COUNCIL AGENDA
MONDAY, 15 JANUARY 2018

GLENORCHY CITY COUNCIL

* **The General Manager certifies that the reports contained in this Agenda have been written by qualified persons under *Section 65 of the Local Government Act 1993.***

Hour: 3.00 p.m.

Present:

In attendance:

TABLE OF CONTENTS:

1. APOLOGIES

2. CONFIRMATION OF MINUTES

That the minutes of the Council Meeting held on 12 December 2017 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

6. PUBLIC QUESTION TIME (15 MINUTES)

7. PETITIONS/DEPUTATIONS

COMMUNITY

8. NEW GLENORCHY CITY COUNCIL WEBSITE

Author:	Acting Director, Community, Economic Development and Business (David Ronaldson)
Qualified Person:	Acting Director, Community, Economic Development and Business (David Ronaldson)
ECM File Reference:	Web - Internet Project Work

Community Plan Reference:

Building Image and Pride

We will show our pride as a city and others will see it.

Making Lives Better

We continue to be a safe inclusive, active and vibrant community. We will focus on developing a hub of multiculturalism, arts and culture.

Strategic or Annual Plan Reference:

Annual Plan

Objective 1.2	Support our communities to pursue and achieve their goals
Strategy 1.2.1	Encourage and support communities to express and achieve their aspirations.
Action 1.2.1.03	Redevelop Council's website

Reporting Brief:

This report details the completion of the new Glenorchy City Council website project.

Proposal in Detail:

Council's 2015-16 Annual Plan Council, included an item to update and renew the existing Council website.

This followed a presentation to Council in November 2014 when the firm Peter Carr Advisory was commissioned to perform the Council Website Renewal project analysis. The outcome of this work was a three-year plan with Sitecore as the recommended 'industry best practice' option for publishing the future website. This plan was approved, as was the purchase of the Sitecore platform as the best practice content management system architecture that would provide a sustainable platform and long-term investment for Council.

The project commenced in 2016 with the formation of a project steering committee and the employment of an external project manager to manage the process.

This was deemed necessary to progress the project as the officer lead for the project (Communications and Marketing Coordinator) had left the organisation and had not been replaced (that position has now been replaced with a new Communications and Marketing Advisor who commenced with Council in October 2017).

The new website project had a number of key outcomes to achieve. The outcomes and comments on each achievement are outlined below:

1. Improved customer experience in use of the website	This outcome will be measured based on customer feedback gathered over the next twelve (12) months
2. Increased community engagement	This outcome will need to be measured based on customer feedback gathered over the next twelve months
3. Improved website layout and design	The new layout is clear and the design colours were based on those used in Council's Community Plan
4. Increased city image and pride	This outcome will need to be measured based on customer feedback gathered over the next twelve months
5. Improved potential for future online business capacity and productivity	The Sitecore platform for development was selected as it offers this capacity. However, certain features have not been built into the current version of the website (but may be in the future).
6. Revised website architecture and content	New website architecture has been delivered. Content was reviewed and improved between 9-12 months before the website went live, and was reassessed one month before going live. There is an ongoing process of review and renewal, with content now 'owned' by content owners across the organisation
7. Improved capacity to maintain content currency over time	This outcome will need to be measured over the next twelve months
8. Respected forum for GCC news, events and activities	This outcome will need to be measured based on customer feedback gathered over the next twelve months
9. Identified ownership of website and content within Council	All website pages and content have an identified 'content owner' who is responsible for preparing page updates for approval
10. Compliance with *Disability Discrimination Act 1992* (Cth) requirements	The site was designed to meet Web Content Accessibility Guidelines 2.0

The new website will continue to evolve and be added to as new functions are enabled and detailed understanding for content owners is explored.

The site is something that Council staff can be proud of as an expression of Council's improved position in communicating clearly with the Glenorchy community.

Consultations:

During the development and completion of the project, the project steering committee consulted with all Council departments and sections.

Additionally, all content owners have participated in workshops and briefings regarding content development, renewal and testing.

Over the coming year content owners will continue to be trained and supported in managing and renewing content on the site.

Human Resource / Financial and Risk Management Implications:

The cost of the new website is detailed in the table below:

	Item	Delivered by	Cost
	Project Management	Peter Carr Associates / Wilson Blue Inc.	$64,534
Stage 1	Information architecture design	Council's ICT section	N/A
Stage 2	Content creation	Cromer Milne & Associates	$25,950
Stages 3 and 4	Website graphic design Sitecore development – site building and release.	Loud and Clear Inc.	$165,316
	Additional costs: Components, licences, training expenses, contingencies.	Various	$38,256
		TOTAL:	**$294,060**

The procurement process for Stages 2, 3 and 4 was undertaken in a competitive environment, under the advice of Peter Carr Associates.

Further, the annual on-going cost for hosting the website is $5,415.94 per month, broken down as follows:

Maintenance:	
Website Maintenance (Design and Development)	$1,500.00
Project Management	$900.00
Hosting:	
Azure Infrastructure (hosting)	$2,265.94
Dedicated support	$750.00
Total monthly spend:	**$5,415.94**

Maintenance and continued improvement of the site lies with a range of officers across the organisation as follows:

- Content owners: responsible for maintaining accurate, current information.
- ICT: responsible for managing the hosting agreement.
- Communications and Marketing: responsible for publishing new information and monitoring the overall site consistency and program of review.

Community Consultation and Public Relations Implications:

The website has had a 'soft' launch internally within Council to ensure that the processes for uploading information are clear, understood and to allow officers time to check and confirm final published content is accurate.

A 'hard' (public) launch to the public is planned for early in 2018, in which the public will be invited to visit and explore the new site. This process will be led by Council's Communications and Marketing Advisor.

Recommendation:

That Council:

1. NOTE the completion of the Glenorchy City Council external website project
2. NOTE the work undertaken by the project steering committee and formally congratulate committee members for their efforts, and
3. REQUESTS an annual update to Council on the progress on the new website.

Attachments/Annexures

Nil.

9. CHILD CARE CONNECTIONS POLICY AND PROCEDURES REVIEW

Author:	Acting Manager, Community and Customer Service (Kate Whitbread)
Qualified Person:	Acting Director, Community, Economic Development and Business (David Ronaldson)
ECM File Reference:	Child Care Connections

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised ‘transparent and accountable government’.

Strategic or Annual Plan Reference:

1.2.2.09 Operate Council's Child Care Centres in accordance with the Education and Care Services National Law and Regulations.

Reporting Brief:

The purpose of this report is to recommend that Council adopts eleven (11) revised Child Care Connections Policies and Procedures.

Proposal in Detail:

Previous reports to Council have presented groups of Child Care Connections policies and procedures for adoption as per the *Education and Care Service National Law* **(ECSNL)**. Policies and procedures at Child Care Connections are reviewed through a two (2) year cycle, or as required.

The eleven (11) attached policies have been reviewed and are recommended to Council for adoption.

Compliance

Council has certain statutory requirements with respect to policies under the *Local Government Act 1993* (**LG Act**). In accordance with section 28(2)(b) of the LG Act, all Council policies (including Child Care Connections policies) must be approved by Council.

Council currently operates two approved child care centres within the municipality which are covered by the relevant Education and Care Services legislation (Benjafield Centre, Moonah and Berriedale Centre, Berriedale).

Under the ECSNL, it is a mandatory requirement that an approved provider of an education and care service keeps prescribed documents available for inspection by an authorised officer (see section 175 the ECSNL).

The *Education and Care Services National Regulations (Regulations),* regulation 168, provides that Council must ensure that the service has in place a range of legislated policies and procedures.

Policy Updates

In line with the continuing review of Council policies, Council's Child Care Connections team headed by the Acting Manager, Community and Customer Service has reviewed the following Child Care Connections Policies and Procedures:

Policy/Procedure Title	Summary of changes
1. Abandoned Child	Updated terminology, Department name change
2. Administration of First Aid	Updated terminology, training requirements
3. Administration of Medication	Updated terminology, source information, procedure for administration of Paracetamol and consent forms
4. Animals in the Environment	Updated terminology, best practice information and recommendations
5. Asthma Management in Children	Updated terminology and source information
6. Biting	Updated terminology
7. Building Positive Relationships and Interactions with Children / Behaviour Guidance	Updated terminology
8. Clothing and Comfort	Updated terminology and source information
9. Collaborative Partnerships with Families and Communities	Updated terminology
10. Cultural Competence / Respect for Diversity	Updated terminology and source information
11. Nappy Changing and Toileting Policy	New Policy: previously a Service Procedure Only

The Child Care Connections Policy and Procedures Review also included the following:

- consultation and feedback with key stakeholders, educators, families and Council management

- updated information made in line with current recommendations by recognised child care specific authorities, and
- updated requirements in line with changes to the Act, Regulations and the relevant National Quality Standard.

Due to the specific nature of the Child Care Connections Policies and Procedures, the attached policies have not been re-formatted to comply with Council's normal policy template.

Consultations:

Key stakeholders, educators, families and Council management were consulted and provided input into the revised Child Care Connections policies and procedures.

Human Resource / Financial and Risk Management Implications:

There are no human resources or financial implications.

From a compliance perspective, under the ECSNL Council could be liable for a penalty of $20,000 if it does not keep the prescribed policies and procedures (and other prescribed documents) available for inspection by an authorised officer: section 175(1).

