

**GLENORCHY CITY COUNCIL
ATTACHMENTS
MONDAY, 19 DECEMBER 2022**



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GCC Reference and Working Group Toolkit: Glenorchy Community Awards

Glenorchy Community and Volunteer Awards

Terms of Reference: Working Group

Name of Working Group	Glenorchy Community and Volunteer Awards
Date of Formation	
Resolution Details	TBC
Strategic Reference	Community Plan - Making Lives Better Strategic Plan - Know our communities and what they value - Support our communities to pursue and achieve their goals - Facilitate and/or deliver services to our communities Community Strategy Priority outcomes - <u>Healthy</u> – We are a healthy, thriving, vibrant and strongly-connected community - <u>Accessible, Inclusive and Diverse</u> - We are a welcoming, accessible and inclusive community caring for all
Responsible Officer	Events Officer
Working Group Review Date (if prior to next LG election)	End of current Council term

1.0 Principles

Working Groups are committed to the following principles:

Community: Encouraging the development of a strong and inclusive community that advances access, equity, connections and participation in decision-making and shapes a better community for everyone.

Creativity: Encouraging diversity and creative expression in the community, nurturing innovation and always seeking opportunities for continuous improvement.

Sustainability: Ensuring that all decisions and future planning considers a balance of economic, environmental, cultural and social factors to enhance the quality of life in our local community.

Community engagement: Promoting ideas for actions, initiatives, events and programs that are authentic and fit the future vision and needs of our local Community.

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2.0 Purpose

2.1 Purpose of Working Group and Area of Focus¹

Develop a model for the awards that combines the objectives of the previous events

Ensure the combined model maintains alignment with the Annual Plan, Community Plan, and Community Strategy

Create a model that actively engages internal and external stakeholder groups and support continuity of existing relationships

Identify and resolve any possible conflicts of interest

Create a framework for nomination, award types, and nomination guidelines

Develop an assessment model for nominations

Assess the annual award nominees

2.2 Specific Terms of Reference ² (objectives) as approved by Council

Terms of Reference 1

(a) *To endorse nomination, eligibility, and selection process*

(b) *To undertake selection process*

(c) *To promote and champion:*

- Community participation opportunities including individuals and organisations

(d) *To develop and review a revised, combined model for the event*

2.3 Extent of Authority

Unless otherwise explicitly stated in the Council resolution forming the Working Group, the Group does not have the authority to instruct or bind the Council (including Council officers with the relevant delegated duties) in its decision making or activities.

The group is authorised to select the Award recipients through the endorsed selection process and provide advice pertaining to the delivery of the event in a combined format.

Council's Events Officer is responsible for the project management and coordination of the of Community and Volunteer Awards event and oversees the operational aspects of the event's delivery.

3.0 Membership

3.1 Composition

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Membership is by invitation of Glenorchy City Council.

- Staff (members of the Communications and Engagement department as appropriate)
- Mayor (ex-officio appointment)
- Aldermanic representation (two members)

Who has overall control of the Group to direct its outcomes?

Events Officer

Who has day to day management of the Group?

Events Officer

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3.2 Current members

- Chair –Mayor (ex-officio appointment)
- Secretariat - Events Officer
- Two Aldermen, to be appointed

3.3 Term of Appointment

Appointment will be invited for the term of the Council.

4.0 Meetings

4.1 Frequency

Three meetings per year in the lead up to the event and others as required. There may be other information provided to the group via email throughout the year.

4.2 Quorum

A minimum number of 2 out of 3 of core members are required for meetings to proceed.

4.3 Meeting Procedures

- Meetings are to be conducted respectfully.
- Meeting agenda and minutes must include apologies, deal with each item of business separately, and take formal votes about any resolution
- Agenda and papers for the meeting to be circulated to members at least 7 days in advance of the meeting.
- Items not on the agenda may be considered with the consent of the Chair.

4.4 Conflict Resolution

- While a collaborative approach to resolving issues and identifying opportunities of interest will always be preferred.
- It is acknowledged that parties will at times differ in their views however members are required to follow the endorsed selection process to ensure that Award recipients are selected based on merit. The member should feel comfortable to inform the Chair if they have any concerns.
- If the member does not feel comfortable expressing their concerns to the Chair, they should know their options for expressing their concerns.
- The member has the option to contact the Manager or Director, relevant to the officer's role, to express their concerns.

4.5 Minutes

- Minutes are to be recorded using the template contained in Appendix 1.
- Draft Minutes are to be circulated to members within 10 working days of a meeting.
- Minutes are provided to all Aldermen

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5.0 Reporting Requirements

5.1 Frequency of Reports

Meeting reports are written by the Secretariat of the working group and provided to:

- The Executive Manager Stakeholder Engagement as requested
- the General Manager on an annual basis or as requested

5.2 Content of Reports

The report, at a minimum, is to provide:

- A one-page report from the Chairperson of the Working group summarizing:
 - attendance
 - the key outcomes of the year
 - any recommendations for the following year
 - an outline of how the outcomes have been communicated to internal stakeholders in the formulation of related strategies, frameworks and plans; and
 - details of any budgetary requirements for the following financial year and reasons for each request

6.0 Other Information

Suggested requirement for this working group is the Mayor (ex-officio appointment) and two Aldermen.

7.0 Version History

Version	Date	Adoption	Amendments Made
2.0	November 22, 2022	Council Meeting	Council approval of Working Group creation and TOR

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Appendix 1. Working Group Minutes Template

(Name of group) MINUTES OF MEETING (DD Month YYYY)	 GLENORCHY CITY COUNCIL
Venue:	Time:

In attendance:	Present	Apology	Absent
Chairperson	✓		
Members			
Staff			

Item	Action
1	Acknowledgement of Country
2	Minutes (approve / changes) and actions from previous meeting:
3	Correspondence: 3.1 3.2 etc
4	Business arising:
5	Update on projects:
6	Other Business:
7	Agenda items for next meeting:
Next Meeting:	



Policy Title	Committee Nominations and Appointments
Council Resolution	Item 16 (30 July 2018) as per Council minutes
Responsible Directorate	Corporate Governance
Due for Review	Four (4) years from Council resolution date
Strategic Plan Reference	<u>Leading our Community</u> 4.1.1 Provide leadership and advocacy to address issues facing our communities 4.1.2 Ensure Council is open and transparent in its communication and dealings with our communities
ECM	Council policies

PURPOSE

This policy sets out the procedures to be followed by Council when it nominates or appoints Aldermen or independent persons to committees and external bodies.

SCOPE

This policy applies to all nominations and appointments to committees and external bodies, other than the appointment of independent persons to Council's Audit Panel (the procedure for which is as set out in the Audit Panel Charter).

STATUTORY REQUIREMENTS

Section 20 of the *Local Government Act 1993* (**the Act**) provides that one of the functions of a Council is to represent and promote the interests of the community.

Section 23 of the Act provides that Council may establish council committees to assist it in carrying out its functions under the Act or any other Act, and that a committee consists of councillors appointed by the Council.

Section 24 of the Act provides that a council may establish special committees, which consist of such persons appointed by the Council as the Council considers appropriate.

Acts	<i>Local Government Act 1993</i>
Regulations	<i>Local Government (Meeting Procedures) Regulations 2015</i>
Australian/International Standards	Not applicable

DEFINITIONS

ballot	a ballot conducted in accordance with Part 3 of this policy.
chair	the person chairing a council meeting in accordance with the Regulations.
committee	any committee or other body established by Council over which Council has control, whether comprised of Aldermen, independent persons, or both, and includes, but is not limited to— (a) a Council Committee (b) a Special Committee



	(c) an Internal Committee, and (d) an audit panel established under section 85 of the Act.
Council Committee	Committees established by a Council resolution made under section 23 of the Act. Council Committees assist Council in carrying out its functions under the Act or any other Act. Council Committees are constituted by Aldermen only.
council election	an election held under Part 15 of the Act.
council meeting	an ordinary council meeting or a special council meeting, unless expressly specified otherwise.
external body	Committees or other bodies that are established and administered by an external organisation to which representatives of Council have been appointed and with which Council has a formal and ongoing relationship.
Internal Committee	Committees or other bodies established by Council over which Council has control. An Internal Committee is formed to oversee and implement a project, plan, strategy or event, but do not necessarily align with a strategic objective. Internal Committees may be working groups, steering groups, organising committees, taskforces and other groups. Internal Committees can be constituted by Aldermen, Council staff and external representatives.
General Manager	the General Manager of Council, or delegate.
Regulations	the <i>Local Government (Meeting Procedures) Regulations 2015</i>
Special Committee	Committees established by a Council resolution made under section 24 of the Act. A Special Committee is established to oversee or implement a project, plan, strategy or event, and will ordinarily be directly aligned with a strategic objective of Council. Special Committees can be constituted by anyone, including Aldermen.

POLICY STATEMENT

From time to time, Council is required to appoint Aldermen and independent persons to committees and external bodies. Council is also occasionally required to nominate or appoint representatives to external bodies.

This policy sets out the procedures which Council will follow when making nominations and appointments to a committees and external bodies.

It aims to ensure that nominations and appointments are fair, democratic and transparent.

PART 1 – NOMINATIONS AND APPOINTMENTS OF ALDERMEN

1. Appointments following Council election

Council will appoint and re-appoint (and, where necessary, nominate or re-nominate) Aldermen to committees and external bodies at the first ordinary meeting of council following a council election (or at a special meeting of Council if a special meeting for that purpose is called).



2. Procedure

- (1) Where it is necessary to appoint Aldermen to committees (including as a result of a casual vacancy), the General Manager will circulate a notice to Aldermen which—
 - (a) notifies Aldermen that appointments, re-appointments and nominations for appointment to committees and external bodies are to be made at the relevant meeting, and
 - (b) lists the appointments and nominations to be made, and, for each, identifies—
 - (i) the committee or external body
 - (ii) the position available (including, for an external body, whether Council will be making a nomination only)
 - (iii) the nature of the duties to be undertaken
 - (iv) the proposed term of the appointment
 - (v) whether the position is to be held ex-officio by the Mayor or Deputy Mayor, and
 - (vi) any other information the General Manager considers relevant.
 - (c) requests that Aldermen submit nominations for the available positions one (1) week before the next council meeting.
- (2) The notice is to be circulated to all Aldermen by email no later than five days before nominations close (or as soon as practicable if it is not possible to circulate the notice five days before nominations close), and
- (3) Nominations may contain a statement in support of the nomination, to a maximum of 150 words.
- (4) Nominations may be for a position or a proxy position.
- (5) the General Manager will present a report to Council for consideration at the relevant council meeting which will contain, for each available position—
 - (a) the information specified in clause 2(1)(b), and
 - (b) a list of the nominations received and the documentation provided in support of each.
- (6) Where the number of nominees for a position does not exceed the number of positions available, the Council will determine the appointment in accordance with its ordinary meeting procedures.
- (7) If the number of nominees for a position exceeds the number of positions available—
 - (a) a ballot will be held to select the appointee or appointees (or nominees for a position on an external body, if applicable), and
 - (b) once the result of the ballot is determined, the chair will call for the appointment to be confirmed in accordance with Council's ordinary meeting procedures.
- (8) Where Council's nominee for a position on an external body is required to be confirmed by the external body, the General Manager is to write to the external body advising it of Council's decision.
- (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.

**PART 2 – NOMINATIONS AND APPOINTMENTS OF INDEPENDENT PERSONS****3. Procedure**

- (1) Where there is a vacancy for the position of an independent person on a committee or external body, the General Manager is to circulate a notice calling for expressions of interest for appointment, containing the information specified in clause 2(1)(b)—
- (2) The notice is to be circulated by—
 - (a) publishing the notice on Council's website
 - (b) sending an email to all Council staff, and
 - (c) if the General Manager considers it necessary, publishing the notice in a local newspaper.
- (3) The General Manager must circulate the notice under 3(1) no later than five days before nominations close (or as soon as practicable if it is not possible to circulate the notice five days before nominations close).
- (4) Following the receipt of nominations, the appointment of the independent person is to be determined in accordance with the procedure set out in the committee's Terms of Reference.
- (5) For nominations or appointments to external bodies, or if no procedure is specified in the committee detail sheet, the General Manager will assess each nomination on its merits and will make a recommendation to Council seeking Council's endorsement and nomination or appointment (as applicable) of the preferred nominee.

PART 3 – BALLOTS**4. Application**

Where the provisions of this policy require that a ballot is held, the ballot is to be conducted in accordance with this part.

5. Rules for ballots

- (1) When a ballot is required under this policy, the chair of the council meeting will call a ballot.
- (2) Ballots are to be secret unless Council resolves otherwise.
- (3) Votes are to be cast on ballot papers distributed to Aldermen by the General Manager. Ballot papers may be distributed either prior to or at the relevant council meeting.
- (4) Aldermen are to place completed ballot papers in a ballot box which is to be visible to all attendees of the Council meeting during the process of casting the ballots.
- (5) The ballot box must not be opened until all Aldermen who intend to vote have cast their votes.
- (6) Votes will be counted by a Council officer nominated by the General Manager, with another Council officer acting as a scrutineer.
- (7) Where there are—
 - (a) two or more candidates for a single position, the candidate with the most votes will be the appointee, or



- (b) more than two candidates for multiple positions (for example, two member spots on a council committee), the successful candidates will be the candidates with the most votes, in descending order until the number of positions have been filled. For example, if there are 2 positions and 4 candidates, the successful candidates will be those with the highest and second highest number of votes.
- (8) The officer who counts the votes will advise the chair of the council meeting by writing the name of the successful candidate/s on a piece of paper and delivering it to the chair.
- (9) In the event of a tie, the chair (at their discretion) may determine the winner by:
 - (a) the toss of a coin (conducted by the chair), or
 - (b) a further ballot, in which the only candidates are those which were tied in the first ballot.
- (10) All ballot papers and other ballot material are to be destroyed as soon as practicable after the conclusion of the ballot.

6. Proxies

- (1) Where proxy positions for committees or external bodies are available, unsuccessful candidates will be offered the position of proxy in the order in which they placed in the ballot.
- (2) Where a proxy is required but there are not sufficient candidates for a proxy after positions have been filled, or if all unsuccessful candidates decline the proxy appointment, the chair may call for nominations for proxy positions.
- (3) Where the chair has called for nominations in accordance with subclause (2), the selection of the nominees is to be determined in accordance with Council's ordinary meeting procedures.

PART 4 – MISCELLANEOUS

7. Vacation of positions on leaving office

An Alderman's appointment to a committee or external body will cease immediately upon the person ceasing, for any reason, to be an Alderman.

8. Nominations need not be personal

To avoid any doubt, a person may nominate another person for a position the subject of this policy, and the nomination need not be made by the person seeking nomination.

9. Refusal of nominations or appointments

- (1) An Alderman or independent person may refuse any nomination or appointment made under this policy, including nomination or appointment as a proxy.
- (2) Council may refuse to appoint or nominate a person (including an Alderman) to a position if it considers that the person is not suitably qualified for or is otherwise unable to provide satisfactory representation on the committee or external body.

10. Inconsistency with meeting procedures regulations

If a provision of this policy is inconsistent with the Regulations, the Regulations will prevail to the extent of the inconsistency.

**11. Attendance and performance**

If an Alderman's attendance record at committee or external body meetings is unsatisfactory, or if Council receives notification from a committee or external body that the Alderman is not properly discharging the duties required of the position, Council may resolve to withdraw the Alderman's appointment and appoint another Alderman as a replacement.

BACKGROUND

Council has established and maintains control over a number of committees, special committees, working groups, steering committees, task forces and other bodies to assist in discharging its role and functions. Council is also, required to appoint (or nominate) representatives to external bodies.

In making any nomination or appointment, Council must ensure that the process for determining appointees and nominees is fair, democratic and transparent.

INTERNAL MEMORANDUM



TO:	All Aldermen
SUBJECT:	ESTABLISHMENT OF INTERNAL WORKING GROUP- COMBINED COMMUNITY AND VOLUNTEER AWARDS 2023
FROM:	Executive Manager Stakeholder Engagement, David Ronaldson Coordinator Communications and Engagement, Andrea Marquardt Events Officer, Emalisa White
DATE:	5 December 2022

Recommendation

Call for nominations for two Aldermen to join the Mayor (chairperson) and Events Officer (secretariat) on the Glenorchy Volunteer and Community Awards Working Group.

This working group has delegation to oversee the development of an event model for a combined Community and Volunteer Awards in 2023, endorse the selection process for the awards, review the selected model following the event, and report back to Council.

