

COUNCIL AGENDA

MONDAY, 21 NOVEMBER 2016



GLENORCHY CITY COUNCIL

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

Hour: 3.00 p.m.

Present:

In attendance:

Leave of Absence:

Workshops held since last Council Meeting

Date: Monday, 7 November 2016

Purpose: To discuss:

- Review of Council's Committee Manual
- Development of Council's Risk Management Plan
- Budget and Annual Plan Process
- Proposed Meeting Dates for 2017

Date: Monday, 14 November 2016

Purpose: To discuss:

- KGV Sports and Community Facility Project – Site Visit and Presentation

TABLE OF CONTENTS:

1.	APOLOGIES	4
2.	CONFIRMATION OF MINUTES	4
3.	ANNOUNCEMENTS BY THE CHAIR	4
4.	PECUNIARY INTEREST NOTIFICATION	4
5.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	4
6.	PUBLIC QUESTION TIME (15 MINUTES).....	4
7.	PETITIONS/DEPUTATIONS.....	4
	COMMUNITY	5
8.	ANNOUNCEMENTS BY THE MAYOR.....	6
9.	CHILD CARE CONNECTIONS POLICY AND PROCEDURES REVIEW	10
10.	COUNCIL DECISION TO JOIN THE COALITION OF COMMUNITY ORGANISATIONS CONCERNED ABOUT GAMBLING	14
11.	COMMUNITY PLAN REVIEW PROJECT COMPLETION REPORT	19
	GOVERNANCE	26
12.	CORPORATE PERFORMANCE INDICATORS - SEPTEMBER 2016	27
13.	REVIEW OF COUNCIL COMMITTEES.....	29
14.	ADOPTION OF NEW COUNCIL POLICIES	34
15.	AUDIT PANEL - INDEPENDENT MEMBERS' REMUNERATION AND ELECTION OF NEW ALDERMANIC REPRESENTATIVES	37
16.	PROPOSED AMENDMENT TO MEETING POLICY	40
17.	ADOPTION OF COUNCIL AND COMMITTEE MEETING DATES AND TIMES FOR 2017.....	44
18.	ACTIONS LIST - UPDATE REPORT	46
19.	NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT NOTICE	47

19.1	QUESTION ON NOTICE - ALDERMAN K. JOHNSTON	47
19.2	QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 4	51
19.3	QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 5	52
19.4	QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 6	53
	CLOSED TO MEMBERS OF THE PUBLIC	54
20.	APPLICATIONS FOR LEAVE OF ABSENCE.....	54
	GOVERNANCE	54
21.	UPDATE ON SOUTHERN TASMANIAN COUNCILS AUTHORITY (STCA) REVIEW	54
22.	TASWATER QUARTERLY REGIONAL BRIEFING TO THE OWNERS' REPRESENTATIVES	54
23.	LGAT GENERAL MANAGEMENT COMMITTEE BY-ELECTION	54
24.	ACTIONS LIST - UPDATE REPORT	55
25.	NOTICES OF MOTIONS – QUESTIONS ON NOTICE / WITHOUT NOTICE (CLOSED)	55
25.1.	QUESTION ON NOTICE - ALDERMAN M. STEVENSON	55
25.2.	QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 1	55
25.3.	QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 2	55
25.4.	QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 3	56

1. APOLOGIES

2. CONFIRMATION OF MINUTES

That the minutes of the Council Meeting held on 24 October 2016 be confirmed.
That the minutes of the Special Council Meeting held on 7 November 2016 be confirmed.

3. ANNOUNCEMENTS BY THE CHAIR

4. PECUNIARY INTEREST NOTIFICATION

5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

6. PUBLIC QUESTION TIME (15 MINUTES)

7. PETITIONS/DEPUTATIONS

COMMUNITY

8. ANNOUNCEMENTS BY THE MAYOR

Author: Mayor (Ald. Kristie Johnston)
Qualified Person: General Manager (Peter Brooks)
ECM File Reference: Mayoral Announcements

Community Plan Reference:

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

Strategic or Annual Plan Reference:

Annual Plan Reference *4.2.4.03 Implement the Governance Strategy*.

Reporting Brief:

To receive the announcement of events by the Mayor.

Proposal in Detail:

The following is a list of events the mayor has attended during the period 19 October to 15 November 2016.

Wednesday, 19 October 2016

- Attended the Rose Batt Roadshow Breakfast
- Attended meeting with Cricket Tasmania
- Hosted the Keep Australia Beautiful Award Recipient Thank You Function

Thursday, 20 October 2016

- Participated in the Celebrity Ice-Off Challenge at the Royal Hobart Show
- Participated in the Celebrity Saw-Off at the Royal Hobart Show
- Attended the 2016 BBX Royal Hobart Show Official Luncheon

Saturday, 22 October 2016

- Participated in and spoke at the Welcome to Australia Walk Together Event

Monday, 24 October 2016

- Attended the Blessing and Opening of the 7-10 Bosco Wing at Dominic College
- Hosted the Mayor’s Red Cross Big Cake Bake event
- Chaired the Council Meeting

Tuesday, 25 October 2016

- Hosted the Junior Neighbourhood Support Program Awards for Children’s Week
- Attended the Migrant Resource Centre “Year in Review” event

Wednesday, 26 October 2016

- Attended the Glenorchy Knit and Chat group
- Attended a meeting with a community representative
- Chaired the Wilkinson Point and Elwick Bay Master Plan Steering Committee

Thursday, 27 October 2016

- Attended the Windermere School Association meeting
- Attended the Glenorchy City Council Staff Photo Competition Awards Morning Tea
- Attended the Destination Southern Tasmania Board meeting
- Chaired the Safer Communities Committee meeting
- Attended the Citizens for Glenorchy, Glenorchy Group meeting

Friday, 28 October 2016

- Attended a meeting with a community representative
- Attended a Government House Reception Celebrating the 120 Anniversary of Hobart District Nurses

Sunday, 30 October 2016

- Participated in the Dad's Day Out event

Monday, 31 October 2016

- Attended the Glenorchy Community Fund Board meeting
- Attended the Future Directions of STCA workshop
- Chaired the Glenorchy Planning Authority meeting

Tuesday, 1 November 2016

- Welcomed Syrian refugees to the City
- Attended a meeting with a community representative
- Attended the Former Greater Moonah Precinct meeting

Wednesday, 2 November 2016

- Attended a meeting with Glenorchy Police Inspector Peter Harriss
- Attended a meeting with the University of Tasmania
- Attended a meeting with a resident
- Attended the "Meet and Greet" event with Anthony Albanese MP
- Presided over a Citizenship Ceremony

Thursday, 3 November 2016

- Attended the Mayors' Professional Development Day
- Attended the Mayors' Dinner

Friday, 4 November 2016

- Attended the Local Government Association of Tasmania General Meeting
- Attended the Glenorchy District Football Club Members Update briefing

Sunday, 6 November 2016

- Hosted a Mayor's BBQ for community members

Monday, 7 November 2016

- Attended a meeting with a business representative
- Chaired the Special Council Meeting
- Chaired the Council Workshop

Tuesday, 8 November 2016

- Attended the Guilford Young College Graduation Ceremony

Thursday, 10 November 2016

- Attended the TasWater General Meeting (AGM)
- Attended the Montrose Bay High Dragonfly Creative Arts Festival

Friday, 11 November 2016

- Attended a meeting with a community representative
- Guest speaker at the Tasmanian Leaders Program
- Attended the 2017 Australian of the Year Award for Tasmania presentation

Saturday, 12 November 2016

- Attended the Moonah Primary School Multicultural Feast

Monday, 14 November 2016

- Attended the Southern Tasmanian Councils Authority Future Directions Workshop
- Attended a briefing with Ruth Forrest MLC and SARC
- Chaired the Extra Council Workshop
- Chaired the Glenorchy Planning Authority meeting
- Hosted the Gambling Community Forum

Tuesday, 15 November 2016

- Attended a meeting with the Multicultural Council of Tasmania
- Attended a meeting with a resident
- Attended a meeting with a business representative
- Attended the Moonah and Glenorchy Business Association Special General Meeting and Christmas Event

Numerous internal meetings and administrative duties were also undertaken.

Consultations:

Nil.