Furthermore, it is an offence under the Regulations:

- not to have the policies and procedures in place ($1,000 – regulation 168(1))
- not ensuring policies and procedures are being followed by the nominated supervisor, staff and volunteers ($1,000 – regulation 170(1)), or
- are readily available ($1,000 – regulation 171(1)).

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
If recommended Child Care Connections policies and procedures are not adopted, then governance control effectiveness is less optimal and Council may be subject to averse regulatory action	Moderate (C3)	Likely (L4)	Notable	Council adopt recommended policies

Community Consultation and Public Relations Implications:

Key stakeholders, educators, families and Council management were consulted and provided input into the revised Child Care Connections policies and procedures.

It is noted that under regulation 172, Council as the approved provider of an education and care service must ensure that parents of children enrolled at the service are notified at least 14 days before making any change to a policy or procedure referred to in regulation 168 that may have a significant impact on:

- the services' provision of education and care to any child enrolled at the service or
- the family's ability to utilise the service.

Recommendation:

That Council:

ADOPT the following revised Child Care Connections Policies and Procedures:

1. Abandoned Child (Attachment 1)
2. Administration of First Aid (Attachment 2)
3. Administration of Medication (Attachment 3)
4. Animals in the Environment (Attachment 4)
5. Asthma Management in Children (Attachment 5)
6. Biting (Attachment 6)
7. Building Positive Relationships and Interactions with Children / Behaviour Guidance (Attachment 7)
8. Clothing and Comfort (Attachment 8)
9. Collaborative Partnerships with Families and Communities (Attachment 9)
10. Cultural Competence / Respect for Diversity (Attachment 10)
11. Nappy Changing and Toileting Policy (Attachment 11)

Attachments/Annexures

1 ⇨Abandoned Child Policy

2 ⇨Administration of First Aid Policy

3 ⇨Administration of Medication Policy

4 ⇨Animals in the Environment Policy

5 ⇨Asthma Management in Children Policy

6 ⇨Biting Policy

7 ⇨Building Positive Relationships and Interactions with Children/Behaviour Guidance Policy

8 ⇨Clothing and Comfort Policy

9 ⇨Collaborative Partnerships with Families and Communities Policy

10 ⇨Cultural Competence/Respect for Diversity Policy

11 ⇨Nappy Changing and Toileting Policy

ENVIRONMENT

10. GLENORCHY CBD REVITALISATION PROJECT PROGRESS UPDATE (30 OCTOBER 2017 TO 15 JANUARY 2018)

Author:	Engineering Projects Officer (Greg Blackwell) Acting Manager, City Strategy and Economic Development (Erin McGoldrick)
Qualified Person:	Acting Director, City Services and Infrastructure (Shafiq Mohamed)
ECM File Reference:	CBD Steering Committee

Community Plan Reference:

Valuing Our Environment

We will value and enhance our natural and built environment. Our central business district (CBD) areas of Glenorchy, Moonah and Claremont will be revitalised, with a strong emphasis on great design, open spaces and public art.

Open for Business

We will create a strong economy and jobs for the future. We will encourage business diversity, innovation and new technologies to stimulate jobs, creativity and collaboration. We will be a place where business can establish, continue and flourish.

Strategic or Annual Plan Reference:

Objective:	3.1	Create a liveable and desirable City.
Strategy:	3.1.1	Revitalise our CBD areas through infrastructure improvements.
Action:	3.1.1.01	Implement the Glenorchy CBD Strategic Framework.

Reporting Brief:

This report provides the bi-monthly update to Council on the progress of the Glenorchy CBD Revitalisation Project.

Background:

At its meeting on 20 March 2017 (Item 8), Council resolved that a bi-monthly progress report of the Glenorchy CBD Revitalisation Project was to be provided. This is the fifth of the bi-monthly reports given pursuant to that resolution.

This report covers the period from 30 October 2017 to 15 January 2018.

Project Status:

1. Project Budget and Delivery Schedule

The estimated cost of the CBD Revitalisation Project is $5.795M (inclusive of the $0.5M Public Space Enhancement grant, see below). The project is currently expected to be constructed over the 2017-18, 2018-19 and 2019-20 financial years.

It is planned that the first stage of the works will commence in March 2018. This initial stage will involve the provision of cycle lanes in Peltro Street that will provide a safer and improved connection between the InterCity Cycleway and the Main Road CBD. The works will also include an upgrade to the traffic signals on the corner of KGV Avenue and Peltro Street and improvements to the concrete ramp linking the Cycleway and the signals.

2. Funding Opportunities

Council submitted an application under the State Government's vulnerable road users program for funding assistance with the Peltro Street cycle lane (mentioned above). On 8 November 2017, Council was notified that its submission had been approved and that it has in-principle approval to receive the funding. Council has provided detail plans and project timeline to the Department of State Growth and it is hoped that a grant deed will be available for signing soon.

3. Public Space Enhancement Grant

Background

In 2015, Council received a Public Space Enhancement Grant from the State Government for the construction of a playground and kiosk in the Council forecourt area. This funding has remained unspent because the outcomes of other Council projects and analysis of potential impacts was required in order to ensure any commitment to expending the grant funds was strategically prudent.

A further delay occurred during 2016 whilst Council awaited the outcome of its application for funding through the Building Better Regions Fund (**BBRF**) (which was ultimately unsuccessful). Now that the outcome of the BBRF is known, Council is able to progress the project and take it to the community for further refinement, to enable implementation within the 2017/18 financial year.

Engagement Plan

The Community Engagement Plan for the project built on previous engagement findings of the Glenorchy CBD Revitalisation community engagement process conducted from August to October 2016, including playground and kiosk in front of Council chambers.

The Engagement Impact Level under the Glenorchy City Council Community Engagement Framework (Appendix 1, p.35) is 'Level 1 High Impact LGA wide'. Given the previous engagement with the business community a 'Consult' strategy is appropriate under the framework

The Engagement Plan, under the title *"Let's play in the CBD"*, undertook the following methods to seek feedback from the community:

- survey: combination of online, mail-out, Council chambers and Northgate Shopping Centre displays
- community group meetings with YANG, GYTF and Access Committee, and
- school and child care centre visits.

The survey was distributed via mail and email to 476 stakeholders, presented at meetings with Youth Access Network Group, the Glenorchy Youth Task Force and Council's Access Committee, presented in the Council foyer and as part of a pop-up display in Northgate Shopping Centre. A total of 288 complete survey responses were received.

School and childcare visits elicited responses from 100 primary school children, 15 childcare centre children (aged 3 – 5 years) and seven (7) families.

Analysis of the survey results and other responses has been delayed, meaning the outcomes of the Engagement Plan are yet to be reported back to the CBD Steering Committee for consideration. Unfortunately, this will result in the delay of a findings report to Council. The findings report will form part of the CBD Revitalisation Update Report at the March 2018 Council meeting.

4. CBD Project Steering Committee

The CBD Project Steering Committee has met twice during the reporting period. Key topics discussed or tasks progressed were as follows;

- communications strategy
- status of discussions with the Department of State Growth
- BBRF Grant Opportunity (2nd round)
- the Public Space Enhancement Grant
- status of the planning permit application
- traffic modelling of proposed signal upgrades, and
- miscellaneous design issues.

The next steering committee meeting is scheduled for 13 February 2018.

5. CBD Revitalisation Communications Plan

A communications strategy for the design and construction phase of the project to keep the community and local businesses informed of project developments and issues has now been finalised and was endorsed by Council at the meeting held on 31 October 2017.

Project updates to the community will continue to be published in the Glenorchy Gazette and on Council's website.

Council is scheduled to review the need for bi-monthly CBD Revitalisation updates at a Council meeting in early 2018.

6. <u>Public Art</u>

Public art is recognised through the community plan and the concept urban design report to be an integral part to the success of the project.

The process for public art to be implemented as part of this project has been discussed by the CBD steering committee. The current timeline being considered for this aspect of the project is as follows:

2017-18: Develop a brief, EOI process, invite tenders, selection

2018-19: Work with community to identify needs and opportunities, and

2019-20: Installation

7. <u>Current Key Project Activities</u>

- a planning permit for the project was granted at the GPA meeting held on 11 December 2017. No representations were received.
- the Californian Pepper tree (sp. *schinus molle*) that is located on Main Road in Council's forecourt is listed as a significant tree in Glenorchy Interim Planning Scheme 2015. A consultant's report has been received on measures to protect the tree during and after construction.
- urban design consultants have provided a draft landscaping plan that details the proposed tree and plant species to be used in the project area. Council officers to review and provide feedback to the consultants.
- extensive consultation has occurred with the Department of State Growth regarding the design and traffic signal changes associated with the proposed Peltro Street Cycle Link. Plans have recently been submitted to the Department for approval.
- Council is liaising with the Department of State Growth regarding obtaining approval for the proposed raised table pedestrian crossing points (speed humps).

8. <u>Next Steps and Future Tasks</u>

- consultants to be engaged to undertake a review of existing and new street lighting and other electrical infrastructure
- grant deed for the Peltro Street Cycle Link to be finalised with the Department of State Growth
- heritage consultant to be engaged to prepare an archaeological method statement for managing and mitigating construction impacts in the vicinity of the War Memorial and the old Dusty Miller Inn site
- project estimates to be updated
- specialist arborist advice to be sought for existing and new street trees, and

- development of tactical urbanism/place activation activities in the study area. Tactical urbanism/place activation being low-cost, temporary changes to the street or public spaces, intended to facilitate activities and connections (cultural, economic, social, ecological) that define a place.

