

GLENORCHY CITY COUNCIL

ATTACHMENTS

TUESDAY, 29 JANUARY 2019



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FOGO

Food Organics Garden Organics Community Feedback Report



1. Summary

As part of Council's Waste Management Strategy 2013-2030, Glenorchy City Council (GCC) surveyed the community on a proposal to introduce a kerbside FOGO (Food Organics Garden Organics) service.

1339 survey responses were received with 90% of the community stating that a FOGO collection in Glenorchy was either important or very important. Surveys were received from right across the municipality with more than 900 responders providing comments for and against the service, highlighting either why they wanted the service or concerns they have in relation to its introduction.

The comments received have been reviewed and issues the community raised will be addressed as part of the development of a detailed business case. These include:

For and against the service	Opting out of the service
Cost	Communication and education
Bin size	Smell
Frequency	

In summary there is significant support for the provision of an affordable FOGO service. The main concern from residents was in relation to detail around the service as per the following comment:

"Yes, frequency, bin size, and cost please"

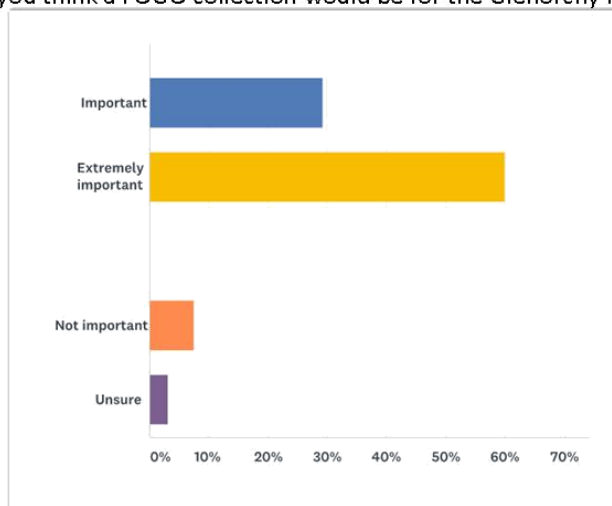
This report does not answer these questions but reflects what we heard from the community. The detailed business case will need to answer these questions and address the issues raised by finding an appropriate balance.

2. Community Engagement

A survey was conducted (online and hardcopy) during November 2018.

Respondents were asked the following questions:

1. How important do you think a FOGO collection would be for the Glenorchy municipality?



2. If a FOGO collection service was introduced, residents would have an extra bin for FOGO waste. Would any of the following issues be a concern for you, regarding getting an extra bin?

- Difficulty moving the bin to and from the kerbside (5% or 67 responses)
- No space for storage of the bin on the property (6% or 76 responses)
- Lack of kerbside space to place the bin for collection (8% or 102 responses)
- No, none of the above (86% or 1156 responses)
- Do you have any other comments on the possible introduction of a FOGO waste collection? Eg. Frequency of collection, bin size, cost. (summary only of responses included in this report)

3. Please indicate your type of dwelling (ABS figure in brackets)

- House - 90% or 1201 responses (80%)
- Unit - 9% or 117 responses (19%)
- Flat / Group home - 5 responses (1%)
- Other - 1% or 16 responses

4. Are you.....

- The owner occupier of the dwelling (83% or 1115 responses)
- The owner but do not reside in the dwelling (2% or 27 responses)
- Renting (13% or 173 responses)
- Boarding (2% or 24 responses)

5. How many people occupy the dwelling?

- 1-2 people (50% or 675 responses)
- 3-4 people (39% or 518 responses)
- 5 or more people (11% or 142 responses)
- Unsure, I am the owner but do not reside in the dwelling (4 responses)

6. Please indicate the suburb of the dwelling? (ABS figure in brackets)

- | | |
|--|---|
| ○ Austins Ferry / Granton - 7.4% (7.6%) | ○ Glenorchy 23.5% (23.8%) |
| ○ Berriedale / Chigwell - 9.8% (10.2%) | ○ Goodwood / Dowsings Point - 2.4% (2.5%) |
| ○ Claremont 10.8% (16.8%) | ○ Rosetta / Montrose 12.5% (10.5%) |
| ○ Collinsvale / Glenlusk 3.5% (1.8%) | ○ West Moonah 9.1% (8.7%) |
| ○ Derwent Park / Lutana / Moonah 21.3% (18.3%) | |

7. What is your age group? (ABS figure in brackets)

- 16-24 – 1.6% (8.7%)
- 25-34 – 22.9% (13.4%)
- 35-49 – 35.5% (18.7%)
- 50-59 – 16.4% (13.6%)
- 60-69 – 12.9% (10/9%)
- 70-84 – 9.8% (10.2%)
- 85 and over – 0.8% (2.5%)



The information was distributed via the following:

• Glenorchy Gazette	• Multicultural groups
• GCC website	• Community Houses
• Display in GCC foyer	• Community Gardens
• 435 Glenorchy Matters Community Panel members	• Jackson Street Landfill tollbooth – copies distributed to customers
• Aldermen – shared on Facebook pages	• Disability groups
• Special Committees of Council	• Health services
• Denison MP's – to share with community networks	• Special interest clubs
• All GCC staff	• Sporting groups
• Various community groups	• Youth Services
• Schools in the Glenorchy municipality – to share with parents and staff	• Glenorchy Action Interagency Network (GAIN)
• Childcare centres in Glenorchy municipality	• Youth Action Network (YANG)
• LINKAGES Network	

Information was placed on the GCC website, in the Glenorchy Gazette and in the GCC foyer.

3. Discussion of Issues

3.1. For and against the service

90% of residents in the 1339 surveys received indicated that a FOGO service was important or very important, indicating significant support for the service.

Those for the service indicated a number of reasons in their comments including:

- Service provided in most other Councils
- Improved environmental outcomes
- Reducing the waste to landfill
- Ability for Council to then ban backyard burning
- Service should be standardised across all Councils
- Cheaper alternative to a trash pack service
- Replaces regular trips to the landfill
- Helps people clean up their yards

COMMENTS:

“Brilliant! I have always wanted one, garden massive so this would be extremely beneficial!”

“Please start as soon as possible”

“Fantastic initiative that will encourage residents to consider the environment and think before throwing things out”



"It is about time that the Council adopted this strategy as many Councils, Australia wide, already have this in operation!"

"We encourage Glenorchy Council to introduce the FOGO system. At our previous address we had a green waste collection and it was the bin that was most used"

Those against the service indicated several reasons in their comments including:

- Additional cost
- Council should be focused on core business
- Smell
- Crowded footpath space
- Room to store the bin

COMMENTS:

"No I don't want it"

"Why not have a weekly (*general waste*) collection service instead (*of a FOGO service*)?"

Business case assessment

While there is strong community support for a FOGO service the business case will need to address the issues and concerns raised by the community.

3.2. Cost

While most residents want a FOGO service, they want this service to be affordable. Many indicated in the survey that either they can't afford an additional cost or that due to the recent rate rise that residents should not have to pay any additional costs. Some residents indicated a willingness to pay a fee as long as it was minimised, while other residents indicated significant benefit and a willingness to pay more to replace the expense of green collection or trips to the tip.

The survey statistics included 88 or 7% of respondents who did not want to pay an additional fee, 39 or 3% of respondents who were willing to pay a minimal fee, and 24 or 2% of residents who were willing to pay anything.

The cost of a FOGO service includes the provision of bins, kerbside collection, transportation, disposal of material, education and administration. Some respondents indicated that Council should benefit from the sale of compost material and that reductions in general waste to landfill should also provide savings.

COMMENTS:

"I pay \$2.50 a week at present for green waste collection so I'll be ahead."

"Someone will be getting money from the sale of the compost product, but I'm assuming it's not the residents"

"How does this affect the current cost of my general waste bin if 50% of my waste is being re-directed"

"We just had a huge increase in rates, so it would be unfair to charge too much, a lot of people cannot



afford it, but need it"

"We would love to see this go ahead, given our recent increase in rates one would think there would be (no) additional cost!"

Business case assessment

Council will undertake a detailed analysis of costs as part of the development of the business case. This analysis will look at the most cost-effective way of delivering services including optimising bin size and collection frequency, and the competitive tendering of the collection and disposal of material. Council is also working with neighbouring Councils to look at how we can do things together to save costs.

3.3. Bin size

Introducing a third bin was highlighted as an issue for residents in respect to how much food and organic waste they would generate, where the bin can be stored, and how easy it would be to move.

The standard FOGO or green kerbside service across Councils in Tasmania is a 240L bin (same as the standard recycling bin in Glenorchy). This was reflected in the survey where 12% or 156 residents indicated that they wanted a 240L bin while 5% or 58 people indicated a preference for a smaller 140L bin (same as general waste).

In the comments some residents highlighted that smaller bins were better for small units or blocks without a lot of garden and areas to store bins. Residents also indicated that the larger 240L bins were more difficult to move, especially for elderly residents. Some residents identified the ability to reuse the previous 140L recycling bins.

Respondents who supported larger bins did so based on providing enough capacity for green waste especially during spring and autumn periods. They also identified that a 240L fortnightly service would keep the costs down and, in some cases, allow residents who have opted for a 240L general waste bin to reduce this to a 140L bin.

COMMENTS:

"Biggest bin possible, especially if incorporating garden waste"

"I support the 240L bin size, with the option to include tree branches up to 3 inches"

"We could drop our household bin back to 140L if above proposal came to be"

"To keep costs down for ratepayers / Council (could use) the previously used recycle bins (140L)"

Business case assessment

Council will consider the community responses in assessing the size of bins for the service. This will include consideration for having options for different sized bins for different types of residents and/or options for residents to request a change in bin size. Bin size needs to consider the amount of waste generated and the size of bin also has impacts on both the cost and frequency of the service (fortnightly or weekly).



3.4. Frequency

Most residents recognised that a fortnightly service would suit them best and wanted Council to focus on an affordable service.

In the survey 8% or 104 people commented that they would like a FOGO bin service collected every week, 16% or 209 people stated that they would like a FOGO bin collected every fortnight and 3% or 42 people mentioned that they would like their FOGO bin to be emptied monthly.

Several people mentioned that the service would be used less in cooler months as they would not have the same amount of green waste as in Spring and Summer. They requested that Council consider a more frequent service in the summer period.

Another issue raised by the community was a request that Council consider not having all the kerbside bins picked up on the same day. Some commented that general and recycling bins should be on the same day and green waste be on alternative weeks. This was to minimise the number of bins on the footpath and allow flexibility with the disposal of food waste.

Some residents were keen to see a more frequent weekly service and identified that most of their waste was organic. Others were less keen on a weekly service due to the expected higher cost. A monthly service was proposed as a good replacement for trash packs and tip runs while keeping the costs down.

COMMENTS:

“Suggest that the collection be on a different day than the others so not too many bins outside at any one time.”

“Fortnightly collection during cold months but weekly collection during warm months.”

“It would probably not be practical to have a fortnightly service in every season, may be a waste of resources in winter, in spring and autumn there would be more green waste to dispose.”

Business case assessment

Council will consider the community responses in assessing the frequency of service and will need to find a balance between a higher level more expensive weekly service and a less frequent lower level of service. The future direction of Councils in other parts of Australia is moving towards a more frequent weekly FOGO service and a less frequent monthly general waste service. These services are in areas where there are significantly higher costs to disposal of waste to landfill.

3.5. Opting out of the service

Some residents requested the ability to opt out of the service. These residents were mostly from larger rural blocks or do their own composting.

Kerbside services are generally a one in all in service as they rely on sufficient volume to make it affordable for everyone. Higher density urban areas assist with subsidizing the services of lower density rural areas. This provides Council with some flexibility to consider allowing opting out in some areas.

Some of the residents in rural blocks argue that they have current composting and that they are not as constrained by their disposal method as those that live in higher density areas. A 240L FOGO bin for example is not likely to meet all the needs of a 2-4 hectare hobby farm.



Out of the 1339 people that answered the survey, 4% or 48 people requested in their comments that Council offer residents the ability to opt out. 7% or 88 respondents indicated that they currently compost and while some of these also wanted to opt out, most used it by way of example of their understanding and support for FOGO.

COMMENTS

"We have a rural property, with chickens and our own compost bin, so we don't need a FOGO bin and I would be upset if our rates were to go up. I'm hoping that the rate increase is only for those that opt to have the FOGO bin."

"There needs to be an opt out arrangement for those who do not need it. I live on a hectare and do all of my own recycling of green waste and food waste. I would not expect to pay extra for a service I would not use."

"If council are to go ahead with this warm and fuzzy green initiative it should be optional for rate payers to participate or not"

Business case assessment

Council will consider the community responses in assessing the ability to opt out of the service and develop a policy to address this issue.

3.6. Communication and education

The community identified the need for ongoing communication and education in the survey through the number of questions in the responses and with concerns raised regarding current practices.

For FOGO to be successful contamination needs to be minimised so that the compost generated is a trusted and high-quality product. This will encourage the community to buy it back creating a circular and sustainable economy.

Some of the respondents thought that a lot of work would need to go into educating the community in terms of what goes where and having both a carrot and stick approach in getting the community to use the right bin.

COMMENTS:

"I do not think they would be used properly. Looking on our bin days, people do not care what bin they use."

"Coordinate with a high level public waste education program."

"The big issue with Glenorchy is so many residents do the wrong thing with disposing of rubbish. The amount of recycling bins I see over flowing with normal rubbish is appalling."

"I feel that some people - not all - will not adhere to all the regulations of this FOGO and could include other waste material"

"Many people need more education on recycling let alone FOGO"



Business case assessment

Council will assess the requirement for an education and communication plan as part of the any rollout of a FOGO service. Other Councils put considerable effort into providing a FOGO service including ongoing compliance audits, use of websites and social media to distribute information. Customer service staff would also provide a vital role to help the community adopt a potential new service.

3.7. Smell

A small number of residents identified smell and pests as an issue and recommended that Council provide a more frequent weekly service, not provide the service at all, alternate the FOGO and general waste services, or provide kitchen caddies with liner bags.

Smell and pests are generally not an issue with Council's current fortnightly general waste service due to Tasmania's generally cool climate. Councils alternate general waste and FOGO services so that residents can dispose of smelly foods on a weekly basis. Other alternatives include providing liner bags and wrapping food waste in newspaper.

COMMENTS:

"Would need to be frequent collection if including food waste due to smell and pests"

"We would need a non-aerated caddy without a liner"

"As it is organic, weekly collection would ensure that already stinking bins improved"

Business case assessment

Council will consider the frequency of service as part of the business case. Consideration will also be given to whether Council provide kitchen benchtop caddies with liners or encourage residents to wrap food waste.



4. Other Issues

How can Council help residents (including pensioners) who are struggling to pay rates?

Council aids a range of rate payers including holders of Centrelink or Department of Veterans' Affairs Pensioner Concession Card, Centrelink Health Care Card, and Repatriation Health Card 'Gold Card', endorsed War Widow/Widower or Total or Permanent Injury (TPI).

Council also assists through the provision of several payment terms. For further information please contact Council's customer service team on (03) 6216 6800.

Tips for when the weather turns for the worst?

- If your bin is only part full then consider waiting until the following pick up.
- Consider putting kerbside waste out in the morning before 6am.
- Put your general waste in bags before you put them in the bin.
- Reporting serious litter problems to Council.
- Plan to bring your kerbside bins in as soon as they are collected.
- DO NOT fill your bin with water as this will cause problems for the truck picking up the waste.

Will Council introduce a hard waste collection?

Council has previously considered the introduction of a hard waste collection but decided not to proceed due to the high cost of providing the service. Hard waste collections take considerable resources to organize and require substantial manual handling.

Other Councils have also found that most of the waste that the community throw out during a hard waste collection goes into landfill. Council's strategy will focus on initiatives that encourage reuse, diversion and separation of waste so that waste does not go to landfill.

Will Council provide free tip passes for general and green waste?

Council does not currently provide free tip passes. Council will consider this as part of the annual process for setting fees and charges. Council as part of the business case for a proposed FOGO service are considering using events as part of communication and education. Council will consider the option of a free green waste day at the landfill as part of promoting FOGO.

Can Council provide help to elderly citizens to move bins?

Council do not generally aid elderly citizens to move bins. Council do provide a driver to collect service for some residents. Conditions apply, please contact Council for further information on (03) 6216 6800.

When could Council start a FOGO service?

Council will further detail the timeframe to start a FOGO service as part of the business case. If approved at the March 2019 Council meeting, Council would target the roll out of a service sometime during the 2019/20 summer period.



Where will Council dispose of the FOGO material?

Council will request tenders for both the collection and disposal of the FOGO material. There is currently no composting facility operating in the south of the state. The proposed generation of FOGO material from the City of Hobart and Glenorchy is an opportunity for a new business to be created. Composting facilities currently exist at Oatlands and Dulverton.

Can Council increase the size of tree branches in the FOGO service?

The exact specification of what material can go into the FOGO bin will depend on the bin size and the contracts entered in to with service providers. Council will provide further detail in the business case and as part of the communication material if the proposed FOGO service goes ahead.

How much green waste do we generate?

According to household kerbside bin audits an average household waste bin includes 60% food and garden organic waste.

What is the problem with food and organic waste going to landfill?

Organic matter fills up void space and without diverting the waste the landfill will fill up faster leading Council to look at more costly alternatives.

Organic matter in the landfill breaks down generating greenhouse gasses. By implementing a FOGO service organic matter is separated and diverted to a composting facility where it can be turned into products that can be reused.

How does Council operate kerbside bin services in multi-unit developments?

Most multi-unit developments in Glenorchy have shared waste and recycling bins, collected weekly. New multiple dwelling units must address the requirements of the Waste Services Policy as part of the regulatory approvals process.

Shared services provided by Council are generally calculated at one 240L general waste bin and one 240L recycling bin to be shared by a minimum of three units. The number of bins provided will be determined by the number of units. Bins are to be stored in a secure bin enclosure area within the property boundary.

As part of the business case Council will assess the requirement for FOGO services in multi-unit developments.

Does Council provide kerbside services to commercial businesses?

Council's kerbside household contract does not provide waste services to large commercial premises and they do not have a waste charge attached to their rates. Smaller commercial properties may request and be provided at the discretion of Council's Waste Services Department.

Kerbside bins if approved will be collected fortnightly and may only be used for domestic type waste and recycling. Owners of commercial properties with an approved council waste service may discontinue the service at any time. Council will then request that the bins are returned to Council and the waste charge will then be removed from the rates notice.



Janiece Bryan

14 England Avenue

MONTROSE TAS 7010

Mobile No: 0417 515 968

7th January 2019

General Manager

Glenorchy City Council

PO Box 103

Glenorchy Tas 7010

**Petition RE: Proposed Sale of the Derwent Entertainment Centre and
Development of Adjacent Land**

This Petition is submitted for your attention on behalf of the citizens of the Glenorchy Municipality and the Greater Hobart Area in response your DISPOSAL OF LAND proposal and announcement of acquiring a \$4 Million loan for the proposed intention to subdivide and provide infrastructure to the Adjacent Land.

Action Sought: The Derwent Entertainment Centre must not be sold or leased as a portion of the land has been set aside under Section 8 of the *Crown Lands Act 1976* as a Public Reserve since its opening in 1989. It was signed by the Governor on 1st March 1989 for the public purpose of Recreation and Amusement and gazetted on 5th April 1989. (Certificate of Title D33936/1 comprising Volume 110871 Folio 1).

Section 8 of the *Crown Lands Act 1976* specifies public purposes for which land may be reserved. Column 3 of Schedule 5 details purposes of reservation. Section 8 (3) states.....no land reserved under this section shall be sold, leased, or otherwise disposed of under this Act while the order reserving the same remains in force.

Also please refer to *Crown Lands Act 1976 PART IV – Leases - Section 29A* Additional provisions for lease of public reserve

Section 12 (4) of the *Crown Lands Act 1976* states The Minister can only revoke this order if the land ceases to be available for the purpose for which it was set aside. This facility continues to be used for the public purpose for which it was set aside.

In line with Section 12, Part 11B Management of Public Reserves, 12(C), from the commencement date the site was vested in The Derwent Centre Management Authority in fee simple and became vested in the Glenorchy City Council in fee simple on 1st July 1997. This was enacted under the Common Seal of the Derwent Entertainment Centre Management Authority.

Derwent Entertainment Centre Authority Act 1988 in force at the date of transfer states:-

Section 4 –

(2) (a) has perpetual succession

(b) shall have a common seal

(3) The common seal of the Authority shall not be affixed to a document except in pursuance of a resolution of the Authority

(4) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Authority affixed to a document.....

The Derwent Entertainment Centre Management Authority stated that under the negotiated transfer of ownership of the Centre on 1st July 1997:-

- A) The control and ownership of the Derwent Entertainment Centre be vested solely in the Glenorchy City Council
- B) The Glenorchy City Council would continue to operate the Centre as an Entertainment Centre
- C) The State Government would provide a once-off grant to the Council to meet construction defect remedy costs
- D) The Council continues to hold a 99 year lease over the Crown Land surrounding the Centre and including Wilkinson's Point.

As a result of this facility being a Public Reserve and set aside for community use as a bicentennial gift to the people of Glenorchy and Southern Tasmania it was also intended for the use of future generations. Council have not considered the welfare of the residents and its future generations to come. It has been managed by the Council for 30 years without selling out the ratepayers. There is no similar adequate facility available to the users of the Centre. Not-for-Profit charges currently still apply as was intended by the Bi-Centennial Authority who reserved it for public purpose as a Public Reserve.

- There is no budgetary requirement to sell this important valued and valuable community facility belonging to the People of Glenorchy.
- There is no replacement building for similar community use. Glenorchy has no suitable Civic Centre to use for a range of community based activities which are currently undertaken at this facility including use of the car park area. It is the most significant building of its kind in Tasmania.
- Ratepayers believe Council need to constitute as previous, a Management Board including ratepayer representation to ensure improved management and care of this important facility and to ensure better outcomes for the people of Glenorchy.

However, notwithstanding these issues being overlooked by Council, the fact still remains the Derwent Entertainment Centre is a Public Reserve under the *Crown Lands Act 1976* and cannot be disposed of or leased.

- The ratepayers also object to Council accepting a \$4 million loan to subdivide and provide infrastructure to adjacent Crown land prior to sale. If anything goes wrong before the sale is complete the Ratepayers of Glenorchy will be left with this debt to repay. There are extremely unacceptable business risks. Ratepayers object to the use of Council resources to

carry out this work. The Council, Mayor and Aldermen should be concentrating on their core responsibilities of repairing and upgrading the roads, footpaths and cleaning up the generally dilapidated state of the city. The Council, Mayor and Aldermen should be concentrating on the delivery of essential services in the public interest. It is not the Council's core business to be subdividing land for wealthy developers. This is not in the interests of the people of Glenorchy. How will the people know if their 12.5% rate increase will be used in some way supporting this development? Ratepayers strongly object to any of our resources both financial and physical being used for this purpose.

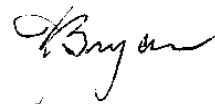
- Personally I also object to Council taking \$11 Million out of our Capital Works Program to give to the Liberal State and Federal Governments for projects and infrastructure they should be funding themselves. It is not the responsibility of ratepayers to pay for Railways and Housing and revolving election promises.