Human Resource / Financial and Risk Management Implications:

Nil.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

RECEIVE the announcements about the activities of the Mayor's office for the period 19 October and 15 November 2016.

9. CHILD CARE CONNECTIONS POLICY AND PROCEDURES REVIEW

Author: Manager, Community and Customer Service (David Ronaldson)

Qualified Person: Acting Director, Community, Economic Development and Business (Tony McMullen)

ECM File Reference: Child Care Connections Policy

Community Plan Reference:

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

Strategic or Annual Plan Reference:

Annual Plan References:

- 4.2.4.03 Implement the Governance Strategy.
- 1.2.2.09 Operate Council's Child Care Centres in accordance with the Education and Care Services National Law and Regulations.

Reporting Brief:

The purpose of this report is to seek Council’s adoption of six revised Child Care Connections Policies and Procedures.

Proposal in Detail:

Previous reports to Council on 25 January, 9 May and 4 July 2016 have presented groups of Child Care Connections policies and procedures for adoption as per the Education and Care Service National Law. This is the final group of five groups of policies being reviewed and presented to Council for adoption.

Compliance

As per previous reports on this matter, this Report follows the Aldermanic Workshops 25 May and 12 October 2015 in which Management presented the current and proposed actions with respect to the ongoing Council Policy review to Council.

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

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

Section 4 of the *Education and Care Services National Law (Application) Act 2011* provides for the adoption of the Education and Care Services National Law (**ECSNL**), which is set out in the Schedule 1 to the *Education and Care Services National Law Act 2010* (Vic).

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

The *Education and Care Services National Regulations* (regulation 168) provides that Council must ensure that the child care centres have in place a range of legislated policies and procedures (see [Attachment 1](#)).

Policy Updates

In line with the continuing review of Council policies, Council's Child Care Connections Team headed by the Child Care Delivery Co-ordinator (Kate Whitbread) has reviewed the following Child Care Connections Policies and Procedures:

Policy/Procedure Title	Summary of changes
1. Delivery and Collection of Children Policy	Updated terminology, source information and strategies for educators
2. Immunisation Policy	Updated terminology, source information and cross reference
3. Death of a Child – Serious Incident Policy	Updated terminology and flow chart
4. Payment of Fees – Debtors Policy	Updated terminology and source
5. Fundraising Policy	Updated terminology
6. Sun Protection Policy	Updated terminology

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

- consultation and feedback with key stakeholders, educators, families and Council management
- updated information made in line with current recommendations by recognised child care specific authorities, and
- updated requirements in line with changes to the Act, Regulations and the relevant National Quality Standard.

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

Consultations:

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

Human Resource / Financial and Risk Management Implications:

There are no human resources or financial implications.

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

Furthermore, it is an offence under the Regulations:

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

Risk Identification	Consequence	Probability	Rating	Risk Mitigation Treatment
If recommended Childcare Connection policies and procedures are not adopted, then governance control effectiveness is less optimal	Minor	Almost Certain	Medium	Council adopt recommended policies

Community Consultation and Public Relations Implications:

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

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

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

Recommendation:

That Council:

ADOPT the following revised Child Care Connections Policies and Procedures, as outlined below:

1. Delivery and Collection of Children Policy in the form of Attachment 2
2. Immunisation Policy in the form of Attachment 3
3. Death of a Child – Serious Incident Policy in the form of Attachment 4
4. Payment of Fees – Debtors Policy in the form of Attachment 5
5. Fundraising Policy in the form of Attachment 6, and
6. Sun Protection Policy in the form of Attachment 7

Attachments/Annexures

- 1** Education & Care Services National Regulations Extract
- 2** Delivery and Collection of Children Policy
- 3** Immunisation Policy
- 4** Death of a Child - Serious Incident Policy
- 5** Payment of Fees - Debtors Policy
- 6** Fundraising Policy
- 7** Sun Protection Policy

10. COUNCIL DECISION TO JOIN THE COALITION OF COMMUNITY ORGANISATIONS CONCERNED ABOUT GAMBLING

Author: Manager, Community and Customer Service (David Ronaldson)

Qualified Person: Acting Director, Community, Economic Development and Business (Tony McMullen)

ECM File Reference: Gambling

Community Plan Reference:

Our Communities Goals

Making Lives Better

Our social, recreational and cultural facilities, events and experiences will attract and retain people in Glenorchy to share our wonderful way of life.

Open for Business

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

Strategic or Annual Plan Reference:

Annual Plan References

Making Lives Better

- 1.1 Know our communities and what they value.
- 1.2 Facilitate and / or deliver services to our community.

Open For Business

- 2.1 Stimulate a prosperous economy.
- 2.2 Identify and support priority growth sectors.

Reporting Brief:

The purpose of this report is to provide:

- (a) a report to Council detailing Council's commitments and responsibilities on joining the Coalition of Community Organisations Concerned About Gambling, in accordance with the request made at Council's meeting on 24 October 2016, and
- (b) information about the recently introduced *Gaming Control Amendment (Community Interest) Bill 2016* which is currently before State Parliament.

Proposal in Detail:**Membership of CCOCAG**Background

At its meeting on 4 July 2016, Council received a report outlining presentations that had been made to Council from the Coalition of Community Organisations Concerned About Gambling (**CCOCAG**) and the Tasmanian Hospitality Association (**THA**) (Attachment 1).

Both presentations were made after the State Government had foreshadowed that there would be a parliamentary inquiry into the future of Electronic Gaming Machines (**EGMs**) in Tasmania. The presentations requested Council that Council take a position on the matter.

The report to Council included reports from the Australian Productivity Commission (2010) and the Social and Economic Impact Study of Gambling in Tasmania (2011) regarding the matter.

The report also outlined the positions of the THA and the CCOCAG and contained a number of attachments containing relevant information, which are also attached to this Report (as follows) for ease of reference:

- Letter to Aldermen from Chris Jones on behalf of the CCOCAG (Attachment 2)
- Letter to General Manager from Steve Old, General Manager Tasmanian Hospitality Association (Attachment 3)
- 2015 – 16 Glenorchy Gambling Venues (Attachment 4)
- 2015 – 16 Monthly EGM player expenditure by municipality (Attachment 5), and
- THA forecast of employment impact if EGMs are removed completely (Attachment 6).

At the 4 July Council meeting, Council made the following resolutions:

1. To agree to join the CCOCAG.
2. To authorise the General Manager to provide a submission on Council's behalf to the State Government expressing its concern over the high number of EGMs in Glenorchy's Clubs and Hotels and the consequent impact on the Glenorchy community. The submission also strongly urge, that if the State Government choose to make change to the industry, transitional arrangements be put in place to manage any potential impact on the industry and employment (Attachment 7).

Responsibilities, Obligations and Work Undertaken

In joining the CCOCAG Council aligned its support to the clearly stated aim of the CCOCAG: 'to get pokies out of pubs and clubs'.

Since the resolution to join the CCOCAG was made, Council officers have been working to prepare a submission to the State Government consistent with the aim of the CCOCAG. The submission will be based on the facts as presented to Council in the July report and comments taken from the Glenorchy community on the matter.

To gather this information, Council officers undertook a survey of the members of the Glenorchy Community Matters Panel, and also held a public forum. A copy of the survey has also been made available on Council's website and has been promoted in the Glenorchy Gazette. The information provided in both the survey and at the public forum is factual and allows participants to make comment on both sides of the debate about EGMs.

Comments received through the survey and the forum will be included in the final submission being prepared by the General Manager.

Proposed *Gaming Control Amendment (Community Interest) Bill 2016*

Since the 4 July 2016 Council meeting the State Government has introduced the *Gaming Control Amendment (Community Interest) Bill 2016 (Bill)* which proposes a number of amendments to the *Gaming Control Act 1993*.

The introduction of the Bill was foreshadowed on 17 March 2016 when Treasurer Peter Gutwein delivered a Ministerial Statement to the House of Assembly which announced the Government's policy position on gambling reform in Tasmania.

Amongst the Government's proposed reforms was the introduction of a public interest test to become part of the licensing process for all EGMs in Tasmania.