Background

The Glenorchy Volunteer Awards were established in 1994 to celebrate the work of volunteers and volunteer organisations in the Glenorchy municipality.

The event called for nominations from community groups and volunteer organisations, and offered awards in a range of award categories, determined by the number of hours contributed by the volunteers.

The event saw nominations in the following categories: 500+, 1000+, 2000+, 5000+, 10,000+

- 500+ hours
- 1000+ hours
- 2000+ hours
- 5000+ hours
- 10,000 + hours
- Special Contribution category

In 2022, it was decided to use only two categories:

- Volunteer Recognition Award
- Outstanding Achievement Award

This revised model allowed for newer volunteers and volunteer organisation to be recognised at the ceremony and saw a positive response from volunteers and nominating organisations.

The Australia Day Awards were established in 1984 and were delivered alongside the Australia Day Citizenship Ceremony. The Awards were designed to celebrate a Citizen of the Year and Young Citizen of the Year.

In 2020, the decision was made to expand the categories to recognise the contributions of outstanding members of the Glenorchy community. Further to this, the council made the decision to deliver the awards in January, but not on the 26th January as previously scheduled.

The awards were renamed to the Glenorchy Community Awards, and encompassed the following categories:

- Citizen of the Year
- Young Citizen of the Year
- Community Group of the Year
- School Group of the Year
- All Abilities Award
- Sports Achievement Award

Award recipients would be invited to attend civic events and ceremonies run by council during the year.

In the council meeting on the 29 August 2022, the decision was made to deliver the annual Community Awards and Volunteer Awards in a combined format.

Objectives Of the Working Group

The objectives of the working group will be:

- To develop a model for the awards ceremony that combines the history, themes, and intentions of the two previous ceremonies (Community Awards and Volunteer Awards).
- To ensure the combined model maintains alignment with the Annual Plan, Community Plan, and Community Strategy.
- To create a model that actively engages internal and external stakeholder groups and support continuity of existing relationships.
- To identify and resolve any possible conflicts of interest.
- To create a framework for nomination, award types, and nomination guidelines.
- To develop an assessment model for nominations which supports use of qualitative and quantitative data sets.
- To review nominations and select awards recipients
- To meet post event and assess the success of the event model, and suggest amendments for the 2024 event

The Events Officer will be responsible for:

- Acting as the Secretariat at the Working Group meetings.
- The preparation of communications plans and communications materials including newsletter articles and social media content
- The production and delivery of the event
- The development and implementation of risk management procedures
- The direct communication with internal and external stakeholder groups
- The procurement of contractors or goods and services for the event

Proposal

Council will receive a report at their Council Meeting on the 19th December 2022, calling for nominations to join this Internal Working Group. The request is for the Mayor and two Aldermen to form the group, with the Mayor acting as the Chairperson of this working group.

HR, Financial Implications, and Risk Management

The event will be delivered from existing financial and human resources.

Monday 26 February 2018

Council Meeting Agenda

5. COUNCIL MEETING START TIMES

Author: Acting Director, Corporate Governance (Simon Scott)

Qualified Person: General Manager (Tony McMullen)

ECM File Reference: 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

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

Reporting Brief:

The purpose of this report is to seek Council's review of Council meeting commencement times.

Proposal in Detail:

Current Status

At its meeting held on Monday, 27 November 2017 (item 5), Council adopted the 2018 Council and Glenorchy Planning Authority (**GPA**) Schedule of meeting dates and times (see [Attachment 1](#)) and through the General Manager the public were duly notified accordingly.

Notwithstanding, under regulation 6(2) of the *Local Government (Meeting Procedures) Regulations 2015 (LG Regulations)*:

After each ordinary election, a council and a council committee are to review the times of commencement of their meetings.

Furthermore, under regulation 6(1):

*A meeting **is not** to start before 5:00 pm, unless otherwise determined by the Council by absolute majority or by the council committee by simple majority.*

To avoid any doubt, this report does not address any changes to the GPA schedule of meeting dates and times, as being a council committee of Council (section 23 of the *Local Government Act 1993*), the GPA will need to review the times of commencement of their meetings separately in accordance with the LG Regulations.

Monday 26 February 2018**Council Meeting Agenda****Previous Council Resolutions**

At the back of a Notice of Motion by Alderman Luke Martin (item 16.1 – 16 January 2012) (see [Attachment 2](#)), Council approved that Council meetings, workshops and GPA meetings commence at 3:00 pm (see [Attachment 2](#)).

Prior to that, Council meetings generally commenced at 6:00 pm.

In the Notice of Motion, Council considered a number of arguments for holding Council meetings, workshops and GPA meetings during normal business hours, namely:

- direct cost savings to Council, with Council staff and ELT no longer having to be compensated for working into the night or a meal allowance
- improved productivity of ELT and Council staff in no longer having to work excessively long days on Council meeting and workshop days
- create a more corporate-like governance structure where all major activities and decision making processes of Council occur during business hours
- enhance staff/aldermen relations and organisational morale with more staff being able to attend and participate in Council meetings and workshops as part of their general workday activities
- improve Council productivity, particularly for Aldermen who currently attend meetings after working all day, as well as for Alderman with family, business and other responsibilities in the evening
- make Council meetings more accessible to Glenorchy residents who are unable or unwilling to attend Council meetings in the evening, and
- the potential to generate greater media coverage and awareness of Council meetings and decisions, as media outlets are far more likely to attend and report on meetings held during the day.

A previous Council report (9 November 2009, item 24) also commented on the following:

- the survey provides conclusive evidence that stakeholders favour a 3:00 pm start time for GPA meetings
- the surveys do not provide conclusive evidence that the community want Council meetings to start at 6:00 pm
- empirical evidence illustrates that 6:00 pm Council meetings achieve close to 0% community attendance
- the personal safety of staff, Aldermen and members of the public attending meetings will be improved both before, during and after meetings
- there will be efficiency gains because staff who are required to attend a meeting will be able to continue working until shortly before their item is discussed (i.e. reduce the 'waiting' time)
- there will be no problems gaining access to the building for Aldermen or members of the public

Monday 26 February 2018**Council Meeting Agenda**

- security of Council property against theft will be improved, and
- public transport services are better during the day than they are after hours so it will be easier for community members who rely on public transport to attend.

Two surveys were conducted by Council in consultation with Myriad Consultancy in April 2009. The results were as follows:

Survey 1: 200 randomly selected residents	Council Meeting	GPA Meeting
Attended a meeting in the previous 12 months	2.0 %	2.5%
Favour a 3:00 pm meeting start	37.0%	37.5%
Favour a 6:00 pm meeting start	32.5%	32.0%
No preference meeting start	30.5%	30.5%
	100.0%	100.0%
Sampling error results in a 95% confidence level that the results obtained are within 7% of the 'true' results		

Survey 2: 100 developers, representors and others who have been involved in GPA planning decisions over the past few years	Council Meeting	GPA Meeting
Favour a 3:00 pm meeting start	43.2%	49.0%
Favour a 6:00 pm meeting start	33.3%	29.4%
No preference meeting start	23.5%	21.6%
	100.0%	100.0%
Sampling error results in a 95% confidence level that the results obtained are within 8% of the 'true' results		

Past Council Meetings Duration

Council's easily available records indicate that there 131 Council meetings between November 2009 and January 2018 (109 ordinary Council meetings and 22 special Council Meetings). Of those, 15 have been chaired by a single Commissioner (20 February 2017 – 15 January 2018) and are arguably not reflective of a typical Council meeting (i.e. less meeting procedure, notice of motions, and questions with and without notice).

Concentrating on the 96 ordinary Council meetings held between 9 November 2009 to 20 January 2017:

- the average meeting time for the period was around 3 hours (ranging from 12 minutes to 6 hours 44 minutes, with a median duration of 2 hours 14 minutes).
- There were 12 meetings predominantly in the last elected Council that were over 4 hours duration.

Thus, should Council meetings commence at 6:00 pm then predictably, on average, they should finish at approximately 9:00 pm (excluding breaks commensurate with enterprise agreement arrangements).

Monday 26 February 2018**Council Meeting Agenda****Other Tasmanian Councils**

Based on publicly available information on the 29 Tasmanian Council websites, 25 have monthly ordinary Council meetings, with the exceptions being Launceston, Hobart and Kingborough (fortnightly) and Clarence (every three weeks).

Meeting commencement times range from 10:00 am to 7:30 pm (see below) with eleven (11) councils commencing before 5:00 pm, six (6) councils commencing at 5:00 pm, and the remaining 13 councils commencing after 5:00 pm:

Start Time	Number	Councils
10:00 am	3	Central Highlands, Southern Midlands and Break O'Day
1:00 pm	4	Launceston, Tasman, Flinders and George Town ¹
1:30 pm	2	Meander Valley and West Tamar
3:00 pm	1	Glenorchy
4:30 pm	1	King Island
5:00 pm	6	Hobart, West Coast, Glamorgan-Spring Bay, Northern Midlands, Latrobe and George Town ¹
5:30 pm	3	Devonport, Kingborough and Brighton
6:00 pm	7	Huon Valley, Sorell, Derwent Valley, Circular Head, Waratah-Wynyard, Central Coast and Dorset
7:00 pm	2	Burnie and Kentish ²
7:30 pm	1	Clarence
1. Of note, George Town Council alternates ordinary Council meetings start times being 1:00 pm and 5:00 pm respectively		
2. Kentish Council has 6:30 pm start times during the winter months		

With respect to the day of ordinary Council meetings, it would appear that Monday has been the preferred day for Glenorchy since at least 1991 (based on records currently on-hand within Council). Furthermore, the latest approved Council schedule of meeting dates and times took into consideration that wherever practicable the last Monday in the month was the preferred option (i.e., it allowed sufficient time for Council operations to prepare timely financial and non-financial corporate reports for the agenda). Accordingly, it is not recommended that Council change the day of the ordinary Council meeting at this stage.

Enterprise Agreement Considerations

Under the current Glenorchy City Council Enterprise Agreement 2016, overtime and meal allowances are of note. Affected staff are entitled to overtime rates after 5:25 pm, being time-and-a-half for the first two hours and double-time thereafter.

With respect to meal allowance, affected staff who work more than 2 hours' overtime in a minimum of 10 hours on duty are entitled to be paid \$15.02 (increases to \$15.39 on or after 7 May 2018).

Monday 26 February 2018**Council Meeting Agenda**

Another consideration is that affected staff are entitled to a 50 minute unpaid meal break, if they have worked more than five (5) hours.

However, if Council provided a meal to the equivalent value of the meal allowance (and for the necessary duration of 50 minutes) this would negate the requirement to pay the meal allowance. As an example, Circular Head Council provides councillors and staff a substantial catered meal before the commencement of their Council meeting at 6:00 pm.

Financial Considerations

The following table compares estimated operational costs for commencing a meeting at 6:00 pm for 12 ordinary Council meetings that run for 3 hours:

	Non-Catered	Catered
Overtime for One (1) Staff	\$2,249	\$2,249
Meal Allowance (or Equivalent) for Ten (10) Staff	\$1,828	
Catering for Aldermen, General Manager, Directors, Chief Financial Officer, Executive Support and Three (3) Additional Staff (20 head in total @ \$20)		\$4,800
Casual Meal Server and Cleaner		\$600
	\$4,077	\$7,649

Depending on which staff are required to stay back for the purposes of providing further advice on open and closed Council reports, this would have a further cost impact on overtime and meal allowance/catering.

There may also be a requirement for the provision of hired security, should there be the requirement to ensure the safety of Council meeting attendees returning to their vehicles after hours (and especially in the winter months). No estimates for this potential additional operating expense have been sourced.

At present, the estimated operational costs identified above are unbudgeted.

Work-Life Balance Considerations

There is an inherent tension between balancing the appropriate ordinary Council meeting commencement times if considering the combined needs of ratepayers and general community, Aldermen and staff combined.

It may be argued that Aldermen have made the conscious decision to serve the Glenorchy Community as elected representatives and thus would be expected to remain flexible to meet the demands of the position. From observation, most members of the public that attend Council meetings are semi-to-fully retired and may not wish to attend Council meetings that start later especially in the darker winter months. It is unknown whether a different commencement time might attract other members of the community (e.g., shift-workers, individuals with parental or carer responsibilities, those reliant on public transport, youth etc.). Anecdotally, previous Council reports indicated that public attendance to Council meetings commencing at 6:00 pm was practically non-existent.

Monday 26 February 2018**Council Meeting Agenda**

It is known that most staff required to attend Council meetings have family responsibilities and a later commencement time is likely to have a negative impact on affected individuals.

Summary

At least three (3) options are open for Council to consider with respect to the ordinary Council meeting commencement times and these are tabled below:

	Option 1	Option 2	Option 3
Commencement Time	3:00 pm	5:00 pm	6:00 pm
Predicted Average Finish Time	6:00 pm	8:00 pm	9:00 pm
Overtime Estimate for One (1) Staff Member	Nil	\$1,874	\$2,249
Staff Meal Allowance (or Equivalent)¹, or	Nil	\$1,828	\$1,828
Catering¹	Nil	\$5,400	\$5,400
Potential Additional Security Measures	No	Yes	Yes
Work-Life Balance – Staff	☺	☹	☹
Community Attendance	Known	Unknown	Unknown
1. To avoid any doubt, the estimated cost will be based on whether the Council meeting is catered or non-catered.			

Based on a range of considerations including (but not limited to) cost, staff work-life balance and family commitments, community attendance, media coverage, access to public transport, security and public safety, efficient use of Council resources etc., it is recommended that Council resolve to maintain the current practice of commencing ordinary Council meetings at 3:00 pm.

Consultations:

Nil

Human Resource / Financial and Risk Management Implications:

The human resource implications with respect to staff work-life balance and family commitments for a later Council meeting start have been discussed above.

Similarly, with respect to financial management implications there are ongoing unbudgeted operational expenses conservatively estimated to range from \$3,700 – \$7,650 per annum for ordinary Council meetings alone (this figure would at least triple if GPA meetings, special Council meetings and workshops were factored).

This amount would also increase with additional overtime (meeting length and number of affected eligible staff at any one meeting), potential additional security measures, staff taxi fares etc.

The risk management implications with respect to Council adopting meeting dates and times are as follows:

Monday 26 February 2018

Council Meeting Agenda

Risk Identification	Consequence	Probability	Rating	Risk Mitigation Treatment
If Council does not adopt Council meeting dates and times for 2018, Council will be in breach of the relevant regulations.	Minor (C2)	Almost Certain (L5)	Notable (10)	Council adopts the Council meeting dates and times for 2018, as recommended.

Community Consultation and Public Relations Implications:

An absolute majority of Council is required to commence Council meetings earlier than 5:00 pm (regulation 6(1)). The LG Regulations are silent with respect to commencing Council meetings after 5:00 pm.

Notices of meetings are advertised in accordance with regulations 7(2)-(4) of the LG Regulations.

Recommendation:

That Council:

1. ADOPT the Council Meeting Dates and Times Schedule for 2018 in the form of Attachment 1, and
2. NOTE that Glenorchy Planning Authority will need to review the times of commencement of their meetings separately in accordance with Regulation 6(1) of the *Local Government (Meeting Procedure) Regulations 2015*.