- Yours sincerely, Janiece Bryan, Ratepayer of Glenorchy on behalf of 2018 signatories

418 submitted on 3rd August 2018, 758 signatures submitted 6th October 2018 and 842 submitted on 7th January 2019

1328 are residents of the Glenorchy Municipality and either directly or indirectly (through rental) pay municipal rates. Council has brought into question the viability of all businesses employing people in the Municipality including many small and light industrial. All businesses are impacted by Council decisions and the critical effect of rate increases ultimately affects their ability to survive and importantly employ people.

Submitted by: Janiece Bryan 14 England Ave MONTROSE 7010 Signed:



Monday, 29 October 2018

Council Minutes

ENVIRONMENT

9. REQUEST TO INSTALL TELECOMMUNICATIONS INFRASTRUCTURE ON COUNCIL PROPERTY - KGV SPORTS GROUND

File Reference: Telecommunications

Reporting Brief:

To obtain Council's approval to advertise the intention to lease land at King George V Oval for the installation of a telecommunications base station and for the utilisation of an existing light tower.

Resolution:

STEVENSON/KING

That Council:

1. RESOLVE under section 178 of the *Local Government Act 1993 (the Act)* to form an intention to dispose of public land, being the proposed lease of 24m² and a monopole within the King George V Oval for the installation of a Telstra telecommunications base station
2. AUTHORISE the General Manager to take all actions necessary to complete public notification of Council's intent to dispose of the land in accordance with section 178 of the Act, and
3. AUTHORISE the General Manager to consider and acknowledge any objection received pursuant to section 178(6) of the Act and report to a future Council meeting.

The motion was put.

FOR: Aldermen Bull, Thomas, Dunsby, King, Stevenson, Johnston, Richardson, Fraser and Carlton.

AGAINST:

The motion was CARRIED.

52 – FRIDAY, NOVEMBER 30, 2018

General Notices

**RETIREMENT
CHRIS DALE
PHYSIOTHERAPIST
LYMPHOEDEMA
PRACTITIONER**

Is closing her practice at
11 Newlands Ave Lenah Valley on
30th November 2018.
Thank you to all my clients,
many of whom became friends.

Frances Elmer-James Physio-
therapist has moved her practice
but can still be contacted on
0406 108 820.
Chris Dale Physiotherapist
Lymphoedema Practitioner
6228 2937

**Need to publish
a business,
public, legal or
tender notice
in the paper?**

CALL

03 6230 0400

**GLENORCHY CITY COUNCIL
LEASE OF COUNCIL LAND**

In accordance with Section 178 of the Local Government Act 1993 (the Act), notice is hereby given of the Glenorchy City Council's intention to lease approximately 24m² of land for the installation of a telecommunications base station and to swap an existing 36.6m light pole with a 41.7m Telstra monopole including antennas, panels and junction boxes to create a light pole and telecommunications tower, at:

1B Anfield Street, Glenorchy
(known as King George V Oval)

Under that section of the Act, Council is required to notify the public of its intention to lease public land on two (2) occasions. This is the first advertisement.

Objections to the proposed lease may be made to Council's General Manager within 21 days of the date of the first advertisement. Objections/Expressions of Interest must be lodged and received before the close of business on 21st December 2018.

A copy of Council's resolution and the plan can be viewed during business hours at the Council Chambers, 374 Main Road, Glenorchy.

If further information is required please call Council's Property Officer Niki Robertson on (03) 6216 6754.

Tony McMullen
General Manager

www.gcc.tas.gov.au



Government Notices



City of HOBART

**ROAD CLOSURE
CAMPBELL STREET, HOBART**

Pursuant to Section 25(1) of the Local Government (Highways) Act 1982, notice is given that Campbell Street between Liverpool Street and Collins Street will be closed to traffic on Sunday 2 December 2018 from 6am to 6pm for the purpose of conducting TasGas pipe works and road reinstatement.

(N. D. Heath)

GENERAL MANAGER

www.hobartcity.com.au

Kingborough

**PUBLIC NOTICE – DATE AND PERIOD OF
DECLARATION (DOG CONTROL ACT 2000)**

Pursuant to Section 25 of the Dog Control Act 2000 (the Act), notice is given that the declaration of the below listed declared areas take effect on the 30 November 2018 and remains in force until the 30 November 2023, unless otherwise reviewed:

Off-lead Dog Exercise Areas pursuant to Section 20 of the Act:

- Taroona Apex Park
- Taroona Beach (east of the Boat Ramp)
- Northern end of Kingston/Tyndall Beach (sand only)
- Flowerpot Point Reserve, Blackmans Bay
- Suncoast Dog Park
- Suncoast Walking Track
- Kingston View Drive (area above Mt Bike Park)
- Maranoa Heights Reserve (excluding prohibited public area)
- Dru Point (within dog exercise fenced area)
- Clarks Beach, Coningham
- Kettering Reserve (area below Kettering Oval)
- Middleton Beach (south of stormwater pipe only)

Dog Training Areas pursuant to Section 21 of the Act:
Southern Oceanview Club Grounds



City of HOBART

APPLICATIONS FOR PLANNING PERMITS

Notice is hereby given that plans and/or applications have been submitted to the Hobart City Council for a planning permit for the following uses and/or developments:

Address	Proposed Development
59 Ahleen Ave, LENAH VALLEY PLN-18-642	Dwelling

The applications are available for inspection between 8.15am and 5.15pm, Monday to Friday (excluding public holidays), from the publication of this notice until Friday 14 December 2018 at the Hobart Council Centre, 16 Elizabeth Street Hobart or at www.hobartcity.com.au advertised applications. Representations relating to these applications may be made in writing addressed to the General Manager, GPO Box 503, Hobart 7001 or by email at representation@hobartcity.com.au and must be received no later than 12 midnight on Friday 14 December 2018. Note: Postal or hand delivered representations will not be received after 5.15pm on same date.

(N.D. HEATH)

GENERAL MANAGER

www.hobartcity.com.au
**DERWENT VALLEY COUNCIL
Land Use Planning and Approvals Act 1993
APPLICATION FOR PLANNING PERMIT**

In accordance with the provisions of Section 57(3) of the Act, it is hereby notified that an application has been received for consideration for a Planning Permit in respect of the following:

APP NO.	SITE	PROPOSAL	APPLICANT
145/2018	16 Fairfax Terrace, NEW NORFOLK	Single Dwelling	Crusader Homes
118/2018	420 Back River Road MAGRA and Back River Road Reservation	Vegetation Modification (Lopping of Two Trees), Development of Public Art (Sculpture Installation) and Signage	Jackie Symp
110/2018	2484 & 2500 Lyell Highway, HAYES	Subdivision (Re-organisation of Signage)	T S Gromer, Cromer &

1. The works involve the installation of ancillary equipment associated with the existing Optus facility and an increase in the operational power levels of the facility.
2. Optus regards the installation as a Low-impact Facility under the Telecommunications (Low-impact Facilities) Determination 2018 ("The Determination") based on the description above.
3. Further information can be obtained from Huawei Technologies (Australia) Pty Ltd (Optus' representative) by contacting James McIver on 0423 187 012, at james.mclver@huawei.com and at www.rfnsa.com.au/7174001
4. Written submissions should be sent to: Optus c/- James McIver, Huawei Technologies (Australia) Pty Ltd, Level 3, 111 Coventry Street, Southbank VIC 3006 by 19 December 2018.

EMPLOYMENT ADVERTISEMENTS

DEADLINE

for display advertisements for
Saturdays Mercury is
12 noon Thursday.

Wednesday employment ads are to
be submitted by Monday 12 noon.

Please email your word doc and logos to

adforce@themercury.com.au

For more information phone

6230 0774 or 6230 0641

GLENORCHY CITY COUNCIL LEASE OF COUNCIL LAND

In accordance with Section 178 of the Local Government Act 1993 (the Act), notice is hereby given of the Glenorchy City Council's intention to lease approximately 24m² of land for the installation of a telecommunications base station and to swap an existing 36.6m light pole with a 41.7m Telstra monopole including antennas, panels and junction boxes to create a light pole and telecommunications tower, at:

**1B Anfield Street, Glenorchy
(known as King George V Oval)**

Under that section of the Act, Council is required to notify the public of its intention to lease public land on two (2) occasions. This is the second advertisement.

Objections to the proposed lease may be made to Council's General Manager within 21 days of the date of the first advertisement. Objections/Expressions of Interest must be lodged and received before the close of business on

21st December 2018.

A copy of Council's resolution and the plan can be viewed during business hours at the Council Chambers,
374 Main Road, Glenorchy.

If further information is required please call Council's Property Officer Niki Robertson on (03) 6216 6754.

Tony McMullen
General Manager

www.gcc.tas.gov.au



Need to publish a business,
public, legal or tender notice in the paper?

CALL **03 6230 0400**

Classified line ads for Wednesday December 26th must be placed by 5pm Friday December 21st.

Births, Deaths and Funeral notices will be accepted until 5.30pm daily
Except Saturday December 22nd and Sunday December 23rd
which is 3-6pm.

Salamanca Office - Front Counter

Normal Hours

Monday-Friday 8.30am-5pm

Tuesday December 25th	Closed
Wednesday December 26th	Closed
Tuesday January 1st	Closed

Classified Display

Employment, Tenders, Public Notices Etc

The following copy deadlines apply:

Monday December 17th	Thursday 13th December
Tuesday December 18th	Monday 17th December
Wednesday December 19th	Monday 17th December
Thursday December 20th	Tuesday December 18th
Friday December 21st	Wednesday December 19th
Saturday December 22nd	Thursday December 20th
Sunday December 23rd	Thursday December 20th
Monday December 24th	Thursday December 20th
Wednesday December 26th	Friday December 21st
Thursday December 27th	Friday December 21st
Friday December 28th	Monday December 24th
Saturday December 29th	Thursday December 27th
Sunday December 30th	Thursday December 27th
Monday December 31st	Thursday December 27th
Tuesday January 1st	Monday January 2nd
Wednesday January 2nd	Monday January 2nd
Thursday January 3rd	Monday January 2nd

Motoring Lift Out

There will be no LIFT OUT for Friday December 21st, Friday December 28th and Friday January 4th. This section will appear in the normal classifieds pages. Motoring photo ads need to be submitted 2 days prior to publication.

**Merry Christmas and a Happy New Year to all
our value customers**

**For enquiries or to place an advertisement with
Mercury Classifieds, please call 6230 0774**

MERCURY
THE VOICE OF TASMANIA

Government Notices



**SOUTHERN MIDLANDS
COUNCIL**

NOTICE OF APPLICATION FOR PERMIT

Notice is hereby given that applications have been made to Council under the Land Use Planning and Approvals Act 1993 for the use or development of land as follows:

Location	Proposal
11 Goodwins Road, Mangalore	DA2018/100 - Outbuilding
350 Chauncy Vale Road, Bagdad	DA2018/101 - Change of Use Visitor accommodation (caretakers house & 4 caravan bays)
152 Pritchards Lane Dysart	DA2018/102 - Dwelling

The relevant plans and documents are available for inspection at the Development & Environmental Services Office at 85 Main Street, Kempton during normal office hours for a period of 14 days. Any person may make representations within this period by letter addressed to the General Manager, PO Box 21 Oatlands, Tasmania 7120; or by electronic mail to mail@southernmidlands.tas.gov.au

T F Kirkwood, General Manager



LEASE OF COUNCIL LAND

In accordance with Section 178 of the *Local Government Act 1993* (the Act), notice is hereby given of the Glenorchy City Council's intention to lease approximately 24m² of land for the installation of a telecommunications base station and to swap an existing 36.6m light pole with a 41.7m Telstra monopole including antennas, panels and junction boxes to create a light pole and telecommunications tower, at:

**1B Anfield Street, Glenorchy
(known as King George V Oval)**

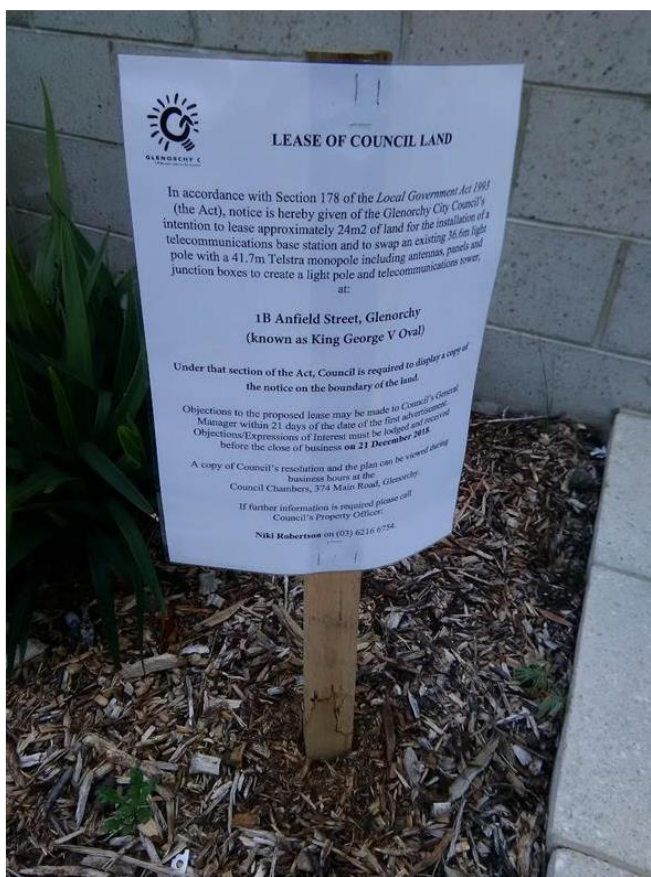
Under that section of the Act, Council is required to display a copy of the notice on the boundary of the land.

Objections to the proposed lease may be made to Council's General Manager within 21 days of the date of the first advertisement. Objections/Expressions of Interest must be lodged and received before the close of business **on 21 December 2018.**

A copy of Council's resolution and the plan can be viewed during business hours at the
Council Chambers, 374 Main Road, Glenorchy.

If further information is required please call
Council's Property Officer:

Niki Robertson on (03) 6216 6754.







Fraud Control and Corruption Prevention Policy

Title	Fraud Control and Corruption Prevention Policy
Version	<u>1.1</u>
Council Resolution	Item ##, #####
Responsible Directorate	Corporate Governance
Due for Review	Four (4) years from Council Resolution Date
Strategic Plan Reference	<u>Leading our Community</u> 4.1 Govern in the best interests of our community 4.1.1 Manage Council for maximum efficiency, accountability and transparency.
ECM	Council policy

PURPOSE

This policy provides direction on the Council's governing culture, principles, guidelines, and responsibilities to promote continual fraud and corruption awareness, and for the investigation of fraud and corruption incidents within Council.

SCOPE

This policy applies to:

- Aldermen
- all Council employees, including General Manager, Directors and Managers, temporary employees, and volunteers, and
- any external party involved in providing services to any part of the Council, e.g., contractors, consultants, outsourced service providers and suppliers.

STATUTORY REQUIREMENTS

Acts	<i>Local Government Act 1993 – Part 2 Div 3A, Part 5, Part 8 Div 4, Financial Management and Audit Act 1990 Integrity Commission Act 2009 Public Interest Disclosure Act 2002</i>
Regulations	<i>Financial Management and Audit Regulations 2013 Public Interest Disclosures Regulations 2013</i>
Australian/International Standards	AS 8001:2008 Fraud and Corruption Control

DEFINITIONS

Corruption	includes, but is not limited to, dishonest activity in which a person acts contrary to the interest of the organisation in order to achieve some gain or advantage, or to avoid loss or disadvantage, for the employee or for another person or entity. Corruption can include, but is not limited to, behaviour such as fraud, deception, misuse of a position or authority. (adapted from AS 8001-2008 - Fraud and Corruption Control)
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Fraud	dishonestly obtaining a benefit or causing a loss by deception or other means. This includes, but is not limited to: - any dishonest, corrupt or fraudulent act - misappropriation of funds, supplies, or other assets - impropriety in the handling or reporting of money or financial transactions - profiteering as a result of insider knowledge of the Council's activities - disclosing confidential and proprietary information to outside parties - falsification of expense claims - falsification of qualifications or licences - accepting or seeking anything of a material value from contractors, vendors, or persons providing services/materials to the Council, or - any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes; destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment (adapted from the <i>Commonwealth Fraud Control Guidelines</i>)
Employee	All employees of Council, whether employed on a permanent, temporary, or part-time basis and includes volunteers and employees of businesses and entities contracted to provide services to, or on behalf of Council.
Fraud Control and Corruption Control Prevention	An integrated set of activities to prevent, detect, investigate and respond to fraud and corruption, and to the supporting processes such as staff training and the prosecution and penalisation of offenders.
Fraud Control and Corruption Control Prevention Plan Strategy	A document outlining Council's anti-fraud and anti-corruption strategies. (adapted from AS 8001-2008, <i>Fraud and Corruption Control</i>)
Internal Control	An existing process, policy, device, practice or other action that acts to minimise negative risks or enhance positive opportunities. (adapted from AS 8001-2008, <i>Fraud and Corruption Control</i>)
Material Loss	For a Council asset, means: - for money, a loss of more than \$500; or - for any other asset, a loss valued by the General Manager at more than \$1,000.
Misconduct or Corrupt Conduct	(a) conduct, or an attempt to engage in conduct, of or by an employee that is or involves – (i) a breach of a code of conduct applicable to the employee or (ii) the performance of the employee's functions or the exercise of the public officer's powers, in a way that is dishonest or improper or (iii) a misuse of information or material acquired in or in connection with the performance of the employee's functions or exercise of the employee's powers or



Fraud Control and Corruption Prevention Policy

	(iv) a misuse of public resources in connection with the performance of the employee's functions or the exercise of the employee's powers, or (b) conduct, or an attempt to engage in conduct, of or by any employee that adversely affects, or could adversely affect, directly or indirectly, the honest and proper performance of functions or exercise of powers of another employee's –but does not include conduct, or an attempt to engage in conduct, by an employee in connection with a proceeding in Parliament. (adapted from <i>Integrity Commission Act 2009</i>)
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POLICY STATEMENT

Introduction

This policy outlines Council's strategies and activities to increase the awareness of, and ~~and~~ and mitigate the occurrence of Fraud and Corrupt ~~g~~Conduct.

Fraud and corruption can have a significant operational, financial, social and reputational impact on Council and the Glenorchy community.

Fraud and corruption can:

- disrupt business continuity
- waste resources, including management time
- reduce the quality and effectiveness of critical services
- threaten the financial stability of Council, and
- damage Council's public image and reputation.

Examples of fraud and corruption include (but are not limited to):

- hacking into, or interfering with the Council's computer system
- using the Council's computer systems to gain access to other systems without authority
- using forged or falsified documents to effect a transaction
- charging the Council for goods or services that are incomplete or not delivered
- theft, or improper use or disposal of assets
- receiving money, gifts or benefits in return for purchasing goods or services from certain suppliers
- receiving gifts/benefits for preferential outcomes in relation to awarding of contracts, and
- theft of revenue that is due to the Council and/or associated stakeholders.

The risk of fraud and corruption can come from inside the Council (employees, consultants, contractors) or from external parties (i.e., clients, consultants, service providers or members of the public). Council must be alert to the risk of fraud through collusion between inside and external parties (e.g., bribery, corruption and abuse of office).

Objectives

This policy and its associated controls provide the basis for Council to protect public money and property, effectively deliver services to the community, and to protect the integrity, and the good reputation and



Fraud Control and Corruption Prevention Policy

effectiveness of the Council and its staff. This includes reducing the risk of fraud occurring, discovering and investigating fraud when it occurs, and taking corrective action appropriate to the degree of fraudulent behaviour.

The objectives of this policy are to:

- support high standards of professional conduct and honest and ethical behaviour within Council
- minimise the risk of fraudulent practices or Corrupt Conduct occurring within and being perpetrated against Council
- protect Council's assets, public image and reputation
- ensure an ethical culture within the Organisation
- ensure the General Manager and Director's commitment to identify Fraud risk exposures and establish procedures for prevention, detection and response, and
- ensure Aldermen and Employees are aware of their responsibilities in relation to ethical conduct.

Roles and Responsibilities

Fundamental to sound fraud management is an overall governance structure that appropriately reflects the operating environment of Council. Accountabilities and responsibilities for fraud management are summarised as follows:

Governance Structure	Responsibilities
Aldermen	• ensuring that Council assets are safeguarded from fraud and corruption and that Council's powers, duties and responsibilities are exercised in an open, fair and transparent manner • endorsing and supporting all policies and measures taken to prevent, deter, detect and resolve instances, or suspected instances, of fraud or corruption throughout the Council
General Manager and Directors	• reviewing policies and procedures to prevent (controlling or mitigating the risk of) and investigate fraud and/or corruption • reviewing all instances of reported fraud including the appropriateness and adequacy of actions resulting from investigation and changes to prevent future recurrence
Audit Panel	• reviewing Council's Risk Management Policy, Directive and associated procedures for the effective identification and management of financial and business risks, including fraud risks • overseeing the process of developing and implementing the Fraud and Corruption Control Plan, to provide assurance that Council has appropriate processes and systems in place to prevent, detect and effectively respond to fraud-related information
Manager	• understanding and supporting the Fraud Control and Corruption Control Prevention Plan Strategy and providing staff under their management with the necessary information to implement this Plan the Strategy and its planned activities • identifying and understanding the risks of fraud within their departments • implementing and maintaining appropriate internal controls to reduce risks to an acceptable level



Governance Structure	Responsibilities
	- promoting the importance of ethical conduct and compliance with the Code of Conduct and related policy and procedures, setting and enforcing acceptable standards of behaviours - receiving and passing on reports of suspected fraud in accordance with Council's Fraud and Corruption Control Plan - formally considering ongoing commercial relationships with contractors or third parties when it is deemed that there is a heightened risk of fraud in continuing to deal with that party
Employees/Contractors/Volunteers	- be vigilant in their work to prevent and detect fraud - report any suspected fraud of which they become aware or suspect on reasonable grounds - assist in any investigations of fraud as required - refrain from any activity that is, or could be perceived to be victimisation or harassment of a person who makes disclosure of reportable conduct
Internal Auditor	undertaking an independent and objective appraisal, and providing their recommendations to management about a full range of business functions and operations undertaken by Council, including the adequacy of Council's fraud prevention <u>control</u> and corruption prevention <u>strategies</u> <u>activities</u>
External Auditor	ensuring that the risk of fraud is considered as part of the annual auditing of the Council's financial statements in accordance with Auditing Standard ASA 240 – The Auditor's Responsibilities Relating to Fraud in an Audit of a Financial Report

Council's Fraud Control and Corruption ~~Control~~ Prevention Policy Statements

- Council has zero tolerance for any form of Fraud, Misconduct or Corrupt Conduct in any of its activities.
- Council is committed to maintaining a culture of honesty and integrity, and fostering an ethical environment and culture.
- Council will ensure that effective internal control mechanisms are in place to mitigate the impacts of fraudulent and corrupt conduct by reducing the incidences of, improving the detection or and reducing losses and damages which may occur to Council as a result of Fraud or Corrupt Conduct.
- Everyone in Council has a role to play in identifying potential fraud and corruption and initiating appropriate responses.
- Council expects everyone in the organisation to assist in preventing fraud and corruption by:
 - understanding the responsibilities of their position
 - familiarising themselves with, and adhering to, Council's policies, procedures and directives
 - understanding what behaviour constitutes fraudulent and/or corrupt conduct
 - maintaining an awareness of Council strategies implemented to minimise fraud and corruption
 - being continuously vigilant to the potential for fraud or corruption to occur, and
 - reporting suspected or actual occurrences of fraud or corruption in accordance with the Framework.
- Council's Fraud Control and Corruption Prevention Policy is part of Council's overarching Fraud Control and Corruption Prevention Framework for preventing, detecting, and responding to fraud and



Fraud Control and Corruption Prevention Policy

corruption. [The documents within this framework are this Policy, the Strategy, and any associated procedures](#)~~Procedures~~.