At the time the reforms were announced, it was widely understood (including by Council and other community groups), that once introduced into legislation, the public interest test would be apply retrospectively to any existing applications for new EGM's (i.e. it was understood that any licence applications lodged after 17 March 2016 would be subject to the public interest test). This was particularly relevant to Glenorchy given the applications submitted by the owners of the Paddy Wagon Irish Pub in Glenorchy and the Moonah Hotel in Moonah, which have each since made applications for an additional 20 EGMs, which would be subject to the test if it applied retrospectively.

On 27 October 2016, the Government (through Treasurer Gutwein) introduced the Bill to State Parliament. The Bill (if enacted) will amend the *Gaming Control Act 1993* to, among other things, introduce the proposed public interest test. Importantly, however, the Bill provides that the public interest test will only apply to applications lodged from the date of proclamation of the Act created by the Bill. It will not apply retrospectively.

The effect of this is that the applications in respect of Paddy Wagon and the Moonah Hotel will not, if the Bill is passed in its current form, be subject to the public interest test.

Consultations:

The following internal Council Departments / Sections have been consulted in the preparation of this report:

- Community Development
- Community Participation and Inclusion
- Corporate Governance

Human Resource / Financial and Risk Management Implications:

At this time there are no financial implications for this report.

As outlined above in the actions officers are undertaking for the preparation of the submission to State Government there is a large amount of time in the consultation process and preparation of the submission.

Community Consultation and Public Relations Implications:

As outlined in the July 2016 report on this matter, Council need to be aware sections of the community could see the position taken as positive or negative to their specific interests.

The Glenorchy community are being consulted as outlined above, via a survey available via the website and through a public forum.

Recommendation:

That Council:

RECEIVE and NOTE the contents of this report, to inform Council as to:

- (i) Council's commitments and responsibilities as a result joining the Coalition of Community Organisations Concerned About Gambling and the work being undertaken by officers, and
- (ii) the introduction of the *Gaming Control Amendment (Community Interest) Bill 2016* to State Parliament.

Attachments/Annexures

- 1** Glenorchy City Council Meeting Report - Monday 4th July, 2016 - Request to Join Coalition of Community Organisations Concerned About Gambling
- 2** Letter to Aldermen from Chris Jones on behalf of the Coalition of Community Organisations Concerned About Gambling
- 3** Letter to General Manager from Steve Old, General Manager, Tasmanian Hospitality Association (THA)
- 4** 2015-16 Glenorchy Gambling Venues
- 5** 2015-16 Monthly EGM Player Expenditure by Municipality
- 6** THA Forecast of Employment Impact if EGMs Removed Completely
- 7** Glenorchy City Council Meeting - Monday 4th July 2016 - resolution from Council Report # 9. "Request to Join Coalition of Community Organisations Concerned About Gambling"

11. COMMUNITY PLAN REVIEW PROJECT COMPLETION REPORT

Author: Acting Director, Community, Economic Development and Business (Tony McMullen)

Qualified Person: General Manager (Peter Brooks)

ECM File Reference: Community Plan Review

Community Plan Reference:

Glenorchy City Council Community Plan 2015-2040

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

Strategic or Annual Plan Reference:

Glenorchy City Council Annual Plan 2016/17 to 2019/20

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

Reporting Brief:

To provide Council with a project completion report on the Community Plan Review project and to seek Council's decision on the oversight, review and performance measures for the Community Plan and the winding up of the Community Plan Review Steering Committee.

Proposal in Detail:

Background

The *City of Glenorchy Community Plan 2015-2040* was adopted by Council on 19 January 2015 and is now in force as Council's pinnacle strategic planning document.

Council formally started the Community Plan Review project on 29 July 2013. There had been a Council workshop in the year before to agree the principles for the planning of the project.

The aims of the Glenorchy Community Plan Review Project were to prepare a new Glenorchy Community Plan that:

- (a) provides an overarching "vision" for Glenorchy
- (b) captures and expresses community aspirations and concerns
- (c) directs Council's strategy
- (d) assists whole of government advocacy
- (e) has a longer term focus of 25 years, and

- (f) is grounded on an evidence-based understanding of the issues facing Glenorchy.

The project has been completed. The key project dates were as follows:

Action	Date
Project initiation	29 July 2013
Appointment to Steering Committee	26 August 2013
Engage consultant	December 2013
Blank sheet consultation	Mar-May 2014
Draft Community Plan	1 Sep 2014
Validation consultation	September 2014
Adoption	19 Jan 2015
Public launch	8 May 2015
Launch to all staff	July – Aug 2015

Project Summary and Outcomes

The project was successful.

The *City of Glenorchy Community Plan 2015-2040* was adopted by Council on 19 January 2015.

The community engagement processes for the project involved some 69 different events or activities, generating feedback from some 2000 participants and some 7,500 ideas.

The validation consultation phase resulted in expressed support for our community's vision, goals and priorities being at 83%, 85% and 79% respectively.

The project trialled engagement approaches and techniques new to Council. These will form an important input to the development of a community engagement framework. This project is already underway.

The Community Plan was launched to the community and to all Council staff.

The Council's proposed Strategic Plan 2016 - 2025, which is currently out for community comment, was based on the vision, goals and priorities that the community provided through the Community Plan.

The Community Plan won the Planning Institute of Australia (Tasmania Division) Award for Planning Excellence in the community planning category in 2015.

Key Lessons

The Community Plan taught us a number of lessons:

- We learned that people in the Glenorchy community appreciate being asked about the things that matter to them.
- We learned the value of “going that extra mile” to hear the views of “hard to reach” communities.
- It highlighted the importance of good project planning.
- The two phase consultation approach, though more resource and time intensive was important to the level of confidence in the process and outcome.
- The need to make realistic allowance for the procurement process in project timelines.
- The need for progress payments to be pegged to project milestones rather than timelines in the contract was identified, notwithstanding the consultant acted honourably in this regard.
- The benefit of a simple approach to consultation, backed by rigour in process design and ensuring the representativeness of feedback.
- The importance of Plain English communication and simplicity of document presentation.
- The importance of project planning to take into account project timing relative to the political cycle. (Some project timing slippages resulted in the need to delay finalisation of the project to accommodate the 2014 local government elections).
- The need to make greater provision for a launch process as part of the project timelines and budgets.
- The power of genuine collaboration between Council and the consultant. This was truly a joint exercise.
- The high level of commitment and capability of our Council officers, particularly in Community Development, to connect with our community.

Steering Committee

In the report to Council to initiate the Community Plan Review project on 29 July 2013, the proposed composition of the Committee was the Mayor, two (2) Aldermen, the General Manager and the Project Owner.

At the August 2013 meeting of Council, Council increased the number of Aldermen on the Committee, in addition to Mayor Slade, to three (3) and Aldermen Branch-Allen, Lucas and Pearce were elected to it.

In December 2014, a new Committee was elected by Council comprising Aldermen Pearce (Chair), Alderman Slade and Alderman Lucas.

The terms of reference in the Council report initiating the project were:

- Appoint a project spokesperson for the Steering Committee
- Finalise the Project Plan for the Project
- Develop terms of reference for the Project Reference Group
- Develop the consultancy brief
- Select the consultant
- Manage and approve all external and internal communication in relation to the project; including the community engagement plan
- Participate in specific community engagements conducted throughout the project, and
- Monitor progress of the project in relation to project milestones.

It is quite clear from the proposed terms of reference that the Committee's role was for the duration of the project, not the life of the Community Plan.

The Steering Committee, at its meeting on 19 September 2016, resolved to put a report to Council to the effect that the Steering Committee had completed its role and ought to be wound up (refer to [Attachment 1](#)).

Unfinished Business

In order to put the Community Plan into effect, we need to think about the following things:

Element	Comment	Status
Strategic Planning	The need to operationalise the Community Plan through Council's strategic planning processes.	Council's proposed Strategic Plan 2016-2025 has been firmly based on the Community Plan. Council's current Annual Plan 2016/17 – 2019/20 is, in turn, based on the proposed Strategic Plan. Thus, the Community Plan has guided Council's strategic and operational planning processes.
Community engagement	The opportunity to learn from the extensive community engagement process undertaken as part of the review.	A Community Engagement Framework project is underway.