Consultations:

Business Community
CBD Steering Committee
Key Council Staff
Department of State Growth
Urban Design consultants
Glenorchy Matters Panel
Glenorchy City Council Special Committees
Austin's Ferry Primary School
Child and Family Centre Chigwell
Goodwood Primary School
Benjafield and Berriedale Childcare Centre

Human Resource / Financial and Risk Management Implications:

Council is now entering into the final design and construction phase of the project. A review of overall project management structure will be undertaken in order to ensure an appropriate governance model is in place to facilitate the successful delivery of the project.

Once the above review of project management structure has been completed, it is expected that the a decision will be made on how best to deliver the project in terms of timeframes, resources, budgetary constraints and what is in the best interest of the community and local traders.

Community Consultation and Public Relations Implications:

The project has been through an extensive community engagement process and has received widespread support for the concept designs that have been presented.

As mentioned previously, a communications plan has been developed for the design and construction phase of the project and has been endorsed by Council.

Council staff have been and will continue to consult with and provide updates to stakeholders (community and traders etc.) as the project develops.

The Public Space Enhancement Grant deed which Council has entered into with the State Government reserves the right of the Department of Premier and Cabinet to make public (including media) announcements in relation to, and otherwise report upon the grant, the awarding of the Grant and any Relevant Matter. The Department of Premier and Cabinet must be given no less than 15 business days' notice of any official launch, public event or media conference relating to the project.

Recommendation:

That Council:

RECEIVE and NOTE the CBD Revitalisation Project bi-monthly progress report for the period from 30 October 2017 to 15 January 2018.

Attachments/Annexures

Nil.

GOVERNANCE

11. ADOPTION OF NEW AND UPDATED COUNCIL POLICIES

Author: Acting Manager, Governance and Risk (Bryn Hannan)

Qualified Person: Acting Director, Corporate Governance (Simon Scott)

ECM File Reference: Council Policy

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised 'transparent and accountable government'.

Strategic or Annual Plan Reference:

Leading our Community

4.1 Govern in the best interests of our community

4.1.1 Manage Council for maximum efficiency, accountability and transparency

Reporting Brief:

The purpose of this report is to recommend that Council adopts two (2) new policies and three (3) updated policies.

Proposal in Detail:

Under the *Local Government Act 1993*, one of the functions of Council is to determine and monitor the application of Council policies.

Since 25 May 2015, Council has been progressively reviewing and updating its entire suite of policies to ensure that they are relevant, effective and up to date.

As part of Council's ongoing monitoring and review of its policies, the following five (5) new and updated policies have been prepared and are recommended to Council for adoption:

1. Fraud Control and Corruption Prevention (new policy)
2. Receipt of Gifts and Benefits (new policy)
3. Nominations and Appointments to Committees and Other Bodies (updated policy)
4. Meeting Procedures (updated policy)
5. Support and Reimbursement of Expenses to Aldermen (updated policy)

This report provides a brief overview of each of the above policies and the reasons for seeking their adoption.

NEW POLICIES

Fraud Control and Corruption Prevention

Attachment 1 is a copy of the proposed new Fraud Control and Corruption Prevention policy.

Council's Governance and Risk department is responsible for the development and implementation of Council's Fraud Control and Corruption Prevention Framework.

The framework will comprise a suite of documents which will ultimately include a fraud and corruption control plan, register, procedures, forms and (if adopted) the proposed policy. The Fraud Control and Corruption Prevention Policy is the first document to be developed as part of the framework.

The aim of the policy is to set out Council's governing culture, principles, guidelines and responsibilities to prevent fraud and corruption and promote awareness, and for the investigation of suspected incidences of fraud and corruption in Council. The policy will be supported by the other documents in the framework.

Council's Audit Panel reviewed the policy at its meeting on 8 December 2018 and endorsed its content (with some minor additions which have been included). The version of the policy which is presented to Council contains the same content endorsed by the Audit Panel, with minor edits to provide better clarity.

Receipt of Gifts and Benefits Policy

Attachment 2 is a copy of the proposed new Receipt of Gifts and Benefits policy.

The purpose of the policy is to:

(a) outline the obligations and responsibilities of Council officials when dealing with offers of gifts or benefits, and

(b) assist Council officers to make appropriate judgements in relation to gifts and benefits.

The policy intends to prevent Council officers from becoming vulnerable to undue influence and to minimise any threats to the community's confidence in the fairness, impartiality and integrity of the Council. It closely mirrors the template Gifts and Benefits policy that is provided by the Local Government Association of Tasmania.

Council should note, in particular, that the draft policy provides for a 'nominal value' for gifts and benefits of $50. The nominal value is the value below which a gift or benefit is not required to be declared on Council's gifts register (unless more than three (3) gifts are received from the same person or organisation). Council is asked to consider whether $50 is an appropriate nominal value or whether it wishes to adopt a higher or lower amount. In so considering, Council should note that the nominal value listed in the LGAT template policy is $150.00. Anecdotal evidence also suggests that some other local and interstate Councils adopt nominal values of between $20 and $30.

<u>UPDATED POLICIES</u>

Nominations and Appointments to Committees and Other Bodies Policy

<u>Attachment 3</u> is a marked-up copy of the proposed updated 'Nominations and Appointments to Committees and Other Bodies' policy, showing the amendments from the current version.

The policy sets out the procedures to be followed by Council when it nominates or appoints Aldermen or independent persons to council bodies (which include Council Committees and Special Committees) or other bodies. This includes a specific procedure for appointments of Aldermen to committees following an election.

The policy was last updated in September 2017, but has been reviewed ahead of the election of a new Council.

One amendment of note has been made to the policy, namely to include the following paragraph in Part 2 (Nominations and Appointments following a Council election):

> "*(9) For the avoidance of doubt, where a committee detail sheet that has previously been adopted by Council provides for a position to be held ex officio by the Mayor or the Deputy Mayor, the appointment of the Mayor or Deputy Mayor to that position is automatic, and no other Aldermen are entitled to nominate for that position.*"

The above paragraph has been included to reiterate Council's position that where it is intended that the Mayor or Deputy Mayor is a member of a particular committee by virtue of their office, it is inappropriate that that protocol be abandoned and that any Aldermen other than the Mayor or Deputy Mayor (as applicable) be nominated for or appointed to that position.

This has been included to discourage a repeat of the situation that occurred in November 2014 (following the election of the last Council), where Council resolved to abandon the Mayor's ex-officio appointment to certain committees and allow all Aldermen to nominate for the Mayor's position, resulting in the Mayor not sitting on a number of important committees (including the General Manager's Performance Review Committee).

Other minor amendments have been made to the policy to make the drafting clearer and more accessible, and correct minor errors or inconsistencies.

Meeting Procedures Policy

<u>Attachment 4</u> is a marked-up copy of the proposed updated Meeting Procedures policy, showing the amendments from the current version.

The policy sets out the rules and procedures for meetings of Council and Council committees which apply in addition to the procedures prescribed in the *Local Government (Meeting Procedures) Regulations 2015*. It was last updated in August 2016, but has been reviewed ahead of the election of a new Council.

The most notable change to the policy is to update the order of business at Council meetings to provide for the minutes of the closed session of the previous Council meeting to be confirmed in the closed session of the current meeting rather than in the open session, as is currently the practice. The change is proposed in response to comments made in the Board of Inquiry report.

Other minor amendments have been made to the policy to:

- remove a provision that required that a point of order could only be raised immediately after the matter giving rise to the point of order occurred (on the basis that the provision was unnecessary and not in accordance with ordinary meeting protocols)
- provide for other forms of ceremonial meeting openings other than just religious prayers, and
- make other minor amendments for the correction or errors or inconsistencies and for consistency with Council's other policies.

Support and Reimbursement of Expenses to Aldermen

Attachment 5 is a marked-up copy of the proposed updated Support and Reimbursement of Expenses to Aldermen policy, showing the amendments from the current version.

The policy sets out sets out the circumstances in which Council will:

(a) reimburse Aldermen for expenses incurred in the course of carrying out the duties of their office, and

(b) provide facilities, materials, devices, and administrative support to Aldermen to assist them to carry out the duties of their office.

The policy has been amended to remove provisions that require Council to purchase mobile computing technology for Aldermen, which (under the current policy) would remain the property of Aldermen. This would have exposed Council to a significant expense which is not considered to be prudent given Council's current financial position. The draft updated policy provides that Council will arrange for Council's email and calendars to be installed on Aldermens' personal mobile phone, tablet or computer.

Superflous provisions that result from the above amendments have also been removed, and a number of other minor amendments have been made to correct errors or inconsistencies and for consistency with Council's other policies.

Consultations:

Commissioner
General Manager
Executive Leadership Team

Human Resource / Financial and Risk Management Implications:

There are no material human resource or financial implications (other than a saving resulting from Council not having to purchase 10 sets of mobile computing equipment for Aldermen).

In terms of risk management implications, please refer to the following:

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
If the identified policies are not adopted as recommended, governance control effectiveness is less optimal due to the policies not adequately providing for the efficient management and good governance of Council.	Minor (C2)	Almost Certain (L5)	Notable	Council adopts the new and updated policies, as recommended.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

1. ADOPT the Fraud Control and Corruption Prevention Policy in the form of Attachment 1
2. ADOPT the Receipt of Gifts and Benefits Policy in the form of Attachment 2
3. ADOPT an updated version of the Nominations and Appointments to Committees and Other Bodies Policy containing the amendments in the version forming Attachment 3
4. ADOPT an updated version of the Meeting Procedures Policy containing the amendments in the version forming Attachment 4, and
5. ADOPT an updated version of the Support and Reimbursement of Expenses to Aldermen Policy containing the amendments in the version forming Attachment 5.

