Meetings

- Australian Energy Regulation and Consumer Challenge Panel - TasNetworks pricing reset proposal 2019-24
- Australian Institute of Company Directors – Training for Local Government
- Australian Local Government Association (ALGA) – Planning policy officers phone conference
- Australian Government Department of Jobs and Small Business – opportunities for Local Government and communities
- Australian Energy forum - TasNetworks pricing reset proposal 2019-24
- David O’Byrne MP - Local Government matters
- Department of State Growth – Planning policy discussion
- Derwent Estuary Group (Incl. Glenorchy, Kingborough, Hobart, Clarence Councils) – Tracks, trails and promoting walkability
- Department of State Growth – Heavy Vehicle Access regional group meetings with councils
- Director of Local Government - Regular meeting
- Department of Health and Human Services (DHHS) – Community Health and Wellbeing Project KPI discussion and future grant opportunities for councils
- Duke of Edinburgh Awards Employer Breakfast
- DHHS, Glenorchy Council – Prevention Tracker Advisory meeting teleconference
- DHHS – Walkability for Transport Project
- DHHS, EPA and EHA Tasmania - EHO Workforce development grant consultation
- Glamorgan Spring Bay Council - Farewell of Bertrand Cadart, representing the LG sector.
- Hobart and Launceston Councils – EHO Workforce development grant consultation
- Ironbark Sustainability – scoping assistance for LG in dealing with climate variability risk
- Institute of Internal Auditors – Training for Audit Panels
- Officer of Security and Emergency Management, Department of Premier and Cabinet – Recovery update
- MAV Insurance - Board meeting
- Minister for Planning – Local Government planning reform priorities
- National Reference Group teleconference – Local Government toolkit for Domestic and Family Violence prevention
- Natural Assets Code Working Group – scoping guidelines for implementation
- Planning Information Network – presentation on planning reform
- RDA Tasmania - Board meeting
- SKM – Discussion to update the recycling contract variation for Southern Tasmanian Councils
- Sorell Council – Workforce development project
- State Emergency Service - Joint Natural Disaster Resilience Program Grant application
- State Government – TasWater
- TasNetworks Customer Council
- TasNetworks - Great Southern Lights project discussion with CEO
- TasNetworks - revenue reset stakeholder forum
- TasNetworks - public lighting and revenue reset



- TasWater – scoping way forward
- Tasmanian Climate Change Office (DPAC) Electric Vehicle Working Group – scoping Tasmanian Government support for Local Government initiatives to facilitate Electric Vehicle uptake
- Tasmanian Youth Local Government – planning for LGAT workshop and Youth Local Government conference
- UTAS - Food Policy Council consultation
- Veolia – future waste workshop opportunities
- Volunteer Tasmania – network meeting.

Key LGAT Activity – May 2018

Issues in Focus - TasWater

An MOU with the State Government was signed on 1 May by the TasWater Chief Owner Representative, Mayor David Downie.

The MOU outlines that:

- The State Government will contribute \$20 million a year for 10 years in exchange for equity in TasWater;
- As a shareholder they will have a role in the Board and CEO selection and the signoff of the corporate plan;
- The State Government will not take distributions, and council's current distributions are preserved;
- The injection of funding will allow price increases for consumers to be capped and some acceleration of the capital program; and
- There will be a collaborative approach to progressing Macquarie Point, the Launceston combined system and Cameron Bay.

The principles outlined in the MOU were developed with consideration of the key concerns raised by LGAT Members, which formed LGAT's advocacy and informed our legislative council submission. These included maintaining Local Government ownership, revenue/rating impacts, cost of living concerns, independent oversight, skilled board, ease of raising issues with TasWater, ensuring all community needs are considered (avoiding pork barrelling) and so on. Ultimately it means that councils distributions will continue to flow to provide for a range of local services and infrastructure; as well as the minimising the cost increases for water and sewerage services for households. A real win win!

Policy/Project Activity

- Negotiation of Deed to amend Southern Tasmanian Councils recycling contracts
- Submission - Emergency Management Amendment Bill 2018
- Submission- TasNetworks Pricing Reset 2019-24 Australian Energy Regulator
- Successful grant application, Natural Disaster Relief and Recovery Grant, Tasmanian Municipal Emergency Management Guidelines.
- Tender advertised, MAV/LGAT Streetlighting installation and materials
- Submission to the Local Government Division on a range of miscellaneous amendments required to the Local Government Act
- Sector consultation and submission on the draft Residential Housing Supply Bill 2018
- Correspondence with the Minister for Planning of the sector's priorities for planning reform
- Sector advice on the Federal Budget



- Successful partnership grant for active transport project being led by the Menzies Institute
- Consultation on hard waste collection costs for some councils
- Input into priority vegetation mapping support documentation
- Early Years, Local Government Children's Forum – 5 July 2018, arrangements finalised. To be run in partnership with the Australian Early Development Census, B4 Coalition and Hobart City Council
- LGAT telecommunications and internet upgrade proposal endorsed and suppliers advised
- Draft new State-wide LGAT Customer Satisfaction Survey complete, for discussion with social research companies
- Sought councils' feedback through the LGAT Performance and Improvement Survey 2018
- Engaged Local Government Procurement experts from NSW and SA, to conduct a Procurement Workshop to run in parallel with the LGAT Annual Conference
- Promoted the Tasmanian Climate Change Office's ChargeSmart grants program supporting workplace electric vehicle charging
- Review stakeholder comments and feedback on draft LGAT Model Credit Card Policy
- Respond to council enquiries regarding *Local Government (Meeting Procedures) Regulations 2015* requirements
- Provided input on behalf of Tasmanian councils into the Local Government National Report 2018 for the Australian Government
- Provided advice to a member council to inform decision making around the considerations required before committing to substantial investment in coastal hazards infrastructure
- Represented Tasmanian Councils on the evaluation committee for the Tasmanian Climate Change Office's "Coastal Hazards Management for Existing Settlements and Values" project
- Preparation of LGAT 2018/19 Budget

Media

- Media Release: Free Candidate Information Sessions
- Chris Jones, Editor of the Mercury, Introductions and Local Government briefing
- Letter to editor – planning
- Letter to editor – sale of Anglican Churches
- LGAT Better Councils television commercial with new end titles "Represent Your Community, Stand for Council" running during May and June.
- Social Media promotional flyer distributed to all councils: Candidate Information Sessions

Communications

- The Pulse e-newsletter May
- LG Noticeboard
- Twitter

Training and Events

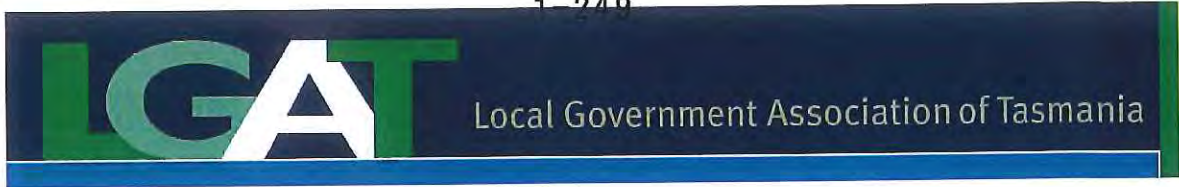
- Mayor's Professional Development Day – Windsor park, West Tamar
- LGAT Annual Conference Registration opened – click [here](#) to register
- Huon Valley Candidate Information Session – CEO co presented with Director of Local Government
- Preparation for Regional Candidate Information Sessions
- King Island Candidate Information Session – Policy Director co presented with Director of Local Government and Audit Office
- King Island Planning Authority workshop for Council and community members
- Preparation of web-based range of resources for prospective Candidates in the October Local Government elections
- Attendance at Reconciliation week breakfast

Meetings

- CEO visit to the Local Government Association of Queensland to learn about products and services that could benefit Tasmanian councils
- Minister for Local Government (Peter Gutwein) - The President and CEO discussed a number of issues and initiatives at play in the sector, in line with our election advocacy document
- Minister for Environment (Elise Archer) - Following up from a meeting held shortly before the elections the President, CEO and Policy Director sought to raise awareness of the issues around recycling and seek commitment to progressing the State Waste Strategy as a matter of urgency
- Members of the Parliamentary Labor Party - The CEO and Policy Director met to discuss our submission on the Residential Housing Supply Bill
- Shadow Minister for Economic & Regional Development; Employment, Training & Skills Development; Small Business and Veteran's Affairs (Anita Dow) - The President and CEO had a general discussion about Local Government and her portfolios
- TasWater General Meeting
- Meeting of Association CEOs
- LGAT General Meeting, including presentation from Minister for Planning and Housing, Roger Jaensch.
- CEO attendance at Volunteering Tasmanian Awards
- Road Safety Advisory Council Meeting
- CEO of Local Government Professionals Tasmania regarding event synergies
- Secretary of DPAC and CEO of TasCoss - Women in Leadership opportunities
- General Management Committee Meeting
- Premier's Local Government Council Officials Meeting
- Premier's Local Government Council Meeting
- Community Health and Wellbeing Advisory Committee - Inaugural meeting
- Environmental Health Officers from Kingborough, Hobart, Tasman Councils – LGAT/EPA Workplan
- Multicultural Council – Partnership agreement with LGAT
- Clarence, Glenorchy, Kingborough Councils – Universal Design Principles project



- DPIPWE, Ten Lives, Kingborough Council, Cradle Coast Authority, NRM North – Cat Management Co-ordination Steering Committee
- Tasmania Canteen Association – working with Health and Wellbeing Project
- EPA – MoU workplan follow up
- DHHS – Walkability for Transport forum follow up
- Alcohol Advisory Group – Alcohol Simulation Modelling
- Consolidated data collection (CDC) consultant selection panel
- Department of Premier and Cabinet - Recovery working group meeting
- Department of Police, Fire and Emergency Management - Evacuation Framework
- Office of Security and Emergency Management- recovery reform
- TasNetworks - Great Southern Lights Project
- Ironbark Consulting, Councils - Great Southern Lights Project team meeting
- Department of Police, Fire and Emergency Management - Collaborative Leadership sub-committee meeting
- Department of Education - Australian Early Development Census, Steering Committee
- Department of Education – Local Government Early Years Working Group
- Central Coast Council staff – meeting regarding improvements to the Delegations Register
- 11th National Local Government Cultural Forum
- Municipal Association of Victoria (MAV) – LinkedIn Webinar on maximising employer brand & content development
- EPA – state waste strategy
- Waste Strategy South – update on LGAT advocacy activities
- VISTAS Steering Committee – regular meeting
- Planning Policy Unit – Residential Housing Supply Bill
- National Competition Policy & freedom camping stakeholder reference group meeting
- Local Government Associations - environment and waste policy update
- Department of State Growth – Young Driver Symposium & Ideas Sharing Session
- Southern Tasmania Councils Authority (STCA) Regional Climate Change Initiative (RCCI) – quarterly meeting
- Cultural Forum Executive teleconference
- Kingborough Council, Derwent Valley Council, Brighton Council, Clarence City Council – Community Health and Wellbeing Project consultation and planning
- Fae Robinson – Community Health and Wellbeing Project planning
- DHHS - Community Health and Wellbeing Project funding opportunity
- Tasmanian Health Service & DHHS – Health Promotion Quarterly Information Sharing Meeting
- DHHS – Systems Thinking introduction
- Tasmanian Health Service - Community Health and Wellbeing Project planning
- Australian Road Research Board – Restricted Access Vehicle Route Assessment Tool Governance Committee meeting
- Department of State Growth – Community Road Safety Grants Committee application assessment meeting



- Tasmanian Climate Change Office – representation of Tasmanian Councils on future TCCO projects and Climate Resilient Councils work program



STATEWIDE WASTE MANAGEMENT FEASIBILITY STUDY – SCOPE

LOCAL GOVERNMENT ASSOCIATION OF TASMANIA

ITEM

21 JUNE 2018

Authored by: DION LESTER

Position: POLICY DIRECTOR

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Introduction

LGAT are seeking a suitably qualified consultant to undertake a feasibility study into a 'Statewide Waste Management Arrangement' for the planning, co-ordination and delivery of statewide waste policies, strategies, programs and services to support better waste management across Tasmania.

Project Governance and Administration

In addition to a dedicated LGAT project manager, LGAT will establish a Local Government Reference Group, which includes representatives from each of the three regional organisations to support the project.

The consultant may draw upon this group for additional engagement with Local Government i.e. either through one on one direct engagement with reference group members and/or meetings and workshops with the reference group.

Tasks and Deliverables

Part A: Needs and Gap Analysis

Undertake a needs/gap analysis for a Statewide Waste Management Arrangement to co-ordinate and deliver statewide waste policies, strategies, programs and services.

Tasks:

1. Engage with Local Government, the three-regional waste organisations, key industry representatives and State Government, on the need for a proposed Statewide Waste Management Arrangement. This is to include the delivery of:
 - a. Three regional workshops (one per region) with Local Government;
 - b. Three regional workshops (one per region) with regional waste authorities;
 - c. One statewide industry workshop; and
 - d. One statewide State Government session.
2. Analyse current industry trends and opportunities and community expectations (via desktop research) as they relate to waste management in Tasmania.
3. Review the current governance arrangements, purpose, role and functions of regional organisations and the State Government (e.g. the EPA) to co-ordinate and deliver waste policies, strategies, programs and services, particularly in the context of the changing waste management landscape.
4. Review other jurisdiction Statewide Waste Management Arrangements and their support for waste management.
5. Assess the gaps in current arrangements at a statewide level in Tasmania and identify the need for a Statewide Waste Management Arrangement, to co-ordinate and deliver statewide waste policies, strategies, programs and services to support waste management across Tasmania.

Deliverables:

A short report detailing:

- a. The outcomes of engagement with respect to the need for the proposed Statewide Waste Management Arrangement;
- b. Current industry trends;
- c. Review of the current statewide waste strategy, planning and delivery framework detailing:
 - i. Current purpose, roles and functions of existing regional groups, Local Government; State agencies and other key stakeholders; and
 - ii. Identified gaps and assessment of the need for Statewide Waste Management Arrangement.
- d. Recommendation on the need and benefits of a Statewide Waste Management Arrangement in Tasmania.

Hold Point

On completion of Part A there will be a hold point, subject to the recommendation on the need of a Statewide Waste Management Arrangement.