Element	Comment	Status
Community Plan oversight	The implementation of the Community Plan requires oversight.	There would be benefit in Council formally deciding whether it wishes to be the oversight body for the Community Plan or whether it wishes some other body to have that role. The weight of Council's informal view expressed in a Council workshop before the project was initiated was that Council ought to be the oversight body for the Plan rather than a body like the former "Team Glenorchy". Another option is to reconstitute a Committee of Council to oversee the Plan. Given the fundamental importance of the Community Plan it is recommended that Council have oversight of the Plan.
Steering Committee	It is considered that the Steering Committee's terms of reference (as detailed above) have been fulfilled.	The Steering Committee met on 19 September 2016 and resolved that the Steering Committee had fulfilled its terms of reference and to recommend the Steering Committee's winding up by Council.

Element	Comment	Status
Review cycle for the Plan	The Community Plan has a 25 year life. To retain the currency of the Plan, a review cycle is recommended. A review cycle would ideally synchronise with the electoral cycle and the strategic plan review cycle (at least 4 yearly required under the Local Government Act). The review cycle should also take into account the resources required to conduct a review.	The Steering Committee met on 19 September 2016 and resolved to recommend a review cycle for the Community Plan of 5 years.
Measuring the success of the Plan	The Community Plan contains a “How Will We Know” section on p. 22 which specifies some desired outcomes from the Plan. It would be desirable for a measurement system to have the following characteristics: • High level measures • Concise set • Linked to community goals • Long term focus • Assist in guiding resource allocation • Sphere of influence is not totally within the scope of Council's operations	The proposed Strategic Plan contains a concise set of strategic performance measures. These are intended to track progress against the key community goals. (refer to Attachment 2) The Steering Committee met on 19 September 2016 and resolved to recommend that these are a suitable means of monitoring Community Plan implementation.

Consultations:

Community Plan Review Steering Committee

Human Resource / Financial and Risk Management Implications:

A review cycle of 5 years (if involving a review of similar scale to the current project) would incur an estimated quinquennial expenditure of \$75,000 in today's terms and an estimated project timespan of approximately 18 months.

Community Consultation and Public Relations Implications:

There is no community consultation proposed in relation to this project completion report.

The proposed Glenorchy City Council Strategic Plan 2016 - 2025, which is founded on the City of Glenorchy Community Plan 2015 - 2040, is currently on public exhibition until 25 November 2016.

Recommendation:

That Council:

- (a) NOTE this Project Completion Report on the Community Plan Review project
- (b) CONFIRM that it is the oversight body for the City of Glenorchy Community Plan 2015-2040
- (c) SET a review cycle for the Community Plan of 5 years, as recommended by the Community Plan Review Steering Committee
- (d) ACKNOWLEDGE the strategic performances measures in the proposed Strategic Plan 2016-17 as a suitable basis to monitor the ongoing status of the Glenorchy community, and
- (e) WIND UP the Community Plan Review Steering Committee.

Attachments/Annexures

- 1 Minutes Community Plan Review Steering Committee 19/9/2016
- 2 Strategic performance measures from proposed Strategic Plan 2016-2025

GOVERNANCE

12. CORPORATE PERFORMANCE INDICATORS - SEPTEMBER 2016

Author: Reporting Officer (Len Newton)
Qualified Person: Acting Director, Community Economic Development and Business (Tony McMullen)
ECM File Reference: Traffic Lights

Community Plan Reference:

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

Strategic or Annual Plan Reference:

The Corporate Performance Indicators are provided to Council in accordance with the following strategies:

- 4.1.2 Ensure Council is open and transparent in its communication and dealings with our communities; and
- 4.2.1 Deploy the Council's resources in a way that maximises the effectiveness of the organisation and delivers value for money.

Reporting Brief:

To present the Corporate Performance Indicators as at the end of September 2016 for Aldermen's information.

Proposal in Detail:

The Corporate Performance Indicators are attached ([Attachment 1](#)) along with Appendix B ([Attachment 2](#)). Appendix B outlines expected year-to-date variances within the various Capital Works programs for this financial year.

Please note the Indicators include the 2015/2016 Budget Carry Forwards as approved at the September 2016 Council Meeting.

For September 2016 we have one red light and three yellow lights, with the remainder being green lights.

Red light

Lost Time Injury Frequency Rate (LTIFR): Month (MTD) 0.00 LTIFR for September (page 29). There were two LTI's for September and the rolling 12 month LTIFR is 23.20. This is slightly up on the August result (18.17) but significantly lower than for the same time last year which was 49.38. Safety remains a priority for the organisation and all incidents are reviewed to ensure policies and practices are refined to avoid future incidents.

Yellow lights

Capital Expenditure Stormwater (page 19): The capital program for 2016/17 started slowly and remains well under budget. Forecasts suggest that the program will be completed for the full year. For that to eventuate, spending will need to increase.

Capital Expenditure Other (page 19): The capital program for 2016/17 started slowly and remains well under budget. Forecasts suggest that the program will be completed for the full year. For that to eventuate, spending will need to increase.

Accounts Receivable (page 22): Overdue debtors are above target due primarily to Derwent Park Reuse Scheme Contractor \$1,597k.

Consultations:

Capital and Operational Expenditure Program Leaders
Relevant Staff

Human Resource / Financial and Risk Management Implications:

As outlined in the Corporate Performance Indicators reports.

Community Consultation and Public Relations Implications:

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

Recommendation:

That Council:

ACCEPT the information provided by the Corporate Performance Indicators for September 2016.

Attachments/Annexures

- 1 Attachment 1 - Corporate Indicators - September 2016
- 2 Attachment 2 - Appendix B - September 2016

13. REVIEW OF COUNCIL COMMITTEES

Author: Senior Internal Compliance Advisor (Bryn Hannan)

Qualified Person: Director, Corporate Governance and General Counsel (Seva Iskandarli)

ECM File Reference: Council Policies

Community Plan Reference:

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

Strategic or Annual Plan Reference:

Annual Plan Reference 4.2.4.03 *Implement the Governance Strategy.*

Reporting Brief:

The purpose of this report is to begin the process of reviewing and updating Council’s committees program by recommending that Council adopts a new Committees Policy and Committees Procedure to:

- (a) define the various types of committees established by Council
- (b) establish standard requirements for each type of committee
- (c) provide an effective reporting system for committees, and
- (d) centralise the administration of committees within Council by providing for a Committees Register and a single point of contact within Council.

Proposal in Detail:

This report follows the Aldermanic Workshop held on 7 November 2016.

To obtain the maximum benefit from its committees, Council must be properly informed of the purpose, constitution and activities of any committee under its direction. This is particularly important where committee has been allocated funds from Council’s budget.

This report represents the first stage in the committees review. It provides for the following:

1. For Council to adopt a new Committees Policy and Committees Procedure which will govern the ongoing administration of committees. The new Policy and Procedure will enable Council to make informed decisions about the operation of its committee structure and the relative merits of each committee, and
2. for Council to receive reports on the recent activities and future plans of each committee.

New Committees Policy and Committees Procedure

A key pillar of Council's governance of committees, both during and following the review, will be the implementation of a new policy to provide direction and guidance on the committees structure.

Committees Policy

Attachment 1 to this report is a draft 'Committees Policy' (**Policy**) for review by Council.

The Policy will be the governing document that sets out the framework for the management of committees and other bodies established by Council. It does this by:

- (a) defining the various types of committees established by Council
- (b) establishing standard requirements for each type of committee, including the use of a template 'Committee Detail Sheet' for adoption by each committee to provide consistency and direction
- (c) providing for:
 - (i) a regular reporting system so that Council is properly informed as to the recent and ongoing activities of the committee, and
 - (ii) the centralisation of the administration of committees within Council by providing for a Council to develop and maintain a Committees Register and providing a single point of contact within Council.

The Policy provides high level direction about Council's committees structure and how it will operate.

Committees Procedure

Attachment 2 to this report is a 'Committees Procedure' (**Procedure**).

The Procedure complements the Policy by setting out the particular rules, regulations and procedures that apply to the matters set out in the Policy.

Objects of Policy and Procedure

Read together, the Policy and Procedure provide direction about the structure and procedures for the administration of Council's committees.

They clarify how each type of committee is to be formed and abolished, and require that Special Committees and 'Council Bodies' (steering committees, working groups etc. that are not provided for in the *Local Government Act 1993*) report back to Council every six months using a standard template.