Attachments/Annexures

1 ⇨Fraud Control and Corruption Prevention Policy

2 ⇨Receipt of Gifts and Benefits Policy

3 ⇨Nominations and Appointments to Committees and Other Bodies Policy

4 ⇨Meeting Procedures Policy

5 ⇨Support and Reimbursement of Expenses to Aldermen

12. AUDIT PANEL CHARTER - BIENNIAL REVIEW

Author: Senior Risk and Assurance Advisor (Colette Millar)

Qualified Person: Acting Director, Corporate Governance (Simon Scott)

ECM File Reference: Audit Panel

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised 'transparent and accountable government'.

Strategic or Annual Plan Reference:

Annual Plan Reference *4.2.4.03 Implement the Governance Strategy.*

Reporting Brief:

The purpose of this report is to recommend that Council adopts an updated version of its Audit Panel Charter.

Proposal in Detail:

Clause 17.2 of the current Audit Panel Charter (**the Charter**) relevantly provides:

> "*(a) at least every second year the Audit Panel will review the Charter to ensure its provisions comply with the Act and the Order, and*
>
> *(b) any changes to the Charter will be recommended by the Audit Panel and approved by Council.*"

At the 28 June 2017 Audit Panel meeting, the Audit Panel requested that the Charter be reviewed and presented at the Panel's December meeting. The Panel specifically requested the review of the Panel member's tenure, and for management to provide any improvements to the 2016 Charter required for compliance with *Local Government Act 1993* **(the Act)** and current practices since the finalisation of the Board of Inquiry.

The proposed amended Charter is Attachment 1 to this report. A marked-up copy showing the proposed amendments is Attachment 2. The Charter has been amended to reflect to following:

- under Part 2 - Definitions, to add definitions for Audit Panel member and those Council officers who are required to attend each meeting
- under Part 4 – Functions of the Audit Panel, to further clarify the process around the review of the General Manager's authorised credit card expenses
- under Part 5 – Key Areas for Consideration, to add clarification of key areas for consideration

- under Part 6 – Responsibilities of the Audit Panel Members, to add information on Disclosure of Information for members of the Panel in line with section 338A of the Act
- under Part 9 – Term and Conditions of Appointment of the Audit Panel Members, clearly define the term of a member, and the entire membership being terminated at the same time
- added Part 10 – Removal from Office, to add information on the process for removal of an Audit Panel member
- under Part 13 – Meeting of the Audit Panel, to make minor adjustments and the removal of references to the Director, Corporate Governance and General Counsel
- under Part 14 – Reporting, to provide clarity on the Audit Panel confirmed minutes process
- under Part 16 – Resources of the Audit Panel, to make minor corrections in relation to Secretarial processes undertaken
- under Part 17 – Conflicts of Interest, to clearly define the process and administration for an Audit Panel's members conflict of interest, and
- under Part 18 – Review of the Audit Panel and the Charter, to add provision for the review of the Chairperson's performance.

Consultations:

Audit Panel members

General Manager

Acting Director, Corporate Governance

Acting Manager, Governance and Risk

Human Resource / Financial and Risk Management Implications:

There are no human resources or financial implications.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
If identified Audit Panel Charter is not adopted as recommended, then governance control effectiveness is less optimal and potentially a minor legal, regulatory or internal policy failure.	Minor (C2)	Likely (L4)	Notable	Council adopt endorsed Audit Panel Charter

Community Consultation and Public Relations Implications:

Not applicable.

Recommendation:

That Council:

ADOPTS the revised Audit Panel charter as endorsed by the Audit Panel at its 8 December 2017 meeting.

Attachments/Annexures

1 ⇨Audit Panel Charter (Dec 2017) - Clean Copy

2 ⇨Audit Panel Charter (Dec 2017) - Tracked Changes

13. CORPORATE CREDIT CARD DIRECTIVE

Author:	General Manager (Tony McMullen)
Qualified Person:	General Manager (Tony McMullen)
ECM File Reference:	Council Directives

Community Plan Reference:

City of Glenorchy Community Plan 2015-2040

The communities of Glenorchy will be confident that Council manages the community's assets soundly for the long term benefit of the community.

Strategic or Annual Plan Reference:

Glenorchy City Council Strategic Plan 2016 – 2025

Objective 4.1	Govern in the best interests of our community.
Strategy 4.1.1	Manage Council for maximum efficiency, accountability and transparency.
Strategy 4.1.2	Manage the City's assets soundly for the long term benefit of the community.
Strategy 4.1.3	Maximise regulatory compliance in Council and the community through our systems and processes.

Reporting Brief:

To brief Council on the Corporate Credit Card Directive, which replaces the outdated Purchasing Card Procedures.

Proposal in Detail:

Background

The appropriate use of corporate credit cards has been a recent topical issue in the spheres of government generally, local government specifically and Glenorchy City Council in particular.

The public rightly expects and demands that rates and taxes are expended ethically and responsibly by public authorities on the community outcomes for which they were collected.

In addition to State legislative requirements, Council's internal governance system has two levels of 'rules' for its operations. Council policies, which are approved by Council's elected body, provide the rules which govern the operation of the Council in its interactions with the community. Directives, approved by the General Manager, are internal rules that govern how internal staff processes are to operate.

Corporate credit card use at Council is governed by a Directive.

The Council's Corporate Credit Card Directive has recently been reviewed. The new Directive is at Attachment 1.

There have been four key drivers for a review of the Corporate Credit Card Directive:

1. Report of the Auditor-General No. 4 of 2017-18 Use of credit cards by councils' general managers and elected members, November 2017 (Sector-wide inquiry)
2. Glenorchy City Council Board of Inquiry Report, November 2017
3. The Auditor-General's Audit Findings on Council's 2016/17 Financial Report, and
4. Revised Code for Contracts and Tendering, 10 July 2017.

Auditor-General's Report into Use of Credit Cards by Councils' General Managers and Elected Members

For the full report, go to: http://www.audit.tas.gov.au/wp-content/uploads/Full-Report-No-4-2017-18-Use-of-credit-cards-by-councils'-general-managers-and-elected-members-web.pdf

The report found that:

> *There has been a marked increase in the use of debit and credit cards in Australia, with card payments accounting for over 60 per cent of the number of non-cash transactions. Corporate credit cards are an efficient and flexible method to pay for goods and services, particularly for low value transactions, and are now a well-established part of doing business in the public sector.*
>
> *Cardholders, in the public sector, are also required to assess whether a transaction represents a responsible use of public funds at the time that the expenditure is incurred by confirming that the:*
>
> - *amount spent is within the public entity's approved budget*
> - *expenditure is necessary to exercise the pubic entity's powers or carry out its functions*
> - *expenditure represents value for money (for example, consideration of the financial and non-financial costs and benefits associated with procurement).*
>
> *However, the convenience of credit cards creates the potential for their misuse. Examples of fraud risks associated with corporate credit cards include charging personal expenses to the card, using the card to withdraw cash for personal benefit or falsifying, destroying or damaging receipts and other records. The misuse of credit cards can also attract considerable public interest and cause damage to a public entity's reputation.*

Local Government

Within councils, corporate credit cards are used by employees, including general managers, and elected members (mayors and councillors or aldermen). The Local Government Act 1993 and associated regulations are silent on the use of credit cards in councils. It is therefore the responsibility of general managers to develop and implement policies which ensure that credit cards are used appropriately.

Good practice

In the absence of specific guidance on the use of credit cards in councils, we based our good practice expectations on:

- *Treasurer's Instruction No. 705 Tasmanian Government Card, which provides a policy framework for all agencies covered by the Financial Management and Audit Act 1990*
- *outcomes of similar audits done in other jurisdictions*
- *good governance principles.*

The report concluded that:

Although the examination found instances of policy breaches and a lack of guidance that led to different interpretations of standards of accountability, we did not find evidence of serious or systemic misuse of public funds or fraud. The primary recommendation is for 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.

The report recommended:

The Local Government Division of the Department of Premier and Cabinet develop, in consultation with councils and other relevant stakeholders, a model credit card policy that provides clear guidance relating to:

- *expenditure on entertainment, travel, gifts, fines (infringement notices), fuel and fuel-related products*
- *use of the card by other staff members*
- *alternative online payment methods.*

Glenorchy City Council Board of Inquiry Report

For the full report, go to:
http://www.dpac.tas.gov.au/__data/assets/pdf_file/0007/357973/Glenorchy_City_Council_Board_of_Inquiry_Final_Report_-_15_November_2017.pdf

The Board reviewed approximately two (2) years of credit card purchases. It observed the following:

- more than 100 officers had access to credit over this period through Council's purchasing card system

- purchasing Card Procedures had not been reviewed since 2001/02
- a lack of consistent compliance with the Purchasing Card Procedures
- a large portion of the transactions prima facie appear legitimate
- the Board questioned purchases of alcohol, meals, coffees and bakery goods, flowers, educational courses, professional memberships, flights and-in-flight purchases and accommodation
- GCC's decentralised approach is very unusual in giving so many staff access to credit when compared to similar sized councils which issue fewer than ten cards and some fewer than five, and
- Council should review the Purchasing Card Procedures in order to restrict access to credit, minimize the risk of misuse of cards, and implement a more accountable system for purchasing goods and services.