Part B: Feasibility Statewide Waste Management Arrangement

Undertake a review of options for a Statewide Waste Management Arrangement and assess the feasibility.

Tasks:

1. Undertake a review of proposed purpose, governance, role and function of a Statewide Waste Management Arrangement. As a minimum, the review must consider the following areas:
 - a. Key benefits and objectives;
 - b. Direction and management;
 - i. Purpose and role definition; and
 - ii. Governance arrangements.
 - c. Policy and strategic planning roles;
 - d. Operational and service delivery roles;
 - e. Resourcing; and
 - f. Accountability.
2. Examine what statutory governance models are available to establish and run the arrangements and determine the relative costs and benefits of each.
3. Undertake a review of potential funding arrangements/mechanisms, including community capacity to pay.

1-254

4. Engage with Local Government, the three-regional waste organisations, key industry representatives and State Government, on the proposed purpose, governance, role and function Statewide Waste Management Arrangement. This is to include the delivery of:
 - a. Three regional workshops (one per region) with Local Government;
 - b. Three regional workshops (one per region) with regional waste authorities;
 - c. One statewide industry workshop; and
 - d. One statewide State Government session.
5. Undertake an assessment of the feasibility of the proposed Statewide Waste Management Arrangement. The assessment must consider, as a minimum:
 - a. The strength/weakness compared with existing frameworks;
 - b. Cost/Benefits, opportunities and risks;
 - c. Likelihood & barriers to implementation; and
 - d. A roadmap for potential future roles and responsibilities of the Statewide Waste Management Arrangement.
6. Conduct a single statewide workshop with Local Government and regional waste organisations on the proposed purpose, governance, role and function of the proposed Statewide Waste Management Arrangement.
7. Present the final report to a LGAT General Meeting (20 mins presentation and 20 minutes questions).

Deliverables:

1. A draft report detailing the review of benefits & objectives, proposed purpose, role and function of a Statewide Waste Management Arrangement and potential funding mechanisms.
2. A final report (after the statewide workshop) detailing:
 - a. The review of proposed purpose, role and function of a Statewide Waste Management Arrangement including;
 - b. A review of potential funding mechanisms;
 - c. An assessment feasibility of the proposed Statewide Waste Management Arrangement; and
 - d. Conclusions and recommendations.



Local Government Association Tasmania

Our Ref: KS/MA
File No:

21 May 2018

The Right Reverend Dr Richard Condie
GPO Box 748
HOBART TAS 7001

Dear Dr Condie

Sale of Churches and Cemeteries

I am writing on behalf of the Members of the Local Government Association of Tasmania, the 29 councils.

At our General Meeting held on Friday 18 May, Members voted in support of the following motion:

That LGAT issue a public statement on behalf of Members:

- 1. Acknowledging the importance of redress for victims of abuse;*
- 2. Noting the concern being expressed across a number of Tasmanian communities about the sale of their local churches and cemeteries;*
- 3. Seeking that the Anglican Church ensure that those communities are not being made to pay unfairly for the actions of leaders in the Church; and*
- 4. That there is genuine consideration given to the huge impact on communities particularly in rural and regional Tasmania.*

Aspects of the debate included the concern being expressed in some communities about the disproportionate impact in rural communities where there was no alternative place of worship within a reasonable distance, the cultural and heritage values of some of the proposed sites, the lack of genuine engagement to date; that not all the funding was to be used for redress and the perception of a cash grab, and future lack of access to cemeteries for families.

The LGAT will be issuing the public statement in the form of a letter to the editor to each of the three regional Tasmanian papers (attached).

As Councils are often the first point of call for raising community concerns, I encourage the Church to make contact with councils to understand the extent and nature of those concerns in each community.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Katrena Stephenson'.

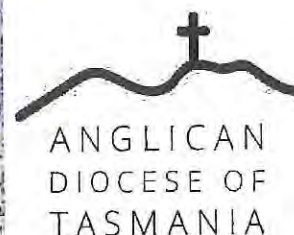
Dr Katrena Stephenson
CHIEF EXECUTIVE OFFICER

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28 May 2018

Dr Katrena Stephenson
Chief Executive Officer
Local Government Association of Tasmania
326 Macquarie Street
Hobart TAS 7000

Dear Dr Stephenson

Sale of Churches and Cemeteries

Thank you for your letter of 21 May 2018, which Bishop Condie has handed to me for response. Thank you too for passing on some of the concerns that your members are hearing through local communities.

We are at the very start of the process, and dependent on a decision of Synod to be able to consult more widely with local communities. If the Synod does decide to pass the proposed bill, there will be a period of six months in which we will be able to consult with communities and church communities to ensure that the method of raising funds to pay for redress will have as light an impact on local communities as possible. We certainly intend to engage with local councils during this process.

Local church communities will be able to make submissions to Diocesan Council for exemption of buildings from sale. One of the key criteria for these applications is distance or isolation. Local communities can also make representations to Diocesan Council by writing to me, at the addresses contained at the bottom of this letter, or by email at registrar@anglicantas.org.au.

Yours sincerely

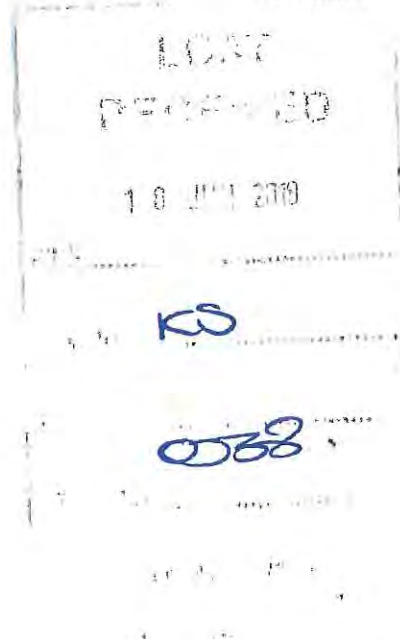
James Oakley
Registrar / General Manager

A church for Tasmania, making disciples of Jesus

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ANGLICAN DIOCESE
OF TASMANIA

THE RIGHT REVEREND
DR RICHARD CONDIE
BISHOP OF TASMANIA

13 June 2018

Dr Katrena Stephenson
Chief Executive Officer
Local Government Association Tasmania
326 Macquarie Street
HOBART TAS 7000

Dear Katrena

Thank you for your letter of 4 June 2018.

I have attached documentation regarding the consultation process for community groups. This information is also available on our website at: <https://anglicantas.org.au/redress-proposal/>.

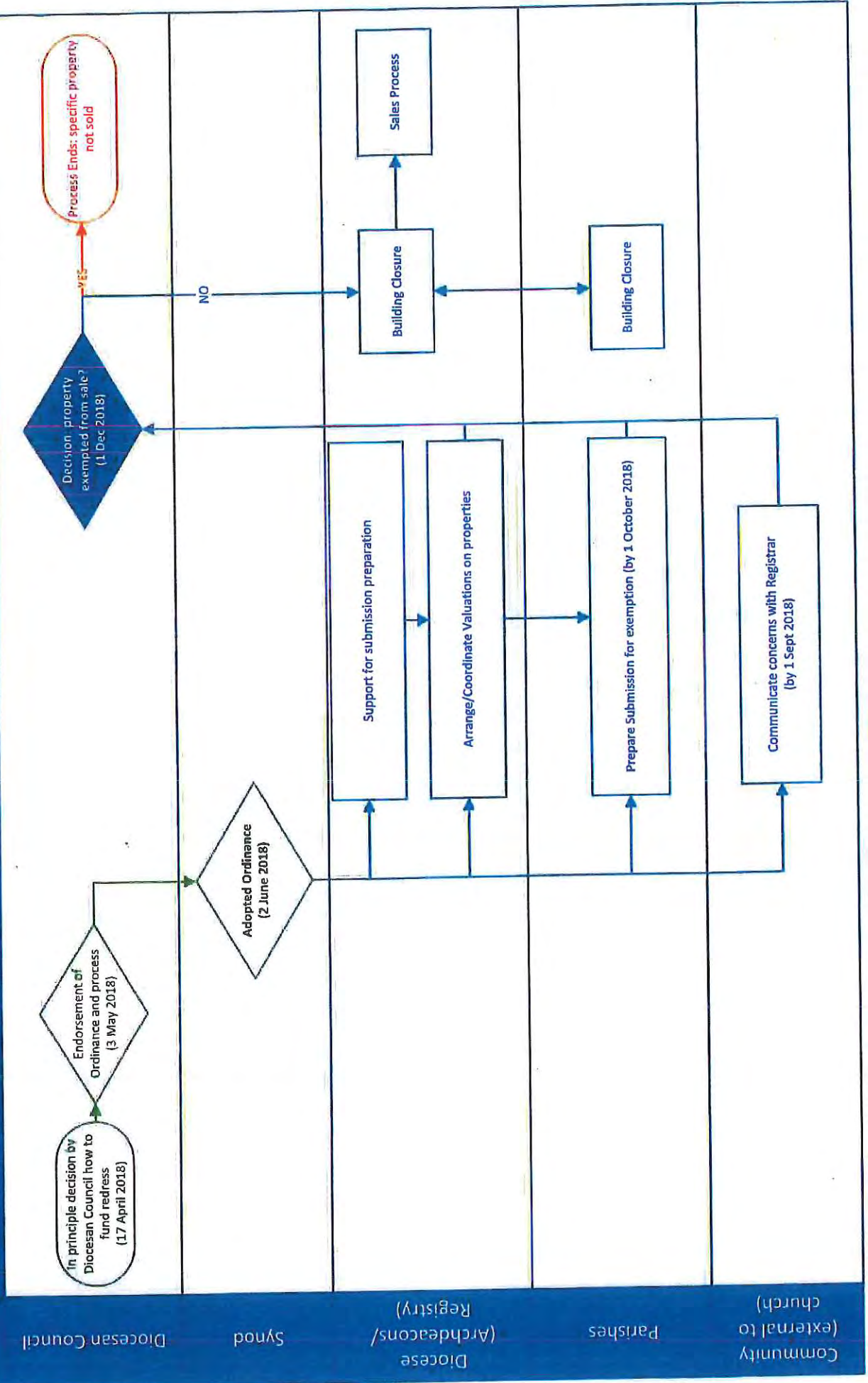
The criteria for submissions will be available the week following the 21st July, 2018. We envisage that this information will be accessible via our website.

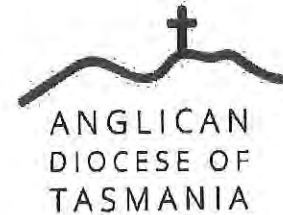
Sincerely

The Rt Revd Dr Richard Condie
Bishop of Tasmania

Redress Proposal Process - Property

Phase





The outline of the process for Parishes is:

Applications for exemptions

1. From June 2018, parishes will have the opportunity to apply to Diocesan Council for properties to be exempt from sale, or for funds to be exempt from levies. The criteria for exemptions is primarily about the ministry and mission needs in a parish.
2. Those applications must be made to the Council before 1 October 2018.
3. The Council will consider all submissions at its meeting in December 2018. This is to give everyone time to gather all the information that might be needed to make a sound decision about a property or fund.

Levying funds

4. In the second half of 2018, Diocesan Council will impose a 25% levy on all the funds in the deposit list, based on the balance of those funds on 17 April 2018. These funds will be quarantined, so that they are available to be paid for redress claims as needed.
5. The parishes will continue to receive the interest on those funds until they are used for making redress payments.
6. The balance of any money remaining at the end of the National Redress Scheme (after 10 years), will be returned to the parishes from which it was levied.

Selling properties

7. There will be some properties on the list that the relevant parish agrees ought to be sold. We will start marketing these in August or September, after they have been identified.
8. Following the December Diocesan Council meeting, where the list of properties for sale is finalised, we will start the process of sale.
9. This process will take some years and will be carefully planned and staged following consideration of the submissions received from parishes. We are currently exploring options to maximise the value of properties before sale, to ensure that we are being wise stewards of our resources.

Community Consultation

Community groups, councils or individuals who wish to make a representation to Diocesan Council, about church property marked for sale, can address their submission to the General Manager of the Diocese at Registry@anglicantas.org.au.

Submissions can be made after Synod has finalized the list in June until 1 September 2018

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Telephone +61 3 6220 2020 • media@anglicantas.org.au • www.anglicantas.org.au

FACT SHEET – REDRESS FUND



Why are we doing this?

The Anglican Diocese of Tasmania believes that providing redress (a payment, counselling costs, and the opportunity for a direct apology) for survivors of child sexual abuse is the right thing to do. It provides restorative justice, recognition and support for survivors.

With a significant number of child sexual abuse cases taking place in the 1960's, 70's and 80's, the Diocese has decided to join the National Redress Scheme, an independent government scheme to provide redress. We anticipate that around 150 survivors may come forward for redress, and that our liability will be in the order of \$8 million over the next ten years.

The Diocese cannot fund \$8 million out of its operations, nor can it fund the repayment of a loan of that magnitude. It does however have assets, including property and investments from the proceeds of previous property sales, it can utilise.

What will we do?

The Synod decided on 2 June 2018, to establish a Redress Fund for the Diocese to cover claims made against the Anglican Church of Tasmania. Funds will be derived from:

- Around \$2.9M from levies (of 25%) on funds from past property sales by the Diocese and parishes;
- Around \$1.1M from direct contributions by some larger parishes; and
- Around \$4.7M from levies (of 25%) of the net proceeds of the sale of 108 properties owned by the Diocese.

The Synod agreed to a [list of properties](#) that may be sold, and a [list of funds](#) that may be levied.

Properties: <https://tinyurl.com/y7rkwn7> Funds: <https://tinyurl.com/ydaiapqc>

The proceeds of the sale of property will be directed as follows (see graphic: <https://tinyurl.com/yavl8x49>):

- 25% to the Redress Fund;
- 25% to the New Ministry Development Fund, of which 15% may be reclaimed by the Parish; and
- 50% to remain in trust for Parish use.

The aim of this is to enable ministry activities to continue where property is sold with up to 65% of the proceeds available for local parish use.

How can you respond?