The Policy contemplates that an officers' report will be provided to Council every six months providing a summary of the activities of Special Committees and Council Bodies, as well as providing recommendations about the advice about particular matters related to each committee (for example, that a particular committee be abolished or have its terms of reference amended).

The Policy also requires that each committee has a 'Responsible Officer' (an employee of Council) who is responsible for regularly reporting the activities and any changes to the committee to a new 'Committees Officer' within Council.

The Committees Officer will be an additional duty taken up by an existing Council employee (i.e. there will be no additional wage cost incurred). The Committees Officer will be responsible for the development and maintenance of the new Committees Register and will be the central point of contact to which all information can be sent and inquiries about the administration of committees can be directed. The Committees Officer will also be responsible for ensuring that proper records will be kept, and that minutes and other committee records are provided in a timely manner and as required under the Policy.

The precise responsibilities of the Committees Officer are detailed in the Procedure.

Additionally, the Policy provides for all documents to be stored in a central location in Council's document management system (currently ECM). Documents relating to committees are currently stored in multiple locations and are administered by whichever department is responsible for the committee.

A central file location in ECM has already been established.

Existing Committees Procedures

To assist Council in its consideration of this matter, an extract of the current procedures relating to committees (contained in Council's current Committees Manual) is included with this report as Attachment 6.

Transitional period for Policy and Procedure

The Policy requires that all 'Committee Detail Sheets' (the documents which set out the critical information about the each committee) are prepared for each committee in a standard format.

In order to facilitate this, and any other actions required by the policy, the Procedure provides for a six-month 'transitional period' during which committees will review their procedures and documentation to ensure compliance with the policy, and adopt new Committee Detail Sheets.

The Policy and Procedure will otherwise be effective from the date that Council adopts them (should Council adopt the recommendations in this report).

Committee Status Report

In order for Council to make a proper assessment of value it is obtaining from each committee, it is necessary for Council to receive a report on the current activities of each committee. Obtaining this information will serve a dual purpose:

1. to provide a detailed summary of the activities of each committee that will inform Council on what the committee has been doing and what it intends to do, as well as other information such as the number of meetings held; and

2. to effectively double as an 'audit' of the current committee structure and provide the information required to build the Committees Register contemplated in the Committees Policy (discussed below).

The above information will be presented to Council as part of the six-monthly report required under clause 4 of the Policy and clause 2.4, 3.3 and 4.1 of the Procedure.

The General Manager will advise the committees as to the date by which their initial reports under the Policy and Procedure are due (which is likely to be in the first quarter of 2017).

Standard Templates

The following draft templates for documents contemplated under the Policy and Procedure have been prepared:

- Attachment 3 is a draft template Committee Detail Sheet for Council Committees, Special Committees Council Bodies
- Attachment 4 is a draft template Committee Detail Sheet for External Bodies, and
- Attachment 5 is a draft template 'Report to Council' It is likely that a similar form of report will be required for the Committee Status Reports to be presented

The General Manager will approve the final versions of the templates and will circulate them to committees.

Consultations:

The Executive Leadership Team and their respective departmental managers were consulted and provided input into the Policy and Procedure.

An Aldermanic workshop was held on 7 November 2016 to inform Aldermen.

Human Resource / Financial and Risk Management Implications:

Risk Identification	Consequence	Probability	Rating	Risk Mitigation Treatment
If the proposed new Committees Policy is not adopted, the current process for managing committees will be retained which will lead to less oversight and information about how committees are run and poorer outcomes from the committees process than could be achieved if managed properly	Medium	Almost Certain	Medium	Council adopted the new 'Committees Policy' and 'Committees Procedure'.
If the committees structure is not reviewed and up-to-date information provided about each committee, there will be less value for Council in the committees process and governance control effectiveness will be less optimal	Minor	Almost Certain	Medium	Council adopts the recommendations in this report to require each committee to provide a report on their recent activities and future direction before the next meeting of Council.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

- (a) ADOPT the 'Committees Policy', in the form of Attachment 1, and
- (b) ADOPT the 'Committees Procedure' in the form of Attachment 2.

Attachments/Annexures

- 1** Committees Policy
- 2** Committees Procedure
- 3** Committee Detail Sheet template - Committee
- 4** Committee Detail Sheet template - External Body
- 5** Committee Report Template
- 6** Committees Procedure (from Committees Manual)

14. ADOPTION OF NEW COUNCIL POLICIES

Author: Senior Internal Compliance Advisor (Bryn Hannan)
Qualified Person: Director, Corporate Governance and General Counsel (Seva Iskandarli)
ECM File Reference: Council Policy

Community Plan Reference:

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

Strategic or Annual Plan Reference:

Annual Plan Reference 4.2.4.03 *Implement the Governance Strategy*.

Reporting Brief:

The purpose of this report is to recommend that Council adopts the following Council policies:

- (a) Notification to purchasers: Contaminated land in Lutana, and
- (b) Footpaths,

and rescinds the existing Council policies which the above policies will supersede.

Proposal in Detail:

This Report follows the Aldermanic Workshops on 25 May and 12 October 2015 in which management presented current and proposed actions with respect to the ongoing Council Policy review to Council.

The following policies have been reviewed and recommendations made as follows:

Notification to purchasers: Contaminated land in Lutana

It is recommended that Council adopts a new policy to be called ‘Notification to purchasers: Contaminated land in Lutana’ (Attachment 1).

The policy (if adopted) will supersede Council’s existing policy no. 10-4 *Potential Land Purchases Lutana Area*, which is recommended for rescission (Attachment 2).

The new policy provides for Council to alert to prospective purchasers of land in the Lutana area to potentially contaminated soil as a result dust containing heavy metals blowing from stockpiles at the Zinc Works.

It gives effect to a recommendation of a Steering Committee formed by the State Government in 2008 that local Councils place an advisory message on Council land information certificates issued under section 337 of the *Local Government Act 1993* in respect of the affected properties alerting purchasers to the potential contamination. The General Manager has an obligation under section 337 to include such information on a land information certificate.

The new policy will have the same effect as the existing policy, however contains the following amendments:

- (a) changes have been made to format, expression, style and grammar for consistency with Council's other revised policies, and
- (b) a requirement that advice about the land contamination be included on Planning Permits issued by Council has been removed on the basis that the Glenorchy Interim Planning Scheme 2015 does not impose any specific notification requirements in respect of contaminated land.

Footpaths Policy

It is recommended that Council adopts a new 'Footpaths Policy' (Attachment 5). The revised policy (if adopted) will supersede Council's existing policies no. *11-5 Footpath Policy* (Attachment 4) and *20-4 Footpath Construction in New Subdivisions* policy (Attachment 5), both of which are recommended for rescission.

The new policy sets out the standards that will apply to any provision and construction of footpaths in the Glenorchy area. It will also introduce the following requirements which reflect current construction standards and community expectations:

- that all footpaths are constructed from concrete rather than asphalt (subject to limited exceptions)
- that any new roads within urban subdivisions areas have concrete footpaths constructed on both sides of the road and around cul-de-sac heads, and
- that road reservations in rural and rural residential areas must provide space for a footpath to be constructed on at least one side of the road in the future.

The new policy also simplifies the existing requirements resulting in a more concise and user-friendly document.

Consultations:

The Executive Leadership Team and their respective departmental managers were consulted and provided input into the above policies.

Human Resource / Financial and Risk Management Implications:

Risk Identification	Consequence	Probability	Rating	Risk Mitigation Treatment
If the identified policies are not adopted as recommended, governance control effectiveness is less optimal.	Minor	Almost Certain	Medium	Council adopts the updated 'Notification to purchasers of potentially contaminated land (Lutana Area)' policy and 'Footpaths' policy.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

- (a) ADOPT the 'Notification to purchasers: Contaminated land in Lutana' policy in the form of Attachment 1
- (b) RESCIND policy no. 10-4 (Potential Land Purchases Lutana Area)
- (c) ADOPT the 'Footpaths Policy' in the form of Attachment 5, and
- (d) RESCIND policies no. 11-5 (Footpath Policy) and 20-4 (Footpath Construction in New Subdivisions).