The relevant Board of Inquiry findings and recommendations were as follows:

> <u>*Findings*</u>
>
> ***Compliance with council policies (3.B.1)***
>
> *The Board finds that the general manager failed in his duty under the Act to ensure that council complied with GCC policy, in particular, …. its policy Code for Tenders and Contracts, and its Purchasing Card Procedures.*
>
> ***Management of council resources and assets (3.B.9)***
>
> *The Board finds that much of the expenditure on credit cards falls outside the established procedures, and that the council's Purchasing Card Procedures document is significantly out of date and the procedures themselves are not delivering the intended benefits of the system.*
>
> *The Board finds that management does not appear to be providing oversight to many of the issued credit cards or transactions, as a large number of purchases were in breach of the current council policy.*
>
> <u>*Recommendations*</u>
>
> ***Use of credit cards (3.B.9.1)***
>
> *Recommendation: that council amend its credit card procedures to restrict access to credit to the general manager and his direct reports.*
>
> *Recommendation: that council amend its procedures for monitoring credit card usage to ensure greater accountability and transparency in their use.*

Auditor-General's Audit Findings on Council's 2016/17 Financial Report

There was a 'moderate' audit finding that Council establish a policy for use of PayPal to make payments.

The Tasmanian Audit Office (Tas Audit) was not critical of the use of PayPal, as it is a secure on-line payments platform but wanted to ensure that corporate credit card transactions were not being undertaken using an employee's private PayPal account.

Revised Code for Contracts and Tendering

Council approved a revised Code for Contracts and Tendering on 10 July 2017.

Purchases up to $2,000 do not require a purchase order provided that records are kept of all relevant documentation and receipts received.

Review of the Corporate Credit Card Directive

A thorough review of the Corporate Credit Card Directive (previously known as Purchasing Card Procedures) has been undertaken, taking into account the following:

- Tas Audit recommendations
- Board of Inquiry recommendations, and
- Council's revised Code for Contracts and Tendering.

It should be noted that there are differences of approach between Tas Audit and the Board of Inquiry. Tas Audit views corporate credit cards as a legitimate contemporary way of undertaking public sector business provided there are appropriate controls over their use. The Board of Inquiry appears to have significant reservations about such corporate credit card use – hence their recommendation for significant limitations on who is to be issued with corporate credit cards, along with a recommendation that the Purchasing Card Procedure be revised based on the Treasury Guidelines.

In balancing these competing positions, Tas Audit's philosophical approach is preferred. That is, that corporate credit card use is not inherently unsound as a procurement method, provided there are appropriate controls over their use.

Currently, Council uses Fraedom web-based software to monitor its credit card transactions. This requires that any credit card transactions are checked and authorised (albeit ex post) by the line supervisor of the employee making the transaction.

Corporate credit cards are a more efficient and less costly purchasing method than traditional purchase order-based approaches.

Features of the Corporate Credit Card Directive

Consistent with the Board of Inquiry recommendation, the revised Directive has been based on *Treasurer's Instruction No. 705, Tasmanian Government Card*, with appropriate changes to make the content relevant to a local government context.

The draft Directive was checked against the features of a contemporary corporate credit card policy as identified by Tas Audit in Appendix 4 'Credit Card Controls' to its Report into Use of Credit Cards by Councils' General Managers and Elected Members (refer to Attachment 2). It is considered that the Directive responds to all of the features identified by Tas Audit, noting that corporate travel at Council is covered by a separate directive.

Key features of the Directive are:

1. Clarification that the Corporate Credit Card can only be used for appropriate procurement, which does not include entertainment. An exception is provided for cardholders associated with the Derwent Entertainment Centre, Moonah Arts Centre, major events and community meetings and events as bona fide entertainment expenses are considered to be legitimate core business activities for those cardholders.
2. A revised card limit to generally apply to purchases of $2,000, consistent with the low risk transaction threshold in the Code for Contracts and Tendering. The Directive makes provision for the General Manager to allow variation to this limit where business requirements dictate and appropriate controls are in place.
3. Prohibitions on use of the corporate credit card for:
    - cash withdrawals
    - entertainment purposes
    - fuel purchase
    - for payment of invoices after the due date
    - for the payment of fines, and
    - for personal transactions, even if it is the cardholder’s intention to immediately reimburse the private expenses.
4. Clear procedures in the event of misuse of corporate credit cards.
5. General Manager’s credit card expenses are to be checked by the Chief Financial Officer and submitted to each Audit Panel for verification.
6. Sanctions for misuse of a corporate credit card are identified.

Consultations:

Acting Director, Corporate Governance

Acting Chief Financial Officer

Acting Director, Community Economic Development and Business

Acting Manager, Governance and Risk

Strategic Procurement Coordinator

Human Resource / Financial and Risk Management Implications:

The new Corporate Credit Card Directive will prohibit the use of credit cards for certain kinds of expenditure. A credit limit of $2,000 will generally be imposed, with exceptions, on purchases. This is consistent with the low risk threshold identified in the Code for Contracts and Tendering adopted by Council on 10 July 2017.

There will continue to be ex post scrutiny of all credit card transactions, with line supervisors required to check all credit card expenditures.

Community Consultation and Public Relations Implications:

The community has every right to expect and demand that credit card use by Council staff will be on legitimate purchases.

The Board of Inquiry and Auditor-General reports, aspects of which relate to credit card use at Glenorchy City Council and in the local government sector more broadly, have been widely publicised. There has also been recent media scrutiny by the print media of credit card use in the public sector and local government sector.

It is recognised that, while Council's overall corporate credit card use has been and continues to be substantially compliant, it is important for public confidence to ensure that the rules around corporate credit card use set clear boundaries and are based on contemporary standards.

The intention of the Directive is to respond to Tas Audit and Board of Inquiry findings and recommendations, and to tighten the rules around appropriate use of corporate credit cards, based on the Treasury Guidelines, as recommended by the Board of Inquiry, without losing the benefits of corporate credit card use as a legitimate and low-cost purchasing method for low risk purchases.

Recommendation:

That Council:

1. NOTE the General Manager's approval of a revised Corporate Credit Card Directive as set out in Attachment 1 which has been prepared in response to recent findings and recommendations by the Tasmanian Audit Office and the Glenorchy City Council Board of Inquiry and for consistency with the Code for Contracts and Tendering adopted by Council on 10 July 2017, and
2. NOTE that Management continues to monitor the use of corporate credit cards by Council staff on an on-going basis, including assessment of the appropriate number of cardholders and standardisation of the corporate credit card transaction limit.

Attachments/Annexures

1 ⇨Corporate Credit Card Directive

2 ⇨Appendix 4 to Tas Audit Report - 'Credit Card Controls'

14. GOOD GOVERNANCE FRAMEWORK - AUDIT

Author: Acting Director, Corporate Governance (Simon Scott)

Qualified Person: Acting Director, Corporate Governance (Simon Scott)

ECM File Reference: Good Governance Framework

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised 'transparent and accountable government'.

Strategic or Annual Plan Reference:

Annual Plan Reference *4.2.4.03 Implement the Governance Strategy.*

Reporting Brief:

This report is to brief Council on the Good Governance Framework desk-top audit outcomes and associated actions.

Proposal in Detail:

At the 23 January 2017 Council Meeting, Council adopted the Good Governance Framework (Attachment 1) and noted that Management would draft an Action Plan to assist with the prioritisation of ongoing activities to ensure that the Framework was implemented throughout the organisation.

To assist with the required prioritisation, a desk-top audit was conducted to assess where potential gaps existed and thus underpin an appropriate action plan into the future (Attachment 2). The indicators have been based on guidance derived from the NSW Audit Office 'Governance Lighthouse – Strategic Early Warning System' and the Australian Institute of Company Directors suggested governance indicators for 'for purpose' boards.

Of the 51 indicators chosen to assess Council's position against its Good Governance Framework key principles and governance components, indicatively:

- 36 indicators (71%) are considered satisfactory
- 9 indicators (18%) are considered partly covered but will require further remedial action, and
- 6 indicators (11%) are considered incomplete and will require further work to bring to a satisfactory level.

Key areas that will require further scoping and additional action include:

- Fraud and corruption control framework
- Key compliance framework

- Risk appetite and tolerance setting, and
- Key internal control audit.

The Audit Panel (at its 8 December 2017 meeting) noted the desk-top audit and action plan in passing, and has requested a progress update on how the organisation is progressing with identified governance improvements.

To avoid any doubt, it is reiterated that the *Good Governance Guide for Tasmanian Councils* (as published by the Premier's Local Government Council) is particularly focussed as a resource to guide the behaviours, standards, decision-making and ethics of elected members (see Attachment 3). That is, Council's adopted Good Governance Framework provides the 'what' and the Guide determines the 'how'.

It is considered that there is a body of work to be explored with the Aldermanic body as part of their induction into Council.

Consultations:

Nil

Human Resource / Financial and Risk Management Implications:

There are no human resources or financial implications.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
If Council does not set and articulate its good governance framework, then alignment and support of appropriate decision making across Council is less optimal and represents a minor legal, regulatory or internal policy failure	Minor (C2)	Likely (L4)	Moderate	Council sets and articulates its good governance framework

Community Consultation and Public Relations Implications:

Strengthening Council's governance framework is an important step that anticipates the need to respond to the outcomes of the Board of Inquiry report.