The Diocese will engage in a process of consultation with our parishes and with local communities to determine if properties or funds should be excluded from the lists for sale or levy. An independent Probity Advisor will oversee this process. The key dates in that process are:

- 1 September 2018 – deadline for community submissions to the General Manager of the Diocese.
- 1 October 2018 – deadline for Parish Council submissions to the Diocesan Council.
- December 2018 – Diocesan Council meets to consider submissions and may exempt some buildings from sale or delay sales.
- Sales of properties that remain on the list will take place in a controlled manner over the following 2-3 years.

All correspondence should be directed to The Registrar/ General Manager, Mr James Oakley, GPO Box 748, Hobart 7001, or registry@anglicantas.org.au

Further information can be found here: <https://anglicantas.org.au/redress-proposal/>
Information about cemeteries can be found in the FAQ here: <https://tinyurl.com/y7w8g7ev>

Dr Katrena Stephenson, CEO LGAT

Dear Katrena

Further to my telephone call of even date I am interested in exploring the possibility of Tasmanian Councils taking over control of Tasmanian cemeteries.

I am writing as a member of the Uniting Church in Tasmania, and have served as a member of the Tasmanian Presbytery Resource and Development Committee for the past 15 years. Also last October as a Tasmanian representative, attended a Melbourne Synod meeting called to discuss the establishment of a cemeteries policy for Victoria and Tasmania. This is still ongoing.

Recent publicity about the proposed sale of Anglican church properties, also sale of Uniting Church properties including cemeteries, prompts me to explore how best to operate cemeteries in the future.

In Mainland States cemeteries are mostly under the control of Shire Councils. In Victoria there are only three Uniting Church cemeteries, here some forty three. Some are closed to further burials while some are on separate titles from that of the church. In the past several Uniting Church properties with attached cemeteries have been sold to private individuals with problems occurring. At Bracknell for a time a young bull was allowed to run in the cemetery amongst the headstones, which has now been replaced by a Shetland pony. This has been a cause of much concern to relatives of people buried there. At Butleigh Hill, Cressy area, trucks and irrigators are reported as passing over graves, again generating concern.

Once a church and cemetery is sold there is little control over what happens at the property which is a cause for concern.

In the past Churches have facilitated the operation of cemeteries in communities, but with declining membership, ageing congregations and sale of properties, changes to the operation of cemeteries is becoming necessary.

Other issues with private ownership are, the maintenance of grounds, provision of access ie. getting past barriers and dogs, and the ability to keep records.

Also some cemeteries are heritage listed and are of historical significance. Also some have rare species growing in the grounds which are required to be protected.

Should Councils become responsible for cemeteries, the cost of operation should remain similar to that at present but become a community cost as is the case with present community run cemeteries and other community facilities.

I would appreciate your thoughts on the matter. Possibly we may be able to meet up and explore the matter further and include other church representatives in discussions.

Sincerely

Ivan Badcock

Dear Katrena

Thanks for your advices.

To expand on my earlier email I am forwarding further information on Tasmanian Uniting Church cemeteries. This was mostly put together about six years ago but has not greatly changed since then.

At that time I visited many of the north/northwest cemeteries and it would appear that many of the cemeteries receive care and maintenance from a variety of groups and it anticipated this will continue, thus not requiring much council maintenance work.

The Work Orders group do work and this is well received and valued, with the Department of Justice advising they are able to take on more properties. Attached is a copy of our application for work at the Evandale cemetery which shows details they require. The congregation is very satisfied with their work.

Councils also do much work, not only at Council run cemeteries and have heard that a north east Municipal Council does maintenance at all of its cemeteries.

At several cemeteries there are signs advising the cemetery has rare and threatened flora species, the aim being to provide protection and preservation. See picture of the sign at the Meadowbank Campbell Town cemetery, (attached). Other cemeteries have similar signs. Should you require clarification or additional information please make contact.

I look forward to hearing of the out come of the July meeting.

Regards,

Ivan

Telephone - 6397 3558,

Mobile - 0439 653 597

Hagley Cemetery

Some considerations by Ivan Badcock – 14 November 2017

The cemetery forms part of the Uniting Church's mission in the area, Hagley, Westbury, Exton, and beyond, and provides a safe and respectful resting place for loved ones. It is still a working cemetery with 12 burials booked plus 9 to be placed in the columbarium. It is likely that others will be wanting to be placed there.

The ground for the cemetery was gifted by a neighbour, George Scott (1804-1877) in 1864 and he and a number of his descendants are buried there. Scott family members still attend to maintenance of the grounds. The church and cemetery are on separate titles.

Besides other Pioneer families, also to be found there is Rev William Dawson (1854-1886) who died as a serving minister in the Westbury circuit. The wife of another Westbury Wesleyan minister and several minister's children are also interred there.

The request to sell the Hagley church, but excluding the cemetery, was forwarded to PART on 6 October 2015 but a written response is yet to be received. However verbally we are advised the sale must include the cemetery, for reasons of maintenance and insurance. These issues are now addressed.

Maintenance – Over the 150 years since the cemetery was established, maintenance has been attended by the people of the district and descendants of people buried there. Over that period it has been well maintained, which still continues, and is expected to be so into the foreseeable future. Should the time come when that arrangement ceases, the services of Work Orders, provided by the Tasmanian Department of Justice are available. Currently for the Uniting Church, they attend to maintenance at the Cressy, Longford and Evandale cemeteries and also do work in the Hagley and Westbury Anglican cemeteries amongst others. The service is provided without charge. They advise of being able to take on more work.

The workers attend to grass mowing and general tidying of the grounds. The Department provides travel, equipment and insurance cover for those doing work. I have not heard of any complaints about their work, rather good reports.

Maintenance concerns are therefore unfounded.

Insurance – I am not aware of any claims relating to the cemetery. Risk factor therefore appears low.

Past Cemetery Sales – Two not far distant Uniting Church properties, containing cemeteries, have been sold over the past approximate 15 years, those at Bracknell and Butleigh Hill. Problems have occurred at both. At Bracknell an owner placed a young bull into the cemetery grounds amongst tomb stones which caused much concern, particularly to those who had relatives buried there, also to town residents. At the Butleigh Hill cemetery there have been reports of trucks and irrigators passing over graves again raising concerns.

This has given rise to negative publicity towards the church.

Once a property has been sold the Church has little control over what the new owners may do at the site, nor is there any guarantee that the grounds will be satisfactorily maintained.

Other Factors – With retention of the cemetery a new entrance to the cemetery will need to be provided. Guy Barnett , MHA, and whose parents are buried in the cemetery, has had discussions with Craig Perkins, Mayor of the Meander Council, and who advises the Council is agreeable for this new entrance.

It is known that the South Riana Uniting Church cemetery was retained when the church was sold and recently settled. There are many similarities between the two places and I fail to understand why the Hagley sale is being treated differently.

Summary – In summary Hagley is a well kept working cemetery with historic significance and is important to the Uniting Church's mission and people in the area. Its retention and operations, I believe, are best continued in the hands of the local congregation.

I therefore submit that the cemetery not be sold.

UCA Property Cemeteries by File Name as at 21 August 2017

File Name ** = further info in Cemetery files hard copy	Property Town Location	Denomination	Description	Open/ Closed	Record Admin	Maintenance contact
Bicheno **	Bicheno, Morrison Street	Methodist	Columbarium	Open	Mrs Helen Gamble, Rosedale Road, Bicheno 6257 1184 Website: Gravesites of Tasmania Owned by Kingborough Council	Bicheno Congregation
Channel	Kettering, 2910 Channel Highway	Uniting (was also Catholic and Anglican)	Cemetery		Owned by UCA Managed by a sub-committee	Miriam Imms
Channel	Kettering, 2910 Channel Highway	Uniting (was also Catholic and Anglican)	Columbarium	Open	Website: Gravesites of Tasmania	
Channel **	Woodbridge	Methodist	Cemetery			
Clarence **	Rokeby, 73 South Arm Road	Congregational	Cemetery	Closed	State Archives office Website: Gravesites of Tasmania Website: Headstones From Cemeteries Of Tasmania	Tranmere-Clarence Plains Coast Care Group Phil Anstie phil.anstie@gmail.com. Heritage listed
Devonport **	Moriarty *Greenbanks, Lot 2, Bonneys Lane		Cemetery	Open	List of Names and headstone details on file Website: Gravesites of Tasmania	
Glamorgan **	Cranbrook, 14876 Tasman Highway	Presbyterian	Cemetery	Open only for those with pastoral connection to Gala Kirk. Not for general intake.	Mrs Jennie Amos Burial Register at Swansea & Tas Archives	Mr Wayne Webb
Glamorgan **	Swansea, Wellington Street	Presbyterian	Cemetery	Open	Mrs Dot Barden 0418 331 447 Website: Gravesites of Tasmania Website: Headstones From Cemeteries Of Tasmania	Volunteers
Glamorgan **	Swansea, Noyes Street (at the church)	Presbyterian St Andrews	Columbarium	Open	Mrs Dot Barden 0418 331 447 Website: Gravesites of Tasmania	Volunteers
Huon	794 Glen Huon Road	Methodist	Cemetery	Open	Miss Natalie Norris Castle Forbes Bay	B Ford keeps it

UCA Property Cemeteries by File Name as at 21 August 2017

File Name ** = further info in Cemetery files hard copy	Property Town Location	Denomination	Description	Open/ Closed	Record Admin	Maintenance contact
					Ph: 6266 3419 Website: Gravesites of Tasmania Burial Register at home of J Clark Website: Gravesites of Tasmania	mown
Huon **	Judbury, Lonnvale Road	Wesleyan Methodist	Cemetery	Open	Website: Gravesites of Tasmania	Kingborough Council
Huon	Lower Longley, Huon Highway	Methodist	Cemetery			Claude Road Cemetery Trust Inc
Kentish **	Claude Road, Claude Road	Methodist	Cemetery	Open	R&D report 8/1997 - Cemetery transferred to Claude Road Cemetery Trust	Kentish Council
Kentish **	Railton, Leake Street		Cemetery		Finance & Property Files Aug 1977 - transferred to Kentish Council Website: Headstones From Cemeteries Of Tasmania	
Kingston **	Kingston - Settlers Park Channel Highway	Wesleyan Methodist	Cemetery	Closed	Records at Archives Office	Kingborough Council
Launceston North **	Tunnel, 460 Bacala Rd	Wesleyan Methodist	Cemetery	Open		Local Resident
Launceston South Esk **	Evandale, 9 High Street	Presbyterian	Cemetery	Closed	Cemetery Index on file Records at Launceston Library Website: Headstones From Cemeteries Of Tasmania	Mowed by Northern Midlands council. Congregation arranges other maintenance
Launceston South Esk **	Hadspen, 47 Main Road	Wesleyan Methodist	Cemetery	Open only for paid plots	Cemetery Index on file Mrs Edna McCormack Website: Headstones From Cemeteries Of Tasmania	Congregation
Launceston South Esk **	White Hills, 630 Blessington Road	Wesleyan Methodist	Cemetery	Open	Cemetery Plan on file Property Sold May 2017	
Longford **	Cressy, 6B Saundridge Road	Wesleyan	Cemetery	Closed but for prepaid plots	Northern Midlands council & UCA Longford	

Review of the Local Government Code of Conduct

Tasmanian Government Response

June 2018

I. Background to the Review

Tasmanians need to be confident that the councillors they elect to represent them will uphold and abide by certain standards of conduct and behaviour. The local government Code of Conduct framework plays an important role in supporting this outcome.

A statewide Code of Conduct framework applying to all elected councillors first commenced on 13 April 2016. The framework was established through changes to the *Local Government Act 1993* (the Act) and replaced a patchwork of previous code of conduct arrangements that were in place at the individual council level.

The framework was developed through extensive consultation with the local government sector and the Integrity Commission, and provides for greater uniformity and enforceability than pre-2016 arrangements, which were widely seen as lacking consistency and credibility.

In early 2017, the Tasmanian Government agreed to a request by the sector for a review of the local government Code of Conduct framework (the Review) at the conclusion of its initial 12 months of operation. The aim of the Review was to investigate whether the framework is proving to be effective, and identify and address any aspects of the framework that have not operated as intended.

The Review, which is now complete, was the subject of substantial consultation. The Local Government Association of Tasmania (LGAT) led consultation with councils, while the Department of Premier and Cabinet's Local Government Division (LGD) led consultation with Code of Conduct Panel members and the Executive Officer. The sector endorsed a set of recommendations at the LGAT General Meeting on 1 November 2017.

2. The Tasmanian Government's Response

Appendix A outlines in detail the Government's response to the proposed changes put forward through consultation with both the sector and Panel members. The Government has considered and responded to all proposed changes with reference to the following four guiding principles:

- 1) **The Code of Conduct is designed to establish best practice for councillors in discharging their functions and obligations as elected officials, predominantly focussing on behavioural expectations and complementing the legal requirements of the Act.** Serious matters of misconduct (e.g. misuse of office) are separately (and appropriately) dealt with as offences under the Act. Where there are overlaps between the code and the Act, streamlining of the code to remove duplication is supported.
- 2) **Proceeding to the formal complaints process should be the last – not first – resort for resolving behavioral matters.** Measures that reduce the number of vague, frivolous, trivial or vexatious complaints at the earliest opportunity should be pursued as a priority, as should placing the onus on parties to resolve issues before resorting to the formal complaints process. The amount of time and resources in dealing with trivial complaints should be reduced to the maximum extent that is reasonably possible without compromising the rigor of the complaints process.

- 3) **The code of conduct process is not intended to operate as a 'court'.** Concepts such as the awarding of costs against parties to a complaint, and mandating the right for parties to be given a hearing in relation to a complaint are not appropriate given the objectives and nature of the code of conduct framework.
- 4) **High levels of prescriptiveness should be avoided where possible, particularly where they have the potential to prevent or constrain the exercise of professional judgement in arriving at a sensible, fair and efficient outcome.** Code of Conduct Panels should be given sufficient flexibility to exercise their professional judgement with respect to dealing with complaints, including in relation to whether or not they need to hold a hearing, or whether or not they accept amended complaints. It is acknowledged that Panels must have the requisite skills, and receive sufficient support and training, so as to ensure the sector can be confident that Panel members are well equipped to exercise the necessary level of judgement on such matters.

The Government broadly supports adjusting and refining the code to address the issues and concerns identified by the sector and Panel members during consultation.