Attachments/Annexures

- 1** Notification to purchasers: Contaminated land in Lutana
- 2** Existing Policy - Potential Purchases of Land in Lutana Area
- 3** Footpaths Policy
- 4** Existing Footpath Policy
- 5** Existing Footpath Construction in New Subdivisions Policy

15. AUDIT PANEL - INDEPENDENT MEMBERS' REMUNERATION AND ELECTION OF NEW ALDERMANIC REPRESENTATIVES

Author: Manager, Governance and Risk (Simon Scott)
Qualified Person: Director, Corporate Governance and General Counsel (Seva Iskandarli)
ECM File Reference: Audit Panel

Community Plan Reference:

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

Strategic or Annual Plan Reference:

Objective 4.1: Govern in the best interests of the community
Strategy 4.1.1: Manage Council for maximum efficiency, accountability and transparency.

Reporting Brief:

The purpose of this Report is to brief Council about the current and proposed annual fees to be paid to the independent members of the Audit Panel and the appointment requirement of Aldermen and their proxies to the Audit Panel.

Proposal in Detail:

Independent Audit Panel Member Remuneration

Under Part 9, Clause 9.3 of the adopted Audit Panel Charter (**Charter**):

A member of the Audit Panel who is an independent person is entitled to be paid the remuneration and allowances as determined by Council.

Council resolved at its 13 October 2014 meeting the following:

To comply with the requirements of the Local Government Act 1993 (Tas) ('the Act') and the Local Government (Audit Panels) Order 2014 ('the Order') Council resolves:

- 1. that each of the three independent members of the Audit Panel shall be paid an annual fee of \$4,400 (exclusive of GST) paid quarterly by invoice submitted by the member;*
- 2. that the Chairperson of the Audit Panel shall be paid an additional annual fee of \$5,000 (exclusive of GST) paid quarterly by invoice submitted by the Chairperson.*

At present in line with Council's resolution of 24 October 2016, Council is in the process of advertising for public expressions of interest for the three independent members (including the Chair) of the Audit Panel.

As a result it is timely for Council to consider whether it is appropriate to increase the current remuneration arrangements for the independent members. Based on the publicly available information, the following table highlights some of the other local Councils remuneration practices in this area:

Council	Member	Chair	Comment
Kingborough	\$500 per session	Additional \$2,000 per annum	Fees increase in line with CPI (Hobart March Quarter Annual Figure) on 1 July each year
Burnie	\$400 per session	Additional \$2,000 per annum	Fees increase in line with CPI (Hobart March Quarter Annual Figure) on 1 July each year
Hobart			Paid the remuneration and allowances as determined by Council (confidential)
Launceston			Paid the remuneration and allowances as determined by Council (confidential)

Taking into account CPI over the past two years, it is recommended that:

- each of the three independent members of the Audit Panel shall be paid an annual fee of \$4,520 (exclusive of GST) paid quarterly by invoice submitted by the member, and
- that the Chairperson of the Audit Panel shall be paid an additional annual fee of \$5,140 (exclusive of GST) paid quarterly by invoice submitted by the Chairperson.

(Note: The above have been calculated using the Consumer Price Index Inflation Calculator as supplied by the Australian Bureau of Statistics for the quarterly period between September 2014 and September 2016 rolled up to the nearest \$10 - <http://www.abs.gov.au/websitedbs/d3310114.nsf/home/consumer+price+index+inflation+calculator>).

Appointment of Aldermen to Audit Panel

Under Part 7 of the Charter, Clauses 7.3, 7.4 and 7.8 state respectively:

A person who is an employee or the General Manager or Mayor of Council is not entitled to be a member of the Audit Panel of Council.

Council is to seek expressions of interest for the appointment of Aldermanic members of the Audit Panel through a secret ballot process.

Council is to appoint two (2) Aldermanic proxies through a secret ballot process that are to be called upon when the elected Aldermanic members are unavailable to attend the Audit Panel meeting(s).

Council resolved at its 24 October 2016 meeting the following:

CALLS for the expressions of interest among the Aldermen in order to appoint 2 Aldermen as standing members and 2 Aldermen as proxy members of the Audit Panel ...

Aldermen wishing to be considered for Council's Audit Panel were requested to submit their expressions of interest by close of business Friday, 18 November 2016 (this was by way of invitation through the General Manager email correspondence on Sunday, 13 November 2016). If more than two (2) nominations are received for either standing or proxy Aldermanic members for the Audit Panel a secret ballot will be required at the 21 November 2016 Council Meeting.

Consultations:

General Manager
Director, Corporate Governance and General Counsel

Human Resource / Financial and Risk Management Implications:

There is no material human resource or risk management implication.

It is estimated that an increase in the independent member's remuneration budget will be a nominal increase of \$500 per year based on the recommended increase.

Community Consultation and Public Relations Implications:

Nil

Recommendation:

That Council:

- (a) ADOPT that each of the three independent members of the Audit Panel shall be paid an annual fee of \$4,520 (exclusive of GST) paid quarterly by invoice submitted by the member
- (b) ADOPT that the Chairperson of the Audit Panel shall be paid an additional annual fee of \$5,140 (exclusive of GST) paid quarterly by invoice submitted by the Chairperson
- (c) APPOINT two (2) Aldermen as standing members of the Audit Panel by conducting a secret ballot process of the expressions of interest which were received by the General Manager on close of business Friday, 18 November 2016, and
- (d) APPOINT two (2) Aldermen as proxy members of the Audit Panel by conducting a secret ballot process of the expressions of interest which were received by the General Manager on close of business Friday, 18 November 2016.

Item laid on the table form 24 October 2016 Council Meeting.

16. PROPOSED AMENDMENT TO MEETING POLICY

Author: Director, Corporate Governance and General Counsel (Seva Iskandarli)

Qualified Person: General Manager (Peter Brooks)

ECM File Reference: Meeting Policy

Community Plan Reference:

This item discusses a corporate management/governance issue. Since the Community Plan is outwardly focussed, there is no applicable reference to this matter.

Strategic or Annual Plan Reference:

The strategic and annual plans are based upon the Community Plan which is outwardly focussed. Since this item discusses a management/governance issue there is no applicable reference to this matter.

Reporting Brief:

The purpose of this Report is to recommend that Council makes amendments to Council's Meeting Policy under Regulation 37(1) of the *Local Government (Meeting Procedures) Regulations 2015 (Regulations)* to specify a clear process to be applied to procedures relating to questions without notice and questions on notice received from Aldermen under Regulation 29 and Regulation 30 of the Regulations.

Proposal in Detail:

Regulation 29 of the Regulations applies to questions without notice put by an Alderman at a meeting. This Regulation specifies the requirements that the Chairperson and an Alderman must comply with at the meeting in relation to the question without notice. It can be stated that Regulation 29 gives guidance to the Chairperson and Council in terms of the process to be applied at the meeting on questions without notice.

However, in relation to questions on notice Regulation 30 states the following:

1) *A councillor, at least 7 days before an ordinary council meeting or a council committee meeting, may give written notice to the general manager of a question in respect of which the councillor seeks an answer at that meeting.*

(2) *An answer to a question on notice must be in writing.*

Regulation 30 does not have the similar "guidance" that Regulation 29 has.

Council at its meetings receives questions with and without notice under Regulation 29 and Regulation 30. As specified under Regulation 30 an Alderman who has given a written notice of the question to the General Manager at least 7 days before the ordinary council meeting seeks an answer to his or her question at that meeting.

Regulation 30(1) does not require the answer to the question to be published with the Agenda but it states that an Alderman seeks an answer to his or her question at that meeting and that answer to the Alderman's question must be in writing. However, from the good governance point of view it would be advisable that an answer to any question on notice be published with the Agenda rather than being tabled at the Council Meeting.

In recent Council Meetings since February 2016, Council has witnessed numerous questions on notice under Regulation 30 from Aldermen. In some instances those questions are being repetitive and too operational in nature. Under Regulation 30 those questions were sent to the General Manager 7 days before the Council Meeting, namely on Sunday evenings a week before the Council Meetings.

Under Regulations 8 and 9 the General Manager must prepare the Agenda and any associated reports and documents at least 4 days before the Council Meeting. In compliance with Regulations 8 and 9 the General Manager prepares these documents and publishes them on Wednesday, 4 days before Council Meetings on Monday. Accordingly, the Management have only 2 days, Monday and Tuesday, to prepare the answers to the questions on notice.