Recommendation:

That Council:

(a) NOTE the Good Governance Framework Desk Top Audit (Attachment 1), and

(b) NOTE that Management will draft an Action Plan to assist with the prioritisation of ongoing activities to ensure that Council's Good Governance Framework is implemented throughout the organisation.

Attachments/Annexures

1 ⇨Good Governance Framework (January 2017)

2 ⇨Good Governance Framework - Desk Top Audit (October 2017)

3 ⇨Good Governance Guide for Local Government in Tasmania (May 2016)

15. POSITION OF GENERAL MANAGER - TEMPORARY ABSENCES

Author:	Acting Director, Corporate Governance (Simon Scott)
Qualified Person:	Acting Director, Corporate Governance (Simon Scott)
ECM File Reference:	Delegations

Community Plan Reference:

Under the City of Glenorchy Community Plan 2015 – 2040, the Community has prioritised 'transparent and accountable government'.

Strategic or Annual Plan Reference:

Annual Plan Reference *4.2.4.03 Implement the Governance Strategy.*

Reporting Brief:

The purpose of this report is to rescind an obsolete delegation with respect to the position of General Manager being able to appointing an acting General Manager under section 61 of the *Local Government Act 1993* (**LG Act**) for short periods.

Proposal in Detail:

At its meeting held 10 July 2017 (Item 13), Council resolved to delegate a range of functions and powers to the position of General Manager with the qualification that it did not 'supersede or revoke any previous delegations or authorisations given to the position of 'General Manager' that are not inconsistent with the delegations and authorisations given in the Schedule'. This report deals with an obsolete but unrevoked delegation with respect to the position of General Manager being able to appoint an acting General Manager for temporary absences.

At its Council meeting held on Monday, 12 August 2002 (Item 8), Council resolved the following with respect to delegating the General Manager the authority to appoint an acting General Manager under the LG Act:

> ***Resolution:***
>
> *TAYLOR/PEARCE*
>
> *That in accordance with section 22 of the Local Government Act 1993 the General Manager be delegated authority to appoint acting General Managers under section 61 of the Local Government Act 1993 for periods not exceeding 5 weeks.*

This delegation was subsequently referred to in the past General Manager's letter 'Delegation of Powers' (dated 1 July 2011) as signed by the then Mayor, Alderman Adriana Taylor.

The power to appoint a General Manager is a power given to Council under section 61 (Appointment of General Manager) of the Act. At the time of the original delegation (12 August 2002), section 61 provided as follows:

> ***61. Appointment of General Manager***
>
> *A council is to appoint a person as general manager for a term not exceeding 5 years on such terms and conditions as it considers appropriate.*

Council's power of delegation is conferred by section 22 of the Act. Under section 22(1), Council can delegate certain of its functions or powers under the Act to the General Manager. However, the functions and powers that Council may delegate are limited by section 22(3), which lists specific powers that Council must not delegate.

At the time of the original delegation, section 22(3) did not preclude from Council from delegating its powers to appoint the General Manager under section 61.

However, on 1 July 2005, section 22(3) of the Act was amended to include the following new prohibition:

> *(3) A council must not delegate any of its powers relating to the following:*
>
> > *(f) the appointment of the general manager.*

At the same time, section 61 (Appointment of a general manager) of the Act was expanded to include the following (emphasis added):

> *(1) A council is to appoint a person as general manager of the council for a term not exceeding 5 years on terms and conditions it considers appropriate.*
>
> *(2) An appointment under subsection (1) is not to be extended or renewed so as to exceed 5 years in total unless the council has reviewed its terms and conditions.*
>
> *(3) When a vacancy for the position of general manager occurs or is about to occur, a council is to notify the vacancy, and may invite applications for the position, in a daily newspaper circulating in the municipal area.*
>
> *(4) Not later than 6 months before the expiry of the general manager's appointment, a council may resolve to reappoint the general manager without seeking applications for the position.*
>
> *(5) A reappointment under subsection (4) is to be treated as if it were an appointment under subsection (1).*
>
> ***(6) The mayor may appoint a person as acting general manager until –***
>
> > ***(a) the appointment of that person as general manager is confirmed at the next council meeting; or***
> >
> > ***(b) the council appoints another acting general manager.***

Arguably, the application of section 61(6) was somewhat ambiguous as to its applicability to short-term absences of a general manager on approved leave (e.g. annual leave, personal leave etc.).

To this end, as part of the targeted review of the LG Act (effective 22 November 2017), the LG Act was amended to remove section 61(6) and replace it with section 61B (Acting general managers)(emphasis added):

> *(1) For the purposes of this section,* ***a general manager is absent*** *if –*
>
> *(a) he or she is absent from duty for any reason; or*
> *(b) he or she is otherwise unavailable or unable to perform the functions of the office of general manager; or*
> *(c) the position of general manager is vacant.*
>
> *(2)* ***The mayor may appoint a person to act in the office of general manager if*** *–*
>
> *(a) the general manager is absent and no person holds an appointment under subsection (4) ; or*
> *(b) the general manager is absent and the person appointed under subsection (4) is absent from duty or otherwise unavailable or unable to act in the office of general manager.*
>
> *(3) An appointment under subsection (2) ends when the first of the following occurs:*
>
> *(a) the general manager returns to duty;*
> *(b) the term of the appointment expires;*
> *(c) the mayor or the council revokes the appointment;*
> *(d) a person is appointed as general manager under section 61 .*
>
> *(4)* ***The council may appoint a person to act in the office of general manager during every absence of the general manager.***
> *(5) An appointment under subsection (4) is for the term, not exceeding 5 years, specified in the appointment and ends when the first of the following occurs:*
>
> *(a) the term of the appointment expires;*
> *(b) the council revokes the appointment;*
> *(c) if the appointment is to the holder of an office, the person ceases to hold that office.*
>
> *(6) While a person appointed to act in the office of general manager is acting as general manager, that person is taken to be the general manager.*

Accordingly, it is recommended that Council resolve to remove the authority of the position of General Manager to appoint acting General Managers under section 61 of the LG Act for periods not exceeding 5 weeks.

As per section 61B(4), it is open for Council to resolve and appoint a person to act in the office of general manager during every absence of the general manager.

Consultations:

Acting General Manager
Acting Manager, Governance and Risk

Human Resource / Financial and Risk Management Implications:

There are no human resources or financial implications.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
If Council does not rescind the obsolete delegated authority then it represents an insignificant legal and regulatory failure.	Insignificant (c1)	Likely (l4)	Low	Council adopts the recommended action to rescind the existing delegation.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

(a) RESCIND the General Manager's delegated authority to appoint acting General Managers under section 61 of the *Local Government Act 1993* for periods not exceeding five (5) weeks as per Council's resolution of 12 August 2002

(b) NOTE that the Mayor and Council have express powers to deal with future General Manager absences under section 61B of the *Local Government Act 1993*, and

(c) NOTE that Council may appoint a person to act in the office of general manager during every absence of the general manager.

Attachments/Annexures

Nil.

16. AUDIO RECORDINGS OF PAST CLOSED COUNCIL MEETINGS

Author:	Acting Director, Corporate Governance (Simon Scott)
Qualified Person:	Acting Director, Corporate Governance (Simon Scott)
ECM File Reference:	Audio Recordings

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised 'transparent and accountable government'.**Strategic or Annual Plan Reference:**

Annual Plan Reference *4.2.4.03 Implement the Governance Strategy.*

Reporting Brief:

This report is to brief Council of the recommended course of action to destroy all past copies of closed Council meetings held by Council, in accordance with Council's Audio Recording of Council Meetings policy.

Proposal in Detail:

Under Regulation 33 (1) (Audio Recording of Meetings) of the *Local Government (Meeting Procedures) Regulations 2015* **(Regulations)**, Council 'may determine that an audio recording is to be made of any meeting or part of a meeting'.

Under Council's *Audio Recording of Meetings of Council* policy, those parts of meetings which are closed to the public and may be audio recorded by Council, will, under no circumstances, be made available to the public. The policy also provides that audio recordings of closed meetings of Council will be destroyed upon confirmation of the minutes by Council.

On 26 September 2016, Alderman Branch-Allen moved a motion without notice under Regulation 16 that Council to retain the audio recording from the 29 August 2016 Council meeting (Item 19).

Qualified advice under section 65 of the *Local Government Act 1993* was provided by the then Director, Corporate Governance and General Counsel and explanation was given by the then General Manager.

Council resolved the following:

> *That Council retains a copy of the audio recording of the closed Council meeting on 29 August 2016 until such time as the Board of Inquiry has concluded its work.*

Similarly, a similar resolution was passed on 24 October 2016 (item 21) for the 26 September 2016 meeting.

Outside the members of the Board of Inquiry, copies of the closed Council meetings audio recordings were forwarded to the following ex-Aldermen:

	29 Aug 16	26 Sep 16	24 Oct 16	28 Nov 16	5 Dec 16	19 Dec 16
Mayor Johnston	☑	☑	☑	☑	☑	☑
Alderman Dunsby			☑			

It is noted that the GCC Board of Inquiry Report made two (2) recommendations with respect to meeting procedures and accuracy of minutes:

> ***Meeting procedures and accuracy of minutes (3.A.7.3)***
>
> *Recommendation: that council audio records both open and closed sessions of all council meetings.*
>
> *Recommendation: that the Meeting Regulations be amended to make audio recordings of all sessions of all council meetings mandatory, unless an exemption is approved by the Minister.*

It is noted that the Board of Inquiry made no reference to the retention of the audio recordings of either open or closed sessions of Council meetings. The Regulations state at regulation 33 (2) and (3) (emphasis added):

> *(2) If the council so determines, the audio recording of a meeting or part of a meeting that is* ***not closed to the public*** *is to be –*
>
> *(a) retained by the council for at least 6 months; and*
>
> *(b) made available free of charge for listening on written request by any person.*
>
> *(3) If after the minutes of a meeting have been confirmed as a true record a discrepancy between the minutes and an audio recording of that meeting or part of that meeting is noticed, the council, at the next appropriate meeting, is to review the audio recording and either confirm that the minutes are a true record or amend the minutes to reflect the audio recording and then confirm the minutes as amended to be a true record.*

This being the case, it is recommended that it remains in accordance with the legislation and Council policy that any audio recordings of closed meetings of Council will be destroyed upon confirmation of the minutes by Council. It is noted that all Council meetings with closed audio recordings have had their respective minutes confirmed by Council.