- Council will investigate a material loss that has occurred or is suspected to have occurred, as well as any suspected instance of fraud or corruption.
- In the event that an investigation indicates that a criminal offence may have been committed, any information obtained by Council will be referred to the Police.
- False allegations of suspected fraud or corrupt conduct with the intent to disrupt or cause harm to another may be subject to disciplinary action in accordance with the provisions in Council's Code of Conduct.
- If an investigation report concludes there has been a breach of the Council's Code of Conduct, or any other applicable procedure, action will be taken in line with the Code. Any situation where it has been established that an employee has committed a fraudulent or corrupt act will result in the immediate termination of employment.
- Council will adopt a Fraud Control and Corruption Prevention~~Plan~~ [Strategy](#).

Handling and Disposal of Infectious Waste



Policy Manual Number: 02-4

Council Minutes Ref: 13th October 2003 Item 12

File Ref: 02179

Background

Sharps and other infectious wastes are generated in a wide range of situations, including residential and commercial properties, and health care facilities. Inappropriate disposal may pose a risk to council workers, waste contractors, the public, and the environment.

The aim of this policy is to prevent the transmission of infectious diseases amongst Council employees and the public through education, safe work practices and the use of protective clothing and equipment.

Policy Statement

1. Designated employees will be appointed to collect infectious waste and they will be adequately trained, and have current vaccinations of Hepatitis B and Tetanus. (Responsibility of Risk Management Officer.)
2. Designated employees will be adequately equipped with personal protective equipment. (Responsibility of immediate supervisor.)
3. Collection details will be properly recorded. (Responsibility of immediate supervisor.)
4. Collected sharps/infectious wastes will be properly disposed of. (Responsibility of immediate supervisor.)
5. All details will be forwarded to the Senior Environmental Health Officer

Sharps

Sharps are objects or devices having acute rigid corners, edges or points capable of cutting or penetrating the skin and including hypodermic needles, intravenous sets (spikes), pasteur pipettes, broken glass, and scalpel blades.

Infection Control

Procedure When Encountering Infectious Material

Infectious agents may be found on components of hypodermic syringes, clothing, and personal belongings or in spilled body fluids. Employees most likely to come into contact with potentially infectious materials are those field staff operating in parks, reserves, near public amenities, sewerage maintenance staff, immunisation staff and refuse maintenance staff. These staff are to have current vaccinations of Hepatitis B and Tetanus.

The following procedures must be followed:

1. Under no circumstances is the material/item to be handled without adherence to this policy.
2. Do not recap, break or remove needles from syringes.
3. Immediately report all injury from sharps and infectious waste, and record date, time and location of incident on appropriate accident/incident report form.
4. Trained staff able to deal with the issue are to be advised as soon as possible.
5. If in a location where there is high probability that members of the public, especially children, may come into contact with the material/item, keep sharps/infectious waste under direct observation until appropriate staff arrive. Advise the public to keep clear of the material/item.
6. If there are pressing reasons why staff cannot maintain observation of such materials/items in a public place, they should take all appropriate measures to either make them (it) inaccessible to the public (eg. locking of rooms, erecting of temporary barriers) or signposting the site to warn of the potential hazard.

Communications

Staff

During business hours all employees who locate sharps and/or potentially infectious waste (or become aware of their presence) shall immediately contact their supervisor, who will report the matter to the Environmental Health Office.

Public

Business Hours: Should a member of the public find sharps or infectious waste during normal business hours, they are to contact the Environmental Health Office on 62740 797.

After Hours: Contact Council's After Hours Service who shall contact the nominated first available sharps and infectious waste collection employee who shall arrange appropriate action.

Clean Up Procedures

IMPORTANT: Utmost care shall be taken to avoid needle stick injury to avoid body fluids (or fluids containing body fluids) coming into contact with the skin, irrespective of whether or not the skin is broken.

a.) Vehicles and personnel involved in collection and disposal of infectious waste shall have the following as part of their *Personal Protective Equipment*, which **should be readily available immediately they are required:**

- (i) Disposable gloves;
- (ii) Safety gloves;
- (iii) Safety goggles (if the material is in such a position that there is a potential for eye splash of contaminated fluids);
- (iv) Full cover footwear (not thongs or sandals);
- (v) Long sleeves, preferably fastened at the cuff.
- (vi) Approved 'sharps' containers;
- (vii) Tongs;
- (viii) Approved disinfectant solution;
- (ix) Clean up procedure instructions;
- (x) Infectious Material Incident Report Forms;
- (xi) Strong plastic bags and ties;
- (xii) Clean up kit container.
- (xiii) First Aid kit.

b.) The following procedures are to be followed when handling sharps/contaminated infectious material.

- (i) Put on disposable gloves.
- (ii) Use approved disinfectant solution as per label directions.
- (iii) Using tongs, items are to be transferred DIRECTLY to the sharps container which complies with Standards Australia **AS 4031-92, Non-reusable Sharps Containers**. These containers are available from the Environmental Health Office. Care is to be taken to avoid contamination during this procedure. Under no circumstance is an attempt to be made to remove items once they are placed in the container. If large contaminated items (eg. clothing) are found, they should be placed using tongs, into a strong plastic bag and securely tied.
- (iv) If identifying information exists on the items, it is to be recorded on an Infectious Material Incident Report Form.
- (v) If fluid is spilled on the tongs, flush off the tongs with copious quantities of cold water then place them in the disinfectant solution for at least five minutes. Then flush the disinfectant solution off the tongs with clean water.

- (v) Carefully remove the gloves, especially if fluid has been spilled on them and place them **DIRECTLY** into the sharps container, using the tongs, or alternatively, into a strong plastic bag.
- c.) If it is apparent or likely that contaminated liquid has been spilled on surfaces where it may constitute a hazard to future users to the site, then:-
- (i) Wash down the affected areas with large volumes of cold water. Ensure that this wash water does not pond inside or outside a facility;
 - (ii) Disinfect the affected areas with an approved disinfectant solution, prepared in accordance with label directions
 - (iii) Wash your hands using an approved disinfectant.
 - (iv) Complete the Infection Materials Incident Report Form and forward to the Senior Environmental Health Officer.

Decontamination/Injury Procedure

If liquid thought to contain human fluid is spilled on the skin or clothing or if a needle stick injury is sustained, then:-

- a. Flush the affected area (and clothing) with cold water, wash the area well with soap and water or approved disinfectant should be used when water is not available.
- b. Then remove any affected clothing;
- c. If eyes are contaminated, rinse the area gently yet thoroughly with water or normal saline, with the eyes open.
- d. If blood gets in the mouth, spit it out and then rinse the mouth with water several times.
- e. Any injuries to staff resulting in skin penetration from accidental injection (needle stick injury) cuts and gashes from contaminated glass, metal, etc, or skin contact with spilled /splashed body fluids, are to be reported immediately to your supervisor, Workplace Health & Safety Officer or Council's Risk Management Officer, so that the need for further action such as treatment may be assessed immediately.
- f. Supervisor/manager to directly notify Council's Risk Management Officer on EXT. 62740 759. **DO NOT** wait until the following day.

- g. Visit your own doctor or Council's doctor or the Outpatients section of the hospital for examination of the wound **IMMEDIATELY – do not wait until after meal breaks or the next day.**
- h. Subsequently, complete a personal injury Report Form.

Disposal Procedure

Sharps containers, when two-thirds filled, (and plastic bags of infectious waste materials) are to be placed in Lockable Biological Hazard Wheelie Bins located in the Environmental Health Office and Glenorchy Works Centre Depot. Bins must be locked at all times when not in use.

Contents of Biological Hazards Wheelie Bins to be collected by approved contractor and disposed of at an approved site. Contractor to service bin on an as needs basis.

Training Needs

The following employees shall receive appropriate training (to be arranged by Council's Risk Management Officer) to enable them to implement this policy.

- a. Public Convenience Contractor
- b. Litter Truck Operators
- c. Relevant supervisors & managers.
- d. Animal Control Officers
- e. Manager – Glenorchy Pool

Distribution of sharps containers

Sharps containers distributed over the counter at Environmental Health Office at cost, up to a maximum capacity of 5.0 litres:-

- 1.4L
- 2.8L
- 5.0L

Review **3 years**

Reviewed October 2003

Status:

Current

POLICY DOCUMENT CONTROL SHEET

Policy Name: Handling Disposal of Infectious Waste

Policy Manual Number: 02-4

Department: Environment Planning and Development

Date Policy Approved by Council: 19th November 2001

Reviewed by (Name and Job Title of officer)	Nature of Amendment (List changes made to Policy)	Date Council Endorsed Amendment
J Colavechio Health Officer	Review	19 th November 2001
J Colavechio Health Officer	Review	13 th October 2003

This policy control sheet is designed to identify when a policy has been amended and what the nature of the change is.

When a policy requires amending the electronic copy must be copied from the H drive to an area where the responsible officer can make changes. The file can then be amended. This ensure the document available on the internet will also be the lasted up to date version.

Once the policy has been amended the control sheet can be completed.

Although this sheet will always be attached to the Policy the name and number need to be displayed on this sheet, in case the sheet was to become separated from the original.

The 'Department' refers to the department, which originally authored the policy.

The 'Reviewed by' section is the area where the responsible officer fills in their name. This is the person who has authored the change.

The 'Nature of the Amendment' is where a brief description of the change can be added. This is allows others to understand why a change has been made and provides a history of how the document has changed or evolved.

Once the document has received Council endorsement it must be sent to the 'Policy Projects Coordinator' Elaine Butterworth who will add the 'Date Council Endorsed Amendment' and ensure the policy is available on the 'H' Drive and the intranet.



Aldermanic Code of Conduct

Title	Aldermanic Code of Conduct
Council Resolution	Item 12 (28 May 2018) as per Council Minutes
Responsible Directorate	Corporate Governance
Due for Review	Within three (3) months after each ordinary Council election (section 28T(7) of the <i>Local Government Act 1993</i>)
Strategic Plan Reference	4.1 Govern in an open and responsible manner in the best interest of the community
ECM	Council Policies

PURPOSE

This Code of Conduct provides direction sets out the standards of behaviour expected of the Aldermen of the Glenorchy City Council (Council), with respect to all aspects of their role.

SCOPE

This Code of Conduct applies to an Alderman whenever he or she:

- conducts council business, whether at or outside a meeting;
- conducts the business of his or her office (which may be that of Mayor, Deputy Mayor or Alderman); or
- acts as a representative of the Council.

A complaint of failure to comply with the provisions of the Code of Conduct may be made where the Alderman fails to meet the standard of conduct specified in the Model Code of Conduct (see Appendix 1).

It does not apply to any instances of suspected corrupt conduct, maladministration, serious and substantial waste of public resources, substantial risk to public health or safety or to the environment. Instances of this nature should be reported in accordance with the *Public Interest Disclosures Act 2002*. Disclosures may be made to the Tasmanian Ombudsman or the Tasmanian Integrity Commission.

It also does not apply to other complaints of alleged breaches under the *Local Government Act 1993* (the LG Act): any person can make a complaint to the Director of Local Government, via the Local Government Division, in accordance with section 339E of the LG Act, where it is genuinely believed that a council, Alderman or General Manager may have committed an offence under the LG Act or failed to comply with the requirements of the LG Act.

STATUTORY REQUIREMENTS

The Code of Conduct framework is legislated under the *Local Government Act 1993*.

Acts	• <i>Local Government Act 1993</i> – Sections 28E, 28V
Regulations	• <i>Local Government (General) Regulations 2015</i> – Schedule 3 [Fees] • Local Government (Model Code of Conduct) Order 2016
Australian/International Standards	• Not Applicable



PURPOSE OF CODE OF CONDUCT

As leaders in the community, Aldermen acknowledge the importance of high standards of behaviour in maintaining good governance. Good governance supports each Alderman's primary goal of acting in the best interests of the community.

Aldermen therefore agree to conduct themselves in accordance with the standards of behaviour set out in the Code of Conduct. This Code of Conduct incorporates the Model Code of Conduct (Appendix A) made by Order of the Minister responsible for Local Government.

STANDARDS OF CONDUCT PRESCRIBED UNDER THE MODEL CODE OF CONDUCT

The Model Code of Conduct provides for the following eight (8) standards of conduct:

Decision Making	An Alderman is to bring an open and unprejudiced mind to all matters being considered in the course of his or her duties, so that decisions are made in the best interests of the community.
Conflict of Interest	An Alderman effectively manages conflict of interest by ensuring that personal or private interests do not influence, and are not seen to influence, the performance of his or her role and acting in the public interest.
Use of Office	An Alderman uses his or her office solely to represent and serve the community, conducting himself or herself in a way that maintains the community's trust in the Alderman and the Council as a whole.
Use of Resources	An Alderman uses Council resources and assets strictly for the purpose of performing his or her role.
Use of Information	An Alderman uses information appropriately to assist in performing his or her role in the best interests of the community.
Gifts and Benefits	An Alderman adheres to the highest standards of transparency and accountability in relation to the receiving of gifts or benefits, and carries out his or her duties without being influenced by personal gifts or benefits.
Relationships with Community, Alderman and Council Employees	An Alderman is to be respectful in his or her conduct, communication and relationships with members of the Community, fellow Aldermen and Council employees in a way that builds trust and confidence in the Council.
Representation	An Alderman is to represent himself or herself and the Council appropriately and within the ambit of his or her role, and clearly distinguish between his or her views as an individual and those of the Council.

PRINCIPLES OF GOOD GOVERNANCE

By adopting this Code of Conduct, Aldermen commit to the overarching principles of good governance by being:

Accountable	Explain, and be answerable for, the consequences of decisions made on behalf of the community.
Transparent	Ensure decision making processes can be clearly followed and understood by the community
Law-Abiding	Ensure decisions are consistent with relevant legislation or common law, and within the powers of local government



Aldermanic Code of Conduct

Responsive	Represent and serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner
Equitable	Provide all groups with the opportunity to participate in the decision making process and treat all groups equally
Participatory and Inclusive	Ensure that anyone affected by or interested in a decision has the opportunity to participate in the process for making that decision
Effective and Efficient	Implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for the community
Consensus Oriented	Take into account the different views and interests in the community, to reach a majority position on what is in the best interests of the whole community, and how it can be achieved

MAKING A CODE OF CONDUCT COMPLAINT

A person may make a code of conduct complaint against an Alderman in relation to the contravention by that Alderman of the Council's Code of Conduct.

A person may make a complaint against more than one Alderman if the complaint relates to the same behaviour and the same code of conduct contravention.

Code of Conduct complaints are lodged with the General Manager of Council and **must** comply with legislative requirements, as summarised below:

- A complaint may **not** be made by more than two complainants jointly.
- A code of conduct complaint is to:
 - be in writing;
 - state the name and address of the complainant;
 - state the name of each Alderman against whom the complaint is made;
 - state the provisions of the Code of Conduct that the Alderman has allegedly contravened;
 - contain details of the behaviour of each Alderman that constitutes the alleged contravention;
 - be lodged with the General Manager within six (6) months after the Alderman or Aldermen against whom the complaint is made allegedly committed the contravention of the Code of Conduct; and
 - be accompanied by the Code of Conduct complaint lodgement fee.

Once satisfied that the Code of Conduct complaint meets prescribed requirements, the General Manager will forward the complaint to the Code of Conduct Panel.

The Code of Conduct complaint lodgement fee is prescribed under Schedule 3 [Fees] of the *Local Government (General) Regulations 2015*. The lodgement fee is 50 fee units (\$75.50 in 2015/16).

A flowchart summarising Code of Conduct complaint assessment, panel investigation, determination, sanctions and costs is attached (Appendix B).

ALDERMANIC DISPUTE RESOLUTION

Aldermen commit to developing strong and positive working relationships and working effectively together at all times. Prior to commencing a formal Code of Conduct complaint, the Aldermen who are



parties to any disagreement should endeavour to resolve their differences in a courteous and respectful manner, recognising that they have been elected to act in the best interests of the community.

In general, Council's internal dispute resolution process should be the first step that is taken when there is a dispute between Aldermen.

An Alderman who is party to any disagreement should request the Mayor or the General Manager to assist that Alderman in resolving the disagreement informally.

If the informal assistance does not resolve the disagreement, the General Manager may, with the consent of the parties involved, choose to appoint an external mediator to assist in the resolution of the disagreement. If an external mediator is appointed, Aldermen who are party to the disagreement must strive to cooperate with the mediator and use their best endeavours to assist the mediator and participate in the mediation arranged.

Where a matter cannot be resolved through internal processes, the next step may be to lodge a formal Code of Conduct complaint.

Aldermen should only invoke the provisions of the Code of Conduct in good faith, where it is perceived that another Alderman has not complied with the provisions or intent of the Code of Conduct.

BACKGROUND

The Director of Local Government recommended that councils include the aforementioned information, as amended, as an accompaniment to the Model Code of Conduct.



APPENDIX A – MODEL CODE OF CONDUCT

PART 1 - Decision making

1. A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority.
2. A councillor must make decisions free from personal bias or prejudgement.
3. In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware.
4. A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.

PART 2 - Conflict of interest

1. When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
2. A councillor must act openly and honestly in the public interest.
3. A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council.
4. A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.
5. A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.
6. A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –
 - (a) declare the conflict of interest before discussion on the matter begins; and
 - (b) act in good faith and exercise reasonable judgement to determine whether the conflict of interest is so material that it requires removing himself or herself physically from any Council discussion and remaining out of the room until the matter is decided by the Council.

PART 3 - Use of Office

1. The actions of a councillor must not bring the Council or the office of councillor into disrepute.
2. A councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.



3. *In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), a councillor must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.*

PART 4 - Use of resources

1. *A councillor must use Council resources appropriately in the course of his or her public duties.*
2. *A councillor must not use Council resources for private purposes except as provided by Council policies and procedures.*
3. *A councillor must not allow the misuse of Council resources by any other person or body.*
4. *A councillor must avoid any action or situation which may lead to a reasonable perception that Council resources are being misused by the councillor or any other person or body.*

PART 5 - Use of information

1. *A councillor must protect confidential Council information in his or her possession or knowledge, and only release it if he or she has the authority to do so.*
2. *A councillor must only access Council information needed to perform his or her role and not for personal reasons or non-official purposes.*
3. *A councillor must not use Council information for personal reasons or non-official purposes.*
4. *A councillor must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.*

PART 6 - Gifts and benefits

1. *A councillor may accept an offer of a gift or benefit if it directly relates to the carrying out of the councillor's public duties and is appropriate in the circumstances.*
2. *A councillor must avoid situations in which the appearance may be created that any person or body, through the provisions of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the councillor or the Council.*
3. *A councillor must carefully consider –*
 - (a) *the apparent intent of the giver of the gift or benefit; and*
 - (b) *the relationship the councillor has with the giver; and*
 - (c) *whether the giver is seeking to influence his or her decisions or actions, or seeking a favour in return for the gift or benefit.*



Aldermanic Code of Conduct

4. A councillor must not solicit gifts or benefits in the carrying out of his or her duties.
5. A councillor must not accept an offer of cash, cash-like gifts (such as gift cards and vouchers) or credit.
6. A councillor must not accept a gift or benefit if the giver is involved in a matter which is before the Council.
7. A councillor may accept an offer of a gift or benefit that is token in nature (valued at less than \$50) or meets the definition of a token gift or benefit (if the Council has a gifts and benefits policy).
8. If the Council has a gifts register, a councillor who accepts a gift or benefit must record it in the relevant register.

PART 7 - Relationships with community, councillors and Council employees

1. A councillor –
 - (a) must treat all persons with courtesy, fairness, dignity and respect; and
 - (b) must not cause any reasonable person offence or embarrassment; and
 - (c) must not bully or harass any person.
2. A councillor must listen to, and respect, the views of other councillors in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate.
3. A councillor must not influence, or attempt to influence, any Council employee or delegate of the Council, in the exercise of the functions of the employee or delegate.
4. A councillor must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation.
5. A councillor must not contact an employee of the Council in relation to Council matters unless authorised by the General Manager of the Council.

PART 8 - Representation

1. When giving information to the community, a councillor must accurately represent the policies and decisions of the Council.
2. A councillor must not knowingly misrepresent information that he or she has obtained in the course of his or her duties.
3. A councillor must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor or Lord Mayor.
4. A councillor must clearly indicate when he or she is putting forward his or her personal views.



Aldermanic Code of Conduct

5. *A councillor's personal views must not be expressed in such a way as to undermine the decisions of the Council or bring the Council into disrepute.*
6. *A councillor must show respect when expressing personal views publicly.*
7. *The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council.*
8. *When representing the Council on external bodies, a councillor must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment.*

PART 9 - Variation of Code of Conduct

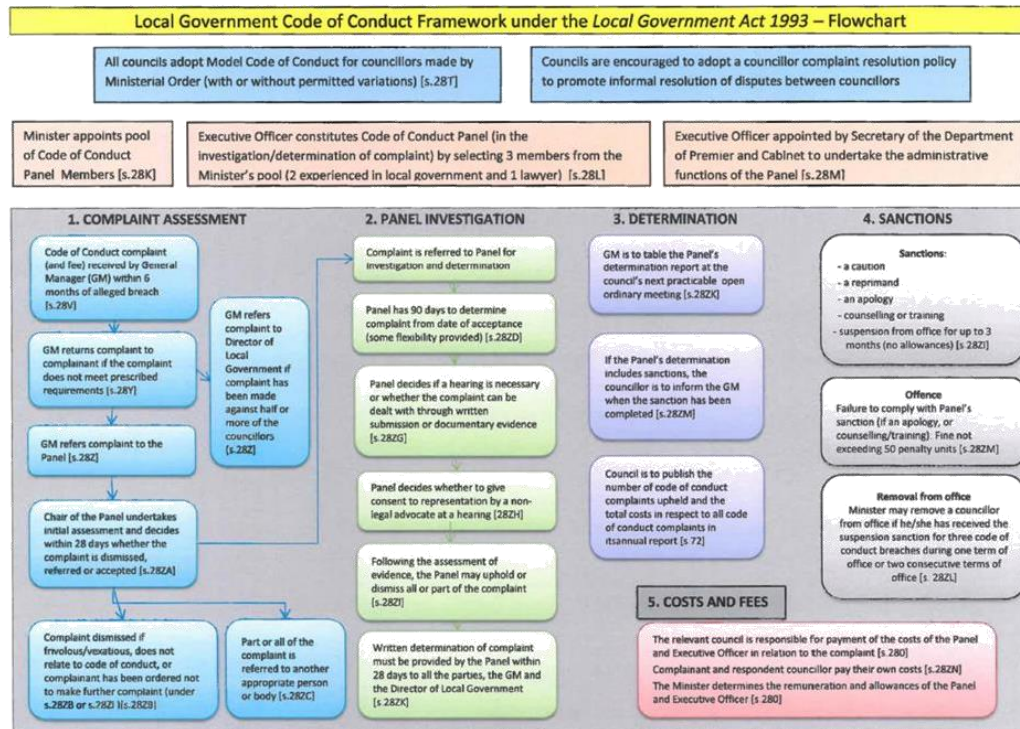
1. *Any variation of this model code of conduct is to be in accordance with section 28T of the Act.*

Local Government (Model Code of Conduct) Order 2016



Aldermanic Code of Conduct

APPENDIX B – LOCAL GOVERNMENT CODE OF CONDUCT FLOWCHART



http://www.dpact.as.gov.au/_data/assets/pdf_file/0011/284663/Local_Government_Code_of_Conduct_Framework_Flowchart.pdf



Title	Aldermanic Code of Conduct
Council Resolution	Item XX (DD MMM YYYY) as per Council Minutes
Responsible Directorate	Corporate Governance
Due for Review	Within three (3) months: - after the Minister makes available to Councils an amendment to the model code of conduct or a substitute model code of conduct (section 28T(2) of the <i>Local Government Act 1993</i> (LG Act)), or - after each ordinary Council election (section 28T(7))
Strategic Plan Reference	4.1 Govern in an open and responsible manner in the best interest of the community
ECM	Council Policies

PURPOSE

This Code of Conduct provides direction sets out the standards of behaviour expected of the Aldermen of the Glenorchy City Council (Council), with respect to all aspects of their role.