The Government notes the sector's position is that the Government should have overall administrative and funding responsibility for the Code of Conduct framework. However, it is common practice across a number of sectors for a regulated entity to fund certain costs associated with its own (independent) regulation. The Government will engage the sector in a broader discussion about governance and funding in parallel with work to implement other recommendations.

3. Reform Package

The Government is proposing a package of 19 individual improvements to the Code of Conduct framework, which will include legislative amendments, changes to the Model Code and administrative and process improvements.

The changes are designed to increase the sector's ownership of, and commitment to, the framework and improve the efficiency of complaints processes, including through the early dismissal of trivial complaints.

Key elements of the Government's response include:

- **A new requirement on the parties to a complaint to demonstrate that they have undertaken 'reasonable efforts' to resolve an issue that is the subject of a complaint before a complaint is formally accepted.** This will place the onus on parties to try and resolve an issue as before formal escalation, and reinforce that a code of conduct complaint is an option of last, not first, resort in relation to elected member behavior.
- **A new provision in the model code to allow Panel Chairs to dismiss complaints on the basis of 'triviality', as well as frivolous and vexatious complaints.** Adding 'trivial' will support a reduction in the number of complaints to only those that are material in nature.
- **The removal of duplicative provisions, such as 'pecuniary interests' and 'misuse of information' from the Model Code.** These changes will support the Code's focus on

behavioural matters by eliminating unnecessary duplication between issues that are specifically dealt with by the Code and those that are already covered by other offence provisions of the Act.

- A new provision to explicitly prevent all relevant parties from misusing information they obtain as part of a code of conduct investigation. The Act does not currently deal with the misuse of information obtained by Panel members or complainants, only elected members. Misuse of information provisions should apply to all parties involved in the complaint process.

The Government's full Code of Conduct reform package is summarised in Table I, below.

Table I: Code of Conduct Review Reform Package

Legislative Changes (<i>Local Government Act 1993</i>)		
#	Change	Rationale
1	A new legislative provision will allow Panel Chairs to dismiss complaints on the basis of 'triviality', as well as frivolous and vexatious complaints.	The amount of time and resources in dealing with obviously trivial complaints should be reduced to the maximum extent that is reasonably possible without compromising the rigor of the complaints process. Panel member and sector advice is that 'frivolous and vexatious' is too narrow to allow the dismissal of 'trivial' matters. Adding 'trivial' will support a reduction in the number of complaints to only those that are material in nature.
2	The complainant and respondent will both be required under the Act to make a Statutory Declaration in relation to a complaint.	It is a reasonable expectation that both parties should be willing to attest – 'under oath' - to the honesty and accuracy of their accounts. This change was suggested by both the sector and Panel members.
3	Complainants will be required to demonstrate that they have undertaken 'reasonable efforts' to resolve an issue that is the subject of a complaint before a complaint is formally accepted. The Chair of the Panel will be given flexibility to judge what is reasonable in the circumstances on a case-by-case basis.	This will place the onus on parties to try and resolve an issue before formal escalation, and reinforce that a Code of Conduct complaint is an option of last, not first, resort in relation to elected member behavior.
4	The ability for a complainant to amend a complaint once the Panel has commenced an investigation will be removed.	The Chair will retain the flexibility and discretion to make a decision about accepting an amended complaint, on a case-by-case basis up until the beginning of an investigation. However, post the commencement of an investigation, additional complaints will need to be submitted separately and assessed on their own merits.

5	A new provision will be included to prescribe that Determination Reports must be kept confidential until they are formally tabled by the relevant council.	This change will enhance procedural fairness and confidentiality.
6	Councils will not be permitted to table a complaint determination reports in an open council meeting while a determination is still subject to appeal.	This change will enhance procedural fairness.
7	Councils will be required, in their Annual Reports, to report on the total number of complaints they received in a given financial year.	This change will increase transparency of reporting on complaints, which already requires councils to report on the number of complaints upheld and the costs associated with complaints met by councils.
8	All parties will be explicitly prevented under the Act from misusing information they obtain, or are privy to, as part of a code of conduct investigation.	The Act does not currently deal with the misuse of information obtained by Panel members or complainants, only elected members. Misuse of information provisions should apply to all parties involved in the complaint process.
9	Councils will be required to place determination reports on the agenda of open council meetings.	While 'tabling' is already provided for under the Act, this does not always result in the matter being placed on the meeting agenda. This change will increase public transparency.
10	Responsibility for councillor training costs resulting from a code of conduct determination should be clarified.	Training costs should to be borne by the relevant council, not the individual councillor, and this should be reflected in the Act.

Changes to Model Code

#	Change	Rationale
1	Potential changes to the 'materiality test' in Part 2 (6) of the Model Code that currently applies with respect to conflicts of interest will be subject to further review and consultation with the sector.	<p>The Model Code currently provides that elected members are to "...act in good faith and exercise reasonable judgement to determine whether the conflict of interest is so material that it requires removing himself or herself physically from any Council discussion and remaining out of the room until the matter is decided by the Council".</p> <p>The 'materiality test' attracted a range of diverging views from stakeholders during the review process. While removing the test would provide clear and unambiguous direction to elected members, it also has the potential to diminish the autonomy of elected members in making judgments as to whether conflicts are significant enough to warrant physically removing themselves from deliberations. Further consultation will be undertaken as part of the changes to the Model Code before any changes are made to part 2.</p>

2	'Pecuniary interests' will be removed from Part 2 of the Model Code.	There is some overlap between certain provisions of the Model Code and the Act. Pecuniary interests are one such example where the wording of conflict of interest provisions includes pecuniary interests. Unnecessary duplication between matters that are specifically dealt with by the code and those that are already covered by other offence provisions of the Act will be removed.
3	'Use of Information' will be removed from Part 5 of the Code.	As with pecuniary interests, 'use of information' is another area of overlap between the Model Code and the Act. Section 339 of the Act already deals with misuse of information.
4	Part 7(1)(a) of the Model Code will be re-drafted to limit the requirement on elected members to treat all persons with 'fairness'.	This part of the Model Code should capture the essence of the desired behaviour, while still allowing for frank debate and robust political disagreement. The Government supports the sector's view that the use of terms such as 'courtesy' and 'dignity' in this part of the Model Code can be problematic because they are more subjective.
5	Part 8(5) of the Model Code will be amended by inserting 'publicly' prior to 'undermines the decision of the council'.	This change will bring Part 8(5) of the Model Code in line with Part 8(6) and clarify that the code is focused on an elected members' public conduct, acting in their capacity as a councillor.

Administrative and process improvements

#	Change	Rationale
1	Current complaint forms will be reviewed to ensure there is greater clarity regarding the specific nature of a complaint. For example, complainants should be able to select the descriptor that best applies to the alleged breach of conduct.	Responds to sector feedback and is consistent with the overall objective of improving the 'front end' of the complaints process.
2	Additional guidance will be provided to Panels on the application of 'reasonable person' test in Part 7(1)(b) of the Model Code, which deals with causing 'offence or embarrassment' is sensible. While the Panels should have a sound understanding of this concept (particularly the legal member of the Panel), some guidance to elected members is supported.	Responds to sector feedback and aims to increase consistency in decision-making.
3	Guidance will be provided to Panel members to ensure that prescribed training to address behavioural issues is 'provider-neutral'.	Responds to sector feedback and encourages a more strategic approach to training in the context of the code of conduct process.

	Consideration should also be given to local training provider capacity, with potential to establish a 'panel' of providers that have been assessed as competent at providing specific training types/modules.	
4	Training for Panel members will be reviewed to ensure that members are clear on the limits of the sanctions they apply – that is, sanctions can only be applied to the individual that is the subject to a complaint that has been upheld, and not all councillors	Responds to sector feedback to provide greater clarity in this regard.

4. Next Steps

It is anticipated that legislative and Code amendments will be implemented by the end of 2018, subject to the Government's legislative agenda and other Parliamentary priorities.

The sector will be given a further opportunity to provide input to legislative amendments and changes to the Model Code before they are introduced to the Parliament.

As noted above, there are several ongoing issues in regard to governance and resourcing responsibilities for the Code of Conduct framework, which will require further discussions between the Minister for Local Government and the sector. These matters will be progressed and resolved in parallel with legislative and Model Code amendments

Appendix A: Detailed response to individual local government sector and Panel member recommendations

# Recommendation	Changes to legislation or Model Code required?	Who proposed the recommendation?	Tasmanian Government Response
Supported			
1	A Statutory Declaration from the complainant and respondent should be required.	The sector and Panel members	Supported. Both parties should be willing to attest - 'under oath' - to the honesty of their accounts.
2	Improve the complaint forms to ensure there is clarity regarding the complaint. For example, complainants should be able to select the descriptor that best applies.	The sector and Panel members	Supported.
3	Enable the Chairs to dismiss trivial complaints.	The sector and Panel members	Supported. The amount of time and resources in dealing with obviously trivial complaints should be reduced to the maximum extent that is reasonably possible without compromising the rigor of the complaints process. Adding 'trivial' would support a reduction in the number of complaints to only those that are material in nature. Currently, the term 'frivolous and vexatious' is too narrow to allow dismissal of 'trivial' matters. Grounds should identify that this is the reason for dismissal.
4	Panels should have the ability to dismiss a complaint at any stage in the process.	The sector and Panel members	Supported, as this is already the case. If a complaint proceeds from the assessment stage to investigation, that investigation could be concluded very quickly if the Panel receives information that would allow it to dismiss the complaint.
5	Remove ability for complainant to amend the complaint once the Panel has commenced its investigation (28X(2)).	The sector	Supported. The Government considers that the Chair should retain the flexibility and discretion to make a decision about accepting an amended complaint, on a case-by-case basis up until the beginning of an investigation. Once a formal investigation has commenced, any additional complaints should be submitted separately and assessed on merit. At a practical level, recommended changes to improve complaint forms (additional substantiation etc) should help address this issue by reducing the incidences of complaints being amended.
6	Exclude pecuniary interest from Part 2 of the Model Code.	The sector and Panel members	Supported. There is some overlap between some provisions of the code and the Act. The Government supports streamlining the code with a view to focusing primarily on behavioural matters, and removing unnecessary duplication between matters that are specifically dealt with by the code and those that are already covered by other offence provisions of the Act. Use of information is another area of overlap between the Model Code and the Act. Section 339 of the Act already deals with misuse of information.
7	Prevent the determination report from being tabled in an open council meeting while subject to appeal.	The sector	Supported.

# Recommendation	Changes to legislation or Model Code required?	Who proposed the recommendation?	Tasmanian Government Response
8 The Panel must be appropriately experienced, trained and supported and must demonstrate they can perform the role before being appointed.	No, administrative/process issue	The sector and Panel members	Supported noting that the Panels as constituted represent what the sector requested (two persons with local government experience, one being the Chair, and a legal representative). The Government also notes that in the last recruitment round to add to the list of Panel members to select from, the selection Panel was drawn entirely from nominations from the sector. The Government proposes to continue this approach into the future, so that Panel members will be persons nominated by the sector itself. Code of Conduct Panels will primarily be challenged in the area of its application of natural justice and this is the appeal mechanism for the Magistrates Court Civil Division. Therefore as a minimum the legally trained person should have training in administrative law principles of procedural fairness, evidence and bias. Ideally all members of the Panel would receive this training.
9 The Chair must have the experience to both control and lead the interview process and not allow too much leeway for comments outside the scope of the complaint.	No, administrative/process issue	The sector	Supported. See comments above.
10 Clarify that Panel chairs are obliged to refer matters that are the jurisdiction of the Director of Local Government, prior to a full Code of Conduct process.	No change necessary	The sector	Supported as this is already provided for in the Act.
11 Information on complaints upheld (as a minimum) should be reported as part of the Annual Report.	Yes, legislative amendment if reporting requirements are extended	Panel members	Supported. The Government notes that section 72 of the Act already requires the following in council annual reports: <ul style="list-style-type: none"> • A statement of the number of code of conduct complaints that were upheld either wholly or in part during the preceding financial year; • The total costs met by the council during the preceding financial year in respect of all code of conduct complaints dealt with under Division 3A of Part 3 during the preceding financial year. Reporting could be extended to also include total number of complaints received.
12 Explicitly prevent parties from misusing information they obtain as part of a code of conduct investigation.	Yes, legislative amendment	Panel members	Supported. The Government notes that section 339 of the Act could be amended to include information obtained by any party (including Panel members) via a code of conduct investigation.
13 Reinforce confidentiality requirements.	Yes, legislative amendment	Panel members	Supported. Amend section 28KZ of the Act to prescribe that Determination Reports must be kept confidential until they are formally tabled by the relevant council.
14 Require determination reports to be on the agenda of open council meetings.	Yes, legislative amendment	Panel members	Supported. While 'tabling' is already provided for under section 28ZK of the Act, this does not always result in the matter being placed on the agenda.
15 Obligation on Director to advise Panel when a matter should have been referred to Director.	No	Panel members	Supported as this is already the case.
16 Additional step in process – three days to allow respondents a chance to review and respond to proposed sanctions.	No	Panel members	Supported. The Government understands that this process has been adopted and is already in effect.