It is recommended that:

- noting that the Board of Inquiry has concluded its work that all past copies of the audio recordings of closed Council meetings held by Council be destroyed in accordance with the 'Audio Recording of Meetings of Council' policy, and

- that ex-Alderman whom has received copies of audio recordings of closed Council meetings be requested to destroy the same and advise Council of their compliance via statutory declaration.

Consultations:

Acting General Manager
Acting Manager, Governance and Risk

Human Resource / Financial and Risk Management Implications:

There are no human resources or financial implications.

Risk Identification	Consequence	Likelihood	Rating	Risk Mitigation Treatment
If Council does not take action to destroy all past copies of the audio recordings of closed Council meetings held by Council and others then it represents a moderate legal and regulatory and internal policy failure.	Moderate (C3)	Likely (L4)	Notable	Council adopts the recommended action to destroy all past copies of the audio recordings of closed Council meetings held by Council and others.

Community Consultation and Public Relations Implications:

Nil

Recommendation:

That Council:

(a) RESOLVE that all past copies of the audio recordings of closed Council meetings held by Council be destroyed in accordance with the ‘Audio Recording of Meetings of Council’ Policy, and

(b) NOTE that the General Manager will write to those ex-Aldermen who have received copies of audio recordings of closed Council meetings requesting that they destroy the same and advise Council of their compliance via statutory declaration.

Attachments/Annexures

Nil.

17. TARGETED REVIEW OF THE LOCAL GOVERNMENT ACT 1993

Author: Acting Director, Corporate Governance (Simon Scott)

Qualified Person: Acting Director, Corporate Governance (Simon Scott)

ECM File Reference: Local Government Act

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised 'transparent and accountable government'.

Strategic or Annual Plan Reference:

Annual Plan Reference *4.2.4.03 Implement the Governance Strategy.*

Reporting Brief:

The purpose of this report is to inform Council of the result of the recommendations to the *Local Government Act 1993* **(LG Act)** arising from the targeted review undertaken by the State Government.

Proposal in Detail:

The Minister for Planning and Local Government announced the targeted review at the Local Government Association Tasmania's (LGAT) annual conference in July 2015. The Terms of Reference of the review were endorsed by the Premier's Local Government Council in December 2015.

A Steering Committee was established to undertake the review and released a discussion paper in April 2016. In September 2016, the Steering Committee prepared a consultation feedback report that included a number of recommendations to the Minister.

A draft version of the Local Government Amendment (Targeted Review) Bill 2017 **(the Bill)** was released for public consultation in March 2017. In late 2017, the Bill passed through both houses of Parliament, and received Royal Assent on 22 November 2017.

Some of the key changes to the *Local Government Act 1993* include:

- amendments to the functions of the Mayor to clarify the focus and responsibilities of this leadership role and distinguish it from that of other elected members
- the introduction of Performance Improvement Directions – a tool to require a Council, an Alderman or some Aldermen to take, refrain from taking or cease taking action to improve their performance with respect to statutory compliance

- the introduction of Ministerial Orders to clarify the functions of Mayor, Aldermen and General Managers, which require consultation with the sector and are subject to disallowance by Parliament
- a clear process and options for Councils for appointing an acting General Manager that reflects what is already occurring in the sector
- amendments to ensure that members of an Audit Panel are now subject to the conflict of interest provisions, confidentiality requirements and misuse of information under the LG Act
- the inclusion of electoral advertising on the internet, and
- a head of power requiring Councils to keep a gifts and donations register.

Further information on the changes to the Act is provided in the Local Government Division information sheet Local Government Amendment (Targeted Review) Act 2017 – December 2017 (see Attachment 1).

Of note, Management have completed the following with respect to the relevant sections of the LG Act:

- role of the Mayor (section 27) has been accommodated in the draft Aldermanic Induction handbook that will provide assistance to the newly elected Aldermanic body in early February 2018
- with respect to the clarified provisions that outline the arrangements for the appointment of acting general managers (section 61), Council will be appraised of the same in a report to Council on this agenda recommending the rescission of an obsolete delegation with respect to the position of General Manager being able to appoint an acting General Manager under section 61 of the LG Act for short periods, and
- Council's Audit Panel Charter has been amended to take into account the new confidentiality and conflict of interest requirements under the LG Act (section 55) (see separate Council report).

It is further noted that there will be a number of changes to the LG Act and *Local Government (General) Regulations 2015* that have been reserved for proclamation at a later date, including (but not limited to):

- new provisions that will require an Alderman (or candidate) to notify the General Manager if they receive a gift or donation and for the General Manager to keep a register of those gifts and donations (this has to some respect been covered in the proposed draft *Gifts and Benefits Policy* for Council consideration), and
- a new section 83A of the LG Act will require Council to issue its financial statement in line with model financial statements issued by the Director of Local Government for each financial year.

Consultations:

Nil

Human Resource / Financial and Risk Management Implications:

There are no human resources, financial or risk managemnent implications.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

NOTE the changes to the *Local Government Act 1993* arising from the targeted review undertaken by the State Government.

Attachments/Annexures

1 ⇨Information Sheet - Summary of the changes under the LG Act 1993

18. 2017 ANNUAL GENERAL MEETING

Author:	Acting Manager, Governance and Risk (Bryn Hannan)
Qualified Person:	General Manager (Tony McMullen)
ECM File Reference:	AGM

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised 'transparent and accountable government'.

Strategic or Annual Plan Reference:

Glenorchy City Council Strategic Plan 2016 – 2025

Objective 4.1	Govern in the best interests of our community.
Strategy 4.1.1	Manage Council for maximum efficiency, accountability and transparency.
Strategy 4.1.3	Maximise regulatory compliance in Council and the community through our systems and processes.

Reporting Brief:

To report on the 2017 Annual General Meeting as required by Section 72B(6) of the *Local Government Act 1993* and consider motions that were passed at that meeting.

Proposal in Detail:

The Glenorchy City Council Annual General Meeting was held at the Glenorchy Council Chambers on Tuesday, 12 December 2016 (**2017 AGM**). There were 29 registered electors in attendance.

Section 72B(6) of the *Local Government Act 1993* (**the Act**) requires that Council consider any motion passed at an Annual General Meeting at the next meeting of Council.

The details of the motions moved and passed at the 2017 AGM are included in this report for consideration by Council.

Minutes of 2016 AGM

A motion was moved by George Burrows (Granton) seconded by Barry Smith (Glenorchy) that the minutes of Council's 2016 AGM be confirmed.

A copy of the of the 2016 AGM minutes that were presented to the 2017 AGM is Attachment 1 to this report.

However, by reason of an oversight, it does not appear that a vote on the confirmation of the minutes was taken. Accordingly, the motion was neither passed nor defeated.

To rectify this, a vote will be taken at the next Annual General Meeting to confirm the 2016 AGM minutes.

No action is required by Council in respect to the motion.

2016-17 Annual Report

A motion was moved by Mr. George Burrows (Granton), seconded by Mrs. Kaye Smith (Glenorchy) to accept Council's 2016-17 Annual Report (**Annual Report**).

A vote was taken and the motion was carried unanimously. Accordingly, the motion was passed and is required to be considered by Council at the current meeting.

Council prepared the 2016-17 Annual Report 2016-17 in accordance with the requirements of s. 72 of the Act.

The Annual Report was made publicly available following its release. Hard copies were provided to the public at the 2017 AGM.

On Wednesday, 29 November 2017, Council:

- submitted one copy of the Annual Report to the Director of the Local Government Division of the Department of Premier and Cabinet, and one copy to the Director of Public Health, as required under s. 72(2)(a) of the Act
- made copies of the Annual Report available for public inspection on its website and at its offices at 374 Main Road, Glenorchy, as required under section 72(2)(b) made the copies of the Annual Report available free of charge, as required under section 72(2)(c), and
- published a notice in The Mercury advertising the availability of the Annual Report and inviting electors to lodge submissions on the Annual Report for discussion at the AGM, as required under section 72(2)(d).

The Advertisement advised that written notice of motions and/or questions to be put at the AGM would be received until 12:00 noon on Thursday, 7 December 2017.

Council received one (1) submission in response to the Advertisement, from Dr Patrick Mineely. Dr Mineely's submission included twenty three (23) Questions on Notice. Written answers to those questions were provided in the report for Item 5 on the 2017 AGM agenda.

No further action is required from Council in respect to the Annual Report, nor the motion passed at the 2017 AGM to accept the Annual Report

Consultations:

Nil.

Human Resource / Financial and Risk Management Implications:

Nil.

Community Consultation and Public Relations Implications:

The 2016-17 Annual Report was made available to the public, as set out above.