Attachments/Annexures

- 1 2018 Council and GPA Meeting Dates (Approved Item 5 - 27 November 2017)
- 2 Extract from 16 January 2012 Council Meeting (Item 16.1)

Council Meetings, Committees and workshops – Tasmanian Councils schedules for 2023

	COUNCIL	Council Meeting	Workshops and Committees
1	Launceston City Council	Council Meetings are held twice a month at 1pm on a Thursday.	Workshops are held on the alternate Thursdays between the Council Meetings between 9am and 2pm and it is on these days that they schedule their committee meetings (Communities, Grants and Sponsorships etc.) Additionally, after the Workshop meetings conclude the councilors are taken via a minibus to do site visits for any of the current Developments Applications and the planners will be there to answer any questions that they might have about these projects.
2	Hobart City Council	Council Meetings are held once a month on a Monday (last year at 5pm) No information on this year but likely to be the same time.	Planning Authority – Twice a Month on a Wednesday (5pm) Workshops – Twice a Month on a Tuesday (5pm) Audit Panel – Meets 7 times a year (Wednesdays) Other Portfolios – 2 – 3 times a month (see schedule)
3	Clarence City Council	Council Meetings are held every THREE weeks on a Monday at 7.00pm	Workshops are held on the Monday following the council meeting also at 7pm (every three weeks) Planning Meetings (includes the whole council) are held on an ad hoc basis for projects over a certain financial threshold. The do not have a committee system but have advisory committees.
4	Kingborough Council	Council Meetings are held on the first and third Monday of each month at 5.30pm	No separate planning authority meetings. These matters are dealt with as part of the Council Meetings. Like Clarence City Council Kingborough have special advisory committee set up to provide assistance to council and their minutes are presented to council meetings. (Disability Inclusion & Access the Kingborough Bicycle Advisory Committee and the Kingborough Community Safety Committee)

6	Devonport City Council	Council Meetings are held once a month at 5.30pm on a Monday	Workshops are held monthly and are scheduled so they fall two weeks prior to every council meeting. Planning Authority meets Ad Hoc basis No other committees
7	Burnie City Council	Council Meetings are held every 4th Tuesday of the month (monthly) at 7pm	4 Specific Committees (who include public member and councilors) to give advice to council. They are: Burnie Australia Day Special Committee Burnie City Youth Special Committee General Managers Performance Review Special Committee Upper Natone Reserve Special Committee Burnie City Council Audit Panel (made up of independent and council representatives)



Monthly Financial Performance Report

For the year-to-date ending 30 November 2022

Statement of Comprehensive Income

Glenorchy City Council Financial Report Statement of Comprehensive Income to 30 November 2022					
Year-to-Date (YTD)	Note	2023 Budget \$'000	2023 Actual \$'000	2022 Actual \$'000	2023 Variance Actual to Budget
Operating Revenue					
Rates	1	45,341	45,495	43,421	↑
User charges and licences	2	9,586	9,987	9,611	↑
Interest	3	21	244	17	↑
Grants	4	1,763	2,106	2,467	↑
Contributions - cash	5	17	28	52	↑
Investment income from TasWater	6	543	543	543	↔
Other income	7	124	101	193	↓
Total Operating Revenue		57,395	58,504	56,305	↑
Operating Expenditure					
Employment costs	8	11,228	10,476	10,618	↓
Materials and services	9	6,960	7,312	6,113	↑
Depreciation and amortisation	10	6,999	6,217	6,532	↓
Finance costs	11	56	(2)	32	↓
Assets written off	12	-	62	-	↑
Bad and doubtful debts	13	-	-	-	↔
Other expenses	14	2,006	2,558	1,908	↑
Total Operating Expenditure		27,249	26,623	25,203	↓
Total Operating Surplus/(Deficit)		30,146	31,880	31,102	↑
Non-Operating Revenue					
Contributions – non-monetary assets	15	-	215	-	↑
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	16	1,390	1,391	91	↔
Capital grants received specifically for new or upgraded assets	17	1,475	3,111	2,352	↑
Total Non-Operating Revenue		2,864	4,717	2,443	↑
Total Surplus/(Deficit)		33,010	36,598	33,545	↑

Operating Revenue

Year-to-date operational revenue is \$58.504m compared to budgeted operational revenue of \$57.395m. This represents a favourable result of \$1.109m million or 1.9% against budget.

Note 1 – Rates Revenue

Favourable to budget by \$0.154m, noting year to date supplementary growth of \$75k and overdue penalties \$40k.

Note 2 – User Charges and Licences Revenue

Favourable to budget by \$0.401m, noting additional kerbside waste management revenue of \$221k, property lease/licence \$110k and building application fees \$74k.

Note 3 – Interest on Investments

Favourable to budget by \$223k, noting investment rates have risen to above 3.5% in recent months.

Note 4 – Operating Grants

Favourable to Budget by \$0.344m, noting unspent grants from last year \$590k and Childcare WT3 \$94k less Glenorchy Jobs Hub grant to receive \$381k in accordance with contractual obligations.

Note 5 – Contributions

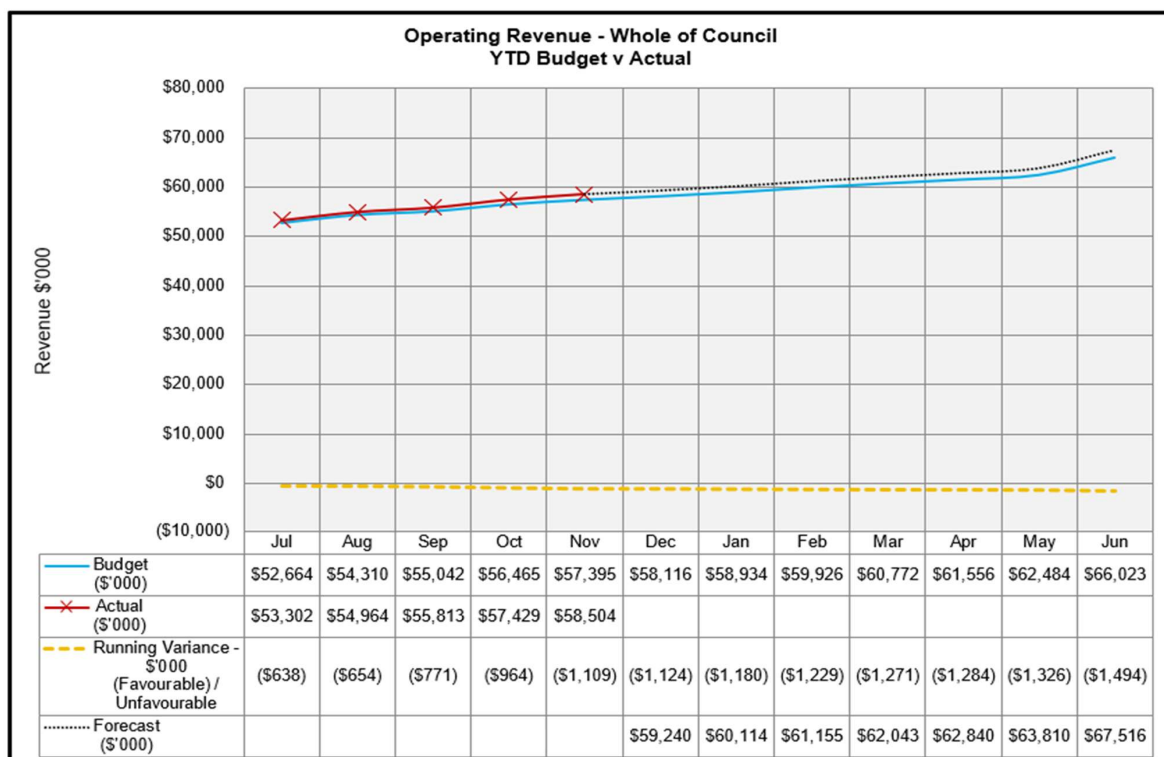
Favourable to Budget by \$11k, noting two contributions in lieu of open space have been received.

Note 6 – TasWater Income

Materially in line with Budget with \$543k received to date.

Note 7 – Other Income

Unfavourable to Budget by \$23k, noting the temporary decrease in Fuel Tax has reduced our budgeted Fuel Tax Credits.



Operating Expenditure

Year-to-date operational expenditure is \$26.623m compared to budgeted expenditure of \$27.249m. This represents a favourable result of \$0.626m or 2.3% against budget.

Note 8 – Employment Costs

Favourable to Budget by \$0.752m for the year to date, representing temporary vacancies since 1 July and permanent position vacancies that commenced on 1 July.

Note 9 – Materials and Services Expenditure

Unfavourable to Budget by \$0.352m, noting software licence accrual adjustments \$304k, insurance portfolio \$167k and fleet operations \$77k offset by invoices yet to be paid for kerbside waste management \$0.274m, local government election \$243k, public utilities \$113k and state landfill levy \$76k.

Note 10 – Depreciation and Amortisation

Favourable to Budget by \$0.781m, noting amortisation of fleet and property leases to 30 November is to be undertaken which will offset the underspend in Depreciation & Amortisation against the overspend in Other Expenses.

Note 11 – Finance Costs

Favourable to Budget by \$58k, noting amortisation of interest on fleet and property leases are to be undertaken.

Note 12 – Assets Written Off

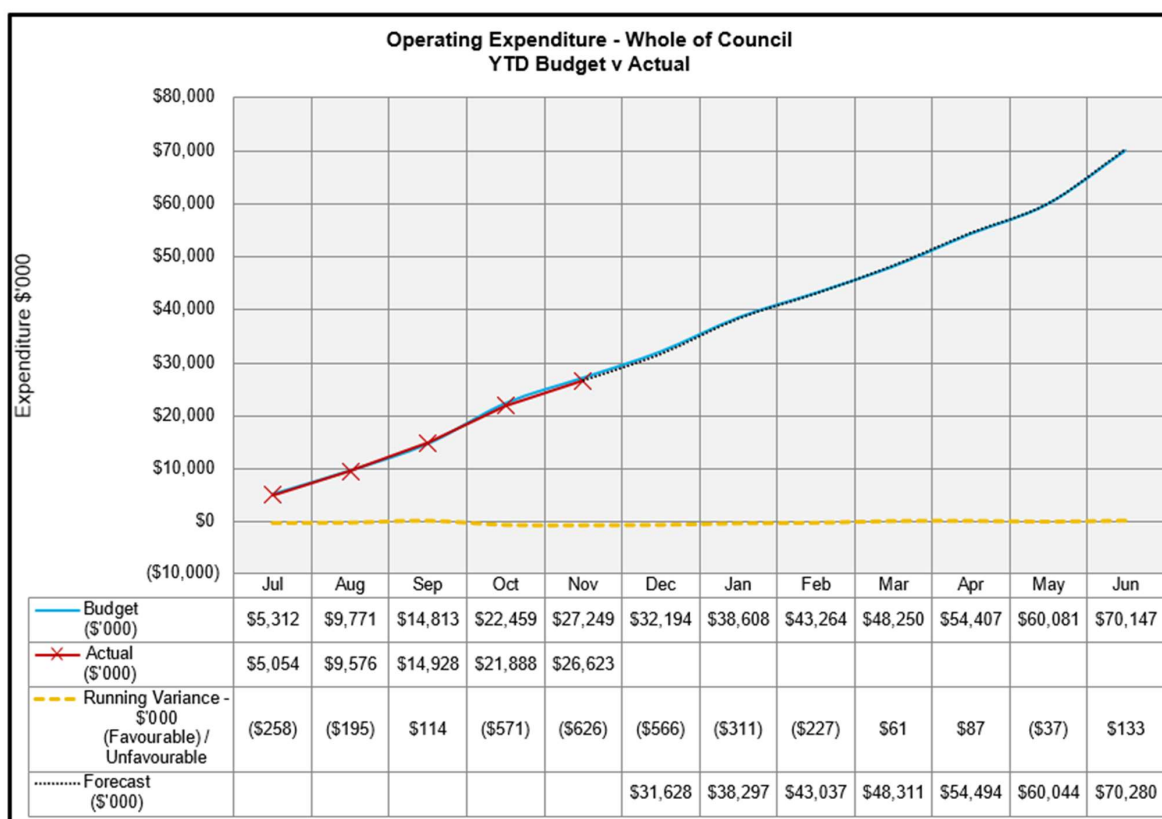
Unfavourable to Budget by \$61k, noting some adjustments have been processed in advance of the usual 30 June reconciliation date.

Note 13 – Bad and Doubtful Debts

Materially in line with Budget.

Note 14 – Other Expenses

Unfavourable to Budget by \$0.551m, noting amortisation of fleet and property leases to 30 November is to be undertaken which will offset the overspend in Other Expenses against the underspend in Depreciation & Amortisation



Non-Operating Revenue

Note 15 – Contributions – Non Monetary Assets

Favourable to Budget by \$215k, noting some assets have been brought to account in advance of the usual 30 June reconciliation date.

Note 16 – Gain or Loss on Disposal of Fixed Assets

Materially in line with Budget, noting the sale of 5A Taree Street and 3 Edgar Street have been completed this month.

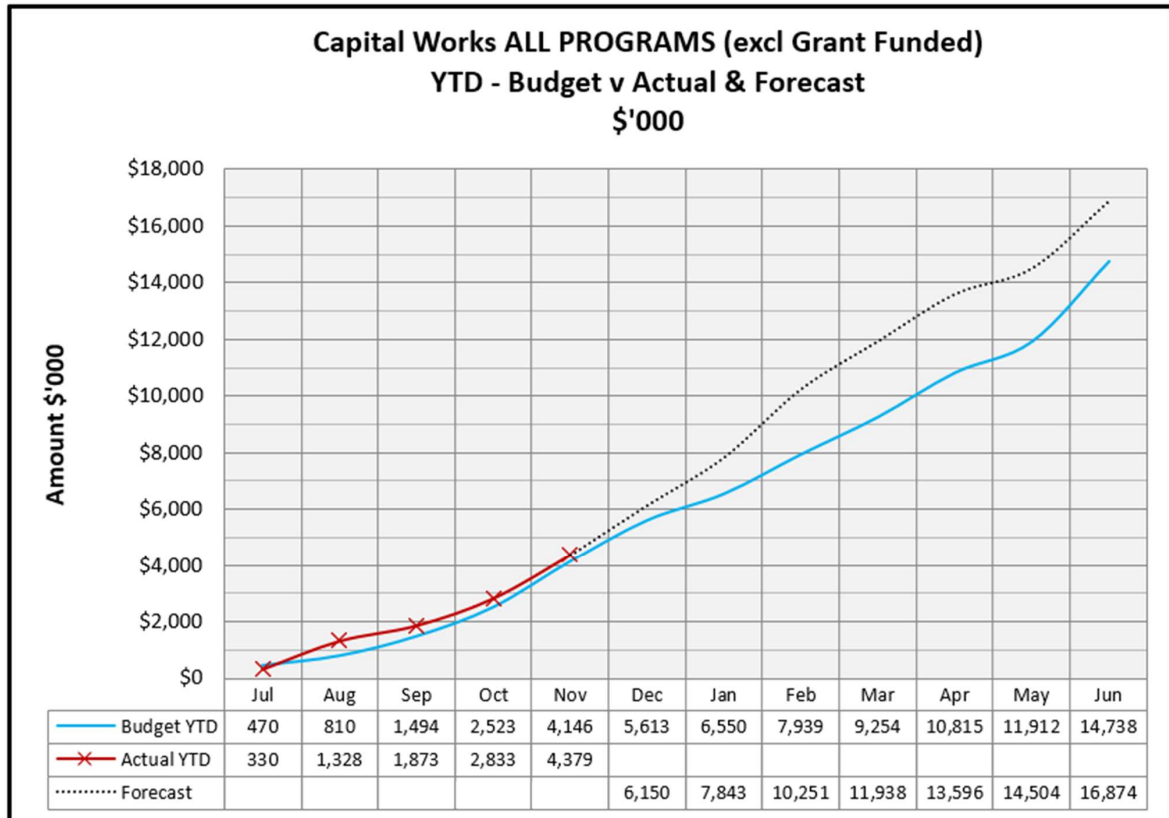
Note 17 – Capital Grants

Favourable to budget by \$1.637m, noting \$1.700m of unspent grants from the previous financial year carried as well as receipts for Eady Street Clubrooms grant \$400k and blackspot funding \$209k, less still to receive final Local Roads and Community Infrastructure Phase 2 \$165k and Giblins Playspace \$600k.