The number of questions on notice require many hours in order to make background research and gather the required information to provide answers to the questions. In most circumstances the Management and the relevant staff members reschedule their other prearranged commitments, such as meetings with external parties, answering community members' requests, dealing with the priority matters under Council's strategies and projects and meeting with community members so the Management and the relevant staff members can be able to respond to these questions on notice.

From the good governance and good time management points of view, and serving our community, it is recommended that, in order to avoid the above stated issues, Council's Meeting Policy be amended and includes the following clause:

1) Questions on Notice

- (a) An Alderman, at least 11 days before an ordinary council meeting or a council committee meeting, may give a written notice to the General Manager of a question in respect of which the Alderman seeks an answer at that meeting.*
- (b) A period referred to in sub- clause (a) includes Saturdays, Sundays and statutory holidays, but does not include the day on which the agenda and any associated reports and documents are provided to the Aldermen and public, and the day of the ordinary meeting.*

Explanatory Note: 11 days in subclause (a) apply to one week before the Agenda is published which is Wednesdays, 4 days before the Council Meetings, and the additional 7 days are to allow the preparation of the answers to the questions on notice. For avoidance of doubt the questions on notice shall be given to the General Manager no later than 12:00 midnight on Tuesdays a week before the Agenda and associated reports and documents are provided to the Aldermen and public. In addition, Regulation 30 refers to “at least 7 days”, so the proposed amendment does no more than expand the time permitted under this Regulation.

Furthermore, the questions and answers, and debates on the answers during the Council Meetings, take much longer time than should be necessary from the good governance and time management points of view. This certainly causes concerns to the staff members who are required to attend the Council Meetings and Aldermen.

This fact was especially evident in recent Council Meetings where the 1 August 2016 Council Meeting lasted for about 5 hours, and 29 August 2016 Council Meeting which lasted about 6 hours. Finishing Council Meetings late at night has already created concerns about staff members’ and Aldermen’s health and wellbeing.

To address this issue from the principles of good governance and complying with the duty of care to our staff members’ and Aldermen’s health and wellbeing, it is recommended that Council’s Meeting Policy be amended and the following be included in the Policy:

1) Questions on Notice

- (a) The Chairperson of a meeting must not permit any debate on a question with notice and must not permit any debate on an answer to that question.*
- (b) The Chairperson of a meeting shall permit discussion of a question on notice and the answer to that question for clarification only, and such discussion shall take no more than 3 minutes.*

2) Questions without Notice

- (a) The Chairperson of a meeting shall permit discussion of a question without notice and the answer to that question for clarification only, and such discussion shall take no more than 3 minutes.*

The Report advises that the above recommended amendments to the Meeting Policy are suggested under Regulation 37 which states that:

A council may determine any other procedures relating to meetings it considers appropriate.

Consultations:

The General Manager

Human Resource / Financial and Risk Management Implications:

None

Community Consultation and Public Relations Implications:

None

Recommendation:

That Council:

APPROVE the amendment to Council's Meeting Policy under Regulation 37(1) and from the good governance point of view, and include in the Meeting Policy the following procedures in relation to Regulations 29 and 30:

Questions on Notice

- (a) An Alderman, at least 11 days before an ordinary council meeting or a council committee meeting, may give a written notice to the General Manager of a question in respect of which the Alderman seeks an answer at that meeting.*
- (b) A period referred to in sub- clause (a) includes Saturdays, Sundays and statutory holidays, but does not include the day on which the agenda and any associated reports and documents are provided to the Aldermen and public, and the day of the ordinary meeting.*
- (c) The Chairperson of a meeting must not permit any debate on a question with notice and must not permit any debate on an answer to that question.*
- (d) The Chairperson of a meeting shall permit discussion of a question on notice and the answer to that question for clarification only, and such discussion shall take no more than 3 minutes.*

Questions without Notice

- (a) The Chairperson of a meeting shall permit discussion of a question without notice and the answer to that question for clarification only, and such discussion shall take no more than 3 minutes.*

17. ADOPTION OF COUNCIL AND COMMITTEE MEETING DATES AND TIMES FOR 2017

Author: General Manager (Peter Brooks)
Qualified Person: General Manager (Peter Brooks)
ECM File Reference: Council and Committee Meeting Dates and Times

Community Plan Reference:

This item discusses a corporate management/governance issue. Since the Community Plan is outwardly focussed, there is no applicable reference to this matter.

Strategic or Annual Plan Reference:

The strategic and annual plans are based upon the Community Plan which is outwardly focussed. Since this item discusses a management/governance issue there is no applicable reference to this matter.

Reporting Brief:

The purpose of this report is to recommend that Council adopts Council and Committee meeting dates and times for 2017.

Proposal in Detail:

At the Aldermanic workshop held on 7 November 2016, proposed meeting dates and times for meetings of Council and Committees were considered by Aldermen and direction given to staff.

A list of the proposed meeting dates for 2017 is Attachment 1 to this report, for consideration by Council.

Consultations:

Aldermen

Human Resource / Financial and Risk Management Implications:

Nil.

Community Consultation and Public Relations Implications:

Nil.

Recommendation:

That Council:

ADOPT the Council and Committee Meeting Dates and Times Schedule for 2017 in the form of Attachment 1.

Attachments/Annexures

- 1** Attachment - 2017 Meeting Dates

18. ACTIONS LIST - UPDATE REPORT

Author: General Manager (Peter Brooks)

Qualified Person: General Manager (Peter Brooks)

ECM File Reference: Actions List - Council Meetings

Community Plan Reference:

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

Strategic or Annual Plan Reference:

Annual Plan Reference *4.2.4.03 Implement the Governance Strategy*.

Reporting Brief:

To provide Council with the latest Actions List (Open Council Meeting), updated following the 24 October 2016 Council meeting.

Proposal in Detail:

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

The Actions List (Open Council Meeting) (Attachment 1) highlights the progress of the items on the list following the 24 October 2016 Council meeting.

Consultations:

Relevant Council officers

Human Resource / Financial and Risk Management Implications:

No cost

Community Consultation and Public Relations Implications:

Nil applicable

Recommendation:

That Council:

NOTE the progress of the items on the Actions List (Open Council Meeting), as updated following the 24 October 2016 Council meeting.

Attachments/Annexures

- 1 Outstanding Actions List - Open

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

19.1 QUESTION ON NOTICE - ALDERMAN K. JOHNSTON

Author: General Manager (Peter Brooks)

Qualified Person: General Manager (Peter Brooks)

ECM File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Kristie Johnston submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

Re Hazard Reduction Notices:

Council has recently received a report detailing the high risk of bushfire in the municipality. Furthermore the report highlighted the high level of risk to human life, loss of property, and loss of critical infrastructure should a fire take hold in the bush land within Glenorchy. In the Sunday Tasmanian (13 November) a special "Fire Awareness Guide" was included. The guide included notices from Clarence City Council, Hobart City Council, Central Highlands Council, Kingborough Council, Tasman Council, Brighton Council and Glamorgan Spring Bay Council advising their residents of the need to reduce fuel around properties and that in the coming weeks inspections and abatement notices will be issued. May the General Manager please explain why Glenorchy City Council was not included in this publication and what steps Council is actively taking to advise and educate residents of the need to reduce fuel and prepare for the coming bushfire season?

Answer:

NON-INCLUSION IN SUNDAY TASMANIAN 'FIRE AWARENESS GUIDE'

The Fire Awareness Guide in published in The Sunday Tasmanian on 13 November 2016 was a paid advertising feature.

Council was not advised by The Sunday Tasmanian that the feature was to be published and consequently was not given the opportunity to place an advertisement.

The Sunday Tasmanian has advised that Council was not approached to be part of the feature because in previous years Council has been offered the opportunity to advertise in similar features but has declined (on the basis that Council undertakes its own notification and education program). The Sunday Tasmanian has further advised that a similar feature will be published on 8 January 2017, and has provided Council with the information to determine whether it wishes to place an advertisement in that feature.

A decision as to whether to participate will be made by the relevant deadline.

BUSHFIRE MANAGEMENT AND EDUCATION

Bushfire management and education is critical to the Glenorchy municipality, given that a third of the Glenorchy municipality is bushland located in the Wellington Park Ranges. Fire is the most significant issue for this area of bushland, both in the form of the threat of wildfire, and planned burns.