#	Recommendation	Changes to legislation or Model Code required?	Who proposed the recommendation?	Tasmanian Government Response
17	Clarify responsibility for training costs.	Yes, legislative amendment	Panel members	Supported. Amend section 28ZN of the Act to clarify that costs of training that might be required of a councillor as a result of Determination Report are to be borne by the relevant council, and not the individual councillor.
18	Improvements needed in regard to the receipt, checking and processing of complaint forms.	No	Panel members	Supported. The Government notes that councils could give consideration to whether the General Manager should continue to perform the function of receipt, checking and processing of complaint forms or, in their interests of ensuring that the General Managers are not put in potentially difficult positions, it could be delegated to an 'authorised officer' (e.g. similar to Right to Information Officers at the State Government level). The Government considers these concerns will be ameliorated through guidance, support and education.
19	Limit 7(1)(a) of the Model Code to fairness.	Yes, change to Model Code	The sector and Panel members	Supported. This part of the Model Code should capture the essence of the desired behaviour under this part of the code, while still allowing for frank debate and robust political disagreement. The Government supports the sector's view that the use of terms such as 'courtesy' and 'dignity' in this part of the Model Code can be problematic because they are more subjective.
Supported in principle				
20	Introduce a mechanism for mediation or a requirement to demonstrate that mediation has been attempted.	Yes	The sector and Panel members	Supported in principle. Mediation should be pursued where it presents the reasonable prospect of resolving the matter without recourse to formal administrative/statutory processes. However, mediation will not always be appropriate and should be assessed on a case-by-case basis. The Government proposes instead that a 'reasonable efforts to resolve' test be placed on complainants before a complaint is accepted under 28V of the Act, and that the Chair be given the flexibility to judge what is reasonable in the circumstances on a case-by-case basis. This proposal would generally only apply to Part 7 of the Model Code and possibly some of Part 8.
21	The Chair should be able to seek preliminary advice from the General Manager to consider other matters before dismissing or proceeding with a complaint.	Potential legislative change	The sector	Supported in principle. The initial assessment by the Chair is intended to be undertaken based on the documentary evidence provided. This could be extended to include any relevant documents (e.g. meeting minutes etc.) provided by the General Manager (if available and relevant). However, there are concerns that seeking additional advice from the General Manager in addition to the above documents may in some cases create a perception of bias (eg where there has been conflict in the past between an elected member and a General Manager), with the attendant risk of damaging relationships between the General Manager, elected members and council staff. An alternative would be to provide additional scope for the Chair to obtain information or advice that the Chair may draw on in making an initial assessment, but this then starts to enter the realm of 'pre-emptive investigation' before the initial assessment has even been completed. Other changes aimed at reducing the number of complaints proceeding to full investigation and determination will likely address the practical concern reflected in this recommendation. So too should any complaints resolution procedures that a council may put in place to resolve issues before they escalate to a formal code of conduct complaint.

# Recommendation	Changes to legislation or Model Code required?	Who proposed the recommendation?	Tasmanian Government Response
22 Include recognition of a councillor exposing fraud or other illegal activity as not offending Part 3 (1) of the Model Code.	Yes, change to Model Code	The sector	Supported in principle. The Government supports the intent, but does not believe this is technically necessary. It seems self-evident that any disrepute brought upon council as a result of the revelation of unlawful or unethical behaviour is caused by the person responsible for those actions (and not any person acting to uncover them). Further, the <i>Public Interests Disclosures Act 2002</i> already covers the field in relation to this issue. The Government also recognises the risk that a small minority of persons may falsely raise allegations of significant impropriety for political or other reasons. Where this is found to be the case the Code or the Act should be able to deal with those persons.
23 Include an explanatory note regarding a 'reasonable person' to support interpretation of Part 7(1)(b) of the Model Code.	Yes, change to Model Code if explanatory note included in body of code.	The sector and Panel members	Supported in principle. The provision of additional guidance to Panels on the 'reasonable person' test is sensible. While the Panels should have a sound understanding of this concept (particularly the legal member of the Panel), some guidance to elected members is supported. This could be achieved by a supporting guideline and through elected member and Panel training, rather than through a change to the code itself. Concerns about interpretation of 7(1) are likely to be ameliorated by a re-draft and tightening of that section (see above).
24 Remove "undermines the decision of the council" from Part 8(5) of the Model Code.	Yes, change to Model Code	The sector	Supported in principle. The spirit (if not the letter) of the Act with respect to the role and responsibilities of councillors is that once a decision is made, then an individual councillor should not publicly criticise a decision of council (noting that council voting records are public documents). On this basis, the Government does not support any weakening of the code to allow for public dissent regarding council decisions, instead the Government proposes inserting 'publicly' prior to 'undermines the decision of the council'. Similar to recommendation 23, the Government considers showing 'respect' when expressing personal views publicly, as in Part 8(6), is important to capture the essence of the desired behaviour under this part of the Code.
25 Once the Panel is notified of a complaint the General Manager should be required to table the complaint in the next available Closed Session of Council and the Mayor or Deputy Mayor (if complaint relates to the Mayor) should be notified immediately.	Yes, legislative change	The sector	Supported, in principle. The Government supports the intent of providing council with forewarning of complaints where this is deemed necessary and appropriate. The Government understands that this is already possible without having to prescribe that it occurs. There is a need to ensure procedural fairness/natural justice are not adversely impacted as a consequence. A matter referred by a Panel for example to the Director as a possible offence under the Local Government Act should not be disclosed. Panel members suggest that it is important that confidentiality of the process is maintained until the determination is completed. Matters that proceed to investigation after the assessment stage could, in principle, be reported in session, but - in the interests of natural justice - the right to confidentiality for both complainant and councillor should be maintained. This would mean only limited, de-identified information could be provided (eg number of complaints received and basis of the complaint). The Government believes it is unnecessary to prescribe this in legislation, instead it should be left to

#	Recommendation	Changes to legislation or Model Code required?	Who proposed the recommendation?	Tasmanian Government Response
26	Code of Conduct sanctions should only be imposed on those against whom the complaint is made.	No changes necessary	The sector and Panel members	<p>the continued discretion of councils.</p> <p>Supported in principle. The Government believes this is a perceived risk, as opposed to an actual problem with the Code. Panels would have no jurisdiction to issue sanctions beyond those councillors who are subject to a complaints process. This issue will be covered in training for Panel members.</p> <p>To the extent that systemic or cultural issues with a council may be signalled by repeat complaints on similar matters against a number of councillors, this should trigger consideration of 'whole of council training' as a recommendation or suggestion by the Panel.</p> <p>The Government understands that some Panels have in fact made these types of suggestions, but they have never been issued as 'sanctions'.</p>
27	In relation to sanctions involving training, the Panels should only be able to direct that training be undertaken, and that training is to include certain matters. The Panel should not be able to bind a third party to provide that training.	No changes necessary	The sector and Panel members	<p>Supported in principle. Prescribed training to address behavioral issues should be 'provider-neutral'. Again, this matter can be covered in training for Panel members.</p> <p>Consideration should, however, be given to local training provider capacity, with potential to establish a 'panel' of providers that have been assessed as competent at providing specific training types/modules. This is an administrative matter that can be progressed within the current framework.</p>
Noted				
28	Conflicts of Interest – remove 'materiality test' from Part 2(6) of the Model Code of Conduct.	Yes, change to Model Code	Panel members and some parts of the sector	<p>The Model Code currently provides that elected members are to "...act in good faith and exercise reasonable judgement to determine whether the conflict of interest is so material that it requires removing himself or herself physically from any Council discussion and remaining out of the room until the matter is decided by the Council".</p> <p>The 'materiality test' attracted a range of diverging views from stakeholders during the review process. While removing the test would provide clear and unambiguous direction to elected members, it also has the potential to diminish the autonomy of elected members in making judgments as to whether conflicts are significant enough to warrant physically removing themselves from deliberations.</p> <p>Therefore, further consultation will be undertaken as part of the changes to the Model Code before any changes are made to part 2.</p>
29	Fixed costs incurred by the State Government for the Executive Officer role and associated Panel support should not be "cost recovered" from councils.	No, administrative/process issue	The sector	<p>Noted.</p> <p>While noting the recommendation, the costs of this function are real and must be borne by someone. It is common practice across a number of sectors for a regulated entity to fund certain costs associated with its own (independent) regulation. The Government understands the sector's position that this is a responsibility for Government. This will form part of a broader discussion that will occur with the sector regarding resourcing and responsibility.</p>

#	Recommendation	Changes to legislation or Model Code required?	Who proposed the recommendation?	Tasmanian Government Response
30	<p>Clarification is required on who holds the responsibility for overseeing the effective implementation of the framework and the governance model.</p> <p>Panel members suggested the need to ensure clear delineation between the role of Panels and that of the Director.</p>	Potential legislative change required	The sector and Panel members	<p>Noted.</p> <p>While the Government is responsible for administration of the legislative framework, there is a 'blurred' line as where the separation of this role occurs and the overall support for the framework. One option is that an enhanced Executive Officer role could do more than simply provide the executive support to the Panel on each individual complaint, but also provide for the more general administration and support for the framework. Such an option would support the statutory separation of the Code of Conduct from the Director of Local Government.</p> <p>However, critical to any solution is funding and resourcing. For further discussion with the sector and the Minister.</p>
31	A greater commitment to providing guidance and support for councils and Panel members is required.	No, administrative/process issue	The sector and Panel members	Noted. See comments above.
32	An Executive Officer role could provide for the more general administration and support for the framework, rather than just executive support to the Panel on each individual complaint.	No	Panel members	Noted. See comments above and recommendation 29.
33	<p>Measures to support Panel members to improve the consistency and quality of investigations, hearings and determinations, for example:</p> <ul style="list-style-type: none"> • Recording of hearings and supporting protocols • Development of practice manuals • Decision templates 	No	Panel members	Noted and supported in principle. These matters can be progressed without any substantive changes to the framework, but will require time/resource investment. Again, this is part of the broader discussion regarding resourcing and responsibility (see above), for further discussion with the sector and Minister.
34	The process for determining variations to the Model Code (Clause 28T of the Local Government Act) and the rationale for denying a variation needs a greater level of transparency.	No change necessary	The sector	<p>Noted. Part of the argument from the sector to Government to introduce the Model Code was for a minimum, uniform code of conduct to apply across all councils. While variations are allowed, in principle these variations would only apply where a council sought to vary the code above the minimum standard in the Model Code. It should be noted that the greater the inconsistency between councils in terms of codes of conduct, the greater the likely associated costs of the system (Panels having to be familiar with multiple, bespoke codes).</p> <p>Any future consideration of a request to vary the code by a council would include reasons for agreeing or denying the request, consistent with past practice.</p>
35	<p>The the Government is requested to provide legal advice as to the consequences of changing the drafting in the Change "is to" to "must" in the following sections of the Act:</p> <p>28V (3), 28ZA (1), (2), (3a), (3b) 28ZC (1b), (5)</p>	Yes, legislative change	The sector	Noted. The Government defers to the Office of Parliamentary Counsel (OPC) on technical matters of drafting. The Government has previously been advised that there is a legal reasoning for the use of 'must' and 'is to' in various contexts and understands that 'must' effectively denotes something is mandatory with no discretion, whereas 'is to' is still directory in nature, but may be used in situations where some level of minor procedural discretion may be appropriate or acceptable (e.g. where a particular administrative action is to be undertaken by a person or persons). The Government considers the current drafting is appropriate in this context.

# Recommendation	Changes to legislation or Model Code required?	Who proposed the recommendation?	Tasmanian Government Response
<p>28ZF (4), (6b) 28ZG (1) 29ZJ (1) 28ZK (2), (4)</p>			
Not supported			
<p>36 The Model Code should make it clear that a complaint cannot be lodged related to a planning decision.</p>	<p>Yes, change to Model Code</p>	<p>The sector</p>	<p>Not supported. The Government appreciates that a framework for appeals and complaints already exists for when a council is acting as a planning authority (i.e. the Resource Management Planning and Appeals Tribunal [RMPAT]).</p> <p>However, the practical risk is that the RMPAT process would generally only result in an 'overturning' of a planning decision, and not necessarily a sanction against an individual councillor who, for example, deliberately and knowingly votes not in accordance with the planning authority obligations he or she has.</p> <p>If there is no individual sanction available, there is a risk of increased decisions not being made in accordance with planning authority obligations. There have been examples where valid code of conduct complaints have been upheld on this basis, which could no longer occur if this recommendation were adopted.</p> <p>In other words, the Government considers that there is a strong argument that councillors should still be accountable for their <i>individual</i> conduct when dealing with planning matters, in addition to the <i>collective</i> decisions of council being subject to appeal via RMPAT.</p>
<p>37 Councillors whose conduct is being reviewed by a Panel should have the option of appearing before the Panel.</p>	<p>Yes, legislative change</p>	<p>The sector</p>	<p>Not supported. The Panel should deal with written submissions, unless convinced otherwise on a case-by-case basis. The Government would caution that further consideration of the potential cost and complexity associated with this practical ramifications of this recommendation is required. This change may lead to an expectation that complainants are also given this opportunity adding further to potential cost/complexity.</p> <p>On the one hand concerns have been raised with the cost and length of the Panel process, but this recommendation would likely increase costs and complexity/time intensity.</p> <p>The framework as established is not a court and was designed to allow the Panel to make a determination if the evidence is clear, without a hearing. The Panel should have the discretion to decide whether a hearing is necessary in the context of the complaint in question.</p>
<p>38 The legislation should require a General Manager to notify a subject of a complaint once the General Manager has determined the complaint meets the requirements of Section 28V of the Act.</p>	<p>Yes, legislative change</p>	<p>The sector</p>	<p>Not supported. In the interests of procedural fairness, the subject of a complaint should receive notification from the Panel Chair once the Chair has undertaken the initial assessment under section 28ZA.</p> <p>In saying that, there is technically nothing to prevent this happening at present. The Government believes it is not necessary to prescribe this, instead it should be left to the continued discretion of councils.</p>

# Recommendation	Changes to legislation or Model Code required?	Who proposed the recommendation?	Tasmanian Government Response
39 Remove ability for the Panel to compel a councillor to apologise.	Yes, legislative change	The sector and Panel members	Not supported. The concern seems to be that an enforced apology is insincere or meaningless. While the Code cannot regulate for sincerity, it does not necessarily follow that an apology serves no purpose for the complainant. A public apology is a common sanction used in relation to civil actions, and in disputes that are heard in other similar forums (panels, tribunals etc.) An unwillingness to apologise will likely be read as the rejection by the subject of the complaint of the findings of the panel and/or a lack of contrition, with the potential to undermine the framework more generally.
40 Timeframes should be included for the formation of the Panel (within 4 weeks of the complaint being referred) and for a hearing to be held (within 30 days of the formation of the Panel) and for making the determination (30 days from the date of the hearing).	Yes, legislative change	The sector	Not supported. All parties have an interest in, and support, the efficient administration and determination of Code of Conduct complaints. However, at a practical level, resourcing constraints associated with the Executive Officer role and the availability of Panel members is already challenging within the existing timeframes. With respect to the latter issue, it is important to remember that Panel members must manage their part-time Panel responsibilities and time commitments alongside their other substantive commitments. Councils have expressed concerns regarding costs and this must be balanced against potential changes. Further, other recommendations put forward by the sector have the potential to add further time/complexity to the process, which would make mandated resolution of complaints within four weeks even more challenging. It is noted that, of the 16 complaints that have proceeded beyond the initial assessment and have been completed, only four were outside the legislative timeframe of 90 days.
41 There should be removal of a Panel's ability to exceed timeframes and appropriate resourcing put in place to ensure timelines are met.	Yes, legislative change	The sector	Not supported. See comments above.
42 The cost of lodging a complaint should be the same as the cost for lodging a planning appeal to the Resource Management and Planning Appeal Tribunal.	No	The sector	Not supported. The cost of lodging a complaint should cover some of the cost of processing and administration and be set at a level which prevents the lodging of trivial complaints on the one hand, while not acting as a financial barrier to lodging a legitimate complaint on the other. The principle should be cost recovery for administration and processing.
43 If a complaint is found to be frivolous and vexatious, the Panel should have the ability to award costs against the complainant.	Yes, legislative change.	The sector	Not supported. The code of conduct complaints process is not intended to act as a 'court' and in any case there are no relevant 'damages' to be taken into account. Having a system where the parties to a complaint could be liable for costs would likely both act as a deterrent to the lodging and defence of legitimate complaints, and to individuals considering running for elected office. Increased ability to dismiss trivial complaints early in the process should help reduce overall cost of complaints system.