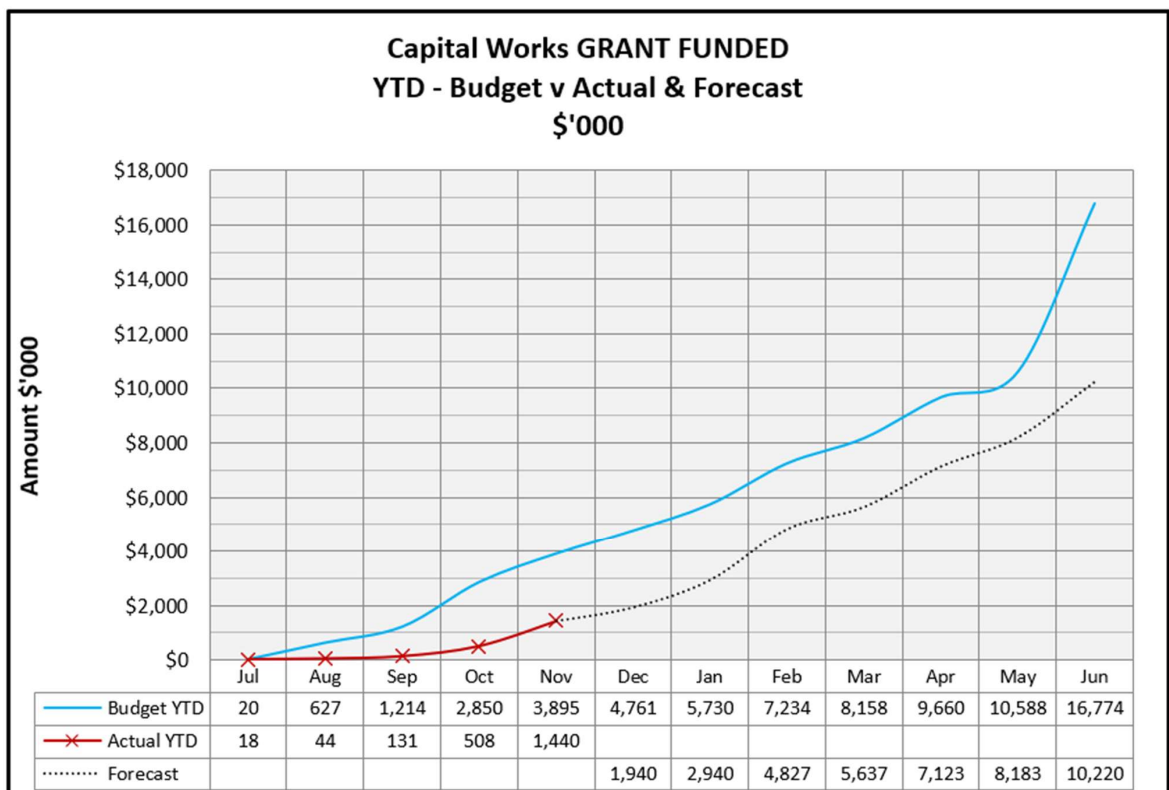
Capital Works

Year-to-date Capital Works expenditure is \$5.819m against a combined annual budget of \$31.512m and a combined annual forecast spend of \$27.093m. At the end of November, \$4.379m has been expended on Council funded recurrent projects and \$1.440m for Government funded projects.

Capital Program – Excluding Major Grant Funded Projects



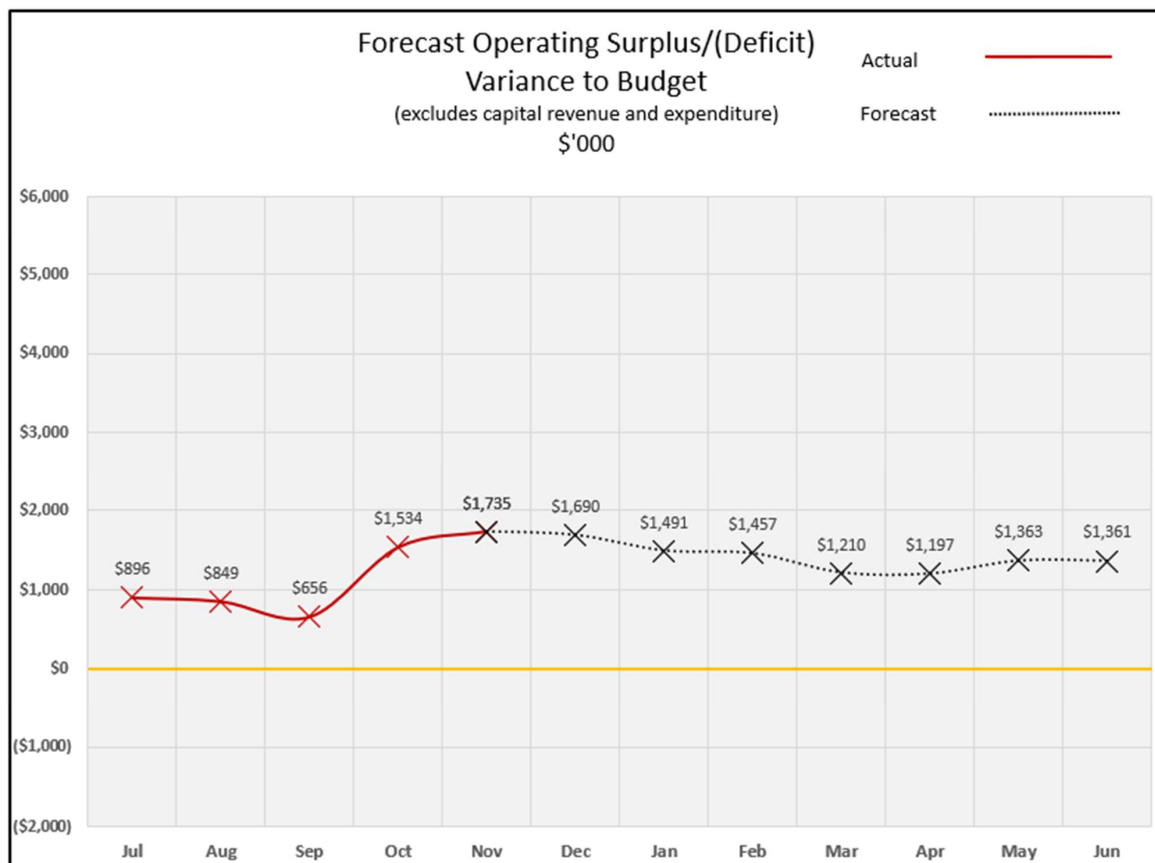
Capital Program –Major Grant Funded Projects*



At the end of November, major grant funded projects are underspent to budget by \$2.454m as follows:

Project	Actual YTD	Budget YTD	Budget ANNUAL
101059 - KGV Soccer - Design & Construction	\$1,125,801	\$1,590,000	\$4,195,000
101246 - Giblins Reserve Play Space	\$27,101	\$0	\$3,255,000
101250 - North Chigwell Football and Community Facility	\$277,483	\$1,151,716	\$5,425,000
101282 - Montrose Foreshore Park Skatepark	\$4,194	\$0	\$440,000
101536 - Tolosa Park Dam Rehabilitation	\$5,480	\$1,153,026	\$3,459,075
TOTAL	\$1,440,059	\$3,894,742	\$16,774,075

Operating Forecast to 30 June 2023



Note 1: The data in this chart is a compilation of actual, budget and forecast revenue / expenditure. It is recalculated each month to ensure it represents the most up-to-date analysis of Councils financial position which may result in differences to previously reported charts.

Adjustments to amounts previously reported

There are instances where ledger adjustments are required in respect of amounts reported in prior periods. These adjustments will be visible when comparing this report against previously presented Financial Performance Reports.



Australian Government

Department of Infrastructure, Transport,
Regional Development and Communications

Local Roads and Community Infrastructure Program Phase 3 Work Schedule - Project Nomination

Declaration

I declare that:

- I have read, understood and agree to abide by the Program Guidelines on the Department's website at <https://investment.infrastructure.gov.au/about/local-initiatives/local-roads-and-community-infrastructure/resources.aspx> as in force at the time of submission
- I have read, understood and agree to the Phase 3 Grant Agreement and a signed copy has been provided to the Department
- The information I have submitted in this form is, to the best of my knowledge, true, accurate and complete. I also understand that giving false or misleading information is a serious offence under the *Criminal Code 1995* (Cth)
- The project is an eligible grant activity
- The project will be physically complete by 30 June 2023 unless otherwise agreed by the Department
- To the best of my knowledge there are no conflicts of interest OR I have separately provided information to the Department on any conflicts of interest
- I understand that a condition of this grant funding is that the Eligible Funding Recipient commits to a minimum level of infrastructure spending in the 2021-22 and 2022-23 Financial Years in accordance with the requirements outlined in the Grant Agreement and Program Guidelines.
- That the Eligible Funding Recipient and its subcontractors and independent contractors will comply with all applicable laws
- I understand that the Local Roads and Community Infrastructure Program is an Australian Government program and that the Department will use the information provided in accordance with the following:
 - Australian Government Public Data Policy Statement
 - Commonwealth Grants Rules and Guidelines
 - Applicable Australian laws.
- I am authorised to complete this form and to sign and submit this declaration on behalf of the Eligible Funding Recipient.

☐ Yes

☐ No

Full name: Click or tap here to enter text.

Position: Click or tap here to enter text.

Email address: Click or tap here to enter text.

Date: Click or tap here to enter text.



Local Roads and Community Infrastructure Program Phase 3 - Work Schedule - Project Nomination

Funding Recipients are required to nominate project(s) they plan to undertake with LRCI Program Phase 3 funding by providing information to the Department of Infrastructure, Transport, Regional Development and Communications ('Department') via emailing LRCIP@infrastructure.gov.au. A separate Project Nomination row must be completed for each project or group of small projects that an Eligible Funding Recipient wishes to undertake. For ease of assessment, and to limit requests for more information, please complete all fields as completely and accurately as possible.

Glenorchy City Council, Tasmania				LRCI Phase 3 Funding Allocation						\$			
#	Project Name	Project Description / Problem Being Addressed	Infrastructure Type	Total Project Cost	LRCI Phase 3 Funding Required	Construction Start Date	Construction Completion Date	Estimated Jobs supported	Project Electorate	Project Location	Project Land / Asset Owner **	Indigenous employment or business use	Recycled materials used
	[Project location or street address: Work category]	[Please align project description to project work categories on Page 3 where possible]	[Please select one item]	[\$]	[\$]	[MM/YY]	[MM/YY]	[Numerical figure – refer FAQ instructions]	[Please list the Federal Project Electorate]	Coordinates	[Please select one item]	Yes/ no	Yes/ no
				Funding required should not exceed allocation		Construction to be within, 01/22 and 06/23 as per guidelines		Council employees	Contractors				
1	Audio Visual System replacement at King George the Fifth (KGV) oval Stadium Function room	This project is to upgrade the Audio-Visual system that was installed at KGV when it was first redeveloped. This function room is being utilised as a community function room, where Council is holding functions there more frequently such as citizenship ceremonies, community engagement sessions, community budget briefings, etc. This would also create a saving for Council eliminating the need for council's PA system to be taken to the function room for each event/function. It will also help fulfil the Council's vision of making this venue more of a Community Hub so various community groups can use this facility with adequate audio-visual equipment	Community	\$130,000	\$130,000	02/22	04/22		Clark	X: 522568 Y: 5257897	Council	Yes	No
2	Construction of Montrose Skate Park	This Project has 2 phases, one for design and the second for the construction phase. These additional funds are for the construction phase for a project. The majority of the project is already grant funded, but a shortfall has been created by Covid cost escalations and a poor sub-base.	Community	\$620,000	\$120,000	03/22	08/22	1 FTE	Clark	X: 521980 Y: 5258892	Council	Yes	No
3	Shoobridge Park sports ground lighting	The installation of lighting would increase ground usage and satisfy part of the increasing demand for outdoor playing fields, improve night game safety and satisfy the need for an alternative ground during the KGV soccer ground redevelopment when the main regional pitch will not be available.	Community	\$282,806	\$282,806	04/22	09/22	5 FTE	Clark	X: 520962 Y: 5269206	Council	Yes	No
4	Tolosa Park dam reintegration works	This project is a joint venture between Taswater and GEC. A large portion of the dam redevelopment works is to be funded by Taswater, however the final cost is not yet finalised. This project is regarded as regionally significant and this part of the cost is for Council facilities such as power supply, irrigation and safety fencing that will need to be undertaken as part of the dam reintegration works and funded by Council.	Community	\$625,000	\$625,000	02/22	11/22	10 FTE	Clark	X: 520754 Y: 5255783	Council	Yes	Yes
5	Eady St & Cadbury's Park sports ground lighting	The installation of lighting would increase ground usage and satisfy part of the increasing demand for outdoor playing fields, improve night game safety and satisfy the need for additional ground availability.	Community	\$282,806	\$282,806	04/23	06/23	5 FTE	Clark	X: 522754 Y: 5257453 and X: 521526 Y: 5262459	Council	Yes	Yes
6	Abbotsfield Sportsground Fencing upgrade	The upgrade for site fencing to Abbotsfield sports ground will increase safety for the site and satisfy part of the increasing demand for outdoor playing fields.	Community	\$250,000	\$250,000	04/23	06/23	5 FTE	Clark	X: 519907 Y: 5262383	Council	Yes	No
7	Childcare Centre Playground Upgrades	This will allow for a much needed upgrade to the Council's childcare centres playgrounds, allowing for an increased level of amenity for families in the community.	Community	\$150,000	\$150,000	04/26	06/23	5 FTE	Clark	X: 524470 Y: 5256291	Council	Yes	No

Glenorchy City Council, Tasmania				LRCI Phase 3 Funding Allocation								\$		
#	Project Name	Project Description / Problem Being Addressed	Infrastructure Type	Total Project Cost	LRCI Phase 3 Funding Required	Construction Start Date	Construction Completion Date	Estimated jobs supported [Numerical figure – refer FAQ instructions]		Project Electorate	Project Location	Project Land / Asset Owner **	Indigenous employment or business use	Recycled materials used
	[Project location or street address: Work category]	[Please align project description to project work categories on Page 3 where possible]	[Please select one item]	[\$]	[\$]	[MM/YY]	[MM/YY]			[Please list the Federal Project Electorate]	Coordinates	[Please select one item]		
				Funding required should not exceed allocation		Construction to be within, 01/22 and 06/23 as per guidelines		Council employees	Contractors				Yes/ no	Yes/ no
8	Glenorchy Mountain Bike Park Trail Renewal	The upgrade and renewal of the existing trails within the mountain bike park will improve safety within the park and satisfy the part of the increasing demand for open trails within the community.	Community	\$225,000	\$225,000	04/23	04/23		5 FTE	Clark	X: 52016.1 Y: 5255063	Council	Yes	Yes
	Total	-	-	\$1,657,806	\$1,157,806	-	-			-		-		

Has the availability of funding under the Local Roads and Community Infrastructure Program required you to hire additional Council staff?

Yes

Number

1

#	* If project is not fully funded by LRCI, state details of Council or other contribution	** If Project Land or Asset Owner is not Council, please indicate nature of permission	If applicable, details of any recycled materials used on the project
	Source of funds: State, Department of Health and Human Services grant - \$250,000 and Community Sports and Recreation grant \$250,000. Montrose Bay Skate Park, additional funds are for the construction phase for a project. The majority of the project is already grant funded, but a shortfall has been created by Covid cost escalations and a poor sub-base.		

Project Work Categories



Work Category	Description
General Road Maintenance	Pothole repairs, vegetation clearing, minor crack sealing and grading (unless new gravel is being added) are all considered to be general maintenance.
Construction of a new road	Construction of a road where no road existed on that alignment before.
Reconstruction	Rebuilding a road that already exists (can include upgrading)
Rehabilitation	Work to return a road to its original standard
Widening	Work to make the surface or pavement of a road wider
Sheeting / Re-sheeting	Where additional gravel etc. is added on top of an existing road
Sealing	Putting a seal on an unsealed road.
Resealing	Second or subsequent sealing of roads
Bridge works	Any work involving bridges or culverts
Tunnel works	A tunnel to enable the building an underground road
Drainage	Culverts, kerb and guttering and related activities where the purpose of the works is to improve drainage only.
Traffic improvement	Works involving traffic calming devices, traffic lights, pedestrian islands, lighting, warning signs and roundabouts
Street lighting equipment	Works related to vehicle traffic and pedestrian lighting
Closed Circuit TV (CCTV)	Works associated with installing a fixed mobile CCTV system
Bicycle and Walking Paths	Works involving cycling and pedestrian infrastructure
Painting/improvements to community facilities	Community facilities include community centres, community halls, childcare centres, educational establishment, club houses, and entertainment facilities
Repairs/Replacement of fencing	Works relating to building a new fence or repairs/replacement of existing fences
Improved Accessibility of Community Facilities and Areas	Works could include pedestrian bridges, ramps, accessible public toilets, and designated car parking for individuals with a disability
Landscaping Improvements	Works could include tree planting to increase shade, creation of green spaces, and beautification of roundabouts
Picnic Shelters or Barbeque Facilities at Community Parks	Self-explanatory
Playgrounds and Skate parks (including all ability playgrounds)	Self-explanatory
Toilet Blocks	Works relating to construction or maintenance of public toilet block amenities
Replacement of Light Bulbs in Street Lights	Self-explanatory
Noise and Vibration Mitigation Measures	Works related to reducing and mitigating noise and vibrations, such as quieter pavement surfaces and noise barriers
Off-road Car Parks	Such as off-road car parks at sporting grounds or parks
Sporting and recreation facilities	Works to upgrade, repair or maintain sporting ovals, courts, swimming pools etc
Other	Works that do not fall into the above categories

COUNCIL POLICY

COMMITTEE NOMINATIONS AND APPOINTMENTS



PURPOSE

This policy sets out the procedures which Council will follow when making nominations and appointments to committees and external bodies.