On average, major fires occur in this area every 17 years. It has now been 48 years since the last major fire in 1967. Bushfire is not only a threat to community safety, infrastructure and loss of ecological values, but may also have financial and reputational implications for Council. Bushfire has been identified as major risk in Council's risk register.

Council also has statutory bushfire responsibilities in relation to fire management under the *Local Government Act 1993*; the *Fire Service Act 1979*; and the *Threatened Species Protection Act 1995*.

Council's activities with respect to bushfire management and education can be broadly categorised into:

- The Fire Hazard Reduction Program; and
- Council's Bushfire Management Program, which a dedicated officer has recently been employed to oversee and manage.

Further information about both is provided below.

Fire Hazard Reduction Program

Council's fire hazard reduction program is managed by Council's compliance section and undertaken in accordance with Council's 'Fire Hazard Abatement Notices' policy (the latest version of which was adopted by Council on 26 September 2016).

At the date of publication of the feature, Council had already taken steps under the program to advise residents of the need to reduce fuel ahead of the upcoming fire season.

On 14 October 2016, Council issued 288 'Fire Hazard General Notices' to owners of properties determined to be at risk of threat from fire. The text of each notice advises residents:

"A check of Council records indicates that during a previous summer period, a fire hazard existed on your property listed above.

Council officers will soon commence inspections of properties in relation to potential fire hazards. Initial inspections will concentrate on those properties of which a fire hazard nuisance existed in previous seasons.

You are requested to take steps now to reduce any potential hazard in order to avoid receipt of a formal abatement notice. If you are unable to carry out the work personally it is recommended that you engage a private contractor to assist you in doing so."

Formal Fire Hazard Abatement Notices will be issued under section 200 of the *Local Government Act 1993* following inspections of the properties to which general notices were issued.

It should be noted that the advertisements of other councils that appeared in feature in The Sunday Tasmanian on 13 November 2016 provided similar information to that contained in the notices issued by Council on 14 October 2016. Accordingly, Council had already taken active steps to notify specific property owners about the need to take steps to reduce hazards a month prior to the feature being published.

Council also displays the latest fire safety brochures issued by the Tasmanian Fire Service containing information about fire safety in a prominent position in the lobby of Council's Customer Service Centre.

Bushfire Management Program: Recent Events and Future Plans

In October 2016, Council employed a new Coordinator, Bushfire Management. This full-time role is dedicated exclusively to the coordination of Council's bushfire management program.

The key deliverables for the position are the development and implementation of the following:

- a Bushfire Mitigation Strategy for Council owned and managed land. This document will identify Council's responsibilities as a land-owner and how we will mitigate (not prevent) impact from bushfire

- Individual Bushfire Mitigation Plans for targeted areas. These documents will provide all the mitigation treatments that Council will deliver (for example, fire trail maintenance, fuel break development and establishment, planned burning programs, pre and post burning monitoring, and mitigation treatments for assets at risk [whilst maintaining/promoting ecological values])
- a 5 year on-ground works program, which will summarise the recommended actions within Bushfire Mitigation Plans, and assist in budgeting
- a 5 year planned burning program, and
- a Policy framework for the outsourcing of planned burning on Council owned and managed land (Council will be conducting some planned burns internally in the future in addition to utilising the TFS Fuel Reduction Unit).

The future direction that Council will heading in is towards targeted communication with residents regarding what operations Council has scheduled on Council owned and managed bushland for each future bushfire season.

Once developed, activities to be undertaken under Council's 5 year on-ground works program, and 5 year planned burning program will be advertised at the start of Spring each year.

Advertisements will outline the planned operations under these plans so that residents and the community are properly informed. Activities about which the public will be to be notified will include scheduled planned burns and a general overview of works (such as the maintenance and upgrading of particular fire trail networks). Advertisements will be placed in various media, including The Mercury and Glenorchy Gazette, on Council's website, and in the Hobart Fire Protection Plan (HFPP).

The HFPP is a public document that is available on the State Fire Management Council's website. The HFPP is updated annually and outlines Council's scheduled bushfire mitigation treatments.

Council is also in the process of developing a Fire Management Geographic Information System context. This will be the backbone for all of Council's operational bushfire planning.

In addition to the above, Council is involved in the development of the Greater Wellington Range Bushfire Mitigation Strategy (the new Coordinator is on the Strategy's Steering Committee). This document will take a 'tenure blind' approach to bushfire mitigation, and will incorporate sections of Council owned and managed land.

19.2 QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 4

Author: General Manager (Peter Brooks)

Qualified Person: General Manager (Peter Brooks)

ECM File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Matt Stevenson submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

Derwent Park Reuse Project

May the General Manager please provide details of the intended and current supply of the Derwent Park Reuse project for commercial partners?

Answer:

The Derwent Park Stormwater Harvesting and Industrial Re-use Project has now been completed and signed-off by the Federal Government to overwhelmingly positive feedback. Management is currently making arrangements for an official opening ceremony and presentation of the project to Aldermen.

A workshop will also be held briefing Aldermen on the project and its outcomes. Dates for the workshop and the official opening will be provided to Aldermen in the near-future.

19.3 QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 5

Author: General Manager (Peter Brooks)

Qualified Person: General Manager (Peter Brooks)

ECM File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Matt Stevenson submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

Nominations Process

May the General Manager confirm that his call for nominations for the Audit Panel, within his email dated 13 November 2016, is compliant with recently endorsed '**Nominations and appointments to committees and other bodies policy**'?

Answer:

The Nominations and appointments to committees and other bodies policy does not apply to the Audit Panel. The Audit Panel's constitution and procedures (including the way in which Aldermanic and independent members are appointed) are governed by the Audit Panel Charter (see [Attachment 1](#)).

Specifically:

- Clause 7.4 of the Charter provides that Council is to seek expressions of interest for the appointment of Aldermanic members of the Audit Panel through a secret ballot process.
- Clause 7.5 provides that Council is to seek expressions of interest for appointment of members of the Audit Panel including through publically advertising.
- Clause 7.6 provides that Council is to appoint the independent persons of its Audit Panel after a selection process conducted by Council, and
- Clause 7.7 sets out the selection criteria that Council is to take into account when appointing an independent person as a member of the Audit Panel.

Attachments/Annexures

- 1 Audit Panel Charter

19.4 QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 6

Author: General Manager (Peter Brooks)

Qualified Person: General Manager (Peter Brooks)

ECM File Reference: Question on Notice

Question on Notice:

To consider a Question on Notice by Alderman Matt Stevenson submitted in accordance with the requirements of Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015*.

Question on Notice:

May the general manager provide an update on the shared services agreement, Glenorchy's contribution, and details of savings achieved due to its use?

Answer:

Council is currently working with other local governments which are signatories to the Shared Services Agreement to determine the strategies and future objectives that will flow from that agreement. A planning meeting of the Local Government Shared Services Committee is scheduled for 8 December 2016 to further develop those strategies and objectives.

Management will be in a better position to provide answer to this question once that meeting has taken place. Accordingly, a more detailed answer will be provided at the Council meeting on 19 December 2016.

CLOSED TO MEMBERS OF THE PUBLIC

20. APPLICATIONS FOR LEAVE OF ABSENCE

GOVERNANCE

21. UPDATE ON SOUTHERN TASMANIAN COUNCILS AUTHORITY (STCA) REVIEW

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

22. TASWATER QUARTERLY REGIONAL BRIEFING TO THE OWNERS' REPRESENTATIVES

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

23. LGAT GENERAL MANAGEMENT COMMITTEE BY-ELECTION

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

24. ACTIONS LIST - UPDATE REPORT

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

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

25.1. QUESTION ON NOTICE - ALDERMAN M. STEVENSON

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

25.2. QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 1

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

25.3. QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 2

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

25.4. QUESTION ON NOTICE - ALDERMAN M. STEVENSON - 3

This item is to be considered at a closed meeting of the Council by authority of the Local Government (Meeting Procedures) Regulations 2015 Regulation 15(2)(c) (Commercial information of a confidential nature that, if disclosed, is likely to: prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of the Council; or reveal a trade secret.)