SCOPE

This Code of Conduct applies to an Alderman whenever he or she:

- conducts Council business, whether at or outside a meeting
- conducts the business of his or her office (which may be that of Mayor, Deputy Mayor or Alderman), or
- acts as a representative of the Council.

A complaint of failure to comply with the provisions of the Code of Conduct may be made where the Alderman fails to meet the standard of conduct specified in the Model Code of Conduct (see [Appendix 1](#)).

It does not apply to any instances of suspected corrupt conduct, maladministration, serious and substantial waste of public resources, substantial risk to public health or safety or to the environment. Instances of this nature should be reported in accordance with the *Public Interest Disclosures Act 2002*. Disclosures may be made to the Tasmanian Ombudsman or the Tasmanian Integrity Commission.

It also does not apply to other complaints of alleged breaches under the *Local Government Act 1993* (the LG Act): any person can make a complaint to the Director of Local Government, via the Local Government Division, in accordance with section 339E of the LG Act, where it is genuinely believed that a council, Alderman or General Manager may have committed an offence under the LG Act or failed to comply with the requirements of the LG Act.

STATUTORY REQUIREMENTS

The Code of Conduct framework is legislated under the LG Act.

Acts	<i>Local Government Act 1993</i> – sections 28E, 28V
Regulations	<i>Local Government (General) Regulations 2015</i> – Schedule 3 (Fees) <i>Local Government (Model Code of Conduct) Order 2016</i>
Australian/International Standards	Not applicable

**Guidelines**

- [Good Governance Guide for Local Government in Tasmania](#) (Department of Premier and Cabinet, June 2018)

PURPOSE OF CODE OF CONDUCT

As leaders in the community, Aldermen acknowledge the importance of high standards of behaviour in maintaining good governance. Good governance supports each Alderman's primary goal of acting in the best interests of the community.

Aldermen therefore agree to conduct themselves in accordance with the standards of behaviour set out in the Code of Conduct. This Code of Conduct incorporates the Model Code of Conduct ([Appendix A](#)) made by Order of the Minister responsible for Local Government.

STANDARDS OF CONDUCT PRESCRIBED UNDER THE MODEL CODE OF CONDUCT

The Model Code of Conduct provides for the following eight (8) standards of conduct (as accorded by the [Good Governance Guide for Local Government in Tasmania](#)):

Decision Making	An Alderman is to bring an open and unprejudiced mind to all matters being considered in the course of their duties, so that decisions are made in the best interests of the community
Conflict of Interest	An Alderman effectively manages conflict of interest by ensuring that personal or private interests do not influence, and are not seen to influence, the performance of their role and acting in the public interest
Use of Office	An Alderman uses their office solely to represent and serve the community, conducting themselves in a way that maintains the community's trust in the Alderman and the Council as a whole
Use of Resources	An Alderman uses Council resources and assets strictly for the purpose of performing his or her role
Use of Information	An Alderman uses information appropriately to assist in performing his or her role in the best interests of the community
Gifts and Benefits	An Alderman adheres to the highest standards of transparency and accountability in relation to the receiving of gifts or benefits, and carries out their duties without being influenced by personal gifts or benefits
Relationships with Community, Alderman and Council Employees	An Alderman is to be respectful in their conduct, communication and relationships with members of the Community, fellow Aldermen and Council employees in a way that builds trust and confidence in the Council
Representation	An Alderman is to represent themselves and the Council appropriately and within the ambit of their role, and clearly distinguish between their views as an individual and those of the Council



PRINCIPLES OF GOOD GOVERNANCE

By adopting this Code of Conduct, Aldermen commit to the overarching principles of good governance by being:

Accountable	Explain, and be answerable for, the consequences of decisions made on behalf of the community
Transparent	Ensure decision making processes can be clearly followed and understood by the community
Law-Abiding	Ensure decisions are consistent with relevant legislation or common law, and within the powers of local government
Responsive	Represent and serve the needs of the entire community while balancing competing interests in a timely, appropriate and responsive manner
Equitable	Provide all groups with the opportunity to participate in the decision-making process and treat all groups equally
Participatory and Inclusive	Ensure that anyone affected by or interested in a decision has the opportunity to participate in the process for making that decision
Effective and Efficient	Implement decisions and follow processes that make the best use of the available people, resources and time, to ensure the best possible results for the community
Consensus Oriented	Consider the different views and interests in the community, to reach a majority position on what is in the best interests of the whole community, and how it can be achieved

MAKING A CODE OF CONDUCT COMPLAINT

A person may make a code of conduct complaint against an Alderman in relation to the contravention by that Alderman of the Council's Code of Conduct (see [Appendix B](#)). A flowchart summarising Code of Conduct complaint assessment, panel investigation, determination, sanctions and costs is attached ([Appendix C](#)).

ALDERMANIC DISPUTE RESOLUTION

In the spirit of Council's Statement of Expectations, Aldermen commit to developing strong and positive working relationships and working effectively together always. [Appendix D](#) summarises the expectations on how Alderman should approach resolving a dispute before it escalates to a Code of Conduct like-matter.

BACKGROUND

In 2016, the Director of Local Government recommended that councils include the aforementioned information (as amended), as an accompaniment to the Model Code of Conduct.



APPENDIX A – MODEL CODE OF CONDUCT

(As per Schedule 1 of the *Local Government (Model Code of Conduct) Order 2016*, as amended)

PART 1 - Decision making

1. A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority.
2. A councillor must make decisions free from personal bias or prejudgement.
3. In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware.
4. A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions.

PART 2 - Conflict of interests that are not pecuniary

1. When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have.
2. A councillor must act openly and honestly in the public interest.
3. A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council.
4. A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest.
5. A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible.
6. A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must –
 - (a) declare the conflict of interest and the nature of the interest before discussion of the matter begins; and
 - (b) act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of interest requires the councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by the Council.
7. This Part does not apply in relation to a pecuniary interest.

PART 3 - Use of Office

1. The actions of a councillor must not bring the Council or the office of councillor into disrepute.
2. A councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.
3. In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), a councillor must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.

**PART 4 - Use of resources**

1. A councillor must use Council resources appropriately in the course of his or her public duties.
2. A councillor must not use Council resources for private purposes except as provided by Council policies and procedures.
3. A councillor must not allow the misuse of Council resources by any other person or body.
4.

PART 5 - Use of information

1.
2. A councillor must only access or use Council information needed to perform his or her role and not for personal reasons or non-official purposes.
3.
4. A councillor must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

PART 6 - Gifts and benefits

1. A councillor may accept an offer of a gift or benefit if it directly relates to the carrying out of the councillor's public duties and is appropriate in the circumstances and is not in contravention of any relevant legislation.
2. A councillor must avoid situations in which a reasonable person would consider that any person or body, through the provisions of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the councillor or the Council.
3.
4.
5.
6.
7.
8.

PART 7 - Relationships with community, councillors and Council employees

1. A councillor –
 - (a) must treat all persons fairly; and
 - (b) must not cause any reasonable person offence or embarrassment; and
 - (c) must not bully or harass any person.
2. A councillor must listen to, and respect, the views of other councillors in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate.
3.



4. A councillor must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation.
5. A councillor must not contact an employee of the Council in relation to Council matters unless authorised by the General Manager of the Council.

PART 8 - Representation

1. When giving information to the community, a councillor must accurately represent the policies and decisions of the Council.
2. A councillor must not knowingly misrepresent information that he or she has obtained in the course of his or her duties.
3. A councillor must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor or Lord Mayor.
4. A councillor must clearly indicate when he or she is putting forward his or her personal views.
5. A councillor's personal views must not be expressed publicly in such a way as to undermine the decisions of the Council or bring the Council into disrepute.
6. A councillor must show respect when expressing personal views publicly.
7. The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council.
8. When representing the Council on external bodies, a councillor must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment.

PART 9 - Variation of Code of Conduct

1. Any variation of this model code of conduct is to be in accordance with section 28T of the Act.



APPENDIX B – SUMMARY OF MAKING A CODE OF CONDUCT COMPLAINT PROCESS

A person may make a code of conduct complaint against an Alderman in relation to the contravention by that Alderman of the Council's Code of Conduct (section 28V(1)).

A person may make a complaint against more than one Alderman if the complaint relates to the same behaviour and the same code of conduct contravention (section 28V(2)).

Code of Conduct complaints are lodged with the General Manager and must comply with legislative requirements, as summarised below:

- A complaint may not be made by more than two complainants jointly (section 28V(5)).
- Under section 28V(3), a Code of Conduct complaint is to:
 - be in writing
 - state the name and address of the complainant
 - state the name of each Alderman against whom the complaint is made
 - state the provisions of the Code of Conduct that the Alderman has allegedly contravened
 - contain details of the behaviour of each Alderman that constitutes the alleged contravention
 - be lodged with the General Manager within six (6) months after the Alderman or Aldermen against whom the complaint is made allegedly committed the contravention of the Code of Conduct (if the subject matter of a complaint by its nature consists of a series of separate incidents that, taken together, form the subject matter, the period runs from the most recent of the incidents mentioned in the complaint)(section 28V(4))
 - be accompanied by a statutory declaration, signed by the complainant or by each complainant, verifying the accuracy of the information contained in the complaint
 - contain details of all efforts made by the complainant to resolve the issue that is the subject of the complaint, and
 - be accompanied by the Code of Conduct complaint lodgement fee.

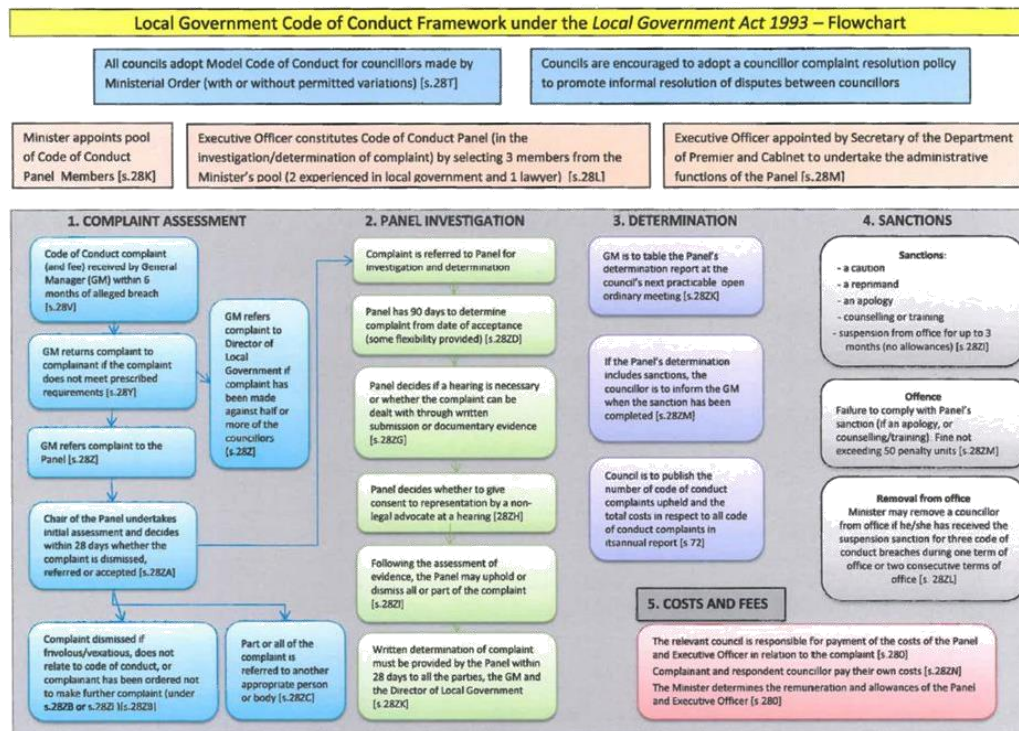
Once satisfied that the Code of Conduct complaint meets prescribed requirements, the General Manager will forward the complaint to the Code of Conduct Panel (if the complaint is less than half of all the Aldermen on Council) or to the Director of Local Government otherwise (section 28Z(1)).

The Code of Conduct complaint lodgement fee is prescribed under Schedule 3 [Fees] of the *Local Government (General) Regulations 2015*. The lodgement fee is 50 fee units (\$79.00 in FY 2018/19, as amended from time to time through State Department of Treasury and Finance).

A flowchart summarising Code of Conduct complaint assessment, panel investigation, determination, sanctions and costs is attached ([Appendix C](#))

APPENDIX C – LOCAL GOVERNMENT CODE OF CONDUCT FLOWCHART

(Current as at 9 January 2019)



http://www.dpac.tas.gov.au/data/assets/pdf_file/0011/284663/Local_Government_Code_of_Conduct_Framework_Flowchart.pdf



APPENDIX D – ALDERMANIC DISPUTE RESOLUTION PRIOR TO CODE OF CONDUCT COMPLAINT

Prior to commencing a formal Code of Conduct complaint, the Aldermen who are parties to any disagreement should endeavour to resolve their differences in a courteous and respectful manner, recognising that they have been elected to act in the best interests of the community.

In general, Council's internal dispute resolution process should be the first step that is taken when there is a dispute between Aldermen.

An Alderman who is party to any disagreement should request the Mayor or the General Manager to assist that Alderman in resolving the disagreement informally.

If the informal assistance does not resolve the disagreement, the General Manager may, with the consent of the parties involved, choose to appoint an external mediator to assist in the resolution of the disagreement. If an external mediator is appointed, Aldermen who are party to the disagreement must strive to cooperate with the mediator and use their best endeavours to assist the mediator and participate in the mediation arranged.

Where a matter cannot be resolved through internal processes, the next step may be to lodge a formal Code of Conduct complaint.

Aldermen should only invoke the provisions of the Code of Conduct in good faith, where it is perceived that another Alderman has not complied with the provisions or intent of the Code of Conduct.

Attachment 3 – Comparison between Model Codes of Conduct

New Model Code of Conduct (as at 28 December 2018)	Existing Model Code of Conduct (as at 13 April 2016)	Comment
Part 1 – Decision Making		
1. A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority	1. A councillor must bring an open and unprejudiced mind to all matters being decided upon in the course of his or her duties, including when making planning decisions as part of the Council's role as a Planning Authority	• Nil change
2. A councillor must make decisions free from personal bias or prejudgement	2. A councillor must make decisions free from personal bias or prejudgement	• Nil change
3. In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware	3. In making decisions, a councillor must give genuine and impartial consideration to all relevant information known to him or her, or of which he or she should have reasonably been aware	• Nil change
4. A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions	4. A councillor must make decisions solely on merit and must not take irrelevant matters or circumstances into account when making decisions	• Nil change
Part 2 – Conflicts of Interest <i>that are not Pecuniary</i>¹		
1. When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have	1. When carrying out his or her public duty, a councillor must not be unduly influenced, nor be seen to be unduly influenced, by personal or private interests that he or she may have	• Nil change
2. A councillor must act openly and honestly in the public interest	2. A councillor must act openly and honestly in the public interest	• Nil change
3. A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council	3. A councillor must uphold the principles of transparency and honesty and declare actual, potential or perceived conflicts of interest at any meeting of the Council and at any workshop or any meeting of a body to which the councillor is appointed or nominated by the Council	• Nil change
4. A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest	4. A councillor must act in good faith and exercise reasonable judgement to determine whether he or she has an actual, potential or perceived conflict of interest	• Nil change
5. A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible	5. A councillor must avoid, and remove himself or herself from, positions of conflict of interest as far as reasonably possible	• Nil change
6. A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must – a. declare the conflict of interest and the nature of the interest before discussion of the matter begins; and b. act in good faith and exercise reasonable judgement to determine whether a reasonable person would consider that the conflict of	6. A councillor who has an actual, potential or perceived conflict of interest in a matter before the Council must – a. declare the conflict of interest before discussion of the matter begins; and b. act in good faith and exercise reasonable judgement to determine whether the conflict of interest is so material that it requires the councillor to remove himself or herself	• Change from materiality test to reasonable person test

¹ Addition of 'that are not Pecuniary'

Attachment 3 – Comparison between Model Codes of Conduct

New Model Code of Conduct (as at 28 December 2018)	Existing Model Code of Conduct (as at 13 April 2016)	Comment
interest requires the councillor to remove himself or herself physically from any Council discussion and remain out of the room until the matter is decided by the Council	physically from any Council discussion and remain out of the room until the matter is decided by the Council	
7. This Part does not apply in relation to a pecuniary interest		• New item
Part 3 – Use of Office		
1. The actions of a councillor must not bring the Council or the office of councillor into disrepute.	1. The actions of a councillor must not bring the Council or the office of councillor into disrepute.	• Nil change
2. A councillor must not take advantage, or seek to take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.	2. A councillor must not take advantage, of his or her office or status to improperly influence others in order to gain an undue, improper, unauthorised or unfair benefit or detriment for himself or herself or any other person or body.	• Nil change
3. In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), a councillor must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.	3. In his or her personal dealings with the Council (for example as a ratepayer, recipient of a Council service or planning applicant), a councillor must not expect nor request, expressly or implicitly, preferential treatment for himself or herself or any other person or body.	• Nil change
Part 4 – Use of Resources		
1. A councillor must use Council resources appropriately in the course of his or her public duties.	1. A councillor must use Council resources appropriately in the course of his or her public duties.	• Nil change
2. A councillor must not use Council resources for private purposes except as provided by Council policies and procedures.	2. A councillor must not use Council resources for private purposes except as provided by Council policies and procedures.	• Nil change
3. A councillor must not allow the misuse of Council resources by any other person or body	3. A councillor must not allow the misuse of Council resources by any other person or body	• Nil change
4. {Nil entry}	4. A councillor must avoid any action or situation which may lead to a reasonable perception that Council resources are being misused by the councillor or any other person or body.	• Removal of item 4
Part 5 – Use of Information		
1. {Nil entry}	1. A councillor must protect confidential Council information in his or her possession or knowledge, and only release it if he or she has the authority to do so.	• Removal of item 1
2. A councillor must only access or use Council information needed to perform his or her role and not for personal reasons or non-official purposes.	2. A councillor must only access Council information needed to perform his or her role and not for personal reasons or non-official purposes.	• Addition of 'or use'
3. {Nil entry}	3. A councillor must not use Council information for personal reasons or non-official purposes	• Removal of item 3 (as covered in amended item 2)

Attachment 3 – Comparison between Model Codes of Conduct

New Model Code of Conduct (as at 28 December 2018)	Existing Model Code of Conduct (as at 13 April 2016)	Comment
4. A councillor must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation	4. A councillor must only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation	Nil change
Part 6 – Gifts and benefits		
1. A councillor may accept an offer of a gift or benefit if it directly relates to the carrying out of the councillor's public duties and is appropriate in the circumstances and is not in contravention of any relevant legislation	1. A councillor may accept an offer of a gift or benefit if it directly relates to the carrying out of the councillor's public duties and is appropriate in the circumstances	Addition of 'and is not in contravention of any relevant legislation'
2. A councillor must avoid situations in which a reasonable person would consider that any person or body, through the provisions of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the councillor or the Council	2. A councillor must avoid situations in which the appearance may be created that any person or body, through the provisions of gifts or benefits of any kind, is securing (or attempting to secure) influence or a favour from the councillor or the Council	Amendment of Item 2 to reflect 'reasonable person' test
3. {Nil entry}	3. A councillor must carefully consider – a. the apparent intent of the giver of the gift or benefit; and b. the relationship the councillor has with the giver; and c. whether the giver is seeking to influence his or her decisions or actions, or seeking a favour in return for the gift or benefit	Removal of item 3
4. {Nil entry}	4. A councillor must not solicit gifts or benefits in the carrying out of his or her duties	Removal of item 4
5. {Nil entry}	5. A councillor must not accept an offer of cash, cash-like gifts (such as gift cards and vouchers) or credit	Removal of item 5
6. {Nil entry}	6. A councillor must not accept a gift or benefit if the giver is involved in a matter which is before the Council	Removal of item 6
7. {Nil entry}	7. A councillor may accept an offer of a gift or benefit that is token in nature (valued at less than \$50) or meets the definition of a token gift or benefit (if the Council has a gifts and benefits policy)	Removal of item 7
8. {Nil entry}	8. If the Council has a gifts register, a councillor who accepts a gift or benefit must record it in the relevant register	Removal of item 8
Part 7 – Relationships with Community, Councillors and Council Employees		
1. A councillor – a. must treat all persons fairly; and b. must not cause any reasonable person offence or embarrassment; and c. must not bully or harass any person	1. A councillor – a. must treat all persons with courtesy, fairness, dignity and respect; and b. must not cause any reasonable person offence or embarrassment; and c. must not bully or harass any person	Removal of 'courtesy, fairness, dignity and respect' from item 1

Attachment 3 – Comparison between Model Codes of Conduct

New Model Code of Conduct (as at 28 December 2018)	Existing Model Code of Conduct (as at 13 April 2016)	Comment
2. A councillor must listen to, and respect, the views of other councillors in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate	2. A councillor must listen to, and respect, the views of other councillors in Council and committee meetings and any other proceedings of the Council, and endeavour to ensure that issues, not personalities, are the focus of debate	• Nil change
3. (Nil entry)	3. A councillor must not influence, or attempt to influence, any Council employee or delegate of the Council, in the exercise of the functions of the employee or delegate	• Removal of item 3
4. A councillor must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation	4. A councillor must not contact or issue instructions to any of the Council's contractors or tenderers, without appropriate authorisation	• Nil change
5. A councillor must not contact an employee of the Council in relation to Council matters unless authorised by the General Manager of the Council	5. A councillor must not contact an employee of the Council in relation to Council matters unless authorised by the General Manager of the Council	• Nil change
Part 8 - Representation		
1. When giving information to the community, a councillor must accurately represent the policies and decisions of the Council	1. When giving information to the community, a councillor must accurately represent the policies and decisions of the Council	• Nil change
2. A councillor must not knowingly misrepresent information that he or she has obtained in the course of his or her duties	2. A councillor must not knowingly misrepresent information that he or she has obtained in the course of his or her duties	• Nil change
3. A councillor must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor or Lord Mayor	3. A councillor must not speak on behalf of the Council unless specifically authorised or delegated by the Mayor or Lord Mayor	• Nil change
4. A councillor must clearly indicate when he or she is putting forward his or her personal views	4. A councillor must clearly indicate when he or she is putting forward his or her personal views	• Nil change
5. A councillor's personal views must not be expressed publicly in such a way as to undermine the decisions of the Council or bring the Council into disrepute	5. A councillor's personal views must not be expressed in such a way as to undermine the decisions of the Council or bring the Council into disrepute	• Addition of 'publicly'
6. A councillor must show respect when expressing personal views publicly	6. A councillor must show respect when expressing personal views publicly	• Nil change
7. The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council	7. The personal conduct of a councillor must not reflect, or have the potential to reflect, adversely on the reputation of the Council	• Nil change
8. When representing the Council on external bodies, a councillor must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment	8. When representing the Council on external bodies, a councillor must strive to understand the basis of the appointment and be aware of the ethical and legal responsibilities attached to such an appointment	• Nil change
Part 9 – Variation of Code of Conduct		
1. Any variation of this model code of conduct is to be in accordance with section 28T of the Act	1. Any variation of this model code of conduct is to be in accordance with section 28T of the Act	• Nil change

Review of Tasmania's Local Government Legislation

Terms of Reference

1. Context

On 26 June 2018, the Minister for Local Government, the Hon Peter Gutwein MP, announced a major review into Tasmania's local government legislation.