The policy aims to ensure that nominations and appointments are fair, democratic, and transparent.

SCOPE

-This policy applies to all nominations and appointments to committees and external bodies, other than the appointment of independent persons to Council's Audit Panel (the procedure for which is as set out in the Audit Panel Charter).

STRATEGIC PLAN ALIGNMENT

Making Lives Better

Objective 1.1 Know our communities and what they value

Strategy 1.1.1 Guide decision making through continued community engagement based on our community plan

Leading Our Community

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

Objective 4.2 Prioritise our resources to achieve our community's goals

Strategy 4.2.1 Deploy the Council's resources effectively to deliver value

STATUTORY REQUIREMENTS

Section 20 of the Local Government Act 1993 (**the Act**) provides that one of the functions of a Council is to represent and promote the interests of the community.

Section 23 of the Act provides that Council may establish council committees to assist it in carrying out its functions under the Act or any other Act, and that a committee consists of councillors appointed by the Council.

Section 24 of the Act provides that a council may establish special committees, which consist of such persons appointed by the Council as the Council considers appropriate.

Acts	Local Government Act 1993
Regulations	Local Government (Meeting Procedures) Regulations 2015
Australian/International Standards	N/A
Related Documents	Committees Policy GCC Reference Groups Toolkit

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DD Month 20##05 December 2022

DEFINITIONS

Ballot means a ballot conducted in accordance with Part 3 of this Policy.

Chair means the person chairing a council meeting in accordance with the Regulations.

Committee means any committee or other body established by Council over which Council has control, whether comprised of Alderman, independent person, or both and includes, but not limited to:

- (a) A Council Committee
- (b) A Special Committee
- (c) An Internal Committee
- (d) An Audit Panel established under Section 85 of the Act.

Council Committee means Committees established by a Council resolution made under section 23 of the Act. Council Committees assist Council in carrying out its functions under the Act or any other Act. Council Committees are constituted by Alderman only.

Council election means an election held under Part 15 of the Act.

Council meeting means an ordinary council meeting or special council meeting, unless expressly specified otherwise.

External body means Committees or other bodies that are established and administered by an external organisation to which representatives of Council have been appointed and with which Council has a formal and ongoing relationship.

GCC Reference Groups Toolkit means a Toolkit which aids in selecting the most appropriate Council Group to use. It also provides sample terms of reference and a meeting minutes template.

General Manager means the General Manager of Council, or delegate.

Internal Committee means Committees or other bodies established by Council over which Council has control. An Internal Committee is formed to oversee and implement a project, plan, strategy, or event, but do not necessarily align with a strategic objective. Internal Committees may be working groups, steering groups, organising committees, taskforces, and other groups. Internal Committees can be constituted by Aldermen, Council staff, reference groups, targeted reference groups, working parties, and external representatives.

Regulations means the *Local Government (Meeting Procedures) Regulations 2015*.

Special Committee means Committees established by a Council resolution made under section 24 of the Act. A Special Committee is established to oversee or implement a project, plan, strategy, or event, and will ordinarily be directly aligned with a strategic objective of Council. Special Committees can be constituted by anyone, including Aldermen.

POLICY STATEMENT

From time to time, Council is required to appoint Aldermen and independent persons to committees and external bodies. Council is also occasionally required to nominate or appoint representatives to external bodies.

~~This policy sets out the procedures which Council will follow when making nominations and appointments to a committees and external bodies.~~

~~It aims to ensure that nominations and appointments are fair, democratic and transparent.~~



DD Month-20##05 December 2022

PART 1 – NOMINATIONS AND APPOINTMENTS OF ALDERMEN

1. Appointments following Council election

Council will appoint and re-appoint (and, where necessary, nominate or re-nominate) Aldermen to committees and external bodies at the first ordinary meeting of council following a council election (or at a special meeting of Council if a special meeting for that purpose is called).

2. Procedure

1. Where it is necessary to appoint Aldermen to committees (including as a result of a casual vacancy), the General Manager will circulate a notice to Aldermen which—
 - (a) notifies Aldermen that appointments, re-appointments, and nominations for appointment to committees and external bodies are to be made at the relevant meeting, and
 - (b) lists the appointments and nominations to be made, and, for each, identifies—
 - i) the committee or external body
 - ii) the position available (including, for an external body, whether Council will be making a nomination only)
 - iii) the nature of the duties to be undertaken
 - iv) the proposed term of the appointment
 - v) whether the position is to be held ex-officio by the Mayor or Deputy Mayor, and
 - vi) any other information the General Manager considers relevant.
 - (c) requests that Aldermen submit nominations for the available positions one (1) week before the next council meeting.
2. The notice is to be circulated to all Aldermen by email no later than five days before nominations close (or as soon as practicable if it is not possible to circulate the notice five days before nominations close), and
3. Nominations may contain a statement in support of the nomination, to a maximum of 150 words.
4. Nominations may be for a position or a proxy position.
5. the General Manager will present a report to Council for consideration at the relevant council meeting which will contain, for each available position—
 - (a) the information specified in clause 2(1)(b), and
 - (b) a list of the nominations received, and the documentation provided in support of each.
6. Where the number of nominees for a position does not exceed the number of positions available, the Council will determine the appointment in accordance with its ordinary meeting procedures.
7. If the number of nominees for a position exceeds the number of positions available—

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- (a) a ballot will be held to select the appointee or appointees (or nominees for a position on an external body, if applicable), and
 - (b) once the result of the ballot is determined, the chair will call for the appointment to be confirmed in accordance with Council's ordinary meeting procedures.
8. Where Council's nominee for a position on an external body is required to be confirmed by the external body, the General Manager is to write to the external body advising it of Council's decision.
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.

PART 2 – NOMINATIONS AND APPOINTMENTS OF INDEPENDENT PERSONS

3. Procedure

1. Where there is a vacancy for the position of an independent person on a committee or external body, the General Manager is to circulate a notice calling for expressions of interest for appointment, containing the information specified in clause 2(1)(b)—
2. The notice is to be circulated by—
 - (a) publishing the notice on Council's website
 - (b) sending an email to all Council staff, and
 - (c) if the General Manager considers it necessary, publishing the notice in a local newspaper.
3. The General Manager must circulate the notice under 3(1) no later than five days before nominations close (or as soon as practicable if it is not possible to circulate the notice five days before nominations close).
4. Following the receipt of nominations, the appointment of the independent person is to be determined in accordance with the procedure set out in the committee's Terms of Reference.
5. For nominations or appointments to external bodies, or if no procedure is specified in the committee detail sheet, the General Manager will assess each nomination on its merits and will make a recommendation to Council seeking Council's endorsement and nomination or appointment (as applicable) of the preferred nominee.

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PART 3 – BALLOTS

4. Application

Where the provisions of this policy require that a ballot is held, the ballot is to be conducted in accordance with this part.

5. Rules for ballots

1. When a ballot is required under this policy, the chair of the council meeting will call a ballot.
2. Ballots are to be secret unless Council resolves otherwise.
3. Votes are to be cast on ballot papers distributed to Aldermen by the General Manager. Ballot papers may be distributed either prior to or at the relevant council meeting.

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~~DD Month 20##~~05 December 2022

4. Aldermen are to place completed ballot papers in a ballot box which is to be visible to all attendees of the Council meeting during the process of casting the ballots.
5. The ballot box must not be opened until all Aldermen who intend to vote have cast their votes.
6. Votes will be counted by a Council officer nominated by the General Manager, with another Council officer acting as a scrutineer.
7. Where there are—
 - (a) two or more candidates for a single position, the candidate with the most votes will be the appointee, or
 - (b) more than two candidates for multiple positions (for example, two member spots on a council committee), the successful candidates will be the candidates with the most votes, in descending order until the number of positions have been filled. For example, if there are 2 positions and 4 candidates, the successful candidates will be those with the highest and second highest number of votes.
8. The officer who counts the votes will advise the chair of the council meeting by writing the name of the successful candidate/s on a piece of paper and delivering it to the chair.
9. In the event of a tie, the chair (at their discretion) may determine the winner by:
 - (a) the toss of a coin (conducted by the chair), or
 - (b) a further ballot, in which the only candidates are those which were tied in the first ballot.
10. All ballot papers and other ballot material are to be destroyed as soon as practicable after the conclusion of the ballot.

6. Proxies

1. ~~Where proxy positions for committees or external bodies are available, unsuccessful candidates will be offered the position of proxy in the order in which they placed in the ballot.~~
2. Where a proxy is required but there are not sufficient candidates for a proxy after positions have been filled, or if all unsuccessful candidates decline the proxy appointment, the chair may call for nominations for proxy positions.
3. Where the chair has called for nominations in accordance with subclause (2), the selection of the nominees is to be determined in accordance with Council's ordinary meeting procedures.

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PART 4 – MISCELLANEOUS

7. Vacation of positions on leaving office

An Alderman's appointment to a committee or external body will cease immediately upon the person ceasing, for any reason, to be an Alderman.

8. Nominations need not be personal

To avoid any doubt, a person may nominate another person for a position the subject of this policy, and the nomination need not be made by the person seeking nomination.



DD Month 20##05 December 2022

9. Refusal of nominations or appointments

1. An Alderman or independent person may refuse any nomination or appointment made under this policy, including nomination or appointment as a proxy.
2. Council may refuse to appoint or nominate a person (including an Alderman) to a position if it considers that the person is not suitably qualified for or is otherwise unable to provide satisfactory representation on the committee or external body.

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10. Inconsistency with meeting procedures regulations

If a provision of this policy is inconsistent with the Regulations, the Regulations will prevail to the extent of the inconsistency.

11. Attendance and performance

If an Alderman's attendance record at committee or external body meetings is unsatisfactory, or if Council receives notification from a committee or external body that the Alderman is not properly discharging the duties required of the position in accordance with the committee's Terms of Reference or Charter, Council may resolve to withdraw the Alderman's appointment and appoint another Alderman as a replacement.

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BACKGROUND

Council has established and maintains control over a number of multiple committees, special committees, working groups, steering committees, task forces and other bodies to assist in discharging its role and functions. Council is also, required to appoint (or nominate) representatives to external bodies.

In making any nomination or appointment, Council must ensure that the process for determining appointees and nominees is fair, democratic and transparent.

DOCUMENT CONTROL

Version:	2.0	Adopted	DD Month YYYY	Commencement Date	DD Month YYYY
Minutes Reference	#####			Review Period	4 Years from adoption
Previous Versions:	v 1.0 adopted 19 December 2016 (Council meeting, Item 17)				
Responsible Directorate	Corporate Services Community and Customer Services		Controller:	Manager Customer Services Executive Manager Stakeholder Engagement	
ECM Document No.:	#####				

COUNCIL POLICY

COMMITTEE NOMINATIONS AND APPOINTMENTS



PURPOSE

This policy sets out the procedures which Council will follow when making nominations and, appointments to committees and external bodies.

The policy aims to ensure that nominations and appointments are fair, democratic, and transparent.

SCOPE

This policy applies to all nominations and appointments to committees and external bodies, other than the appointment of independent persons to Council's Audit Panel (the procedure for which is as set out in the Audit Panel Charter).

STRATEGIC PLAN ALIGNMENT

Making Lives Better

Objective 1.1 Know our communities and what they value

Strategy 1.1.1 Guide decision making through continued community engagement based on our community plan

Leading Our Community

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

Objective 4.2 Prioritise our resources to achieve our community's goals

Strategy 4.2.1 Deploy the Council's resources effectively to deliver value

STATUTORY REQUIREMENTS

Section 20 of the Local Government Act 1993 (**the Act**) provides that one of the functions of a Council is to represent and promote the interests of the community.

Section 23 of the Act provides that Council may establish council committees to assist it in carrying out its functions under the Act or any other Act, and that a committee consists of councillors appointed by the Council.

Section 24 of the Act provides that a council may establish special committees, which consist of such persons appointed by the Council as the Council considers appropriate.

Acts	<i>Local Government Act 1993</i>
Regulations	<i>Local Government (Meeting Procedures) Regulations 2015</i>
Australian/International Standards	<i>N/A</i>
Related Documents	Committees Policy GCC Reference Groups Toolkit



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DEFINITIONS

Ballot means a ballot conducted in accordance with Part 3 of this Policy.

Chair means the person chairing a council meeting in accordance with the Regulations.

Committee means any committee or other body established by Council over which Council has control, whether comprised of Alderman, independent person, or both and includes, but not limited to:

- (a) A Council Committee
- (b) A Special Committee
- (c) An Internal Committee
- (d) An Audit Panel established under Section 85 of the Act.

Council Committee means Committees established by a Council resolution made under section 23 of the Act. Council Committees assist Council in carrying out its functions under the Act or any other Act. Council Committees are constituted by Alderman only.

Council election means an election held under Part 15 of the Act.

Council meeting means an ordinary council meeting or special council meeting, unless expressly specified otherwise.

External body means Committees or other bodies that are established and administered by an external organisation to which representatives of Council have been appointed and with which Council has a formal and ongoing relationship.

GCC Reference Groups Toolkit means a Toolkit which aids in selecting the most appropriate Council Group to use. It also provides sample terms of reference and a meeting minutes template.

General Manager means the General Manager of Council, or delegate.

Internal Committee means Committees or other bodies established by Council over which Council has control. An Internal Committee is formed to oversee and implement a project, plan, strategy, or event, but do not necessarily align with a strategic objective. Internal Committees may be working groups, steering groups, organising committees, taskforces, and other groups. Internal Committees can be constituted by Aldermen, Council staff, reference groups, targeted reference groups, working parties, and external representatives.

Regulations means the *Local Government (Meeting Procedures) Regulations 2015*.

Special Committee means Committees established by a Council resolution made under section 24 of the Act. A Special Committee is established to oversee or implement a project, plan, strategy, or event, and will ordinarily be directly aligned with a strategic objective of Council. Special Committees can be constituted by anyone, including Aldermen.

POLICY STATEMENT

From time to time, Council is required to appoint Aldermen and independent persons to committees and external bodies. Council is also occasionally required to nominate or appoint representatives to external bodies.



PART 1 – NOMINATIONS AND APPOINTMENTS OF ALDERMEN

1. Appointments following Council election

Council will appoint and re-appoint (and, where necessary, nominate or re-nominate) Aldermen to committees and external bodies at the first ordinary meeting of council following a council election (or at a special meeting of Council if a special meeting for that purpose is called).

2. Procedure

1. Where it is necessary to appoint Aldermen to committees (including as a result of a casual vacancy), the General Manager will circulate a notice to Aldermen which—
 - (a) notifies Aldermen that appointments, re-appointments, and nominations for appointment to committees and external bodies are to be made at the relevant meeting, and
 - (b) lists the appointments and nominations to be made, and, for each, identifies—
 - i) the committee or external body
 - ii) the position available (including, for an external body, whether Council will be making a nomination only)
 - iii) the nature of the duties to be undertaken
 - iv) the proposed term of the appointment
 - v) whether the position is to be held ex-officio by the Mayor or Deputy Mayor, and
 - vi) any other information the General Manager considers relevant.
 - (c) requests that Aldermen submit nominations for the available positions one (1) week before the next council meeting.
2. The notice is to be circulated to all Aldermen by email no later than five days before nominations close (or as soon as practicable if it is not possible to circulate the notice five days before nominations close), and
3. Nominations may contain a statement in support of the nomination, to a maximum of 150 words.
4. Nominations may be for a position or a proxy position.
5. the General Manager will present a report to Council for consideration at the relevant council meeting which will contain, for each available position—
 - (a) the information specified in clause 2(1)(b), and
 - (b) a list of the nominations received, and the documentation provided in support of each.
6. Where the number of nominees for a position does not exceed the number of positions available, the Council will determine the appointment in accordance with its ordinary meeting procedures.
7. If the number of nominees for a position exceeds the number of positions available—



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- (a) a ballot will be held to select the appointee or appointees (or nominees for a position on an external body, if applicable), and
 - (b) once the result of the ballot is determined, the chair will call for the appointment to be confirmed in accordance with Council's ordinary meeting procedures.
- 8. Where Council's nominee for a position on an external body is required to be confirmed by the external body, the General Manager is to write to the external body advising it of Council's decision.
- 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.