Recommendation:

That Council:

(a) NOTE the motion passed at Council's 2017 Annual General Meeting to accept the Glenorchy City Council Annual Report 2016-17.

Attachments/Annexures

1 ⇨2016 AGM Minutes

19. PROCUREMENT EXEMPTIONS - MONTHLY REPORT

Author: Acting Manager, Governance and Risk (Bryn Hannan)

Qualified Person: Acting Director, Corporate Governance (Simon Scott)

ECM File Reference: Procurement

Community Plan Reference:

Leading our Community

The communities of Glenorchy will be confident that Council manages the community's assets soundly for the long term benefit of the community.

Strategic or Annual Plan Reference:

Leading our Community

4.1 Govern in the best interests of our community

4.1.1 Manage Council for maximum efficiency, accountability and transparency

4.1.2 Manage the City's assets soundly for the long term benefit of the community

4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes

Reporting Brief:

This report provides a monthly update to Council on exemptions that have been applied to the procurement requirements under Council's Code for Tenders and Contracts.

Proposal in Detail:

Council's Code for Tenders and Contracts (**Code**) has been made and adopted by Council as required under section 333B of the *Local Government Act 1993*.

Under clause 10.2 of the Code, the General Manager is required to provide a regular report to Council on exemptions that have been authorised to the procurement requirements under the Code. Clause 10.2 relevantly provides:

> *In accordance with Regulation 28(j), the General Manager will establish and maintain procedures for reporting to Council* ***at the first ordinary meeting of Council after the event*** *in relation to the procurement of goods and/or services* ***in circumstances where a public tender or quotation process is not used****. Such report will include the following details of each procurement:*
>
> *a) a brief description of the reason for not inviting public tenders or quotations (as applicable);*

b) a brief description of the goods or services acquired;

c) the approximate value of the goods or services acquired; and

d) the name of the supplier.

A copy of an extract from Council's Purchasing Exemption Register (**Exemption Report**), which is delivered to Council as required under clause 10.2 is Attachment 1.

The Exemption Report covers the period from **7 December 2017** to **11 January 2018**.

Consultations:

Executive Leadership Team
Manager, Business and Finance
Strategic Procurement Coordinator

Human Resource / Financial and Risk Management Implications:

Nil

Community Consultation and Public Relations Implications:

Nil

Recommendation:

That Council:

RECEIVE and NOTE the monthly Procurement Exemptions Report for the period 7 December 2017 to 11 January 2018.

Attachments/Annexures

1 Procurement Exemption Register

20. CORPORATE PERFORMANCE INDICATORS - NOVEMBER 2017

Author:	Systems Management Accountant (Mark Patmore) Finance Reporting Officer (Allan Wise)
Qualified Person:	General Manager (Tony McMullen)
ECM File Reference:	Traffic Lights

Community Plan Reference:

City of Glenorchy Community Plan 2015-2040

Leading Our Community

We will be a progressive, positive community with strong council leadership, striving to make Our Community's Vision a reality.

Strategic or Annual Plan Reference:

Glenorchy City Council Strategic Plan 2016-25

Objective 4.1	Govern in the best interests of our community
Strategy 4.1.1	Manage Council for maximum efficiency, accountability and transparency
Objective 4.2	Prioritise resources to achieve our communities' goals
Strategy 4.2.1	Deploy the Council's resources effectively to deliver value

Reporting Brief:

The purpose of this report is to present Council's Corporate Performance Indicators as at the end of November 2017.

Proposal in Detail:

The Corporate Performance Indicators (**CPIs**) for November 2017 are Attachment 1 to this report. Appendix B to the CPIs is Attachment 2.

Appendix B identifies major year-to-date variances within the various Capital Works programs for this financial year.

Monthly Results

For November 2017 the CPIs recorded:

- 7 red lights
- 5 yellow lights, and
- 15 green lights.

Details of the red and yellow lights are recorded in the following table:

Light Colour	Item	Graph	Comments
●	Lost Time Injury Frequency Rate (LTIFR)	27	There were five LTIs in November. Safety remains a priority for the organisation and this indicator will be reported as red while the rolling 12 month LTIFR remains above the benchmark. It must be noted the benchmark is based on 5 days lost time or more compared to GCC reporting which is based on 1 day or more lost time.
●	Total Capital Expenditure	11	A red light has been assigned to the Total Capital Works program as an indicator the collective program is recording a substantial year-to-date under-spend of $3.831m.
●	Capital Expenditure – Property	13	The Property program is recording a year-to-date under spend of $1.372m.
●	Capital Expenditure – Roads	13	The Roads program is recording a year-to-date under spend of $1.428m.
●	Capital Expenditure – Other	15	The Other program is recording a year-to-date under spend of $0.780m.
●	Capital Expenditure – Stormwater	14	The Stormwater program is recording a year-to-date under spend of $0.250m.
●	Total Salaries & Wages – Capital Projects	23	The variance is directly attributable to the under spend in the Capital Works program.
●	Other Employment Costs – Operational Projects	24	Finance is undertaking a review of the on-cost calculations which may lead to adjustments being reflected in future reporting periods.
●	Corporate Governance - Revenue	7	The major revenue stream currently under budget is KGV commercial lease rental and associated outgoings reimbursement.
●	Corporate Governance - Expenditure	8	Mainly attributable to duplicity of employment costs and unavoidable legal expenses relating to the Board of Inquiry.
●	Capital Grants Revenue	10	While the grant revenue is assured, there are cash flow implications if the funds are not received in the budgeted month.
●	Accounts Receivable (non-rates)	21	Aged debt 61 days plus is above the benchmark even after allowing for the substantial doubtful debt.

● = Red Light: Immediate action required

● = Yellow Light: Monitoring and/or investigation required

Consultations:

Capital and Operational Expenditure Program Leaders

Human Resource / Financial and Risk Management Implications:

As outlined in the Corporate Performance Indicators reports.

Community Consultation and Public Relations Implications:

No public relations implications are known at this point, and no community consultation has been undertaken.

Recommendation:

That Council:

> NOTE the information provided by the Corporate Performance Indicators for November 2017.

Attachments/Annexures

1 ⇨Corporate Performance Indicators - November 2017

2 ⇨Appendix B - Capital Variances November 2017

21. ACTIONS LIST (OPEN COUNCIL MEETING): UPDATE REPORT

Author:	Acting Manager, Governance and Risk (Bryn Hannan)
Qualified Person:	Acting Director, Corporate Governance (Simon Scott)
ECM File Reference:	Actions List - Council Meetings

Community Plan Reference:

Under the *City of Glenorchy Community Plan 2015 – 2040*, the Community has prioritised 'transparent and accountable government'.

Strategic or Annual Plan Reference:

Leading our Community

4.1 Govern in the best interests of our community
4.1.1 Manage Council for maximum efficiency, accountability and transparency

4.2 Prioritise resources to achieve our communities' goals
4.2.1 Deploy Council's resources effectively to deliver value

Reporting Brief:

To provide Council with the Actions List (Open Council Meeting), updated following the Council meeting on 12 December 2017.

Proposal in Detail:

Key actions arising out of Council resolutions and/or throughout the general business of Council meetings are captured and distributed throughout Council for completion and update by departmental staff on a monthly basis.

The Actions List (Open Council Meeting), which is Attachment 1, reports on the progress of the items on the list following the 12 December 2017 Council meeting.

Consultations:

Relevant Council officers

Human Resource / Financial and Risk Management Implications:

None.

Community Consultation and Public Relations Implications:

None.

Recommendation:

That Council:

NOTE the progress of the items on the Actions List (Open Council Meeting), as updated following the 12 December 2017 Council meeting.

Attachments/Annexures

1 Outsanding Action List - Open Council Meeting

22. NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT NOTICE

CLOSED TO MEMBERS OF THE PUBLIC

23. APPLICATIONS FOR LEAVE OF ABSENCE

COMMUNITY

24. KERBSIDE REFUSE AND RECYCLING COLLECTION SERVICES TENDER

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(2)(d) (Contracts and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal.).

GOVERNANCE

25. AUDIT PANEL MINUTES AND CHAIR'S REPORTS: 28 JUNE 2017 TO 8 DECEMBER 2017 MEETINGS

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential.)

26. STANDING EXEMPTIONS TO CODE FOR TENDERS AND CONTRACTS

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(2)(c) (Commercial information of a confidential nature that, if disclosed, is likely to: prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of the Council; or reveal a trade secret.), (2)(d) (Contracts and tenders, for the supply and purchase of goods and services and their terms, conditions, approval and renewal.)and (2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential.).

27. UPATE ON BERRIEDALE CARAVAN PARK

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(2)(b) (Information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct, business.)and (2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential.).

28. UPDATE ON KGV DISPUTE

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(2)(b) (Information that, if disclosed, is likely to confer a commercial advantage or impose a commercial disadvantage on a person with whom the Council is conducting, or proposes to conduct, business.), (2)(c) (Commercial information of a confidential nature that, if disclosed, is likely to: prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of the Council; or reveal a trade secret.), (2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential.) and (2)(i) (Matters relating to actual or possible litigation taken, or to be taken, by or involving the Council or an employee of the Council.).

29. ACTIONS LIST (CLOSED COUNCIL MEETING): UPDATE REPORT

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Section 15(2)(g) (Information of a personal and confidential nature or information provided to the Council on the condition it is kept confidential.).

30. NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT NOTICE (CLOSED)