Local government has a crucial – and increasingly demanding – role in serving and representing local Tasmanian communities. The legislative and regulatory framework that governs the Tasmanian local government sector needs to reflect and support what communities expect from their local councils. It also needs to support councils to be able to meet these expectations now, and into the future.

2018 marks the 25th anniversary of the introduction of the *Local Government Act 1993* (the Act). The past quarter of a century has seen unprecedented social, economic and technological change. The role of councils and community expectations have expanded in line with these changes.

The Act has been amended and updated a number of times in recent years in an effort to keep pace in response to a range of emerging issues. A number of provisions have become outmoded or made redundant by more recent advances in telecommunications and digital technologies.

The current legislative framework has reached the point where continuous, reactive amendments are no longer desirable, efficient or sustainable. A fresh, contemporary approach is needed.

2. Objectives

The Review will deliver a contemporary, best-practice legislative framework for the Tasmanian local government sector which:

1. **Supports greater innovation, flexibility and productivity in the sector, to improve the overall efficiency and effectiveness of the services that councils provide to the Tasmanian community;**

2. Minimises the red tape and administrative burden on councils, business and the broader community;
3. Enhances accountability and transparency across the sector; and
4. Increases democratic and community engagement, participation and confidence in local government.

3. Guiding Principles

The new legislative framework for the local government sector will:

1. To the greatest extent that is possible and practical, be outcomes-focused;
2. Be flexible and robust to future structural, technological and social change;
3. Strike an appropriate balance between ensuring councils have sufficient operational and decision-making autonomy on the one hand, and having in place adequate checks and balances on the other;
4. Establish clear accountabilities and provide for efficient and effective risk-based monitoring, compliance and enforcement activities;
5. Be guided by best-practice regulatory, governance and legislative approaches and, where relevant and appropriate, lessons and outcomes from reviews of local government legislation in other jurisdictions; and
6. Be drafted and presented in a way that is logically structured and easily understood by councils, business, and the broader Tasmanian community.

4. Scope

The scope of the Review will be broad, to ensure it is flexible enough to give due consideration to ideas and initiatives that emerge through consultation with the sector, other key stakeholders, and the Tasmanian community at large.

The Review will focus primarily on a new Local Government Act (or Acts) but will also identify any necessary consequential or supporting amendments to other Acts. The Review will seek to streamline and consolidate legislative provisions, as well as deal with anachronistic or legacy provisions that are no longer relevant to the core business of the local government sector.

The Review is to consider the following:

1. Appropriate legislation to support the transparent setting, levying, and collection of council revenue, rates and charges;
2. Local government electoral provisions, including options for enhancing both voter and candidate participation in local government elections;
3. Provisions that support efficient and high-quality council operations and service delivery;
4. Performance monitoring, including financial sustainability, governance and other relevant reporting;
5. Council governance and decision-making practices, including options for community engagement, representation, and democratic participation;
6. Provisions that support public confidence in the integrity, transparency and accountability of local government; and
7. The roles, functions, powers and operation of statutory bodies that oversee local government compliance and reform.

The Review will not consider:

- Council amalgamations, or consideration of changes to existing municipal boundaries. However, the new legislative framework will need to be flexible enough to deal with potential future structural changes that might occur over the next 20-30 years.
- The roles and functions of the State Government and local government. However, the new legislative framework will need to be flexible enough to allow future agreed changes to roles and functions between the two levels of government.
- The roles and functions of mayors, deputy mayors and councillors. These matters were considered in some detail as part of the 2015-2017 Targeted Review process and are considered contemporary for the broad remit and expectations of councils.

- The suite of contemporary council planning and financial management arrangements that were introduced in 2014, with the exception of possible improvements to streamline processes.
- The local government Code of Conduct framework. The framework was introduced in 2016 and has recently been reviewed to ensure that it is operating as intended.

Review of Tasmania's Local Government Legislation Framework

DISCUSSION PAPER | December 2018



Department of Premier and Cabinet



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How to Make a Submission

Submissions

Questions are provided throughout this Paper seeking general responses to the broad principles discussed, however submissions can be made on any aspect being considered during the Review. You are not required to answer all the questions in this Paper when making your submission, if you do not wish to do so.

Factsheets have been provided at the back of this Paper to provide additional background information in relation to the topics covered by the Paper.

Submissions close on 1 March 2019.

Submissions can be made either by:

- completing the questionnaire survey
www.dpac.tas.gov.au/LGReview or
- writing to or calling the Review Project Team.

Email: LGAReview@dpac.tas.gov.au

Post: Local Government Legislation Review Project Team
Local Government Division
Department of Premier and Cabinet
GPO Box 123
HOBART TAS 7001

Please provide your name and contact details with your submission, for publication on the Local Government Division's website. Alternatively, if your submission is being provided confidentially, please clearly state this.

Submissions should only address issues outlined in the 'Scope of the Review'. Any offensive or defamatory material will not be published.

Refer to
factsheet
#1

What to Include

Submissions are invited on the principles of how Tasmania's local government should be legally established and elected; how it should provide services to its community; and how it should be accountable to its community.

This is a wholesale Review of the legislative framework that creates, empowers and provides councils with a mechanism to work within, rather than a review of the current Local Government Act. The focus of this consultation is on the broad principles that should apply to local government, rather than technical issues in the current legislation.

Queries about the use of this Paper and lodgement of submissions can be made by contacting the Local Government Legislation Review Project Team on (03) 6232 7643 or by email at LGAReview@dpac.tas.gov.au



Minister's Foreword

The Government recognises the important, and increasingly complex, role of local government in the community. It is a vital arm of government in administering legislation and making economic, social and environmental planning decisions to support Tasmania to grow strong, sustainable and vibrant communities, both now and into the future.

It is crucial that the legal framework for the sector is reflective of this, is not unnecessarily burdensome from an administrative perspective, and is flexible and adaptable enough to allow for inevitable change and growth over the coming decades.

To help support this, the Government has committed to reviewing and developing a modern, best-practice legislative framework for local government. The Review will be broad and will deliver a contemporary framework that supports greater innovation, flexibility and productivity; improves efficiency and effectiveness of council services; enhances accountability and transparency and minimises red tape wherever possible.

I have appointed an experienced Steering Committee to guide the Review and provide me with advice. In continuing my commitment for this to be a collaborative Review, the Steering Committee includes three highly respected members of the local government sector and two senior officers from the Department of Premier and Cabinet. They will be supported by a Reference Group, selected from the sector and the community through an Expression of Interest process. I will also be updating the sector through the Premier's Local Government Council. The Terms of Reference detailing the scope of the Review and the membership of the Steering Committee can be found on the Review's webpage. www.dpac.tas.gov.au/LGReview

I was encouraged to see a high degree of interest and engagement with local government during the most recent local government elections, conducted in October 2018. The elections highlighted a number of challenges with the current legal framework, including the electoral system and lack of caretaker provisions.

While this is one aspect, I acknowledge there are a number of broader policy challenges which councils face. This Review will provide a platform to consider both the challenges and opportunities for Local Government and how to best support councils in meeting these.

It will involve various consultation papers and opportunities for engagement, through public forums and stakeholder consultation, starting with this Discussion Paper. I encourage all those with an interest to have their say. Make submissions, provide responses and submit ideas for how we can create a better legal framework for local government.

I look forward to continuing to work closely with the sector and the community to create a strong, practical legal framework for the future of local government.



Purpose of the Review

Refer to
factsheet

#2

It is now 25 years since the introduction of the *Local Government Act 1993* (the Act), which is the primary component of the current legislative framework governing the local government sector in Tasmania. During this time, Tasmania has evolved economically, socially and technologically. Multiple amendments have been made to the Act in an effort to keep pace with these changes. These amendments, together with the introduction of supporting subordinate legislation, have resulted in a framework which, at times, is inconsistent and overly prescriptive.

Local government has a crucial – and increasingly demanding – role in serving and representing local Tasmanian communities. The legislative and regulatory framework (the framework) that governs the Tasmanian local government sector needs to reflect and support what other levels of Government and communities expect from their local councils. The framework also needs to support councils to be able to meet requirements and expectations now, and into the future. Making continuous updates to the existing legislation is unsustainable and a more proactive, forward-looking approach is needed.

The intended outcome of this Review is a contemporary, flexible and best-practice legislative framework that will:



Support greater innovation, flexibility and productivity in the sector, to **improve the overall efficiency and effectiveness** of the services that councils provide to the Tasmanian community



Minimise the red tape and administrative burden on councils, businesses and the broader community



Enhance accountability and transparency across the sector



Increase democratic and community engagement, participation and confidence in local government.



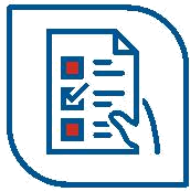
Guiding Principles

The Review will adopt a 'first-principles' approach, taking the concept of local government back to its core purpose and fundamental values. In essence, it considers why local government was created in the first place and seeks to ensure its core objectives are recognised and supported in developing a new legislative framework.



The principles guiding the Review are to deliver a legislative framework that will:

- ① To the greatest extent that is possible and practical, be outcomes-focused;
- ② Be flexible and robust to future structural, technological and social change;
- ③ Strike an appropriate balance between ensuring councils have sufficient operational and decision-making autonomy on the one hand, and having in place adequate checks and balances on the other;
- ④ Establish clear accountabilities and provide for efficient and effective risk-based monitoring, compliance and enforcement activities;
- ⑤ Be guided by best-practice regulatory, governance and legislative approaches and, where relevant and appropriate, lessons and outcomes from reviews of local government legislation in other jurisdictions; and
- ⑥ Be drafted and presented in a way that is logically structured and easily understood by councils, businesses, and the broader Tasmanian community.



Key Assumptions

In developing this Paper, several key assumptions have been made in relation to the local government sector and the community's expectations. Where there is disagreement with these assumptions, this can be provided in submissions.

The assumptions are that:

- Councils have an important role in serving the community and the expectations for their responsibilities are likely to change over the next few decades as our social, economic and technological environment continues to evolve.
- Elections are an important part of ensuring the democratic representation of local government. A robust electoral system should be accessible and equitable for all members of the community and reflect good democratic principles. It should support and encourage maximum participation to achieve a democratic result. Diverse, skilled candidates and councillors are positive for communities and should be encouraged.
- The community expects councils to operate in an efficient, effective way and make sound, ethical decisions that reflect the best interests of the community. Good governance is the foundation that supports good decision-making. Strategic decisions should be made by elected members, wherever possible, through debate in an open, public forum.
- To further achieve this, there should be mechanisms to enhance accountability and performance. Where things go wrong, the community expects that there are appropriate responses both councils and the State Government can make to improve council performance.



Overview of Local Government

Local government is one of the three tiers of government in Tasmania, together with Federal and State Government. Councils are currently made up of between seven to 12 members, elected by their municipal communities. There are currently 263 elected members and nearly 4000 employees across Tasmania's 29 councils, who serve half a million constituents.

Local government has a critical role to play in the Tasmanian economy. It has a total annual operating revenue of \$791 million; holds and manages over \$11 billion in assets; and has invested more than \$1 billion in capital expenditures over the past four years¹. The sector delivers a range of key functions. It is responsible for over 14,000 km of Tasmania's road network by length and it provides governance, planning, service delivery, community development, asset management and local regulation. It is vital in building local community infrastructure to create jobs and to improve the social life of Tasmanians.



On any given day, councils are managing land use to ensure development is consistent with community expectations and that building standards are met. They are managing and recycling waste, maintaining stormwater and drainage systems, roads, streets, public buildings, bridges and parks. They are supporting communities to prepare for natural disasters and providing cultural and sporting venues, events and opportunities. Councils are also providing social welfare programs like childcare, aged care and youth programs and supporting community health through immunisation programs and safe drinking water. They are considering environmental concerns like climate change and biodiversity and how to mitigate these for future generations.

Increasingly, local government is responsible for enforcing Commonwealth and State legislation at the local level and delivering initiatives at the grass roots. Councils act as statutory authorities under other legislation, for example under the *Land Use Planning and Approvals Act 1993* and the *Environmental Management and Pollution Control Act 1994*. They are now a fundamental part of delivering services and providing governance to Tasmania. Into the future, they will be actively working to ensure vibrant communities through infrastructure and development planning, social welfare, health services, economic development and tourism programs.

Councils determine the services they provide to their communities through their strategic planning and annual planning process, with an increasing focus on building their capacity to service their ratepayers. As the closest level of government to the community, councils' role is to identify community needs and make sure those needs are met, which highlights the importance of community engagement in council planning.

¹ Tasmanian Audit Office, *Local Government Authorities 2017-18*, No 5 of 2018-19, Auditor-General's Report on the Financial Statements of State entities, Volume 3

Councils across Tasmania are as diverse as the communities they represent. The needs and operations of a small, rural council may be vastly different from those of a large urban council, as will the expectations of the communities they serve. A future legislative framework to support councils across Tasmania needs to consider this and be flexible enough to accommodate these differences.

The Review will offer the opportunity to consider what Tasmanians want local government to look like: how it should be elected, operate, deliver services, engage with them on issues and be accountable to its community. The community's expectations will guide the Review and what provisions are needed to enable it to meet those expectations, both now and into the future.



- What do you think councils will be responsible for in the future?
- What council activities should be driven or determined by communities?
- Given the varying sizes of councils, what consideration should be given to costs of services and the councils' capacity to deliver these?



Council Governance and Powers

Refer to
factsheet

#3

Governance is the processes and culture that guide the activities of an organisation². Good governance is fundamental to an efficient, effective and transparent council that delivers quality services. Good governance ensures robust, ethical decisions and gives the local community confidence in those decisions.

Good governance structures, across all levels of government, separate the strategic decisions from the operational decisions of an organisation. In local government, elected members (councillors, including mayors and deputy mayors) are responsible for strategic and policy decisions on issues that affect their communities, and council administration (general managers and their staff) are responsible for the operational decisions in implementing and supporting those strategic decisions.

General Managers act as a conduit between elected members and council staff, providing advice and assistance to elected members and implementing council decisions. This dual responsibility reinforces the importance of a clear governance structure to support them. An effective and functional relationship between general managers and elected members (and especially mayors) is critical to the success of the overall council.

Refer to
factsheet

#2

Councils require broad powers to make and implement their strategic and operational decisions. Powers given to local government, through the local government legislative framework which is the subject of this Review, are essential for them to exist and operate as a distinct level of government. Powers can be granted through either specific legislative provisions (such as the power to levy rates), or general competency powers (such as requiring a council to provide for the good governance of the local area). Competency powers allow councils authority in any area, unless expressly prevented³.



- What is vital to good governance in local government?
- What aspects of good governance should be prescribed in a legislative framework?
- What statutory powers do councils need to deliver the services that communities require, or expect to receive, from councils now and into the future?
- How are the strategic decisions of councils best made?
- What mechanisms best support strategic, operational and technical decisions and actions?

² Department of Premier and Cabinet, Local Government Division's *Good Governance Guide*

³ Australian Government, Department of Infrastructure, Regional Development and Cities
http://regional.gov.au/local/publications/reports/2003_2004/CI.aspx



Democracy and Engagement

Local government is a form of representative democracy. Democratically elected governments are popularly elected by the people and are answerable to them for the decisions they make. Councillors collectively make major decisions that impact their communities, including making of by-laws, provision of public services and the levying of rates.

This emphasises the importance of the community's right to engage and participate in local government decision-making. The more communities can be involved in councils' decisions and decision-making processes, the more effective, transparent and accountable these decisions will be⁴.

The ways the community can engage and participate in the local government decision-making process include: through elections, policy decisions, strategic planning and law-making processes.

Elections

Tasmania's local government elections are conducted every four years, in October, via a three week, voluntary postal ballot. There was high community interest during the most recent elections in October 2018. This was reflected in strong voter participation which averaged 58 per cent across the State, with one municipality as high as 82 per cent⁵.

A number of issues regarding elections were raised publicly during the recent elections, including:

- compulsory vs voluntary voting;
- the three week postal polling process;
- how to reduce informal voting (incomplete or incorrectly completed ballots);
- the lack of caretaker provisions that might otherwise limit council decision-making and administration during elections⁶;
- eligibility to vote and the General Manager's Roll;
- eligibility to run as an elected member; and
- requirements for already elected members seeking re-election to declare donations, compared with requirements on candidates not currently elected. Campaign funding was also raised as an issue.

While recently-introduced gifts and benefits disclosures are applicable to councillors at all times, it is a matter for consideration whether there should be separate provisions that capture all candidates in the context of an election.

Refer to
factsheet

#5

4 International Association of Public Participation – The United Nations (Brisbane) Declaration on Community Engagement

5 https://www.tec.tas.gov.au/Local_Government_Elections/LocalGovernmentElections2018/DailyReturns.html

6 Caretaker provisions are designed to allow the administrative functions of government to continue while safeguarding the process of making strategic or policy decisions during an election period.

Consultation

Public consultation on major decisions ensures the local community has a voice in determining what their council will do and how it will affect them. Councils are required to consult, involve and be accountable to the community in performing their functions. This places a broad obligation on councils to engage the community in their planning and decisions.

In today's environment of electronic and instant information, the public have become increasingly passive and disengaged with traditional engagement mechanisms, but more active in social media⁷. This makes effective engagement increasingly difficult. The traditional ways of engaging through public notices, open council meetings and making information publicly available for comment, frequently receive very little community feedback. Lack of consultation or feedback can result in councils developing plans for the future or making decisions, such as the level of service the community receives, without understanding if these plans and decisions align with the broader community's expectations, including for engagement through online platforms and social media.



- What is the best way to engage Tasmanians in voting for local government?
- Who should be allowed to participate in local government elections?
- How can local government attract skilled, diverse and representative electoral candidates?
- What should be required of candidates in local government elections before, during and after elections?
- What decisions should councils continue to be able to make during an election period?
- In what ways should councillors engage with, and represent, communities in the digital age?
- On what matters should councils engage with communities?
- How can community engagement be strengthened and measured?

⁷ Australian Public Service Commission 'Changing behaviour: A public policy perspective' p. 1



Council Revenue and Expenditure

Revenue is essential to councils' financial sustainability and their ability to serve their local communities. Revenue can be sought through grants, general property rates and charges, or specific purpose rates, such as for infrastructure upgrades of a bridge. Councils can invest in business or commercial activities as a source of revenue, which may reduce rates, however, may also expose ratepayers to commercial risks.

Councils have the ability to determine their own rating approach and where they seek specific purpose funds, which reflects the independence of local government. Council rates are a type of property tax levied on property owners, based on the value of property within the municipal area. Taxation principles govern how councils set rates, which have traditionally considered the value of rateable land as an indicator of the property owner's capacity to pay. Rates can also be based on the principle of equity across the municipal area. Councils' rating approaches are published in rates resolutions⁸, which outline councils' approach to distributing the tax burden across the local community.

Councils are as diverse as their communities, resulting in diversity in the services they deliver. Consequently, they require different levels of revenue to provide these services. Councils consider their forward planning activities in their annual budgets, which set out the mix and level of services to be provided and how they will be financed. Councils must consult with their communities in developing their strategic and annual forward planning, to ensure their planning is consistent with the community's expectations. Where communities are disengaged or disinterested in councils' planning processes, this can have long-term impacts on how councils raise revenue and where this revenue is spent. Communities can also have vastly differing views and priorities on how public funds should be spent. To what extent councils engage and consult with their community in planning their services, facilities and programs will be reflected in community satisfaction.

Councils constantly face expenditure decisions on competing projects and services, which may be more or less important to different members of the community. How councils can balance these interests and clearly articulate the difficult decisions of choosing to fund one service or project over another, and what this will mean for the community, is critical to this engagement process. Where a community is invested in developing infrastructure or services in their local area, they may be more willing to financially contribute to these developments. Councils must also balance the community's ability to pay rates with what they can deliver from that funding, taking into consideration rising costs of living, operating costs and inflation. Lower revenue, through reducing rates and charges, may be popular but can have hidden long-term costs for the community in deteriorating assets, such as roads, or reduced services. This can result in a need to raise specific purpose funds to address these issues.

⁸ Section 86B, *Local Government Act 1993*



Where a council invests, for example, \$10,000 in purchasing a new BBQ, it must consider the ongoing costs of maintaining and servicing that BBQ over the life of the asset. If it costs \$10,000 per year to run, maintain and clean the BBQ and the life of that asset is 10 years, the total cost of that asset becomes \$110,000, rather than the initial outlay of \$10,000. Councils must consider these long-term costs, even for seemingly small items, when making expenditure decisions to ensure financial sustainability and value for their communities.

The financial sustainability of councils is also an important consideration in raising revenue and planning expenditure. Residents and ratepayers have an interest in ensuring their councils have strong financial positions, which enable them to provide better services and facilities, as well as manage unexpected costs, such as those from a natural disaster. Transparency in the financial decisions of councils will help achieve a better understanding of where public funds are being spent and the value the community is receiving.



- How can councils ensure transparency in funding decisions; both how it is raised and spent?
- How can councils determine how best to raise revenue for specific purposes?
- How should councils engage communities when raising revenue?
- How should councils determine the services they deliver to their communities in exchange for rates and charges?
- How should councils decide where to make trade-offs (more or less rates vs more or less services)?



Performance Transparency and Accountability

Refer to
factsheet

#7

Councils are accountable to the community which elects them. The State, by virtue of local government being created through State legislation, has a role in providing the functions and powers under which local government operates. The State Government, therefore, has an interest in ensuring the local government sector operates consistently within its legislation. This accountability should be balanced between the State ensuring that councils are exercising their powers within the law, and the fact that councils are a democratically-elected, separate level of government.

The State monitors and regulates council performance. The broad rationale for regulation is to create an environment that encourages positive outcomes for communities and stakeholders. It is a mechanism for transparency and accountability and, when councils are performing well, can build trust and confidence between communities and their councils, between elected members and between council administrators and elected members⁹.

Council accountability requirements can be set out in legislation, including through reporting requirements and oversight mechanisms to ensure transparency in council performance and, where necessary, detect, respond to and manage poor performance. Acknowledging that generally, councils perform well, regulatory models should take a risk-based approach that does not unnecessarily increase bureaucratic processes.

Performance reporting is another element of accountability. It has the capacity to enhance transparency when it is available to the public and also to drive improvement by, and within, councils where it can be used for operational analysis.

Councils are constantly working to improve how effectively and efficiently they deliver to their communities and performance data is a key part of informing this. Performance data can help inform councils in their planning decisions and service delivery. Useful data that is collected and presented in meaningful ways can allow comparisons between year-to-year performances of individual councils, as well as comparisons between councils. Consistently reported performance data, across councils and performance areas, is beneficial to both councils and the community.