PART 2 – NOMINATIONS AND APPOINTMENTS OF INDEPENDENT PERSONS

3. Procedure

- 1. Where there is a vacancy for the position of an independent person on a committee or external body, the General Manager is to circulate a notice calling for expressions of interest for appointment, containing the information specified in clause 2(1)(b)—
- 2. The notice is to be circulated by—
 - (a) publishing the notice on Council's website
 - (b) sending an email to all Council staff, and
 - (c) if the General Manager considers it necessary, publishing the notice in a local newspaper.
- 3. The General Manager must circulate the notice under 3(1) no later than five days before nominations close (or as soon as practicable if it is not possible to circulate the notice five days before nominations close).
- 4. Following the receipt of nominations, the appointment of the independent person is to be determined in accordance with the procedure set out in the committee's Terms of Reference.
- 5. For nominations or appointments to external bodies, or if no procedure is specified in the committee detail sheet, the General Manager will assess each nomination on its merits and will make a recommendation to Council seeking Council's endorsement and nomination or appointment (as applicable) of the preferred nominee.

PART 3 – BALLOTS

4. Application

Where the provisions of this policy require that a ballot is held, the ballot is to be conducted in accordance with this part.

5. Rules for ballots

- 1. When a ballot is required under this policy, the chair of the council meeting will call a ballot.
- 2. Ballots are to be secret unless Council resolves otherwise.
- 3. Votes are to be cast on ballot papers distributed to Aldermen by the General Manager. Ballot papers may be distributed either prior to or at the relevant council meeting.



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4. Aldermen are to place completed ballot papers in a ballot box which is to be visible to all attendees of the Council meeting during the process of casting the ballots.
5. The ballot box must not be opened until all Aldermen who intend to vote have cast their votes.
6. Votes will be counted by a Council officer nominated by the General Manager, with another Council officer acting as a scrutineer.
7. Where there are—
 - (a) two or more candidates for a single position, the candidate with the most votes will be the appointee, or
 - (b) more than two candidates for multiple positions (for example, two member spots on a council committee), the successful candidates will be the candidates with the most votes, in descending order until the number of positions have been filled. For example, if there are 2 positions and 4 candidates, the successful candidates will be those with the highest and second highest number of votes.
8. The officer who counts the votes will advise the chair of the council meeting by writing the name of the successful candidate/s on a piece of paper and delivering it to the chair.
9. In the event of a tie, the chair (at their discretion) may determine the winner by:
 - (a) the toss of a coin (conducted by the chair), or
 - (b) a further ballot, in which the only candidates are those which were tied in the first ballot.
10. All ballot papers and other ballot material are to be destroyed as soon as practicable after the conclusion of the ballot.

6. Proxies

1. Where proxy positions for committees or external bodies are available, unsuccessful candidates will be offered the position of proxy in the order in which they placed in the ballot.
2. Where a proxy is required but there are not sufficient candidates for a proxy after positions have been filled, or if all unsuccessful candidates decline the proxy appointment, the chair may call for nominations for proxy positions.
3. Where the chair has called for nominations in accordance with subclause (2), the selection of the nominees is to be determined in accordance with Council's ordinary meeting procedures.

PART 4 – MISCELLANEOUS

7. Vacation of positions on leaving office

An Alderman's appointment to a committee or external body will cease immediately upon the person ceasing, for any reason, to be an Alderman.

8. Nominations need not be personal

To avoid any doubt, a person may nominate another person for a position the subject of this policy, and the nomination need not be made by the person seeking nomination.

9. Refusal of nominations or appointments



05 December 2022

1. An Alderman or independent person may refuse any nomination or appointment made under this policy, including nomination or appointment as a proxy.
2. Council may refuse to appoint or nominate a person (including an Alderman) to a position if it considers that the person is not suitably qualified for or is otherwise unable to provide satisfactory representation on the committee or external body.

10. Inconsistency with meeting procedures regulations

If a provision of this policy is inconsistent with the Regulations, the Regulations will prevail to the extent of the inconsistency.

11. Attendance and performance

If an Alderman's attendance record at committee or external body meetings is unsatisfactory, or if Council receives notification from a committee or external body that the Alderman is not properly discharging the duties required of the position in accordance with the committee's Terms of Reference or Charter, Council may resolve to withdraw the Alderman's appointment and appoint another Alderman as a replacement.

BACKGROUND

Council has established and maintains control over multiple committees, special committees, working groups, steering committees, task forces and other bodies to assist in discharging its role and functions. Council is also, required to appoint (or nominate) representatives to external bodies.

In making any nomination or appointment, Council must ensure that the process for determining appointees and nominees is fair, democratic, and transparent.

DOCUMENT CONTROL

Version:	2.0	Adopted	DD Month YYYY	Commencement Date	DD Month YYYY
Minutes Reference	#####			Review Period	4 Years from adoption
Previous Versions:	v 1.0 adopted 19 December 2016 (Council meeting, Item 17)				
Responsible Directorate	Corporate Services	Controller:		Executive Manager Stakeholder Engagement	
ECM Document No.:	#####				

COUNCIL POLICY

Legal Services

**PURPOSE**

The purpose of this policy is to provide a framework for:

- the delivery of internal legal services by Council's in-house legal practitioners, and
- the engagement and use of external legal services by Council.

SCOPE

This policy applies to all employees of Council.

STRATEGIC PLAN ALIGNMENTMaking Lives Better

Objective 1.1 Know our communities and what they value

Strategy 1.1.1 Guide decision making through continued community engagement based on our community plan

Leading Our Community

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

Objective 4.2 Prioritise our resources to achieve our community's goals

Strategy 4.2.1 Deploy the Council's resources effectively to deliver value

RELATED DOCUMENTS

Legal Services Directive

STATUTORY REQUIREMENTS

Acts	Local Government Act 1993 Legal Profession Act 2007 Rules of Practice 1993
Regulations	N/A

Australian/International Standards	N/A
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DEFINITIONS

Legal Services means the internal services provided by Council's Senior Legal Counsel and its legal services panel.

Model Litigant means the common law guidelines regarding how a government (including local government) should conduct itself before, during and after legal proceedings against another government agency, a company or an individual.

Practising Certificate means the certificate granted to a qualified legal practitioner by the Law Society.

POLICY STATEMENT

Background

Council provides a diverse range of local government services to the Glenorchy community and has necessary core business functions to discharge and statutory obligations to meet, including:

- regulation and enforcement
- infrastructure and service delivery
- facilities maintenance and management
- the entering into and management of contracts and commercial and non-commercial ventures
- risk management and human resource management, and
- the acquisition and disposal of property, including leasing, licensing and casual hire by commercial and not for profit organisations.

The efficient and effective provision of these services to protect the interests of Council, its assets and the community often requires legal advice and the assistance of legal support services. Legal services can be provided by legal practitioners employed by Council or by taking advice from external legal practitioners employed in law firms.

As a public body utilising public funds, Council must ensure that its use and procurement of legal services is consistent with both its statutory functions and obligations, and the expectations of the Glenorchy community and in efficiently and effectively protecting Council's interests and assets.

Objectives

The following objectives are to guide Council in its use and provision of legal services with guidance notes as to how these objectives are to be achieved.

Objective 1

To ensure that Council has access to legal advice to support appropriate decision making over the short, medium and long terms

Actions

To achieve Objective 1, Council will:

- 1.1 maintain an in-house legal service, led by a senior legal practitioner with appropriate qualifications, experience skill and resources to facilitate and oversee the provision of legal support within all of Council
- 1.2 ensure that any person employed as a legal practitioner by Council holds or is deemed to hold a current Tasmanian Legal Practising Certificate, and is otherwise appropriately skilled and qualified
- 1.3 establish and communicate agreed service level standards for the provision of legal services, and procedures and expectations for Council staff seeking legal advice

Objective 2

To use legal services appropriately to manage and balance the risks involved with providing local government service outcomes for the community

Actions

To achieve Objective 2, Council:

- 2.1 recognises that the engagement of external law firms is appropriate in situations where there is a shortage of internal legal services resources where:
 - specialised advice is required
 - there is a risk that obtaining internal legal advice could give rise to a conflict of interest,
 - there is a temporary shortage of resources in legal services (e.g. illness, leave, or an abnormal peak in workload, the matter pertains to the General Manager's contract of employment, or
 - the risk associated with legal advice and action is such that external legal support is appropriate.
- 2.2 will establish a directive and line of authority for the approval of requests for external legal advice, which will specifically address requests for external legal advice by the General Manager
- 2.3 will endeavour to ensure that all management and senior staff have appropriate knowledge of the roles and responsibilities of Council's in-house legal service and the capacity to make sound decisions in relation to when it is appropriate (and not appropriate) to seek legal advice, and
- 2.4 will implement procedures that clearly define the expectations and responsibilities of all staff when communicating (internally and externally) on matters which may have legal implications for Council.
- ~~2.5 will report monthly to Council on the amount spent on external legal services in the preceding month.~~
- 2.56 will require the approval of Council where expenditure on any individual legal matter exceeds \$25,000 (exc GST),

Objective 3

To actively manage Council's use of legal services to achieve the minimum cost to the community that is consistent with effective Council service provision and community expectations

Actions

To achieve Objective 3, Council will:

- 3.1 establish and maintain a panel of experienced external legal service providers, to be appointed through a formal procurement process, with providers to be assessed on both skills and expertise and value for money for the level of service provided (with discretion to be retained by the General Manager and the manager of the Council legal department to engage a legal service provider which is not on the panel)
- 3.2 subject to direction by the General Manager, only refer matters to external legal services in the circumstances specified in Action 2.1
- 3.3 actively monitor Council's expenditure on external legal services and ensure that appropriate corporate reporting data is available to the elected body of Aldermen and internal decision makers
- 3.4 balance the cost of engaging external legal services against the potential financial and regulatory consequences for Council of not obtaining appropriate and timely legal advice

Objective 4

To protect the integrity of Council's legal advice from conflicts of interest, loss of privilege and by ensuring the confidentiality of legal advice

Actions

To achieve Objective 4, Council:

- 4.1 adopts the Glenorchy City Council In-House Legal Services Independence Statement which is Attachment 1 to this policy
- 4.2 directs that any advice required to assist Council in matters pertaining to the General Manager's contract of employment be obtained from independent external lawyers
- 4.3 will implement procedures and delegations to clarify the roles and responsibilities of decision makers in respect to legal matters (which recognise and protect the independence of Council's in-house legal team and the duties of legal practitioners), and
- 4.4 will ensure that the confidentiality and integrity of sensitive legal information is maintained in accordance with all legal, fiduciary and ethical obligations.

Objective 5

To minimise the impact of avoidable disputation by promoting, where appropriate, early dialogue and alternative dispute resolution as an alternative to formal legal action

Actions

To achieve Objective 5, Council will:

- 5.1 only commence formal litigation where Council has considered other forms of dispute resolution and the public interest.
- 5.2 consider the interests of the Glenorchy community before initiating legal proceedings.

Objective 6

To comply with Council's obligation to act as a model litigant

Actions

- 6.1 Council will conduct itself as a model litigant in any proceedings in which it is involved. Council's conduct as a model litigant may include:
- dealing with claims promptly;
 - minimising delay in proceedings;
 - making an early assessment of the prospects of success and potential liability in claims;
 - paying legitimate claims (that have been substantiated with appropriate evidence) without commencing litigation;
 - acting consistently in the handling of claims and litigation;
 - endeavouring to avoid, prevent or limit the scope of litigation and participating in alternative dispute resolution where appropriate;
 - minimising costs in proceedings;
 - not taking unfair advantage of a claimant who lacks the resources to litigate a legitimate claim; and
 - taking a high moral and ethical stance while also protecting Council's interests.

Legal Services Directive

This policy is to be supported by a legal services directive which set out prescriptive procedures and requirements that will be adopted to seek to achieve the objectives.

Council may combine any actions arising from this policy into a single legal services directive, or into multiple legal services directives that address separate policy areas, as appropriate.

DOCUMENT CONTROL

Version:	3.0	Adopted	25 October 2021	Commencement Date	26 October 2010
Minutes Reference	Item 14			Review Period	4 Years from adoption
Previous Versions:	v 1.0 adopted 12 December 2017 (Council meeting, Item 11) v 2.0 adopted 25 March 2019 (Council meeting, Item 21)				
Responsible Directorate	Corporate Services		Controller:	Manager Corporate Governance	
ECM Document No.:	Policies by Directorate				



25 October 2021

ATTACHMENT 1**Glenorchy City Council In-House Legal Services
Independence Statement**

Council's employed lawyers must ensure that the advice they provide is objective and impartial in compliance with the professional obligations of practitioners of the legal profession in Tasmania.

In particular, Council's employed lawyers must be entitled to practice as a legal practitioner in Tasmania, subject to and in compliance with the Legal Profession Act 2007 and a range of imposed conditions including (but not limited to):

- individual lawyers can only engage in providing in-house legal services to Council, subject to any other conditions issued by the Law Society of Tasmania, and
- individual lawyers must undertake continuing professional development in compliance with relevant Law Society practice directives and legal requirements

The following statements highlight the characteristics of the independence of Council's employed lawyers to the rest of the organisation:

- Council's legal services will be provided in an independent and professional manner in accordance with each individual lawyer's responsibilities as an officer of the Court or Courts in which they are admitted to practice and the laws, regulations and professional rules applying to legal practitioners in Australia.
- The professional duties of Council's employed lawyers may take precedence over their duties to Council or individuals within Council. Their legal and ethical obligations must be observed and performed, including the duty to avoid conflicts and to not participate in or allow conduct or actions which may not be in accordance with legal or ethical requirements.
- The primary role of Council's employed lawyers is to provide legal advice, as opposed to commercial advice. Council's employed lawyers may provide commercial advice in an advisory capacity, provided it does not, in their reasonable opinion, conflict with their ability to provide impartial and unbiased legal advice. This distinction will be clearly understood where a lawyer is providing legal advice to assist the Council in making a commercial assessment of a particular matter.
- Council's Aldermen, management or staff must not seek to inappropriately influence the proper exercise of the independent professional judgment of any Council employed lawyer.
- If any Council employed lawyer forms the view that their ability to provide impartial legal advice has been, or may be, compromised, they should immediately inform the designated Manager of the legal department or the General Manager and, if necessary, declare a conflict of interest and refer the matter for external legal advice.
- The identity of the 'client' in each instance of provision of legal advice should be clear and for what purpose the advice is sought. The overarching fiduciary duty of a Council employed lawyer is to the Council as a whole. A Council employed lawyer does not owe a duty of confidentiality on an individual basis to any individual, including an Alderman, a member of management or staff where to do so would in the reasonable opinion of that lawyer, prejudice or jeopardise the interests of Council as a whole or be reasonably determined by an



25 October 2021

objective legal practitioner to be misleading, deceptive, unethical or unlawful. For example, a Council employed lawyer cannot provide personal advice to any individual including an Alderman, or a member of management or staff where that advice conflicts with the broader interest of Council and the Glenorchy Community or is unlawful or hides or deprives critical information or advice that ought to be known by a wider audience than the individual whom the information or advice has been provided to or requested.

- Provided they have acted competently and in good faith, a Council employed lawyer cannot face disciplinary action where they have acted in accordance with their legal and ethical obligations, even where their decision or conduct is not in favour of Council as a whole or is not in alignment with the request or instruction of an individual person, Alderman, member of management or staff.
- The importance of maintaining and not waiving legal professional privilege is paramount to the interests of Council. There may be situations where a Council employed lawyer can only provide legal advice or information to certain individuals and within certain contexts within Council, (for example the General Manager or to Council in a closed session) so as not to compromise Council's position or rights.
- Where a Council employed lawyer performs both legal and non-legal roles those roles must be clearly delineated and the distinction identified where appropriate in relevant communications.
- Nothing limits, waives, or reduces the obligations of a Council employed lawyer in relation to their professional and ethical obligations as an officer of the Court and as a legal practitioner pursuant to the Legal Profession Act 2007 and Rules of Practice 1994, or any national legislation or rules or other equivalent or replacement legislation, code, regulation, rules or requirement.

COUNCIL POLICY

Legal Services

**PURPOSE**

The purpose of this policy is to provide a framework for:

- the delivery of internal legal services by Council's in-house legal practitioners, and
- the engagement and use of external legal services by Council.

SCOPE

This policy applies to all employees of Council.