MEDIA RELEASE

FOR IMMEDIATE RELEASE

07 June 2018

Tasmanian Planning Commission recommendations on visitor accommodation don't go far enough

Local Government notes the Tasmanian Planning Commission's report on standards for visitor accommodation in planning schemes, released today.

LGAT President Mayor Doug Chipman advised that the Association's position remained that the simplest and fairest way to regulate short term visitor accommodation is to differentiate between those properties which are people's private residence and those which are a secondary or investment property.

"Local Government supports retention of the exemption for true home sharing, however we believe that the regulation for investment properties and shacks should be left to councils to define" Mayor Chipman said.

Mayor Chipman noted councils are in the best position to assess the local circumstances, determine what the impacts will be on their local communities and set regulation accordingly.

"This would simplify the messaging for property owners, enhance our understanding of where people are wanting to set up short time visitor accommodation and allow councils some control over how much of that accommodation is allowed before it changes the essential characteristics of a residential area" said Mayor Chipman.

LGAT notes that the Tasmanian Planning Commission (TPC) has acknowledged the greater potential for amenity impacts on surrounding residents with visitor accommodation in shacks and investment properties. It is disappointed, however, that the TPC they have failed to address this in its recommendations in any meaningful way.

Local Government also supports the recommendation for the State Government to collect the necessary data to determine the impact visitor accommodation is having on housing availability and affordability and looks forward to engaging with the Government on how this process can be expedited

For media enquiries, please contact LGAT President Mayor Doug Chipman on 0409704835

Shared statement from peak bodies relating to short stay accommodation

13 June 2018

It is time for evidenced based policy decisions about short stay accommodation.

Tasmanian Council of Social Service (TasCOSS), Shelter Tasmania, the Local Government Association of Tasmania (LGAT) and the Tourism Industry Council Tasmania (TICT) have come together to call for adequate data to assess the impact of short stay accommodation in Tasmania.

"In the absence of comprehensive data every decision made is guess work. We need a robust evidence base underlying policy and resourcing responses and time has run out on waiting for it", said TasCOSS CEO, Kym Goodes.

In light of the Tasmanian Planning Commission recommendations released last week, we (as peak bodies) are calling on the Tasmanian government, AirBnb and Stayz to prioritise providing definitive listing data so we can truly map where there has been a significant shift from the long-term rental market.

"This is needed to resource appropriate policy, service and regulation responses; to minimise the impact on housing affordability and the shape of our communities; and additionally ensure our vibrant tourism based economy is preserved," said Shelter CEO Patti Chugg.

"Following the State Government announcement earlier this year that an agreement had been reached with Air BnB and Stayz on data sharing, leadership is now required to make sure that data is provided quickly and with sufficient detail to be useful in guiding our responses," the four Peak Bodies today stated.

LGAT CEO, Dr Katrena Stephenson said it is clear that there is significant non-compliance with the current planning permit requirements, and some considerable confusion likely remains as to what owners must do if they want to use their property for short stay accommodation.

"These four peak bodies call on Airbnb and Stayz to support the State Government through requiring proof of compliance for all their current and prospective listing to ensure they are not promoting illegal accommodation operations," Dr Stephenson said.

"We also think it is vital that the Government resource an effective education campaign to give all in the Tasmanian community a clear understanding on what the expectations are of owners. While the majority of property owners are allowed to use their premises for short stay accommodation, they must still lodge paperwork with their local council. This is important as it not only ensures they are aware of safety requirements but also gives us vital data that supports decisions about our suburbs and towns more generally".

Luke Martin, TICT CEO said the need for communications, resourcing and community understanding is critical.



“This is the role of the State Government. It has created the opportunity for short stay to operate and it must now resource data collection and compliance and ensure communication is a priority.”

“It is important that Tasmanians and tourists can all enjoy the benefits of home sharing businesses like Airbnb and Stayz. Short stay accommodation is an integral part of Tasmania’s tourism successes,” said Mr Martin.

Ultimately, it is the case that some Tasmanians have been displaced as a result of short stay accommodation. We must understand where that has occurred and what the impact is in order to prioritise the building of new houses and ensure the Affordable Housing Strategy is targeting the right communities and the right types of homes,” said TasCOSS CEO Kym Goodes.

Shelter, LGAT, TasCOSS and the TICT are not seeking to stop Tasmanians from home sharing but rather ensuring the best policies and regulations are put in place to protect our state and complement the opportunity short stay provides.

Ends

For more information Zara Gudnason, TasCOSS, 0421 250 777



Victorian Sustainability Study

1. Rural and Regional Councils Sustainability Reform Program

The 2017-18 Victorian State Budget announced the establishment of the Rural and Regional Councils Sustainability Reform Program (the Program) to identify challenges and barriers experienced by rural and regional councils and develop policy reforms to provide long-term financial and operational sustainability for the sector.

As a part of this program, Local Government Victoria engaged KPMG to:

- Explore the current and emerging barriers to financial and organisational sustainability experienced by rural and regional councils;
- Understand the impact of these barriers for rural and regional Victorian communities; and
- Develop a suite of reform options to address sustainability barriers and support the long term financial and operational sustainability of rural and regional councils.

The analysis looked at 48 of Victoria's 79 councils, using a "Sustainability Assessment Framework" comprised of five performance and operating environment domains that present critical elements of sustainable councils. The five domains were:

- Context - What are the characteristics of the community of the council area? What relevant external factors will influence the council's operating environment? How are these expected to change over time?
- Capability - To what extent is there sufficient capacity and capability to enable the council to govern effectively and deliver its functions to meet the needs of their community?
- Financial Performance - To what extent does the council generate sufficient funds to provide the agreed level and standard of services and infrastructure?
- Efficiency - To what extent does the council deliver services and infrastructure efficiently, and achieve value for money for ratepayers?
- Effectiveness - To what extent does the council deliver the agreed level and standard of services and infrastructure in accordance with community needs and strategic objectives?

The work noted that all council in Victoria (& particularly the rural and regional councils assessed) are experiencing changing local contexts. In addition, rural and regional councils were found to be facing a range of barriers and challenges that will limit their ability to be sustainable over the longer term. These barriers, identified through a combination of consultations, data analysis, and reference to previous investigations and reports include:

- Financial pressures and constraints - limited capacity to increase own-source revenue, limited community capacity to pay increased rates, fees, or charges, increasing expectation of service delivery; increasing cost base.
- Relatively higher infrastructure and service delivery costs - regional and rural councils face relatively higher unit costs in maintaining assets and in the delivery of some services. Regional and rural councils spend more of their budgets to meet demands for core functions, leaving less for the growing set of functions expected by their local communities.
- Capability constraints and operational capacity issues - regional and rural councils face challenges attracting and retaining skilled, professional and knowledgeable staff.

The report presents a range of options designed to help rural and regional councils overcome barriers to long-term sustainability, outlined below. **Although it is important to note that these are currently being considered by the Victorian State Government.**

Theme	Reform option	Key components
State – Local Government Alliance	Sustainable service delivery funding model	Support service delivery planning for each rural and regional council; analyse plans to develop benchmarking & other analytical tools
	Funding model	Undertake a taxation and funding model inquiry to support rural and regional council sustainability Address short term critical services funding gaps
Operation Transformation	Regional service delivery	Regional service delivery model development and implementation
	A modern digital strategy	Support collaboration and innovation through enabling back office transformation
	Small shires stabilisation	Establish a <i>Stabilisation fund</i> for infrastructure needs to maintain productivity and liveability in rural Vic, focused on at-risk small shires and at-risk communities
Stronger Local Governance	Building local capacity	Improve knowledge and capability of council staff Support development of workplace plans for each rural and regional council
		Develop a program and support for councillors to better equip councillors with the knowledge and tools to meet community expectations
	Innovative community engagement	Establish a fund to help local government identify innovative ways to efficiently and effectively engage with the community

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CREDIT CARD POLICY

Version [1.0]

Adopted:
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1 Policy Statement

1.1 Scope

Corporate credit cards are recognised as an efficient and flexible method of paying for goods and services in the public sector. They offer a convenient and highly traceable payment option, particularly for low value, day-to-day transactions, and can substantially improve purchasing efficiency by reducing administrative costs.

However, any transaction method holds the potential for misuse and the convenience and flexibility of credit cards can be a vulnerability. Therefore, sound policies and protocols for use and control must be established to take advantage of the improved purchasing efficiency while minimising the opportunity and impact of misuse of funds.

The policy is intended to apply to credit cards, as well as any other similar type of corporate or organisational purchasing card. In this policy, the term "credit card" is used to refer to any purchasing card, including credit, debit, EFTPOS and similar bank cards issued by Council and used for purchasing on behalf of Council. The key features of an account to which this policy applies are:

- (1) Purchasing responsibility on the account holder; and
- (2) A bank card for making purchases utilising Council finances; and
- (3) A periodic transaction statement cycle.

1.2 Purpose

The purpose of this policy is to provide guidance on how Council corporate credit cards are to be allocated, used and administered to ensure that they assist in efficient delivery of local government services while minimising the potential for misuse and fraud.

1.3 Purchasing Principles

[Guidance on this section is provided at Appendix A – Guidelines for Using this Document]

Cardholders must conform to sound principles of purchasing when using a Council credit card. These principles are detailed in Council's **Purchasing Policy**.

1.4 Preferred Purchasing Methods

In using a Council credit card, Cardholders must consider the alternative purchasing methods available, such as purchase orders and purchase contracts.

Credit cards are appropriate for purchasing in the following typical situations:

- (1) Smaller purchase amounts, typically below **[\$1,000]**;
- (2) Invoices for approved goods or services requiring immediate or out-of-cycle payment, when payment has been authorised;
- (3) Where purchase orders:
 - (a) are impossible or unworkable (such as internet purchases of approved goods or services); or
 - (b) would take too long, unreasonably impact operational efficiency or result in missed opportunity, for example, if a PO would incur significant and unreasonable additional costs (either to Council or the supplier) relative to the cost of the goods or services being procured;
- (4) Where payment by credit card has been formally authorised, such as emergency situations; or

- (5) For purchases that cannot be made in the office, such as work-related travel expenses generated while traveling, or field work expenses requiring payment in the field.

Purchase orders or purchase contracts are preferred in the following typical situations:

- (1) For invoices not requiring urgent or immediate payment, such as invoices with a future due date;
- (2) Larger purchase amounts, typically of [\$1,000] or more; or
- (3) Purchases requiring agreement between parties on terms (of service, engagement or sale).

Cardholders operate with some discretion, but must justify their purchasing decisions, including the purchasing method chosen. Seek guidance or written instruction from your General Manager or financial executives if you are in doubt.

1.5 Policy Review and Update Cycle

This policy is to be reviewed every two years. Credit card allocation and credit limits are to be reviewed at the same time as the policy review, as well as those time specified in section 2.4.

2 Control of Credit Cards – For Authorisers

2.1 Risk Management Strategy

Each active credit card represents a risk of accidental or intentional misuse of public funds and each credit limit amount is the extent of that risk. To minimise risks associated with credit cards, Council must:

- (1) Allocate credit cards according to an organisation-wide strategy, and avoid allocating on an ad hoc or individual basis; and
- (2) Only issue cards to organisational roles where the operational benefits of efficient purchasing outweigh the increase in risk; and
- (3) Maintain control on the total number of credit cards issued and their combined purchasing potential (or credit limit) at any one time; and
- (4) Control the credit available on each card to an appropriate amount required to facilitate efficient purchasing for each role, considering the alternative payment options available; and
- (5) Ensure Cardholders and Authorisers adhere to the procedures and responsibilities set out by the policy by placing the onus of evidence for each purchase upon the Cardholder.

2.2 Authorisers

Authorisers have a key role in the control of credit cards, managing purchasing risk and maintaining compliance with this policy. Authorisers:

- (1) May authorise or decline the issuing of credit cards to a Cardholder;
- (2) May authorise or decline applications for the top-up of funds to monthly credit limits;
- (3) May authorise or decline discretionary transactions, such as entertainment or gifts in accordance with this policy;
- (4) May direct a Cardholder to reimburse Council for transactions deemed not to be in accordance with this policy;
- (5) May or may not be allocated a credit card; and
- (6) If they are allocated a credit card, **may not** authorise their own purchases, top-ups, or issuing their own credit card.

The following roles are Authorisers for the purpose of this policy:

- General Manager
- [e.g. Chief Financial Officer or equivalent financial management executive]
- [e.g. Deputy General Manager]
- [Insert additional roles here, but limit to executive/senior management roles. Each council should maintain control of the number of Authorisers, with a suggested maximum of 6-8. Authorisers should include, as a minimum, the General Manager and a financial management executive, such as the Chief Financial Officer]

2.3 Allocation and Issue of Credit Cards and Credit Limits

[Guidance on this section is provided at Appendix A – Guidelines for Using this Document]

Credit cards are allocated and issued according to the rules in the following sections.