It is difficult to determine to what extent council reports, information and decisions are accessed by, and are useful to, the public. In theory, council reporting should encourage transparency and allow communities access to relevant information. Where reporting is not being accessed or used by the public, it can create red tape. The preparation and delivery of reports that are not effective also places a cost-burden on the community.

⁹ Victorian Ombudsman submission to the Victorian Government's Review of the *Local Government Act 1989*.

Refer to
factsheet

#7

Current information and notification requirements centre on providing hard-copy material and placing public notices in newspapers, which can be costly. With technological advancements and social changes in the way people seek out, access and use information, it is timely to consider what and how councils report. The majority of people now commonly seek out, and expect to find, information available on the internet, rather than in traditional print media¹⁰.



- How can the right balance between autonomy and accountability be delivered?
- Who should have oversight and regulation of councils' performance and how should it occur?
- What mechanisms should there be to respond or intervene when a council is not performing as required?
- What information should councils make available to the public and how should they be able to access it?
- What information would be useful to councils to drive performance improvements?

Other Matters

This Review will consider a broad range of issues facing the local government sector and consider the best ways to support it into the future. Should you wish to provide feedback on areas not raised in this Discussion Paper, please feel free to do so, noting the aspects that are outside the scope of this Review.



- What is one thing you would change about the current local government legislative framework and why?

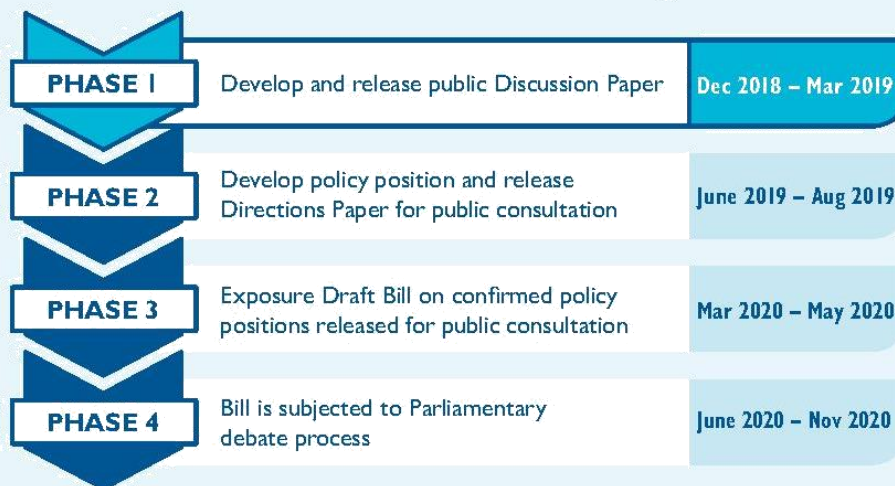
¹⁰ Western Australia Department of Local Government, Sport and Cultural Heritage – Local Government Act Review Discussion Paper



Factsheet 1 Process and Scope

The Review Process

The Review is divided into four phases, as outlined in the diagram below.



The Review Scope

The Review will consider the following:

-  Appropriate legislation to support the transparent setting, levying, and collection of council revenue, rates and charges;
-  Local government electoral provisions, including options for enhancing both voter and candidate participation;
-  Provisions that support efficient and high-quality council operations and service delivery;
-  Performance monitoring, including financial sustainability, governance and other relevant reporting;
-  Council governance and decision-making practices, including options for community engagement, representation, and democratic participation;
-  Provisions that support public confidence in the integrity, transparency and accountability of local government; and
-  The roles, functions, powers and operation of statutory bodies that oversee local government compliance and reform.

The Review will **not** consider:

-  Council amalgamations, or changes to existing municipal boundaries.
-  The roles and functions of the State Government and local government; mayors, deputy mayors and councillors.
-  The suite of contemporary council planning and financial management arrangements; and the Code of Conduct framework.



Factsheet 2 Local Government Legislation: The Current Framework

- Local government is recognised as a level of government under the Tasmanian Constitution¹¹. For councils to exist in Tasmania, local government legislation is required to legally constitute them. The local government legislation determines what the core functions of local government are and what powers local councils have to undertake those functions.
- The current Act sets out the broad functions of councils as being:
 - To provide for the health, safety and welfare of the community;
 - To represent and promote the interests of the community; and
 - To provide for the peace, order and good government of the area.
- The Act underpins the work of councils and sets out the roles, responsibilities and powers of elected members and council administration staff. Councils work within a broad legislative framework that governs their operation and activities. These include, but are not limited to:

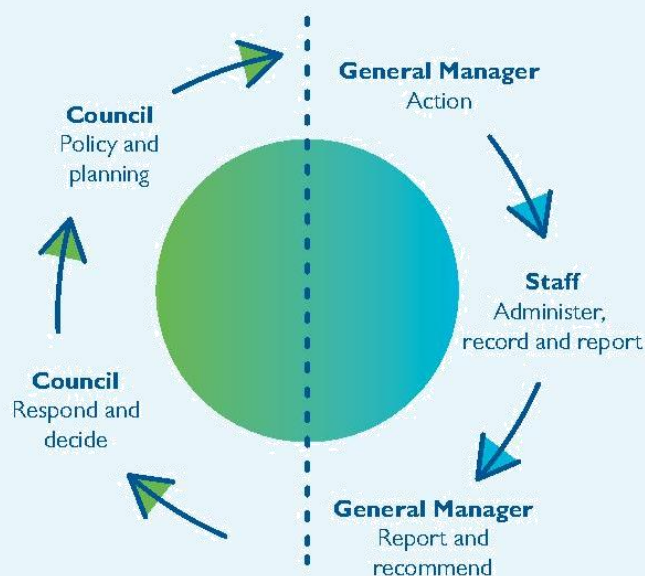
- Local Government Act 1993 - Local Government (Building and Miscellaneous Provisions) Act 1993 - Local Government (Highways) Act 1982 - Local Government (Rates and Charges Remissions) Act 1991 - Local Government (Savings and Transitional) Act 1993 - Land Use Planning and Approvals Act 1993 - Environmental Management and Pollution Control Act 1994 - Resource Management and Planning Appeal Tribunal Act 1993 - Building Act 2016 - Dog Control Act 2000	- Public Health Act 1997 - Roads and Jetties Act 1935 - Traffic Act 1925 - Water Management Act 1999 - Right to Information Act 2009 - Water and Sewerage Corporation Act 2012 - Local Government (General) Regulations 2015 - Local Government (Meeting Procedures) Regulations 2015 - Local Government (Content of Plans and Strategies) Order 2014 - Local Government (Management Indicators) Order 2014 - Local Government (Audit Panels) Order 2014
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¹¹ Part IVA, Constitution Act 1934



Factsheet 3 Governance: The Current Framework

- Councils are established as corporations, where
 - elected members are regarded as equivalent to the board of management with policy and planning responsibilities, with general managers being the only employees directly employed by elected members; and
 - general managers are responsible for the day-to-day administration of councils, the implementation of decisions made at council meetings, and providing qualified advice to allow the elected members to make informed decisions.



- Governance requirements for local government are set out in both legislation, which forms the 'rule book' for the activities and conduct of councils, and in the *Good Governance Guide* issued by the Local Government Division, which notes that good governance is demonstrated by elected members who:
 - act with the highest ethical standards;
 - understand their role and the role of others;
 - foster trusting and respectful relationships;
 - show a commitment to risk management;
 - engage in effective strategic planning;
 - follow a transparent and accountable decision-making process;
 - make good decisions that promote the interests of the community they serve;
 - understand and abide by the law;
 - commit to continuous improvement; and
 - have good judgement¹².

¹² Department of Premier and Cabinet, Local Government Division's *Good Governance Guide*



Factsheet 4 Consultation and Engagement: *The Current Requirements*

- There are both broad and specific requirements on councils to consult, involve and be accountable to the community in performing their functions and in their planning and decision-making processes. Specific consultation, including seeking and considering submissions, must occur when:
 - preparing strategic plans;
 - making or amending by-laws;
 - making or changing the councils' rating system; and
 - selling, leasing or exchanging public land.
- The public can also request that a council hold a public meeting in relation to issues raised in petitions. If a certain number of the municipal electorate request a meeting, the council must oblige. Notice of public meetings, including the meeting date, time, location and subjects for discussion, must be published at least twice before the meetings take place.
- Councils may also hold elector polls on any issue upon which they choose to seek community feedback. If petitions have been received at a public meeting, an elector poll must be held. Elector polls are used to gauge community interest in issues, but are not binding on councils.
- While not a requirement, some councils engage community members directly through community boards, which are regularly constituted committees that provide a voice on local issues to the council.



Factsheet 5 Elections: The Current System

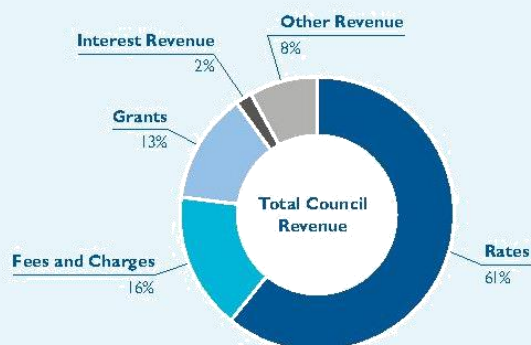
- Elections are run by the Tasmanian Electoral Commission on behalf of councils.
- Elections are held by postal ballot, in October, every four years.
- The ballot period is open for three weeks.
- Mayors and deputy mayors must also be elected as councillors.
- Candidates can nominate for either the seat of mayor or deputy mayor, but not both.
- Election results are determined using the Hare-Clark system, which is a preferential voting system.
- Voting is voluntary. At the recent election in 2018, an average of 58 per cent of residents voted.
- There are no caretaker provisions leading into the local government electoral period in Tasmania.
- Eligibility to vote is determined by being on the General Manager's Roll or the State House of Assembly Roll¹³. Individuals must be 18 years or older. Eligibility to be on the General Manager's Roll is based on having property or business interests within the local electorate. Where an individual has both property and business interests, they may be entitled to two votes in a local government election. It is not necessary to be an Australian citizen to be on the General Manager's Roll. The General Manager's Roll is kept by the General Manager of the council.
- Eligibility to run for office is based on being a Tasmanian resident and being eligible to vote in that local government area.

¹³ Section 258 of the *Local Government Act 1993* and Section 30 of the *Electoral Act 2004*



Factsheet 6 Council Revenue and Rating: The Current System

- Councils predominately raise revenue through rates and charges, but also through grants and business enterprises. The breakdown of council revenue across the State is shown below.
- Councils can choose a number of different approaches to setting rates. Rates in any municipal area can be affected by many factors, contributing to both the rates payable by the community and the revenue that councils can raise. These factors include:



- Choice of property valuation methodology - including a choice of property valuation methodology (based on either: land value, land and property value or approximate market rental value). Six councils rate on land and property value (Capital Value) in Tasmania, while 23 rate on approximate market rental value (Assessed Annual Value).
 - Setting different rates in the dollar (and/or rate remissions) for different classes of ratepayers – e.g. commercial, residential, or industrial. While 12 councils apply a single (uniform) rate in the dollar, 17 councils use differential rating.
 - Setting 'flat-rates' or average area rates - intended to achieve consistency in rates across the local area and minimise rate fluctuations from movements in property values. Three councils use this approach.
 - Councils' capacity to choose fee-for-service based 'charges' instead of property-value based 'rates' in respect to revenue for services, construction and specific local improvements.
- The Local Government Division and the Tasmanian Audit Office publish some comparative data to enable comparison of rates charged, but not services provided.
 - Councils may provide rates remissions for classes of ratepayers or persons experiencing financial hardship or, alternatively, allow ratepayers to defer rates payments.
- Grants can vary each year, as determined by the State Grants Commission, as do distributions from local government businesses, such as Taswater.
 - General property rates are a tax, rather than a fee-for-service. The current rating framework is structured to reflect the taxation principle of ratepayers' 'capacity to pay' (those with greater capacity contribute more) being determined by property value, rather than the service provided to individual properties. However, in setting their rates resolutions, councils also balance other supporting taxation principles of efficiency; simplicity (practical, cost-effective); sustainability (system can withstand changing conditions); equity principles (everyone contributes equally) or benefit principles (those who benefit more, contribute more).
 - Rates are based on the property value as determined by the State Government Valuer-General. Councils must pay for this service.
 - Councils also collect the (property-value based) fire levy on behalf of the State Government.



Factsheet 7 Performance Monitoring and Oversight: The Current Framework

Performance Monitoring

- Performance monitoring functions, including financial sustainability, governance and other reporting, are carried out by:
 - the Auditor-General; and
 - the Director of Local Government.
- There is no specific location for publishing comprehensive performance monitoring or comparative data in Tasmania.

Access to Information

Mechanisms to ensure public access to information include:

- Public access to council meetings;
- Publicly available meeting minutes and agendas (if not audio or video recordings);
- Restrictions on closed council meetings and requirements that councillors consider what material can be publicly released from those meetings;
- Public access to strategic council documents such as Strategic Plans, Annual Plans and Budget Estimates;
- Publicly available records of delegations, gifts and donations or conflict of interest registers; and
- Public question time and publishing responses to questions on notice.

Councils have important reasons for holding some discussions in closed meetings, such as commercial sensitivity or protecting the privacy rights of individuals in the community or employees.

Oversight

- A range of bodies are involved in regulating the local government sector, including:
 - the Director of Local Government;
 - the Tasmanian Ombudsman;
 - the Integrity Commission;
 - the Auditor-General; and
 - (if convened by the Minister for Local Government) the Local Government Board and Board of Inquiry.
- There are a range of possible oversight responses scaled in response to the severity of the issues concerned; with education and support at the lower end and intervention at the most serious end.
- Complaints about council performance are directed to councils in the first instance. If a complainant is still unhappy, they can take their complaint to the Tasmanian Ombudsman.
- Complaints relating to the conduct of elected members can be made through Code of Conduct and Code of Conduct Panel Processes¹⁴ (which were reformed in 2017 and are outside the scope of this Review).
- Complaints about statutory breaches or offences can be made to the Director of Local Government. The Director of Local Government has investigatory powers and the power to refer complaints for prosecution to the Director of Public Prosecutions. The Director does not have coercive investigatory powers.
- Powers for the most serious level of intervention in local government (e.g. suspension of councils, initiating reviews or inquiries) are held by the Minister.

¹⁴ http://www.dpac.tas.gov.au/divisions/local_government/local_government_code_of_conduct



Email: LGARReview@dpac.tas.gov.au

Post: Local Government Legislation Review Project Team
Local Government Division
Department of Premier and Cabinet
GPO Box 123
HOBART TAS 7001

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
01	1 – Governance	1(a)	Developing a Statement of Expectations between the General Manager and Aldermen to establish clear and agreed protocols for the fulfilment of their mutual and respective roles and functions	Statement of Expectations adopted by Council at its meeting held on Monday, 26 March 2018	26 Mar 2018	Completed
02		1(b)	Developing a Statement of Expectations between the General Manager and Mayor to establish clear and agreed protocols for the fulfilment of their mutual and respective roles and functions	(see above)	26 Mar 2018	Completed
03		1(c)	Developing a Statement of Expectations between the Mayor and Aldermen to establish clear and agreed protocols for the fulfilment of their mutual and respective roles and functions	(see above)	26 Mar 2018	Completed
04		1(d)	Developing a Statement of Expectations between Aldermen to establish clear and agreed protocols for the fulfilment of their mutual obligations roles and functions	(see above)	26 Mar 2018	Completed
05		1(e)	Within 2 months, ensuring all Aldermen, the Mayor and General Manager sign the Statement of Expectations they are party to	Statement of Expectations signed by all Aldermen, the Mayor and General Manager on Monday, 16 April 2018	16 Apr 2018	Completed
06		1(f)	Publishing the Statement of Expectations on the Council website within 1 month of signing	Signed Statement of Expectations published on Council website on Wednesday, 18 April 2018	18 Apr 2018	Completed
07		1(g)	Publicly committing to engage in ongoing professional development and abide by the principles of good governance, as established in the <i>Good Governance Guide</i>, within a period of three (3) months	Incorporated within the Statement of Expectations	26 Mar 2018	Completed
08		1(h)	Within a period of 9 months, in consultation with the community, developing a communication and consultation plan for all internal and external communications and consultation processes that is consistent with the eight characteristics of good governance outlined in the <i>Good Governance Guide</i>	A Communications Strategy (incorporating the eight characteristics of good governance outlined in the <i>Good Governance Guide</i>) was adopted by Council (Item 13 – 29 October 2018)	29 Oct 2018	Completed

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
09	1 – Governance (cont.)	1(i)(i)	Reviewing, and amending if appropriate, within the 2018-19 budget period: the Strategic Plan	Council considered and reconfirmed its satisfaction with the current Glenorchy City Council Strategic Plan 2016-2025 (with minor changes being updated or organisational structure and Aldermanic photos)(Item 13 – 26 November 2018)	26 Nov 2018	Completed
10		1(i)(ii)	Reviewing, and amending if appropriate, within the 2018-19 budget period: the long term financial management plan	Council's ten (10) year long-term financial management plan was adopted by Council (Item 2 – 25 June 2018) as per section 70 of the LG Act	25 Jun 2018	Completed
11		1(i)(iii)	Reviewing, and amending if appropriate, within the 2018-19 budget period: the financial management strategy	- Not started - Note that Council's Financial Management Strategy was adopted by Council (Item 4 – 15 May 2017) as per section 70A of the LG Act		Not Yet Started (Within Time)
12		1(i)(iv)	Reviewing, and amending if appropriate, within the 2018-19 budget period: long-term strategic asset management plan	- Programmed in Council's Annual Plan for FY 2018-19 (road, stormwater, parks and building assets portfolios) - Note that Council's ten (10) year long-term strategic asset management plan (inclusive of a long-term capital work programme updated annually) was adopted by Council (Item 10 – 1 Sep 2014) as per section 70B of the LG Act		Not Yet Started (Within Time)
13		1(i)(v)	Reviewing, and amending if appropriate, within the 2018-19 budget period: asset management policy	Asset Management Plan was considered and readopted by Council (Item 15 – 30 July 2018) as per section 70C of the LG Act	30 Jul 2018	Completed
14		1(i)(vi)	Reviewing, and amending if appropriate, within the 2018-19 budget period: asset management strategy	- Programmed in Council's Annual Plan for FY 2018-19 - Noting that Council's asset management strategy for infrastructure assets adopted by Council (Item 10 – 1 Sep 2014) as per section 70D of the LG Act		Not Yet Started (Within Time)

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
15	2 – Training	2(a)	Reviewing its induction program for the Mayor and Aldermen within a period of three (3) months of the January 2018 election, to ensure that the induction already undertaken within the three (3) months and planned future induction will provide all Aldermen with the information and knowledge they need to fulfil their roles	- A facilitated workshop for the Mayor and all Aldermen was conducted on Saturday, 3 February 2018. - The workshop covered a range of relevant topics and included presentations from the Director of Local Government, Tasmanian Audit Office, Local Government Association Tasmania, the Mayor, General Manager and Acting Director Corporate Governance	3 Feb 2018	Completed
16		2(b)(i)	Facilitating training within three (3) months for all Aldermen on, though not limited to: their roles and responsibilities under the Act, with specific reference to the Model Code of Conduct, and the <i>Good Governance Guide</i>	A workshop co-facilitated by the Integrity Commission and the Director of Local Government was held on Monday, 7 May 2018	7 May 2018	Completed
17		2(b)(ii)	Facilitating training within three (3) months for all Aldermen on, though not limited to: ethical decision making	A workshop co-facilitated by the Integrity Commission and the Director of Local Government was held on Monday, 7 May 2018	7 May 2018	Completed
18		2(b)(iii)	Facilitating training within three (3) months for all Aldermen on, though not limited to: financial fundamentals, including understanding of financial statements and budget preparation	- A facilitated workshop for all Aldermen was held on Monday, 9 April 2018 - The workshop covered a range of relevant topics and was facilitated by the Mr Ross Byrne	9 Apr 2018	Completed
19		2(b)(iv)	Facilitating training within three (3) months for all Aldermen on, though not limited to: decision-making in reference to the <i>Land Use Planning and Approvals Act 1993</i>	- A facilitated workshop for all Aldermen was held on Thursday, 8 February 2018 - The workshop covered a range of relevant topics and was facilitated by the Registrar of the Resource Management and Planning Appeal Tribunal and Simmons Wollhagen	8 Feb 2018	Completed
20		2(b)(v)	Facilitating training within three (3) months for all Aldermen on, though not limited to: meeting procedures as per the Act and the <i>Local Government (Meeting Procedures) Regulations 2015</i>	A workshop facilitated by the Director of Local Government was held on Monday, 21 May 2018	21 May 2018	Completed

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
21	2 – Training (cont.)	2(c)	Implementing a professional development program for all Aldermen as a result of the first annual review as specified in Direction 5(a)	Not started		Not Yet Started (Within Time)
22		2(d)	Development and facilitating, a program of training for all relevant staff in relation to the Act, Regulations, ethics in the work place, and good governance, including in meeting procedure and the proper recording of minutes, within a period of six (6) months	- Relevant staff attended a meeting procedures training workshop was facilitated by the Director of Local Government on Monday, 21 May 2018 - Most Directors and Managers participated in an Ethical Decision Making workshop conducted by the Integrity Committee on Friday, 24 November 2017 - Integrity Commission and Council staff have scoped an ethics in the workplace training module for roll-out through the organisation in early 2019		Actively Progressing
23	3 – Policies and Procedures	3(a)	Ensuring, within four (4) months, there is an appropriate Grievance Policy for Council staff, including referral procedures to an independent party for addressing complaints against the General Manager and senior staff	- Council adopted a new 'Grievances Involving the General Manager Policy' (Item 15 – 26 February 2018) that included referral procedures to an independent party for addressing complaints against the General Manager - The General Manager has issued a Grievance Directive which requires independent investigation of grievances involving Directors or the Manager People and Safety (February 2018)	26 Feb 2018	Completed
24		3(b)	Ensuring, within six (6) months, there is an appropriate policy on the appointment of staff within the Council based on merit	Council approved a Human Resources policy (Item 11 – 20 March 2017) which stated in part: <i>Council recognises that human resource directives provide workplace structure and support equal employment opportunity in giving fair treatment to applicants and employees throughout the recruitment process and the employment experience.</i>	1 Jun 2018	Completed

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
25	3 – Policies and Procedures (cont.)	3(c)(i)	Developing, within two (2) months, an appropriate policy and protocols for Council workshops, to ensure a clear separation between matters considered at Council meetings and workshops that specifically include a policy on the attendance of staff at Council workshops (and meetings) to ensure the efficient use of staff time is balanced with assisting Council to make decisions	- In addition, the General Manager approved an internal Recruitment Directive (6 February 2018) which also contains commitments to recruitment and selection decisions being based on merit-based principles. - The General Manager approved an internal Council Meetings and Workshops Directive (14 June 2018) which covers access to agendas and workshop materials, staff attendance, catering and security. - The Directive complements material within the Statement of Expectations	14 Jun 2018	Completed
26		3(c)(ii)	Developing, within two (2) months, an appropriate policy and protocols for Council workshops, to ensure a clear separation between matters considered at Council meetings and workshops that specifically include a policy on the provision of information to Aldermen and attendees including timeframes to ensure Aldermen are sufficiently prepared	- The General Manager approved an internal Council Meetings and Workshops Directive (14 June 2018) which covers access to agendas and workshop materials, staff attendance, catering and security. - The Directive complements material within the Statement of Expectations	14 Jun 2018	Completed
27		3(d)	Developing a calendar of Council meetings and workshops, including adequate provision for determining the capital works and spending program	Calendar of Council meetings and scheduled workshop dates has been published on the Council website	23 Mar 2018	Completed
28		3(e)	Publishing the calendar of Council meetings and workshops on the Council website within two (2) months	(see above)	23 Mar 2018	Completed