STRATEGIC PLAN ALIGNMENTMaking Lives Better

Objective 1.1 Know our communities and what they value

Strategy 1.1.1 Guide decision making through continued community engagement based on our community plan

Leading Our Community

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

Objective 4.2 Prioritise our resources to achieve our community's goals

Strategy 4.2.1 Deploy the Council's resources effectively to deliver value

RELATED DOCUMENTS

Legal Services Directive

STATUTORY REQUIREMENTS

Acts	Local Government Act 1993 Legal Profession Act 2007 Rules of Practice 1993
Regulations	N/A

Australian/International Standards	N/A
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DEFINITIONS

Legal Services means the internal services provided by Council's Senior Legal Counsel and its legal services panel.

Model Litigant means the common law guidelines regarding how a government (including local government) should conduct itself before, during and after legal proceedings against another government agency, a company or an individual.

Practising Certificate means the certificate granted to a qualified legal practitioner by the Law Society.

POLICY STATEMENT

Background

Council provides a diverse range of local government services to the Glenorchy community and has necessary core business functions to discharge and statutory obligations to meet, including:

- regulation and enforcement
- infrastructure and service delivery
- facilities maintenance and management
- the entering into and management of contracts and commercial and non-commercial ventures
- risk management and human resource management, and
- the acquisition and disposal of property, including leasing, licensing and casual hire by commercial and not for profit organisations.

The efficient and effective provision of these services to protect the interests of Council, its assets and the community often requires legal advice and the assistance of legal support services. Legal services can be provided by legal practitioners employed by Council or by taking advice from external legal practitioners employed in law firms.

As a public body utilising public funds, Council must ensure that its use and procurement of legal services is consistent with both its statutory functions and obligations, and the expectations of the Glenorchy community and in efficiently and effectively protecting Council's interests and assets.

Objectives

The following objectives are to guide Council in its use and provision of legal services with guidance notes as to how these objectives are to be achieved.

Objective 1

To ensure that Council has access to legal advice to support appropriate decision making over the short, medium and long terms

Actions

To achieve Objective 1, Council will:

- 1.1 maintain an in-house legal service, led by a senior legal practitioner with appropriate qualifications, experience skill and resources to facilitate and oversee the provision of legal support within all of Council
- 1.2 ensure that any person employed as a legal practitioner by Council holds or is deemed to hold a current Tasmanian Legal Practising Certificate, and is otherwise appropriately skilled and qualified
- 1.3 establish and communicate agreed service level standards for the provision of legal services, and procedures and expectations for Council staff seeking legal advice

Objective 2

To use legal services appropriately to manage and balance the risks involved with providing local government service outcomes for the community

Actions

To achieve Objective 2, Council:

- 2.1 recognises that the engagement of external law firms is appropriate in situations where there is a shortage of internal legal services resources where:
 - specialised advice is required
 - there is a risk that obtaining internal legal advice could give rise to a conflict of interest,
 - there is a temporary shortage of resources in legal services (e.g. illness, leave, or an abnormal peak in workload, the matter pertains to the General Manager's contract of employment, or
 - the risk associated with legal advice and action is such that external legal support is appropriate.
- 2.2 will establish a directive and line of authority for the approval of requests for external legal advice, which will specifically address requests for external legal advice by the General Manager
- 2.3 will endeavour to ensure that all management and senior staff have appropriate knowledge of the roles and responsibilities of Council's in-house legal service and the capacity to make sound decisions in relation to when it is appropriate (and not appropriate) to seek legal advice, and
- 2.4 will implement procedures that clearly define the expectations and responsibilities of all staff when communicating (internally and externally) on matters which may have legal implications for Council.
- 2.5 will require the approval of Council where expenditure on any individual legal matter exceeds \$25,000 (exc GST),

Objective 3

To actively manage Council's use of legal services to achieve the minimum cost to the community that is consistent with effective Council service provision and community expectations

Actions

To achieve Objective 3, Council will:

- 3.1 establish and maintain a panel of experienced external legal service providers, to be appointed through a formal procurement process, with providers to be assessed on both skills and expertise and value for money for the level of service provided (with discretion to be retained by the General Manager and the manager of the Council legal department to engage a legal service provider which is not on the panel)
- 3.2 subject to direction by the General Manager, only refer matters to external legal services in the circumstances specified in Action 2.1
- 3.3 actively monitor Council's expenditure on external legal services and ensure that appropriate corporate reporting data is available to the elected body of Aldermen and internal decision makers
- 3.4 balance the cost of engaging external legal services against the potential financial and regulatory consequences for Council of not obtaining appropriate and timely legal advice

Objective 4

To protect the integrity of Council's legal advice from conflicts of interest, loss of privilege and by ensuring the confidentiality of legal advice

Actions

To achieve Objective 4, Council:

- 4.1 adopts the Glenorchy City Council In-House Legal Services Independence Statement which is Attachment 1 to this policy
- 4.2 directs that any advice required to assist Council in matters pertaining to the General Manager's contract of employment be obtained from independent external lawyers
- 4.3 will implement procedures and delegations to clarify the roles and responsibilities of decision makers in respect to legal matters (which recognise and protect the independence of Council's in-house legal team and the duties of legal practitioners), and
- 4.4 will ensure that the confidentiality and integrity of sensitive legal information is maintained in accordance with all legal, fiduciary and ethical obligations.

Objective 5

To minimise the impact of avoidable disputation by promoting, where appropriate, early dialogue and alternative dispute resolution as an alternative to formal legal action

Actions

To achieve Objective 5, Council will:

- 5.1 only commence formal litigation where Council has considered other forms of dispute resolution and the public interest.
- 5.2 consider the interests of the Glenorchy community before initiating legal proceedings.

Objective 6

To comply with Council's obligation to act as a model litigant

Actions

- 6.1 Council will conduct itself as a model litigant in any proceedings in which it is involved. Council's conduct as a model litigant may include:
- dealing with claims promptly;
 - minimising delay in proceedings;
 - making an early assessment of the prospects of success and potential liability in claims;
 - paying legitimate claims (that have been substantiated with appropriate evidence) without commencing litigation;
 - acting consistently in the handling of claims and litigation;
 - endeavouring to avoid, prevent or limit the scope of litigation and participating in alternative dispute resolution where appropriate;
 - minimising costs in proceedings;
 - not taking unfair advantage of a claimant who lacks the resources to litigate a legitimate claim; and
 - taking a high moral and ethical stance while also protecting Council's interests.

Legal Services Directive

This policy is to be supported by a legal services directive which set out prescriptive procedures and requirements that will be adopted to seek to achieve the objectives.

Council may combine any actions arising from this policy into a single legal services directive, or into multiple legal services directives that address separate policy areas, as appropriate.

DOCUMENT CONTROL

Version:	3.0	Adopted	25 October 2021	Commencement Date	26 October 2010
Minutes Reference	Item 14			Review Period	4 Years from adoption
Previous Versions:	v 1.0 adopted 12 December 2017 (Council meeting, Item 11) v 2.0 adopted 25 March 2019 (Council meeting, Item 21)				
Responsible Directorate	Corporate Services	Controller:	Manager Corporate Governance		
ECM Document No.:	Policies by Directorate				



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ATTACHMENT 1**Glenorchy City Council In-House Legal Services
Independence Statement**

Council's employed lawyers must ensure that the advice they provide is objective and impartial in compliance with the professional obligations of practitioners of the legal profession in Tasmania.

In particular, Council's employed lawyers must be entitled to practice as a legal practitioner in Tasmania, subject to and in compliance with the Legal Profession Act 2007 and a range of imposed conditions including (but not limited to):

- individual lawyers can only engage in providing in-house legal services to Council, subject to any other conditions issued by the Law Society of Tasmania, and
- individual lawyers must undertake continuing professional development in compliance with relevant Law Society practice directives and legal requirements

The following statements highlight the characteristics of the independence of Council's employed lawyers to the rest of the organisation:

- Council's legal services will be provided in an independent and professional manner in accordance with each individual lawyer's responsibilities as an officer of the Court or Courts in which they are admitted to practice and the laws, regulations and professional rules applying to legal practitioners in Australia.
- The professional duties of Council's employed lawyers may take precedence over their duties to Council or individuals within Council. Their legal and ethical obligations must be observed and performed, including the duty to avoid conflicts and to not participate in or allow conduct or actions which may not be in accordance with legal or ethical requirements.
- The primary role of Council's employed lawyers is to provide legal advice, as opposed to commercial advice. Council's employed lawyers may provide commercial advice in an advisory capacity, provided it does not, in their reasonable opinion, conflict with their ability to provide impartial and unbiased legal advice. This distinction will be clearly understood where a lawyer is providing legal advice to assist the Council in making a commercial assessment of a particular matter.
- Council's Aldermen, management or staff must not seek to inappropriately influence the proper exercise of the independent professional judgment of any Council employed lawyer.
- If any Council employed lawyer forms the view that their ability to provide impartial legal advice has been, or may be, compromised, they should immediately inform the designated Manager of the legal department or the General Manager and, if necessary, declare a conflict of interest and refer the matter for external legal advice.
- The identity of the 'client' in each instance of provision of legal advice should be clear and for what purpose the advice is sought. The overarching fiduciary duty of a Council employed lawyer is to the Council as a whole. A Council employed lawyer does not owe a duty of confidentiality on an individual basis to any individual, including an Alderman, a member of management or staff where to do so would in the reasonable opinion of that lawyer, prejudice or jeopardise the interests of Council as a whole or be reasonably determined by an



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objective legal practitioner to be misleading, deceptive, unethical or unlawful. For example, a Council employed lawyer cannot provide personal advice to any individual including an Alderman, or a member of management or staff where that advice conflicts with the broader interest of Council and the Glenorchy Community or is unlawful or hides or deprives critical information or advice that ought to be known by a wider audience than the individual whom the information or advice has been provided to or requested.

- Provided they have acted competently and in good faith, a Council employed lawyer cannot face disciplinary action where they have acted in accordance with their legal and ethical obligations, even where their decision or conduct is not in favour of Council as a whole or is not in alignment with the request or instruction of an individual person, Alderman, member of management or staff.
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- Where a Council employed lawyer performs both legal and non-legal roles those roles must be clearly delineated and the distinction identified where appropriate in relevant communications.
- Nothing limits, waives, or reduces the obligations of a Council employed lawyer in relation to their professional and ethical obligations as an officer of the Court and as a legal practitioner pursuant to the Legal Profession Act 2007 and Rules of Practice 1994, or any national legislation or rules or other equivalent or replacement legislation, code, regulation, rules or requirement.

COUNCIL POLICY

BUSHFIRE MITIGATION



PURPOSE

This policy provides direction how guides Council's bushland management activities in mitigating bushfire risk in will mitigate associated risks for low probability but high impact bushfire events to the Greater Hobart area.

Commented [JR1]: You have 'guidance' next para and "direction" here. Does this need to consistent wording?

Commented [SB2R1]: Agreed. Text altered.

SCOPE

This policy provides guidance and a framework for Council's Bushfire Mitigation Strategy, and Bushfire Mitigation Plan. It will assist in mitigating the impact of bushfire to human settlements and loss of life within the Greater Hobart area, and where possible promote and maintain natural and cultural values.

Commented [JR3]: Needs to be consistent wording above

The underpinning principle is the protection of life.

This policy applies to any bushfire-prone area that is subject to, or likely to be subject to, bushfire attack. It does not apply to:

- land which is not owned and managed by Council (including privately owned land, or land which is owned by Council but managed by a separate authority);
- Fire Hazard Nuisances under Section 199 of the *Local Government Act 1993*; or
- ~~Responses~~ to bushfires which is responsibility of the Tasmania Fire Service (TFS) and other emergency services. Council's role in bushfire response and recovery is covered in the Glenorchy Municipal Emergency Management Plan.

STRATEGIC PLAN ALIGNMENT

Making Lives Better

- Objective 1.1 Know our communities and what they value
- Strategy 1.1.1 Guide decision making through continued community engagement based on our Community Plan

Valuing our Environment

- Objective 3.2 Manage our natural environments now and for the future
- Strategy 3.2.1 Identify and protect areas of high natural values
- Strategy 3.2.2 Encourage access to and appreciation of natural areas through the development of trail networks and environmental education

Leading Our Community

- 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
- Objective 4.2 Prioritise our resources to achieve our community's goals
- Strategy 4.2.1 Deploy the Council's resources effectively to deliver value
- Strategy 4.2.2 Ensure that we have a skilled, capable and safety-focused workforce



27 September 2024 20 September 2022

Objective 4.3 [Build strong relationships to deliver our communities' goals](#)

[Strategy 4.3.1](#) Foster productive relationships with other levels of government, other councils, and peak bodies to achieve community outcomes

2021/22 – 2024/25 ANNUAL PLAN ALIGNMENT

Making Lives Better

[Strategy 13.1](#) Directly deliver defined service levels to our communities

[Strategy 13.2](#) Identify and engage in partnerships that can more effectively deliver defined service levels to our communities

Valuing Our Environment

[Objective 3.2](#) Manage our natural environments now and for the future

[Strategy 3.2.1](#) Identify and protect areas of high natural values

[Strategy Action 3.2.1.01](#) Support stewardships of our natural environment with a priority on managing fire risk within Wellington Park

[Strategy Action 3.2.1.02](#) Implement the Bushfire Mitigation Program

Leading Our Community

[Objective 4.1](#) Govern in the best interests of our community

[Strategy 4.1.2](#) Manage the city's assets soundly for the long term benefit of the community

[Strategy 4.3.1](#) Foster productive relationships with other levels of government, other Councils, and peak bodies to achieve community outcomes

STATUTORY REQUIREMENTS

Fire Service Act 1979

Council's powers, responsibilities and obligations under this Act include:

- to take all reasonable precautions to prevent any fire lit on their property from spreading to adjoining land ([Section 63](#)).
- to take diligent steps to extinguish or control any unauthorised fire on their property during a fire permit period, and to report that fire to the TFS, or the Police ([Section 64](#)).
- to "cause the formation in its municipal area of such fire breaks as it considers necessary or desirable to arrest the spread, or to facilitate the suppression of, fires" ([Section 56](#)).
- to contribute towards the operating costs of fire brigades ([Sections 79 to 95](#)).
- to deal with a fire danger which Council has been notified of under section 49 within such reasonable period of not less than 30 days as is specified in the notice, as if that fire danger were a nuisance under the *Local Government Act 1993*.

Commented [JR4]: Do we have this in policy? The annual plan actions change each year. Think just Strategic Plan Alignment.

Commented [SB5R4]: It looks like the intent of quoting Strategy Actions from the annual plan is to tie the policy to the commitments around bushfire risk management. Bushfire risk management and Emergency Management more broadly does not have a high profile in the Strategic Plan



~~27 September 2024~~20 September 2022



27 September 2022 20 September 2022

Local Government Act 1993

Under section 93(a) of the *Local Government Act 1993*, Council can make a service rate on rateable land for the purpose of 'fire protection'. Council may also have obligations under the legislation listed in the following table when conducting bushfire mitigation activities.

Acts	<i>Aboriginal Relics Act 1975</i> <i>Environmental Management and Pollution Control Act 1994</i> <i>Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)</i> <i>Environment Protection Policy (Air Quality) 2004</i> <i>Fire Service Act 1979</i> <i>Forest Practices Act 1985</i> <i>Historical Cultural Heritage Act 1995</i> <i>Local Government Act 1993</i> <i>Mineral Resources Development Act 1995</i> <i>Nature Conservation Act 2002</i> <i>Tasmanian Threatened Species Protection Act 1995</i> <i>Tasmanian Weed Management Act 1999</i> <i>Wellington Park Act 1993</i>
Regulations	N/A
Australian/International Standards	<i>AS ISO 31000:2018 Risk management — Guidelines</i> <i>AS 3959:2018 Amd 2:2020 Construction of buildings in bushfire-prone areas</i>

Commented [JR6]: We don't usually highlight the sp part of the Act in policy, just the Act.

Commented [SB7R6]: It looks like the intent of quot Strategy Actions from the annual plan is to tie the polic the commitments around bushfire risk management. Bushfire risk management and Emergency Managemer more broadly does not have a high profile in the Strate Plan

DEFINITIONS

Asset means anything valued by people which includes houses, crops, forests and, in many cases, the environment.

Bushfire means an unplanned fire burning in vegetation; also referred to as wildfire.

Bushfire Attack Level (BAL) is a term arising from the Australian Standard for building in bushfire prone areas (AS3959:xxxx) It is means a means of measuring measure of the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat expressed in kilowatts per meter squared and BALs form the basis for establishing the requirements for the construction of new dwellings to improve resistance protection of building elements from to attack by bushfire.