2.3.1 Allocating Credit Cards

- (1) **Schedule 1 – Allocation of Credit Cards and Credit Limits** lists the roles that, at the absolute discretion of the Authorisers, may potentially be issued with a credit card and the maximum credit limit for each role.
- (2) The General Manager and **[Chief Financial Officer or equivalent financial management executive]** must authorise the allocation table.
- (3) Council credit cards are allocated to people in roles that require them. Credit cards may not be applied for. Contact your supervisor if you believe your role requires a credit card or a different credit limit. Your supervisor may choose whether or not to request a review of **Table 1. Credit Card Allocation Table** to include your role or change the credit limit available to your role.
- (4) A credit card will not be allocated to Councillors and Aldermen.
- (5) A credit card may be issued to the Mayor if the operational benefits to Council of efficient purchasing sufficiently outweigh the administrative cost of managing an additional card.

2.3.2 Issuing Credit Cards

- (1) The issue of each credit card must be authorised by an Authoriser and recorded.
- (2) An Authoriser cannot authorise the issue of their own credit card.
- (3) A person in a role that is allocated a credit card is not obliged to hold one.

2.3.3 The General Manager's Credit Card

- (1) The General Manager is allocated a card, if they choose to hold one.
- (2) The credit limit for the General Manager is determined by Council approval, including subsequent adjustments.
- (3) All statement reconciliations and credit limit top-ups for the General Manager's credit card are reviewed by the Mayor (who is not an Authoriser) and authorised by the Chief Financial Officer **[or equivalent financial management executive]** who is an Authoriser.

2.3.4 Setting Limits and Controls on Credit Cards

- (1) The maximum number of cards that Council will allow to be active at any one time is **[to be set according to Council needs and acceptable risk; e.g. ten (10) credit cards – see guidance at Appendix A – Guidelines for Using this Document]**.
- (2) The maximum total credit limit of all cards is to be no more than **[to be set according to needs, acceptable risk and budget requirements; e.g. \$30,000 cards – see guidance at Appendix A – Guidelines for Using this Document]**.
- (3) Monthly credit limits will be set to the lowest amount required by the Cardholder to conveniently execute their role, considering budget constraints, the role of top-ups, and the alternative payment methods available.
- (4) Limits on individual transactions may be set.

2.4 Review of Credit Card Allocation and Credit Limits

The allocation of each credit card and their credit limits detailed in **Schedule 1 – Allocation of Credit Cards and Credit Limits** is to be set according to operational requirements and authorised by the General Manager and Chief Financial Officer. Only the General Manager's credit limit requires Council approval; all other roles and limits are set according to Council operational requirements, as determined by the General Manager and Chief Financial Officer.

Appendix A may be reviewed and updated at any time as needed. Additionally, **Table 1. Credit Card Allocation Table** will be periodically reviewed every two years, as a minimum, in conjunction with the policy update cycle. The aim of each review is to ensure that credit card allocation and limits are facilitating efficient purchasing and delivery of Council's services while effectively managing purchasing risk. Unnecessary or insufficiently justified cards should be withdrawn and destroyed. Credit limits should be adjusted to the lowest monthly amount needed to facilitate efficient purchasing, as evidenced by purchasing history and adherence to this policy. [Top-ups to monthly credit limits are preferred over increasing credit limits – see **Appendix A – Guidelines for Using this Document**].

In addition to the periodic review, **Table 1. Credit Card Allocation Table** is recommended to be reviewed if:

- (1) Requests are received to add or remove roles from the Credit Card Allocation Table, or alter individual credit limits;
- (2) Proposed changes to the Credit Card Allocation Table require changes to the maximum number of credit cards or the maximum total credit limit;
- (3) A Cardholder terminates employment or returns their card;
- (4) A card is lost or stolen or the subject of fraud or identity theft;
- (5) A significant breach of the policy (under section 2.6) occurs; or
- (6) Significant reorganisation of Council roles is undertaken.

Where the operational benefits to Council of a role holding a credit card no longer outweigh the increase in risk of the extra card, the credit card should be returned and cancelled.

- The last review of credit cards and limits was: [insert date]
- The next review of credit cards and limit is: [insert date two years from above; for administrative convenience, card review date is recommended to coincide with policy review date]

2.5 Top-Ups to Monthly Credit – Deciding Applications

A Cardholder may apply for a top-up of funds to the monthly credit. Top-up applications are decided according to the following procedure:

- (1) A top-up requires the following approval:
 - (a) An Authoriser, or any person, cannot authorise top-ups for their own credit card.
 - (b) Top-ups of the General Manager's credit card account are always reviewed by the Mayor (who is not an Authoriser) and authorised by the Chief Financial Officer [or equivalent financial management executive] who is an Authoriser.
 - (c) Top ups of the Chief Financial Officer's [or equivalent financial management executive] credit card are authorised by the General Manager and another Authoriser.
 - (d) Top ups of all other Cardholders are authorised by the [Chief Financial Officer or General Manager] and one other Authoriser [OPTIONAL – it is recommended that councils have a specific role, involved in financial management, who is always an Authoriser for all top-up applications].

- (2) Authorisers review the Cardholder's purchasing and top-up history for adherence to this policy and justification of purchases.
- (3) For any given month, the total top-up amount for an account should generally not exceed 50% of the monthly credit limit.

2.6 Breach of Policy or Misuse

Any breaches of this policy by any Cardholder, Authoriser, staff or elected member, depending on the nature and extent of the breach, may result in:

- (1) Counselling and retraining in the policy and requirements;
- (2) Reimbursement of costs;
- (3) Cancellation of card;
- (4) Disciplinary action in accordance with **Councils' Disciplinary Policy**; or
- (5) Referral to police or civil proceedings.

If you become aware of policy breaches or misuse, report them immediately to an Authoriser. Policy breaches or misuse should also be reported to Council and credit card allocation should be reviewed.

3 Statement Reconciliation and Acquittal Process – Cardholders and Authorisers

The purpose of the Statement Reconciliation and Acquittal Process is to ensure that:

- Cardholders justify and prove every purchasing decision to Council; and
- Council is able to justify and validate its endorsement and validation of Cardholders' purchasing decisions to auditors, investigators and the public.

On receipt of the account transaction statement each month, the statement will be reconciled according to the following process:

- (1) The Cardholder must collate all purchase evidence (including tax invoices with purchase purpose or signed purchase statement) with all written approvals for discretionary purchases or top-ups and provide them to a Council financial officer who is delegated to reconcile the account statement.
- (2) A delegated Council financial officer will:
 - (a) Reconcile transaction individually against the supporting documentation and the requirements of this policy; and
 - (b) Question with the Cardholder any transactions:
 - (i) without supporting documentation;
 - (ii) that may be in conflict with this policy;
 - (iii) that appear suspicious, unauthorised, excessive or of unknown purpose.
 - (c) If there are any outstanding transactions that cannot be adequately explained or reconciled with this policy, the officer must report these to the Chief Financial Officer [or equivalent financial management executive] for further investigation and appropriate action.
- (3) Any breaches of this policy will be dealt with according to risk and severity of the breach in accordance with section 2.6 **Breach of Policy or Misuse**.
- (4) If all transactions are supported by adequate documentation and purchases appear to be in accordance with this policy with no suspicious activity:
 - (a) The delegated financial officer will sign the account statement and provide:
 - (i) For the General Manager's credit card, to the Mayor for review before final sign off by the Chief Financial Officer [or equivalent financial management executive];
 - (ii) For all other cards, to the Chief Financial Officer [or equivalent financial management executive] for final sign off;
 - (b) The Chief Financial Officer [or equivalent financial management executive] signs the statement to confirm the delegated financial officer's findings and approve for payment.
- (5) Full statement reconciliation, acquittal and approval for payment must be completed before payment is due or within four (4) weeks of receiving the statement.
- (6) Direct debt or similar automatic payment methods are not to be used for payment of credit cards as they can bypass the statement reconciliation and acquittal process.

4 Use of Credit Cards – For Cardholders

4.1 General Use

4.1.1 Cardholder Responsibility and Liability

As a Cardholder, you are responsible for the safe custody and security of the card and account and liable for any misuse and associated costs. You are responsible for resolving use and transaction disputes and ensuring that use of the card is ethical and strictly in accordance with this policy.

Credit cards are provided strictly for business-related purchasing only. Cardholders must be able to justify and prove their purchasing decisions to Council in a manner that allows Council to be able to justify and validate their endorsement of purchasing decisions to auditors, investigators, and the public. Always follow this policy and seek guidance from an Authoriser if in doubt.

Cardholders must comply with any terms and conditions of use provided by the card issuer and should follow the guidelines and recommendations of the issuing institution.

4.1.2 Non-Cardholder Use

Only the designated Cardholder may use the credit card. You must not let any other person use your credit card or account or record or share your credit card number, including other Council staff or elected members.

Where for an approved purchase in compliance with this policy, you may use your credit card to purchase work-related items on behalf of another Council staff or elected member, provided you are satisfied the expense is appropriate and approved in accordance with this policy. If you choose to do so, the purchase must always be made, documented and justified by the Cardholder in accordance with this policy.

4.1.3 Receipts and Documentation for Every Purchase

You must obtain a valid tax invoice for all credit card purchases and note the purpose of the purchase.

A valid tax invoice must provide sufficient information to demonstrate that the document is intended to be a tax invoice and include the following¹:

- (1) The seller's identity;
- (2) The seller's Australian Business Number (ABN);
- (3) The date the invoice was issued;
- (4) A brief description of the items sold, including the quantity (if applicable) and the price;
- (5) The GST amount payable (if any) – this can be shown separately or, if the GST amount is exactly one-eleventh of the total price, as a statement such as 'Total price includes GST'; and
- (6) Purchases over \$1000 must also show the buyer's identity or ABN (in addition to the seller's details).

You should make every attempt to obtain valid original documents in support of transactions. In the absence of a valid tax invoice or original receipt, the you must provide sufficient information regarding the transaction to satisfy an Authoriser that the purchase is a valid work-related purchase that complies with this policy. The supporting information should include details of the transaction purpose, date, time, amount, vendor name and ABN, and your signature.

¹ ATO tax invoice requirements: <https://www.ato.gov.au/Business/GST/Issuing-tax-invoices/>

If you make a transaction of over [e.g. \$150] and fail to retain a valid tax invoice for it, you must complete and sign a statutory declaration² that includes all the required supporting information to justify the purchase, including the transaction purpose, date, time, amount, vendor name and ABN.

Cardholders are liable for the cost of transactions that cannot be verified to be in compliance with this policy. Repeated purchases without original supporting documentation (valid tax invoice), requiring the Cardholder's explanation, or a statutory declaration are a purchasing risk to Council and may result in a credit card being revoked or disciplinary action in accordance with **2.6 Breach of Policy or Misuse**.

4.1.4 Applying for a Monthly Credit Top-Up (Cardholders)

A Cardholder may apply for a top-up to the monthly credit. An application can be made as a written request to an Authoriser, detailing the following:

- (1) The top-up amount requested (top-ups, if approved, will usually not be greater than 50% of the monthly credit limit);
- (2) The account balance and monthly credit limit;
- (3) Reasons for exceeding the monthly limit; and
- (4) Forthcoming purchases expected and amounts to justify the need for a top-up.

4.1.5 Lost, Stolen or Damaged Cards

If your Council credit card is lost or stolen, you must immediately contact the issuing institution to report the lost or stolen card. Follow the advice of the institution and then advise an Authoriser at the earliest opportunity.

Damaged cards can be reported to Council's financial management team for a replacement card to be arranged.

4.1.6 Return of Cards

Return your Council credit card immediately to your manager if you:

- (1) Are ceasing or terminating employment;
- (2) Moving to a role that is not assigned a credit card;
- (3) Taking extended leave from your role for [6] or more months, or otherwise where you feel retaining your card is an unnecessary risk; or
- (4) No longer require, or do not wish to hold, a credit card.

Credit cards should generally be cancelled and destroyed in these circumstances. If employees are returning from leave of [9] months or less, cards may be held securely by Council, at Council's discretion.

[Councils should include the return of credit cards in an employee exit checklist. Councils should consider initiating a review of the credit card allocation table as a whole each time a Cardholder returns a card.]

² Statutory declaration forms are available from the Department of Justice:
http://www.justice.tas.gov.au/forms/statutory_declarations

4.2 Permitted Transactions

The following types of transactions are permitted and purchases may generally be made with a Council credit card without written approval from Authorisers.

Transactions for expenses that are demonstrably approved and budgeted for, such as approved projects, approved entertainment or approved travel, may be made without additional approval from Authorisers. You must be able to demonstrate purchases you make are approved and in accordance with this policy, if queried.

[Councils may wish to specify here the process by which expenses are considered to be approved.]

4.2.1 Travel Expenses

[Guidance on this section is provided at **Appendix A – Guidelines for Using this Document**]

Travel expenses are expenses incurred in the course of authorised work-related travel. They include accommodation, transport, meals, and expenses incidental to travel. Credit cards are ideally suited to cater for expenses incurred while travelling.

Travel expenses should be purchased in accordance with Council's **Travel Expenses Policy**.

4.3 Discretionary Transactions Requiring Authorisation

The following types of transactions and purchases generally require written approval from one or more Authorisers and are **discretionary transactions**. Written approvals for discretionary purchases must be provided with all purchase invoices as part of the Statement Reconciliation and Acquittal Process (see Part 3).

4.3.1 Entertainment Expenses

[Guidance on this section is provided at **Appendix A – Guidelines for Using this Document**]

Entertainment means the provision of food drink or recreation – even if business discussions or transactions occur. Entertainment is typically considered a private expense and must not be purchased using a council credit card or funds without clear prior approval to do so.

Entertainment expenses are discretionary transactions and should only be purchased where approved in accordance with Council's **Entertainment Expenses Policy**.

There are a range of circumstances where entertainment expenses may be considered to be work-related and may be purchased with your Council credit card. These include travel expenses (in accordance with section 4.2.1 Travel Expenses above), to support approved overtime work, for approved Council events or social functions or within an approved entertainment expenses budget for your role. Refer to Council's **Entertainment Expenses Policy** for how to seek approval for work-related entertainment expenses.

Certain roles are delegated the discretion to incur work-related entertainment expenses as part of their roles. These roles and their **discretionary expense limits** are allocated in **Schedule 1 – Allocation of Credit Cards and Credit Limits**.