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
29	3 – Policies and Procedures (cont.)	3(f)	Ensuring the General Manager provides sufficient budget and financial reporting to Council consistent with BOI recommendation 50	- In progress - General Manager has provided to Aldermen three (3) budget workshops (April, May and June 2018) in the lead-up to the FY 2018/19 Council Budget adoption (June 2018) - Aldermen are also provided comprehensive monthly and quarterly financial performance reports	28 May 2018	Actively Progressing
30		3(g)	Developing within three (3) months, an appropriate policy in relation to media statements that is consistent with section 27(1)(e) of the Act and the Model Code of Conduct	Council adopted a new Media Policy (Item 13 – 28 May 2018) that is consistent with section 27(1)(e) of the Act and the Model Code of Conduct	28 May 2018	Completed
31		3(h)	Reviewing, within three (3) months, Council's credit card procedures and policies to ensure consistency, in the use and reporting of credit cards, with the recommendations of the Auditor-General's Report	- A revised General Manager's Corporate Credit Card Directive was approved on 10 January 2018 - It was drafted taking into account the recent findings and recommendations by the Tasmanian Audit Office and the Glenorchy City Council Board of Inquiry and for consistency with the Code for Contracts and Tendering adopted by Council on 10 July 2017	10 Jan 2018	Completed
32		3(i)(i-iii)	Ensuring, there is a policy, within four (4) months, to address the use of external legal advisers to include guidance on the circumstances in which the General Manager may seek external legal advice, direction on the maximum expense to be incurred before the matter needs to be brought to Council for approval, and clear and transparent reporting of legal expenses to Council	- Council adopted a Legal Services Policy (Item 4 – 12 December 2017) which addressed the use of external legal advisers and reporting of legal expenses - The adoption of a Legal Services Panel via a competitive public procurement process has been completed - 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) is being considered by the Executive Leadership Team (on-hold due to organisational restructure and recruitment underway)		Actively Progressing (Outside Due Date)

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
33	4 – Committees and Membership	4(a)	Reviewing existing Council committees, including special committees, within 6 months, to determine appropriateness and, where required, the establishment of new committees with appropriate terms of reference	- Council adopted a new Council Committees Framework which included updated Committees Policy, Committees Guide and Procedure and Committee Nominations and Appointments Policy (Item 16 – 30 July 2018) - Council has also directed that all committees and external bodies covered under the Committees Policy adopt updated Terms of Reference in the form required by the Policy and Committees Guide and Procedure by 31 December 2018, and that the first annual committees report to Council is required to be presented to Council in July or August 2019 after the end of the current financial year	30 July 2018	Completed
34		4(b)	Reviewing, within three (3) months, representation procedures for all committees, including elections and nominations and external representatives on special committees, with specific consideration on the suitability and aptitude of Aldermen seeking appointment	- Council adopted a revised Nominations and Appointments to Committees and Other Bodies Policy (Item 4 – 15 January 2018) with specific amendments to reiterate Council's position that where it is intended that the Mayor or Deputy Mayor is a member of a particular committee by virtue of their office, it is inappropriate that that protocol be abandoned and that any Aldermen other than the Mayor or Deputy Mayor (as applicable) be nominated for or appointed to that position - Over the past four (4) months, a number of ballots have been held for Council Committees and the results are available on Council's website - At each committee vote, where there were multiple candidates for limited positions, the candidates provided a statement why they should be the preferred candidate, in effect providing specific consideration on the suitability and aptitude of Aldermen seeking appointment	1 Jun 2018	Completed

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
35	4 – Committees and Membership (cont.)	4(c)	Ensuring that all Council representatives on special committees and external bodies report, at a minimum, annually to Council	- Council adopted a Committees Procedure policy (Item 13 – 21 November 2016) which allows for regular reporting of special committees, Council bodies and external bodies on at least an annual basis. - As these committees meet under the new Council, a mechanism will be established to ensure that Responsible Officers under the policy understand their reporting obligations.	1 Jul 2018	Completed
36		4(d)	Developing, if the Council chooses to establish one, appropriate terms of reference for a General Manager's Performance Review Committee, that includes: the right for any alderman who is not a member of the committee, to attend any meetings of the committee as an observer, and that the committee is empowered only to make recommendations to be provided to the full Council for decisions	Council endorsed a revised terms of reference for a General Manager's Performance Review Committee (Item 7 – 26 February 2018) that included the right for any alderman who is not a member of the committee, to attend any meetings of the committee as an observer, and that the committee is empowered only to make recommendations to be provided to the full Council for decisions	26 Feb 2018	Completed
37		4(e)	Ensuring that any committee established to review the General Manager's performance, is established as a Council committee as per section 23 of the Act, and not as a special committee as per section 24 of the Act	Council endorsed a revised terms of reference for a General Manager's Performance Review Committee (Item 7 – 26 February 2018) that established the committee as a Council committee as per section 23 of the Act	26 Feb 2018	Completed
38		4(f)	Reviewing, within six (6) months, the membership of the Council's Audit Panel including considering the merits of all members being independent (non-Aldermen). Where aldermanic appointments are made to the Audit Panel, the Council is to ensure that the appointed Aldermen have relevant professional skills for the effective functioning of the Audit Panel	Council considered and resolved that the current composition of the Audit Panel remains as being constituted of three (3) independent members (of which one (1) is appointed the Chairperson) and two (2) Aldermanic members (Item 15 – 26 November 2018)	26 Nov 2018	Completed

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
39	5 – Compliance	5(a)(i)	Developing an annual review program, within six (6) months, to ensure a program of future compliance with, though not limited to: the Act and associated relevant regulations	- At its 28 May 2018 Council Meeting (Item 15), Council - noted the proposed approach by the Audit Panel to accommodate the requirements under Direction 5(b) of the Ministerial Directions, as reported - directed the Audit Panel to undertake an annual review of Council's compliance with the following, in accordance with Direction 5(b) of the Ministerial Directions: - Local Government Act 1993 - Local Government (General) Regulations 2015 - Local Government (Meeting Procedures) Regulations 2015 - Code for Tenders and Contracts - Corporate Credit Card Directive (January 2018) - Statement of Expectations (April 2018) - Council Policies and Procedures, and - Employment policies and merit based selection/appointment, and - noted that the Audit Panel will report back to Council in February 2019 (and annually thereafter to the term of the current Council) as to Council's compliance under Direction 5(b) of the Ministerial Directions.	28 May 2018	Completed
40		5(a)(ii)	Developing an annual review program, within six (6) months, to ensure a program of future compliance with, though not limited to: the Code for Tenders and Contracts	(see above)	28 May 2018	Completed

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
41	5 – Compliance (cont.)	5(a)(iii)	Developing an annual review program, within six (6) months, to ensure a program of future compliance with, though not limited to: credit card usage in line with the Auditor-General's Report	(see above)	28 May 2018	Completed
42		5(a)(iv)	Developing an annual review program, within six (6) months, to ensure a program of future compliance with, though not limited to: the Code of Conduct	(see above)	28 May 2018	Completed
43		5(a)(v)	Developing an annual review program, within six (6) months, to ensure a program of future compliance with, though not limited to: the Statements of Expectations	(see above)	28 May 2018	Completed
44		5(a)(vi)	Developing an annual review program, within six (6) months, to ensure a program of future compliance with, though not limited to: Council policies and procedures	(see above)	28 May 2018	Completed
45		5(b)(i)	Directing the Audit Panel to undertake an annual review of Council's compliance with, though not limited to: the Act and the <i>Local Government (General) Regulations 2015</i>	(see above)	28 May 2018	Completed
46		5(b)(ii)	Directing the Audit Panel to undertake an annual review of Council's compliance with, though not limited to: the <i>Local Government (Meeting Procedures) Regulations 2015</i> including the appropriate use of closed meetings and accuracy of relevant minutes	(see above)	28 May 2018	Completed
47		5(b)(iii)	Directing the Audit Panel to undertake an annual review of Council's compliance with, though not limited to: the Code of Tenders and Contracts	(see above)	28 May 2018	Completed
48		5(b)(iv)	Directing the Audit Panel to undertake an annual review of Council's compliance with, though not limited to: the Credit Card Policy	(see above)	28 May 2018	Completed

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
49	5 – Compliance (cont.)	5(b)(v)	Directing the Audit Panel to undertake an annual review of Council's compliance with, though not limited to: the Code of Conduct	(see above)	28 May 2018	Completed
50		5(b)(vi)	Directing the Audit Panel to undertake an annual review of Council's compliance with, though not limited to: the Statements of Expectations	(see above)	28 May 2018	Completed
51		5(b)(vii)	Directing the Audit Panel to undertake an annual review of Council's compliance with, though not limited to: Council's policies and procedures	(see above)	28 May 2018	Completed
52		5(b)(viii)	Directing the Audit Panel to undertake an annual review of Council's compliance with, though not limited to: Council's employment policies, to ensure the principles of merit-based appointments is upheld	(see above)	28 May 2018	Completed
53	6 – Employment Contracts	6(a)	Council undertake a review of the approach to managing performance under the General Manager's contract of employment, including: the setting of performance indicators, in conjunction with the scheduled time in the General Manager's contract	In closed Council under Regulation 15(2)(a) and (g) of the <i>Local Government (Meeting Procedures) Regulations 2015</i>, Council considered and approved a process for the development of the General Manager's Key Performance Indicators in accordance with the General Manager's Contract of Employment and with the Glenorchy City Council Ministerial Directives (Item 26 – 26 February 2018)	26 Feb 2018	Completed
54		6(b)	Council undertake a review of the approach to managing performance under the General Manager's contract of employment, including: providing all Aldermen with an opportunity to provide input into the setting of performance indicators	In closed Council under Regulation 15(2)(a) and (g) of the <i>Local Government (Meeting Procedures) Regulations 2015</i>, Council considered and approved a process for the development of the General Manager's Key Performance Indicators in accordance with the General Manager's Contract of Employment and with the Glenorchy City Council Ministerial Directives (Item 26 – 26 February 2018)	26 Feb 2018	Completed

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
55	6 – Employment Contracts (cont.)	6(c)	Council undertake a review of the approach to managing performance under the General Manager's contract of employment, including: considering the merits of including a provision in the General Manager's contract to clarify who approves any leave (annual or personal), noting the usual practice would be the Mayor on behalf of Council	- The General Manager's contract provides for Annual Leave to be taken in agreement between the Mayor and the General Manager, or in the absence of agreement, when the General Manager is directed by Council on at least one (1) months' notice - In addition, the Statement of Expectations provides 'The General Manager will, wherever practicable, ensure that the Mayor is given sufficient notice of this intention to be absent from duty for any reason or that they are otherwise unavailable or unable to perform the functions of the office of General Manager' - Notwithstanding, section 61B of the LG Act provides due process if the General Manager is absent from duty for any reason	26 Mar 2018	Completed
56		6(d)	Council undertake a review of the approach to managing performance under the General Manager's contract of employment, including: ensuring the review of the General Manager's performance under his or her contract is conducted using best practice, objective processes, including the use of a professional service provider to facilitate the review process	In closed Council under Regulation 15(2)(a) and (g) of the <i>Local Government (Meeting Procedures) Regulations 2015</i>, Council considered and approved a process for the development of the General Manager's Key Performance Indicators in accordance with the General Manager's Contract of Employment and with the Glenorchy City Council Ministerial Directives (Item 26 – 26 February 2018)	26 Feb 2018	Completed

Ministerial Directions Implementation Progress Report – (January 2019))



No	Direction	Item	Ministerial Direction	Progress Comment	Date Completed	Indicator
57	6 – Employment Contracts (cont.)	6(e)	Council undertake a review of the approach to managing performance under the General Manager's contract of employment, including: obtaining independent legal advice to assist in matters pertaining to the General Manager's contract of employment	- It is noted that the current General Manager's contract of employment was prepared by an independent legal advisor briefed by the then Commissioner - Furthermore, under Council's Legal Service Policy (adopted by Council Item 11 – 12 December 2017), Council recognises that the engagement of external law firms is appropriate in a number of circumstances including (but not limited to) matters pertaining to the General Manager's contract of employment. This is also recognised within that Council policy that to 'protect the integrity of Council's legal advice from conflicts of interest, loss of privilege and by ensuring the confidentiality of legal advice ... Council 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' - To this end, Council expects that when undertaking a review of the General Manager's performance under the General Manager's contract of employment, Council will obtain independent legal advice to assist in matters pertaining to the same - Third quarterly report acknowledged and approved by Council (Item 17 – 29 October 2018) and on-sent by the Mayor to the Minister and the Department of Local Government - The report has been made publicly available on Council's website	18 Apr 2018	Completed
58	7 – Reporting to the Minister	7	Report quarterly for the term of the current Council to the Minister on the progress of actions taken to comply with these Directions, and make the report publicly available on the Council's website	- Third quarterly report acknowledged and approved by Council (Item 17 – 29 October 2018) and on-sent by the Mayor to the Minister and the Department of Local Government - The report has been made publicly available on Council's website	Ongoing	Actively Progressing



Ministerial Directions Implementation Quarterly Progress Report (Fourth Quarter – January 2019)

Summary of Council's progress of actions required to comply with the Directions as at 18 January 2019				
Actions completed		50		
Actions being actively progressed		3		
Actions not yet started but within time		4		
Actions not yet started and outside due date		1		
		58		
Summary of completed actions over the Quarter				
Direction	Item	Description	Comment	Date
1 - Governance	1(h)	Within a period of 9 months, in consultation with the community, developing a communication and consultation plan for all internal and external communications and consultation processes that is consistent with the eight characteristics of good governance outlined in the <i>Good Governance Guide</i>	A Communications Strategy (incorporating the eight characteristics of good governance outlined in the <i>Good Governance Guide</i>) was adopted by Council (Item 13 – 29 October 2018) (Attachment 1)	29 Oct 2018
	1(i)(i)	Reviewing, and amending if appropriate, within the 2018-19 budget period: the Strategic Plan	Council considered and reconfirmed its satisfaction with the current Glenorchy City Council Plan 2016-2025 (with minor changes being updated organisational structure and Aldermanic photos) (Item 13 – 26 November 2018) (Attachment 2)	26 Nov 2018
4 – Committees and Membership	4(f)	Reviewing, within six (6) months, the membership of the Council's Audit Panel including considering the merits of all members being independent (non-Aldermen). Where aldermanic appointments are made to the Audit Panel, the Council is to ensure that the appointed Aldermen have relevant professional skills for the effective functioning of the Audit Panel	Council considered and resolved that the current composition of the Audit Panel remains as being constituted of three (3) independent members (of which one (1) is appointed the Chairperson) and two (2) Aldermanic members (Item 15 – 26 November 2018)	26 Nov 2018
Attachments				
- Communications Strategy (29 October 2018) - Glenorchy City Council Strategic Plan 2016-2025 (26 November 2018)				



Purchasing Exemption Register

7 December 2018 to 16 January 2019

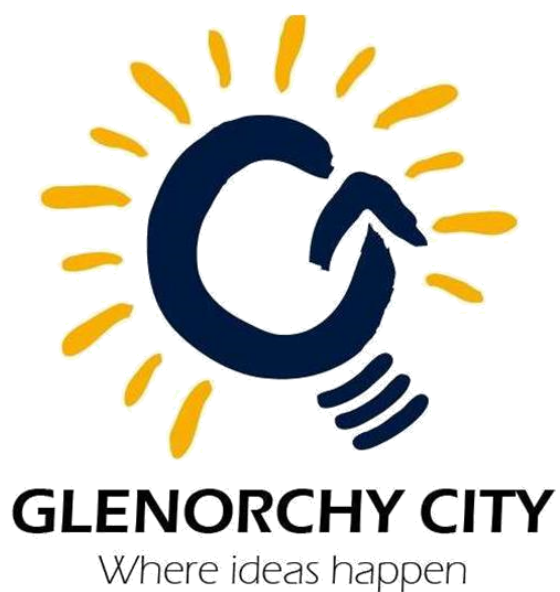
Regulation 28(j) *Local Government (General) Regulations 2015*

(requirement to report to Council where goods or services purchased in circumstances where a public tender or quotation process is not used)

Date	Supplier	Amount (exc GST)	Exemption Clause (see over page)	Reason	Requested by	Approved By
11 December 2018	Quartz Consulting	\$16,000.00	(c)	Prior working knowledge of P&S systems. P&S Manager on indefinite leave	Director, Corporate Services	Director, Corporate Services
12 December 2018	Southern Waste Solutions	\$100,000.00	(b) (e)	Disposal of waste to Lutana transfer station to actively manage Jackson Street landfill closure	Waste Services Coordinator	Director, Infrastructure and Works
12 December 2018	Street and Garden	\$14,840.00	(b)	Specialist timber seating for Glenorchy CBD	Engineering Projects Officer	Director, Infrastructure and Works
7-Jan-19	Statewide Earthworks Pty Ltd	\$98,770.00	(e) (f)	Grove Road retaining wall remediation works. An RFQ was lodged through Tenderlink but only one quote was received	Civil Supervisor	Director, Infrastructure and Works
7-Jan-19	Southern Lighting	\$15,120.00	(b)	Supply of six LED street lights for the Glenorchy CBD Revitalisation Project. Sole supplier/distributor.	Engineering Projects Officer	Director, Infrastructure and Works

Date	Supplier	Amount (exc GST)	Exemption Clause (see over page)	Reason	Requested by	Approved By
7-Jan-19	Leigh Kean Rigging Services	< \$5,000	(e) (f)	Testing and tagging of lighting equipment. Exact final cost unknown so purchase order is impractical.	Fleet Management Coordinator	Director, Infrastructure and Works

Attachment 1



Monthly Financial Performance Report

For the year-to-date ending 30 November 2018

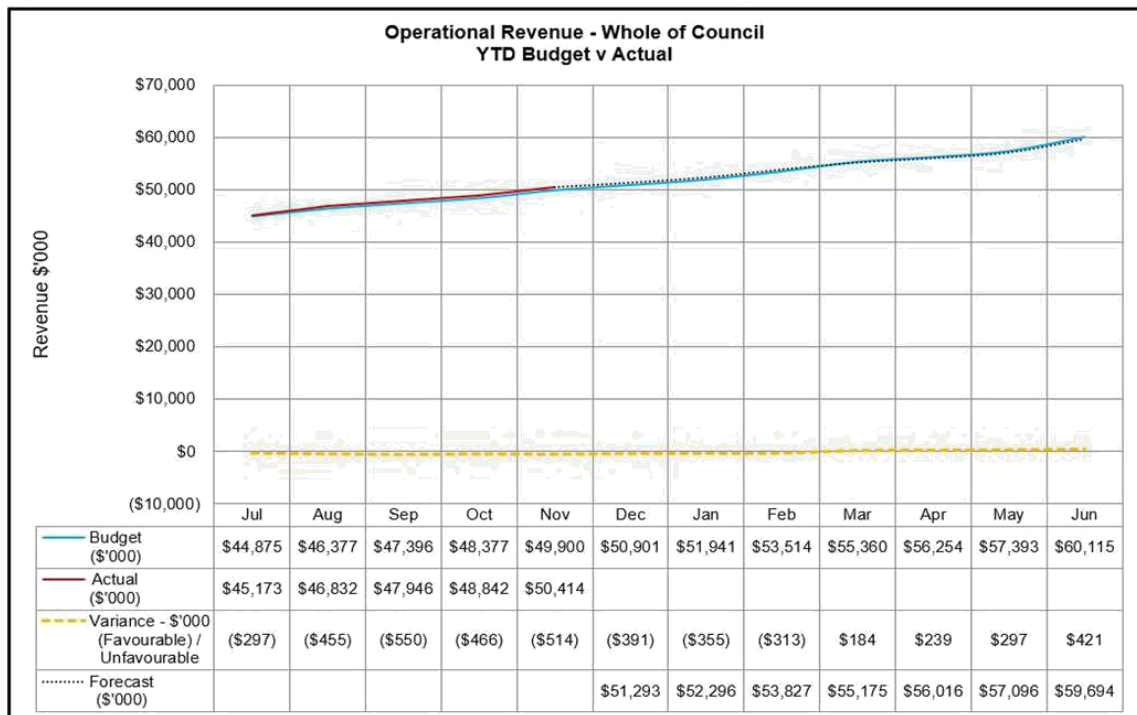
Statement of Comprehensive Income

Glenorchy City Council Financial Report Statement of Comprehensive Income to 30 November 2018				
Year-to-Date (YTD) to 30 November 2018	Note	2019 Budget \$'000	2019 Actual \$'000	2018 Actual \$'000
Income				
Recurrent Income				
Rates	1	39,586	39,707	35,396
User charges and licences	2	7,986	7,849	7,557
Interest	3	161	202	153
Grants	4	925	1,132	919
Contributions - cash	5	26	19	156
Investment income from TasWater	6	503	544	337
Other income	7	278	457	251
		49,466	49,910	44,768
Capital Income				
Contributions – non-monetary assets	8	-	-	-
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	9	5	(10)	115
Capital grants received specifically for new or upgraded assets	10	429	514	359
Fair value recognition of land under roads	11	-	-	-
		434	504	475
Total Income	12	49,900	50,414	45,243
Expenses				
Employment costs	13	8,792	8,820	8,559
Materials and services	14	6,477	6,918	6,024
Depreciation and amortisation	15	5,757	5,704	5,709
State Fire Commission contribution	16	1,410	1,410	1,333
Finance costs	17	55	62	94
Assets written off	18	-	-	-
Bad and doubtful debts	19	1	-	-
Other expenses	20	220	201	217
Total expenses	21	22,712	23,115	21,936
Surplus/(deficit)	22	27,187	27,299	23,307
Other Comprehensive income				
Items that will not be reclassified to surplus or deficit				
Net gain/(loss) on revaluation of property, plant and equipment		-	-	-
Items that may be reclassified subsequently to surplus or deficit				
Financial assets available for sale reserve				
-Fair value adjustment on available for sale assets		-	-	-
Total other comprehensive income	23	-	-	-
Total comprehensive result	24	27,187	27,299	23,307