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Bushfire-prone area means an area that is subject to, or likely to be subject to, bushfire attack. A 'bushfire-prone area' for the purposes of Tasmanian planning and building legislation includes:

1. Land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or
2. Where there is no overlay on a planning scheme map, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1 hectare.

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Bushfire-prone vegetation means contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards, or vegetation on land that is used for horticultural purposes.



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Hazard Management Area means an area around an asset where vegetation is modified, and most flammable material has been removed to reduce the fire's radiant heat intensity.

Fire Danger Rating (FDR) means a system to warn of the potential impact of a bushfire on any given day, based on forecast weather conditions.

Planned burning means the process of planning and applying fire to a predetermined area, under specific environmental conditions, to achieve a desired outcome.

Strategic planned burning means the utilisation of prescribed fire in key areas of the landscape, having significant potential to influence bushfire the intensity and rate of spread of future bushfires.

Tolerable risk means the lowest level of likely risk from the relevant hazard:

- (a) to secure the benefits of a use or development in a relevant hazard area; and
- (b) which can be managed through:
 - i. routine regulatory measures, or
 - ii. by-specific hazard management measures for the intended life of each use or development.

Whole-of-landscape is a concept in bushfire management whereby bushfire fuels, risk management and potential bushfire paths are assessed irrespective of the land tenure, agency or management responsibility.

POLICY STATEMENT

Objectives

The two primary objectives of this policy are:

1. Council will work to minimise the impact of major-bushfires on human life, communities, essential-and community infrastructure, industries, the economy, and the environment. Human life will be afforded priority over all other considerations, and
2. In delivering objective 1, Council will-to maintain or improve the resilience of natural ecosystems and their ability to deliver services such as biodiversity, water, carbon storage and forest products.

The following means objectives will be used to achieve two primary objectives. The objectives above will be delivered according to the following core concepts:

- Council will complying with legislative requirements in our risk management endeavours,
- Continuously improving bushfire risk mitigation treatments
- Council will delivering tenure-blind an integrated, whole-of-landscape approach to program directed towards mitigating bushfire risk, and,
- Complying with legislative requirements, Council will continuously improving improve our bushfire risk mitigation capacity treatments

Bushfire Mitigation

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Commented [JR8]: This line does not make sense? V
"means objectives". Not in definitions if it is a thing.

Commented [SB9R8]: It is not a thing.



27 September 2021 20 September 2022

Council has a dedicated Coordinator Bushfire Management who develops and implements Council's bushfire mitigation activities. All actions carried out under this policy, including the development of supporting plans, strategies and other documents, and the review of this policy, are the responsibility, of the Coordinator Bushfire Management.

Measures to Mitigate Bushfire Risk

Council will make informed decisions, and improve the management of risk by working jointly with other fire agencies, landowners, land managers and neighbouring Councils within the Hobart Fire Management Area to contribute to an ~~integrated~~ integrated, whole-of-landscape approach to mitigating bushfire risk by:

- maintaining Hazard Management Areas on Council managed bushfire-prone areas to the ~~most~~ current TFS guidelines. Council will target that the prescribed maximum width of a Hazard Management Area on Council managed land is no less than that required for BAL-29 rated development to be achieved on the lot once the owner of the lot has undertaken their best efforts;
- maintaining fire trails on Council managed bushland to the most current TFS preferred categories;
- supporting the provision of appropriate resources to carry out effective bushfire mitigation treatments;
- developing, coordinating, implementing and maintaining a five-year planned burning program;
- minimising smoke impact to communities resulting from bushfires and planned burning;
- maintaining an annual planned burning vegetation monitoring program;
- providing an annual report to Alderman and other stakeholders on bushfire mitigation treatments undertaken on Council managed bushfire-prone areas;
- regularly investing in developing and expanding Council's knowledge base, and Council's ability to mitigate bushfire risk;
- regularly educating Council and the local community on bushfire mitigation treatments;
- informing local communities on decisions made;
- strengthening understandings of relationships between fire and sensitive environments;
- acknowledging the potential effects of climate change and the likelihood that they will increase the risk of bushfire in Glenorchy; and
- ensuring compliance with statutory responsibilities.

Commented [JR10]: Needs to be in definitions.

Commented [SB11R10]: Term is out-dated and able I've removed it from the whole document and replaced with the current term and added it to the definitions.

Bushfire Mitigation Procedures

Council will ~~implement~~ deliver the objectives of this policy by implementing its Bushfire Mitigation Strategy 2020-2030, and Bushfire Mitigation Plan. These documents will set out the treatments to be undertaken to reduce Greater Hobart's bushfire risk.

Council's bushfire mitigation treatments aim to articulate the agreed principles and strategies from the *Tasmanian Vegetation Fire Management Policy* 2017 and will ~~contribute to a 'tenure-blind' approach, reflecting the a coordinated approach with~~ neighbouring Councils, land managers and fire agencies within the Hobart Fire Management Area. These will provide a level of assurance that bushfire risks faced by Council are mitigated holistically, and that firefighting agencies are put in levels of tolerable risk.

Commented [JR12]: Needs to be in definitions and r quotation marks

Commented [SB13R12]: Deleted.

Planned Burning Approval



~~27 September 2021~~ 20 September 2022

Operational ~~Planned~~ Burn Plans must be prepared and reviewed by separate parties. Those parties must hold the nationally recognised competency *PUAFIR406A/B Develop Prescribed Burning Plans*, and *PUAFIR407A/B Conduct Prescribed Burning*, or equivalent [qualifications](#). Council's Coordinator Bushfire Management is responsible for approving all Operational ~~Planned~~ Burn Plans on Council managed land.

Policy Review and Monitoring

This policy must be reviewed annually after the end of each bushfire season or as required to facilitate:

- a change in legislation that has a bearing on the document
- a change in Council's position on a particular subject area
- a recommendation from a governance body (e.g. TFS, State Fire Management Council, Tasmanian Parks and Wildlife Service)
- where quality assurance guidelines change due to continuous improvement initiatives, or
- changes in Council's agreed service levels.

BACKGROUND

Bushfire mitigation is critical to Glenorchy given that a third of the Glenorchy municipality is bushfire-prone vegetation located within the Wellington Park Ranges and Goat Hills. Fire is the most significant issue for this area of bushland, in the form of the threat of bushfire.

This policy was developed to delineate Council's perceived bushfire risks to human settlements and loss of life against the actual high risks that Council has legislative requirements to mitigate. It is reflective of Council's increased commitment to actively and adaptively mitigate bushfire risks to Glenorchy and the Greater Hobart area.

DOCUMENT CONTROL

Version:	4	Adopted	DDMMYY	Commencement Date	DDMMYY
Minutes Reference	Item #			Review Period	Annually
Previous Versions:	v 1 adopted 13 June 2017 v 2 adopted 29 July 2019 v 3 adopted 27 July 2020 v 4 adopted 27 September 2021				
Responsible Directorate	Infrastructure and Works		Controller:	Coordinator Bushfire Management	
ECM Document No.:	Policies by Directorate				

COUNCIL POLICY

BUSHFIRE MITIGATION**PURPOSE**

This policy guides Council's bushland management activities in mitigating bushfire risk in the Greater Hobart area.

SCOPE

This policy provides guidance and a framework for Council's Bushfire Mitigation Strategy, and Bushfire Mitigation Plan. It will assist in mitigating the impact of bushfire to human settlements and loss of life within the Greater Hobart area, and where possible promote and maintain natural and cultural values.

The underpinning principle is the protection of life.

This policy applies to any bushfire-prone area that is subject to, or likely to be subject to, bushfire attack. It does not apply to:

- land which is not owned and managed by Council (including privately owned land, or land which is owned by Council but managed by a separate authority);
- Fire Hazard Nuisances under Section 199 of the *Local Government Act 1993*; or
- Response to bushfires which is responsibility of the Tasmania Fire Service (TFS) and other emergency services. Council's role in bushfire response and recovery is covered in the Glenorchy Municipal Emergency Management Plan.

STRATEGIC PLAN ALIGNMENTMaking Lives Better

Objective 1.1 Know our communities and what they value

Strategy 1.1.1 Guide decision making through continued community engagement based on our Community Plan

Valuing our Environment

Objective 3.2 Manage our natural environments now and for the future

Strategy 3.2.1 Identify and protect areas of high natural values

Strategy 3.2.2 Encourage access to and appreciation of natural areas through the development of trail networks and environmental education

Leading Our Community

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

Objective 4.2 Prioritise our resources to achieve our community's goals

Strategy 4.2.1 Deploy the Council's resources effectively to deliver value

Strategy 4.2.2 Ensure that we have a skilled, capable and safety-focused workforce



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Objective 4.3	Build strong relationships to deliver our communities' goals
Strategy 4.3.1	Foster productive relationships with other levels of government, other councils, and peak bodies to achieve community outcomes

STATUTORY REQUIREMENTS

Fire Service Act 1979

Council's powers, responsibilities and obligations under this Act include:

- to take all reasonable precautions to prevent any fire lit on their property from spreading to adjoining land.
- to take diligent steps to extinguish or control any unauthorised fire on their property during a fire permit period, and to report that fire to the TFS, or the Police.
- to "cause the formation in its municipal area of such fire breaks as it considers necessary or desirable to arrest the spread, or to facilitate the suppression of, fires" .
- to contribute towards the operating costs of fire brigades.
- to deal with a fire danger which Council has been notified of under section 49 within such reasonable period of not less than 30 days as is specified in the notice, as if that fire danger were a nuisance under the *Local Government Act 1993*.

Local Government Act 1993

Under section 93(a) of the *Local Government Act 1993*, Council can make a service rate on rateable land for the purpose of 'fire protection'. Council may also have obligations under the legislation listed in the following table when conducting bushfire mitigation activities.

Acts	<i>Aboriginal Relics Act 1975</i> <i>Environmental Management and Pollution Control Act 1994</i> <i>Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)</i> <i>Environment Protection Policy (Air Quality) 2004</i> <i>Fire Service Act 1979</i> <i>Forest Practices Act 1985</i> <i>Historical Cultural Heritage Act 1995</i> <i>Local Government Act 1993</i> <i>Mineral Resources Development Act 1995</i> <i>Nature Conservation Act 2002</i> <i>Tasmanian Threatened Species Protection Act 1995</i> <i>Tasmanian Weed Management Act 1999</i> <i>Wellington Park Act 1993</i>
Regulations	N/A
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DEFINITIONS

Asset means anything valued by people which includes houses, crops, forests and, in many cases, the environment.

Bushfire means an unplanned fire burning in vegetation; also referred to as wildfire.

Bushfire Attack Level (BAL) is a term arising from the Australian Standard for building in bushfire prone areas (AS3959: 2018) It is a measure of a building's potential exposure to ember attack, radiant heat and direct flame contact. BALs form the basis for establishing the requirements for the construction of new dwellings to improve resistance to attack by bushfire.

Bushfire-prone area. A 'bushfire-prone area' for the purposes of Tasmanian planning and building legislation includes:

1. Land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or
2. Where there is no overlay on a planning scheme map, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1 hectare.

Bushfire-prone vegetation means contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards, or vegetation on land that is used for horticultural purposes.



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Hazard Management Area means an area around an asset where vegetation is modified, and most flammable material has been removed to reduce the fire's radiant heat intensity.

Fire Danger Rating (FDR) means a system to warn of the potential impact of a bushfire on any given day, based on forecast weather conditions.

Planned burning means the process of planning and applying fire to a predetermined area, under specific environmental conditions, to achieve a desired outcome.

Strategic planned burning means the utilisation of prescribed fire in key areas of the landscape, having significant potential to influence the intensity and rate of spread of future bushfires.

Tolerable risk means the lowest level of likely risk from the relevant hazard:

- (a) to secure the benefits of a use or development in a relevant hazard area; and
- (b) which can be managed through:
 - i. routine regulatory measures, or
 - ii. specific hazard management measures for the intended life of each use or development.

Whole-of-landscape is a concept in bushfire management whereby bushfire fuels, risk management and potential bushfire paths are assessed irrespective of the land tenure, agency or management responsibility.

POLICY STATEMENT

Objectives

The two primary objectives of this policy are:

1. Council will work to minimise the impact of bushfire on human life, communities, infrastructure, industries, the economy, and the environment. Human life will be afforded priority over all other considerations, and
2. In delivering objective 1, Council will maintain or improve the resilience of natural ecosystems and their ability to deliver services such as biodiversity, water, carbon storage and forest products.

The objectives above will be delivered according to the following core concepts:

- Council will comply with legislative requirements in our risk management endeavors,
- Council will deliver a an integrated, whole-of-landscape program directed towards mitigating bushfire risk, and

Council will continuously improve our bushfire risk mitigation capacity Bushfire Mitigation

Council has a dedicated Coordinator Bushfire Management who develops and implements Council's bushfire mitigation activities. All actions carried out under this policy, including the development of supporting plans, strategies and other documents, and the review of this policy, are the responsibility, of the Coordinator Bushfire Management.

Measures to Mitigate Bushfire Risk



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Council will make informed decisions, and improve the management of risk by working jointly with other fire agencies, landowners, land managers and neighbouring Councils within the Hobart Fire Management Area to contribute to an , integrated, whole-of-landscape approach to mitigating bushfire risk by:

- maintaining Hazard Management Areas on Council managed bushfire-prone areas to the current TFS guidelines. Council will target that the prescribed maximum width of a Hazard Management Area on Council managed land is no less than that required for BAL-29 rated development to be achieved on the lot once the owner of the lot has undertaken their best efforts;
- maintaining fire trails on Council managed bushland to the most current TFS preferred categories;
- supporting the provision of appropriate resources to carry out effective bushfire mitigation treatments;
- developing, coordinating, implementing and maintaining a five-year planned burning program;
- minimising smoke impact to communities resulting from bushfires and planned burning;
- maintaining an annual planned burning vegetation monitoring program;
- providing an annual report to Alderman and other stakeholders on bushfire mitigation treatments undertaken on Council managed bushfire-prone areas;
- regularly investing in developing and expanding Council's knowledge base, and Council's ability to mitigate bushfire risk;
- regularly educating Council and the local community on bushfire mitigation treatments;
- informing local communities on decisions made;
- strengthening understandings of relationships between fire and sensitive environments;
- acknowledging the potential effects of climate change and the likelihood that they will increase the risk of bushfire in Glenorchy; and
- ensuring compliance with statutory responsibilities.

Bushfire Mitigation Procedures

Council will deliver the objectives of this policy by implementing its Bushfire Mitigation Strategy 2020-2030, and Bushfire Mitigation Plan. These documents will set out the treatments to be undertaken to reduce Greater Hobart's bushfire risk.

Council's bushfire mitigation treatments aim to articulate the agreed principles and strategies from the *Tasmanian Vegetation Fire Management Policy 2017* and will reflect a coordinated approach with neighbouring Councils, land managers and fire agencies within the Hobart Fire Management Area.

Planned Burning Approval

Operational Burn Plans must be prepared and reviewed by separate parties. Those parties must hold the nationally recognised competency *PUAFIR406A/B Develop Prescribed Burning Plans*, and *PUAFIR407A/B Conduct Prescribed Burning*, or equivalent qualifications. Council's Coordinator Bushfire Management is responsible for approving all Operational Burn Plans on Council managed land.

Policy Review and Monitoring

This policy must be reviewed annually after the end of each bushfire season or as required to facilitate:



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- a change in legislation that has a bearing on the document
- a change in Council's position on a particular subject area
- a recommendation from a governance body (e.g. TFS, State Fire Management Council, Tasmanian Parks and Wildlife Service)
- where quality assurance guidelines change due to continuous improvement initiatives, or
- changes in Council's agreed service levels.

BACKGROUND

Bushfire mitigation is critical to Glenorchy given that a third of the Glenorchy municipality is bushfire-prone vegetation located within the Wellington Park Ranges and Goat Hills. Fire is the most significant issue for this area of bushland, in the form of the threat of bushfire.

This policy was developed to delineate Council's perceived bushfire risks to human settlements and loss of life against the actual high risks that Council has legislative requirements to mitigate. It is reflective of Council's increased commitment to actively and adaptively mitigate bushfire risks to Glenorchy and the Greater Hobart area.

DOCUMENT CONTROL

Version:	4	Adopted	DDMMYY	Commencement Date	DDMMYY
Minutes Reference	Item #			Review Period	Annually
Previous Versions:	v 1 adopted 13 June 2017 v 2 adopted 29 July 2019 v 3 adopted 27 July 2020 v 4 adopted 27 September 2021				
Responsible Directorate	Infrastructure and Works		Controller:	Coordinator Bushfire Management	
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