4.3.2 Gifts

Gifts are typically considered to be private expenses and must not be purchased with a Council credit card without prior approval. However, there may be limited instances where a gift using Council funds

is appropriate, such as in recognition of exceptional service of a community volunteer, or as prizes for Council-sponsored community awards, and so are discretionary transactions.

Refer to Council's **Gifts Policy** for guidance and how to apply for approval to purchase a gift.

4.3.3 Fuel

Wherever available, use a fuel card to purchase fuel for work-related fuel expenses. In the event a fuel card is not available or not accepted by vendors in a location, you may use your Council credit card to purchase fuel for work-related travel, however you must provide sufficient supporting evidence that documents the trip, its length, and purpose.

4.4 Prohibited Use and Transactions

The following types of transactions and purchases are generally prohibited and must not be made on a Council credit card.

4.4.1 Cash Advances / Withdrawals

Council credit cards must not be used for cash advances or withdrawing cash.

4.4.2 Refunds

Any refunds for purchases made on a Council credit card must be refunded back to the credit card account. Refunds must not be accepted in cash.

4.4.3 Purchases of a private or personal nature

Council credit cards must not be used for purchases of a private or personal nature, even if you intend to reimburse Council. Only approved, work-related expenses in accordance with this policy may be incurred.

4.4.4 Fines

Council credit cards must not be used to pay fines of any nature. You must pay any fines that you incur.

4.4.5 Alternative Online Payment Methods and Storing Credit Card Details

Use of Council credit cards on, or linking to, alternative online payment methods and e-commerce payment systems or accounts, such as PayPal, Google Pay, Apple Pay, iTunes, or any system that records and stores credit card details, are prohibited.

Where a payment for necessary goods or services can only be made through such a payment/e-commerce system, and that system requires the storage of credit card details or linking to a credit card account (such as Uber), then the General Manager may delegate certain Cardholders to set up and manage an online account. This policy applies for the online account, as for the credit card itself:

- (1) The online account is restricted for use by the Cardholder;
- (2) The online account is for work-related purchases only, in accordance with this policy;
- (3) The online account is to be set up with the Cardholder's work email address and details and to be managed separately from any personal online payment/e-commerce accounts.

Permissions for online accounts should be centrally controlled and recorded by Council. Council credit cards must never be linked to personal online payment systems or accounts.

5 Cardholder Declaration

I have read and understood Council's Credit Card Policy. I understand the requirements of me as a Cardholder and agree with comply with them.

In particular, I agree:

- That I will adhere to Council's Purchasing Policy;
- That I will follow the rules and procedures of credit card use outlined in this policy;
- That my credit card is to be used for Council business only;
- That I must retain receipts and documentation to support all transactions made with my card;
- That I am responsible for the safekeeping and security of my card and account and liable for any misuse;
- That I will not allow any other person to use my Council credit card; and
- That disciplinary action will be taken for any breaches of the policy.

Name: _____

Position: _____

Signed: _____

Date: _____

6 Authorisation

A Council credit card is approved to be issued to the Cardholder named above, who is authorised to hold and use a Council credit card in compliance with this policy.

Authorised by:

Name: _____

Name: _____

Position: _____

Position: _____

Signed: _____

Signed: _____

Date: _____

Date: _____

Schedule 1 – Allocation of Credit Cards and Credit Limits

This Policy permits the issue of credit cards only to the Council roles and with the limits stated in **Table 1** below.

Table 1. Credit Card Allocation Table

Role/Position	Issue	Credit Limit ³	Transaction Limit ⁴	Discretionary Expense Limit ⁵
General Manager	1	[e.g. \$7,000]	[e.g. N/A]	[e.g. \$800]
[e.g. Deputy General Manager]	[2]	[e.g. \$3,000]	[e.g. \$2,000]	[e.g. \$500]
[e.g. Chief Financial Officer or equivalent financial management executive]	[3]	[e.g. \$3,000]	[e.g. N/A]	[e.g. N/A]
[e.g. Executive / Director]	[4]	[e.g. \$3,000]	[e.g. \$1,000]	[e.g. N/A]
[e.g. Procurement/Purchasing Officer, Fleet Manager]	[5]	[e.g. \$3,000]	[e.g. \$2,000]	[e.g. N/A]
[e.g. Mayor]	[6]	[e.g. \$3,000]	[e.g. \$800]	[e.g. \$500]
TOTAL	[6]	\$22,000		

Table 1. Credit Card Allocation Table is authorised by:

Name: _____

Name: _____

Position: **General Manager**

Position: **Chief Financial Officer**

Signed: _____

Signed: _____

Date: _____

Date: _____

³ **Credit Limit** means the monthly credit limit and total value of purchases that may be made in a month.

⁴ **Transaction Limit** means the maximum value for any single transaction.

⁵ **Discretionary Expense Limit** means the maximum value per occasion of work-related entertainment expenses that a role is permitted to be purchased before seeking approval from an Authoriser.

Appendix A – Guidelines for Using this Document

How to Use this Document

This document is designed to be model policy for Tasmanian Councils to use to manage credit card use and control. However, each council has its own policies and operational procedures. Some aspects of this model policy may be best suited to an existing policy, such as a Purchasing and Procurement Policy, Financial Management Policy, or Travel Expenses Policy, or require integration with existing Council policies in a customised way.

Therefore, this document has been constructed to allow tailoring to each council's policy environment and operational needs. Please note the following formatting in constructing your Credit Card Policy:

[Small sections in square brackets and highlight include guidance notes or specific items for Council to decide upon]

All highlighted sections should be edited or deleted as required for your Council. Example text is provided below in this Appendix where your Council does not have a separate policy.

Appendix A – Guidelines for Using this Document should be deleted when producing your council's Credit Card Policy.

“Credit Card” versus “Purchasing Card” (Section 1.1)

Some Councils prefer the term “purchasing card” to credit card. There is no issue using either term and Councils should amend the policy to reflect their preferred terminology.

Guidelines for Purchasing Principles (Section 1.3)

If your council does not have a policy explicitly dealing with principles of purchasing, the following wording is provided as an example for Council to consider. As a minimum, a purchasing policy should include guidelines around ethical dealings and purchasing risks, but may include council-specific values regarding competition, and buying locally and sustainably.

Cardholders must conform to sound principles of purchasing when using a Council credit card. These principles, listed in priority order, are:

- (1) Above all else, aim for **fair, ethical and transparent dealings** at every purchase – use an open market; justify and account for each purchase; avoid or declare conflicts of interest. Understand that the convenience of a credit card is appropriate for some purchases, but not others, and at times their convenience can work against this principle.
- (2) Manage **purchasing risks** – including safety, fraud, misuse and conflicts of interest. Purchase only where there is an operational need for the goods and services for an agency acting in the public interest; spend according to budgets; justify and account for each purchase.
- (3) Seek **value for money** – make the most effective use of public funds by balancing price, quality and convenience in each purchase.
- (4) Use **effective competition** – to drive down pricing and deliver services openly and efficiently, such as comparing offers and prices, seeking multiple quotes or advertising and seeking tenders.
- (5) Consider **environmental sustainability** in purchasing decisions – including efficiency, energy use, consumption, waste, pollution and necessity of purchase.

- (6) **Buy locally** – where a purchasing opportunity meets all other purchasing principles above, have a preference for buying locally-sourced goods and services to support the skills and capabilities of your community's business and industry.

All Local Government operations must be managed in a way that focuses on the public interest and eliminates the opportunity for misuse, fraud and conflicts of interest. This procurement of goods and services and the handling of public funds is one of those instances.

Guidelines for Allocating Credit Cards and Credit Limits (Section 2.3)

Allocation of credit limits should not necessarily be based on hierarchical positions, but on purchasing values for organisational roles.

Setting the Maximum Number of Credit Cards

It is important to maintain centralised control and awareness of the number of credit cards that Council has allocated and active at any one time. Setting a maximum number of credit cards in section 2.3.4(a) provides clarity for management in controlling the number of active cards and allows for allocation and issue of cards according to a broader strategy rather than an individual, ad-hoc basis. It also provides a trigger point for review of the allocation strategy and the Credit Card Allocation Table.

To allow for additional roles to be added to the Credit Card Allocation Table, the maximum number may be set slightly higher than the total number of roles in **Table 1**.

Setting the Maximum Total Credit Limit

It is important to maintain centralised control and awareness of the total credit available, representing the purchasing risk, that Council has allocated and active at any one time. Setting a maximum total credit limit of all credit cards in section 2.3.4(b) provides clarity for management in controlling the distribution of purchasing risk and allows for a more strategic allocation of purchasing power, rather than incremental creep of the total credit limit by individual, ad-hoc allocation.

To allow for additional roles to be added to the Credit Card Allocation Table, the combined credit limit of all cards may be set slightly higher than the total credit available of active cards in **Table 1**.

Credit Limit versus Top-Ups

Councils should set credit limits with an understanding of how it intends to use top-ups to monthly credit under section (2.5). Councils may choose to either:

- (1) Prohibit top-ups and set higher credit limits to compensate; or
- (2) Set tighter credit limits and facilitate top-ups.

Option 1 is less secure and less flexible and is not recommended as it eliminates the flexibility of top-up approvals and requires a laxer credit limit. Option 2 is a superior strategy and recommended as it allows for more secure setting of credit limits and facilitates flexibility for unusual months when purchases are high by providing an approval mechanism for top-ups to credit.

Setting Limits for Individual Transactions

Setting limits for individual transactions is optional, as they restrict operational flexibility with only marginal benefits for managing purchasing risk. Credit limits are a more effective control of risk. If chosen, transaction limits may be specifically set below the monthly credit limit according to operational requirements.

Guidelines for Travel Expenses (Section 4.2.1)

If your council does not have a policy explicitly dealing with travel expenses, it is recommended to include wording similar to the following. As a minimum, a travel expenses policy should include guidelines around reasonable amounts and/or daily allowances for travel expenses as well as appropriate and inappropriate types of expenses.

Travel expenses are expenses incurred in the course of authorised work-related travel. They include accommodation, transport, meals, and expenses incidental to travel. Credit cards are ideally suited to cater for expenses incurred while travelling.

Travel expenses **must not** include:

- Any expenses for unauthorised travel, especially flights and accommodation;
- Entertainment, defined below, including alcoholic beverages;
- Expenses for any other person who is not a council employee;
- Membership subscriptions for airline clubs or loyalty programs;
- Minibar purchases, in-room movies and other similar expenses of a private nature.

Travel expenses must be reasonable and an efficient use of public funds. The Australian Taxation Office Tax Determination TD 2017/19⁶ provides guidance on 'reasonable amounts' for overnight accommodation, meals and incidental expenses for taxation purposes. Note that the ATO 'reasonable amounts' are for *taxation purposes* and are a guide only for setting reasonable amounts for your Council. This means that while travel expenses of the ATO reasonable amounts and below can be considered reasonable and justified, you must justify travel expenses in excess of these amounts or pay the excess at your personal expense.

It is recommended that you use the following guidelines when arranging your work-related travel and incurring travel expenses:

- (1) Ensure your travel is approved and budgeted for.
- (2) Have an officer experienced with applying the ATO reasonable amounts determine your travel budget or book and pay for your travel.
- (3) Travel expenses:
 - (a) below the ATO reasonable amounts are justified for authorised travel and do not need approval;
 - (b) in excess of the ATO reasonable amount must be justified by the Cardholder or the excess paid by the Cardholder personally. This means Cardholders can pay extra, at their own expense, for upgrading travel services.
- (4) Travel should be as economical and efficient as is reasonable. This means preferring cheaper modes of travel, such as economy class, where time and availability allow. It does not necessarily preclude upgraded travel services where it can be justified – for example, business class flights purchased at low price (relative to economy travel), or with reward points, or with the excess cost paid personally or, if they were only available seats for necessary travel.
- (5) If you are in doubt about any travel purchase, seek guidance or written approval.

Guidelines for Entertainment Expenses (Section 4.3.1)

If your council does not have a policy explicitly dealing with entertainment expenses, it is recommended to include wording similar to the following. As a minimum, an entertainment expenses

⁶ See ATO TD 2017/19: <https://www.ato.gov.au/law/view/document?DocID=TXD/TD201719/NAT/ATO/00001>

policy should include guidelines around determining the public interest of entertainment expenses and how to apply for approval.

Entertainment means the provision of food, drink or recreation, even if business discussions or transactions occur, but excludes travel expenses, such as meals on overnight, work-related travel. Some examples of entertainment include business lunches and social functions. Entertainment is defined by the *Income Tax Assessment Act 1997*, section 32-10 – Meaning of Entertainment⁷.

Entertainment is typically considered a private expense and must not be purchased using a Council credit card or funds without approval. If you are purchasing food or drink, you are purchasing entertainment, except where for valid work-related entertainment expenses.

There are a range of circumstances where entertainment expenses may be considered to be work-related and may be purchased with your Council credit card. Such work-related entertainment expenses include travel expenses (in accordance with Council's Travel Expenses Policy), to support approved overtime work, for approved Council events or social functions or within an approved entertainment expenses budget for your role.

Entertainment may be deemed a work-related expense where the public interest of the entertainment clearly and substantially overrides the personal benefit, such as where the provision of entertainment supports a work-related, council-sponsored event or social function. Council should seek to avoid covering the entertainment expenses that would be seen to predominantly direct benefit to specific private individuals, such as contractors and private business representatives, except where incidental to a community-focused event or function.

For entertainment expenses to be approved:

- (1) Cardholders must apply in writing, justifying the expense;
- (2) Applications must be approved in writing by:
 - (a) One Authoriser for entertainment purchases below [\$400]; and
 - (b) Two Authorisers for entertainment purchases of [\$400] or more;
- (3) An Authoriser cannot approve their own expenses;
- (4) The written approval must be provided with transaction receipts.

Cardholders should apply for approval to use a Council credit card for entertainment expenses prior to incurring the expense. Cardholders who do not apply for approval of entertainment expenses prior to incurring the charge carry their own risk that it be considered a private and not a work-related expense and will be liable for the cost.

⁷ See the *Income Tax Assessment Act 1997*: <https://www.legislation.gov.au/Details/C2018C00056>.