Nb: Rounding may be reflected in some subtotals

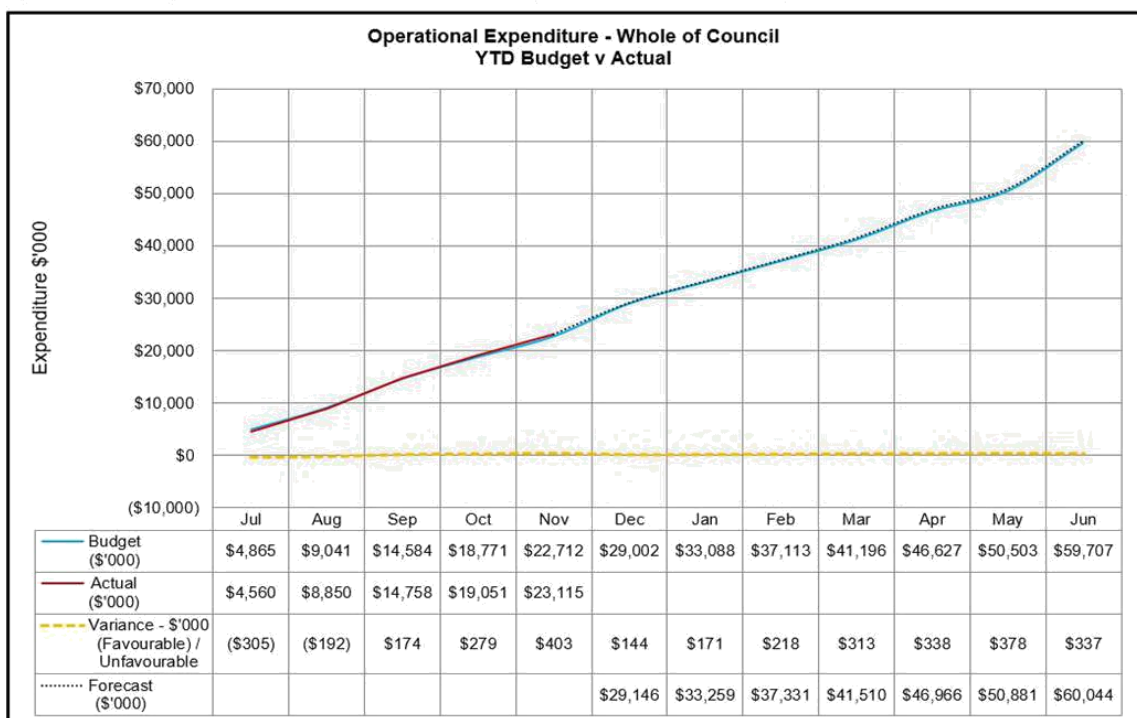
Attachment 1

Operational Revenue – Whole of Council – \$ YTD Accumulative by Month



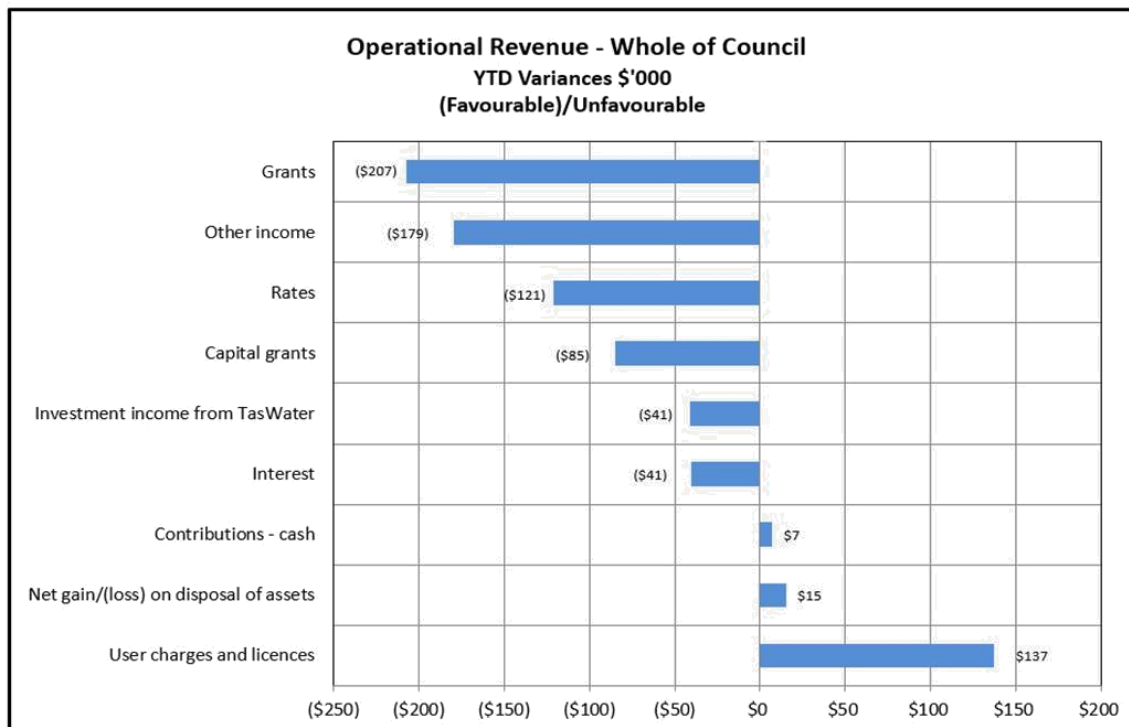
Nb: The budget for the Financial Assistance Grant has been moved to June to align with the anticipated payment date by the Federal Government. This avoids large variances that distort the overall monthly revenue result

Operational Expenditure – Whole of Council – \$ YTD Accumulative by Month

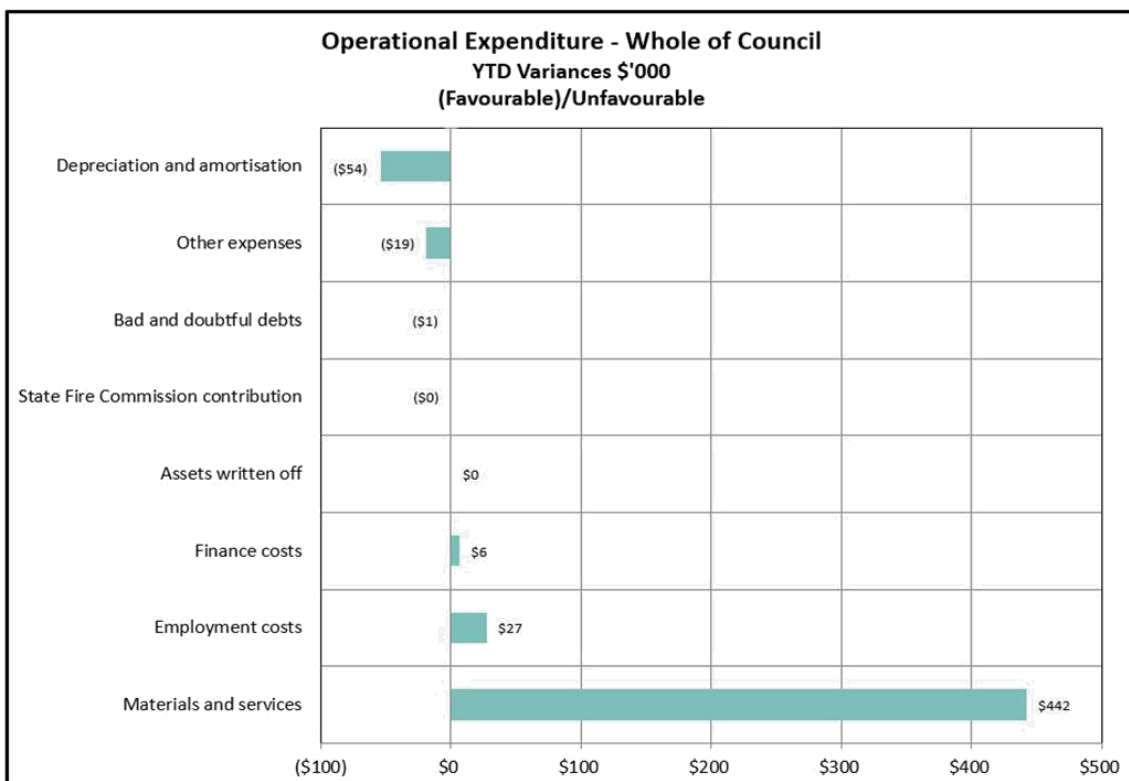


Attachment 1

Operational Revenue – Whole of Council – \$ YTD Variance by Classification

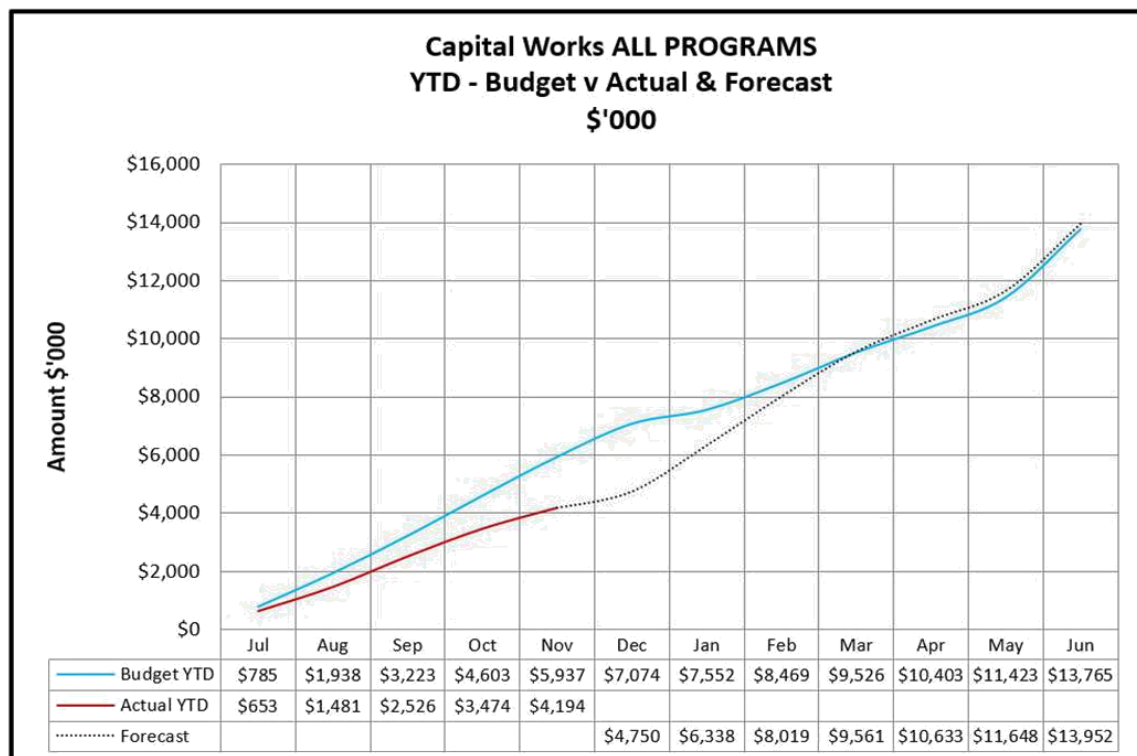


Operational Expenditure – Whole of Council – \$ YTD Variance by Classification

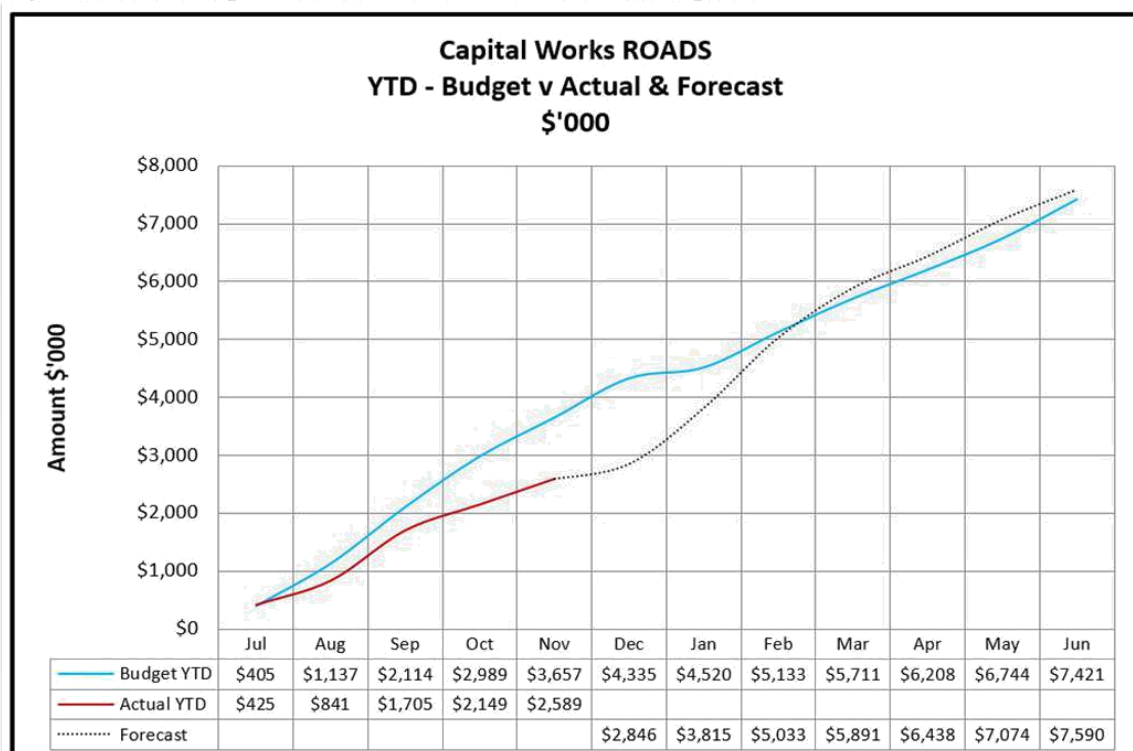


Attachment 1

Capital Works - Budget v Actual v Forecast - \$ YTD All Programs

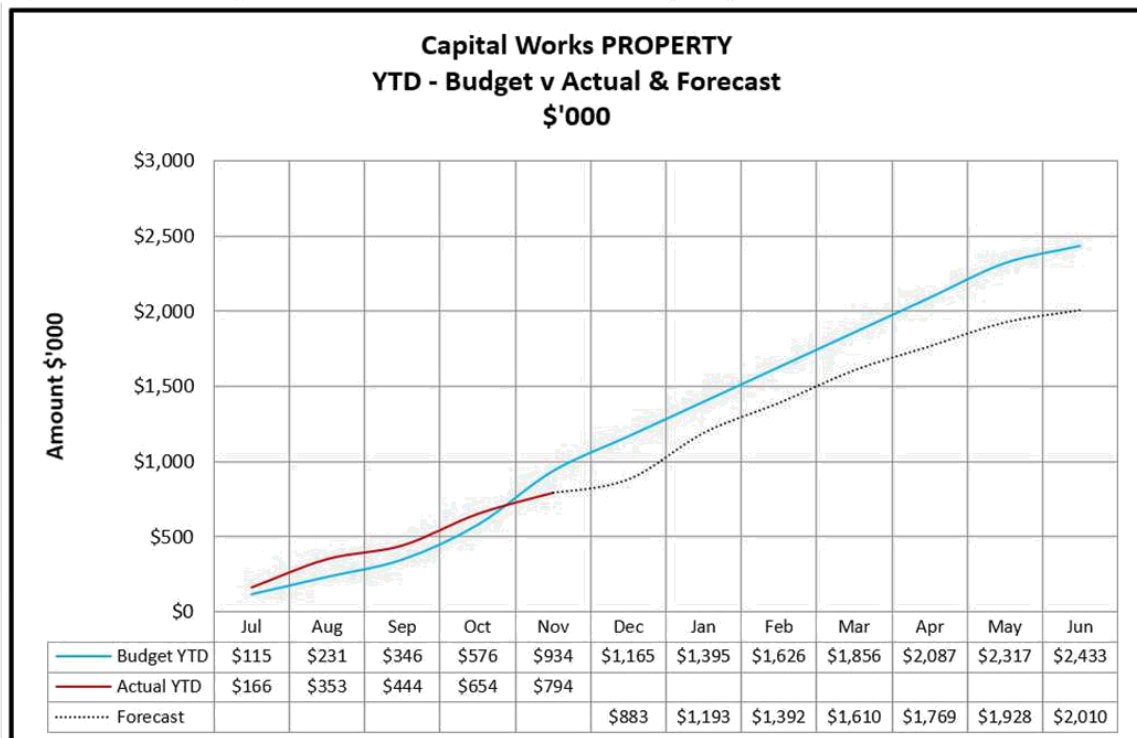


Capital Works - Budget v Actual v Forecast - \$ YTD Roads Program

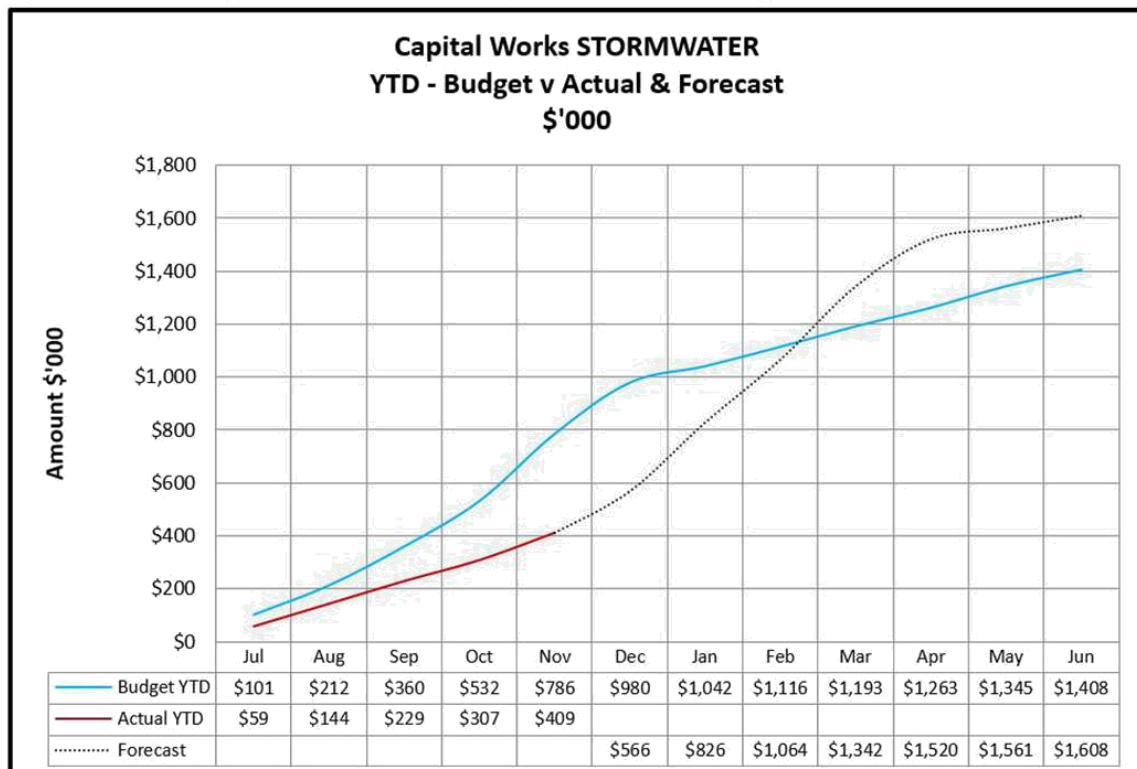


Attachment 1

Capital Works - Budget v Actual v Forecast - \$ YTD Property Program

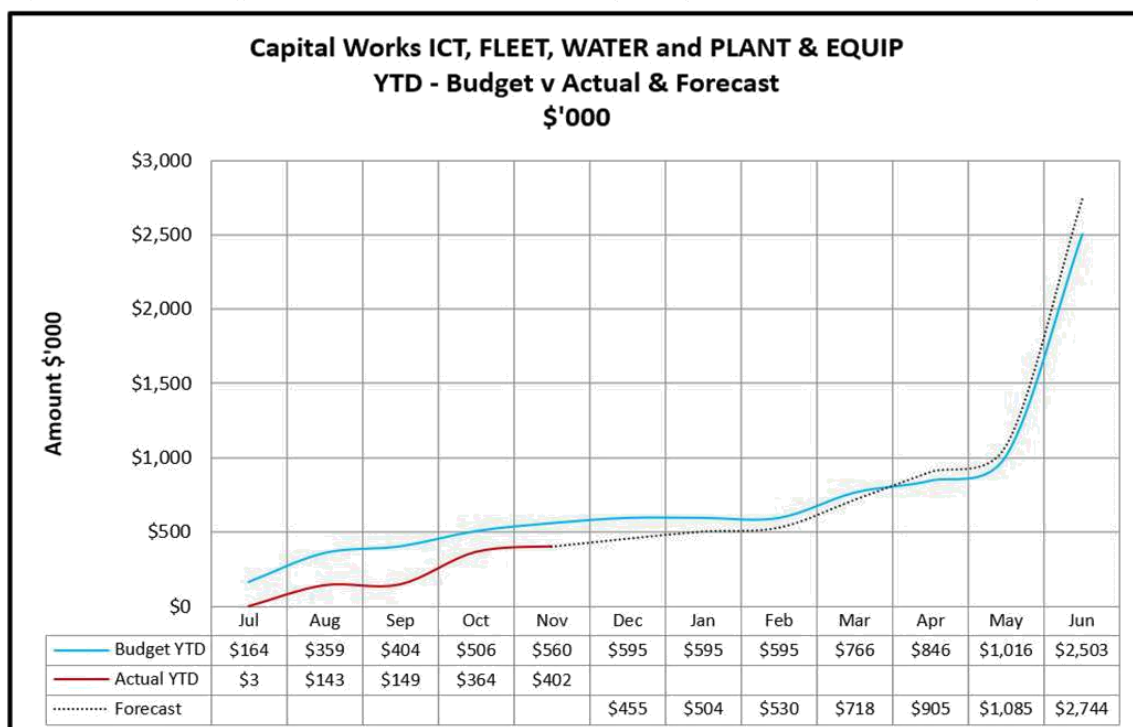


Capital Works - Budget v Actual v Forecast - \$ YTD Stormwater Program



Attachment 1

Capital Works - Budget v Actual v Forecast - \$ YTD ICT, Fleet, Water and Plant & Equip Program



The following budgeted-but-unspent capital expenditure works / purchases largely contribute to the year to date result at 30 November:

Description	Total Budget	Budget Allocated to 30/11/2018	Actual Expenditure to 30/11/2018	Comment
CBD Revitalisation	\$1.178m	\$177k	\$28k	See update report to Council 26 Nov 2018
POW Sports Ground	\$440k	\$154k	\$7k	Works forecast to commence January
Moss Park Dve	\$750k	\$404k	\$51k	Works anticipated to be awarded in December 2018 and completed in May 2019
Skate Park Relocation	\$215k	\$75k	\$0k	Works forecast to commence December
Molesworth Rd	\$400k	\$149k	\$53k	Works forecast to commence January
O'Brien's Bridge	\$261k	\$150k	\$12k	Works forecast to commence January
Cadbury Car Park (Tennis Courts)	\$84k	\$84k	\$4k	Awaiting TasNetworks work approval
Proactive Capital Works	\$200k	\$70k	\$0k	Works forecast to occur December and March
Allunga Rd (Karwin to Karambi)	\$70k	\$70k	\$14k	Works forecast to commence January
Christopher Close (Glenhope to End)	\$62k	\$62k	\$1k	Works forecast to commence February
Elmsleigh Rd (Lampton to #20)	\$68k	\$57k	\$1k	Works forecast to commence January
Ashbould Cres (#53 to Reece)	\$100k	\$100k	\$30k	Works completed December
Arnold St (McGough to Grove)	\$640k	\$480k	\$277k	Works commenced November
Grove Rd Bridge	\$122k	\$125k	\$7k	Works forecast to commence February

Attachment 1

Description	Total Budget	Budget Allocated to 30/11/2018	Actual Expenditure to 30/11/2018	Comment
Aquatic Centre – Waterslide Repairs	\$100k	\$100k	\$0k	Works completed December
Kenbrae Ave 1-23 SW Upgrade	\$162k	\$81k	\$0k	Works forecast to commence January
O'Grady Ave 11-23 SW Upgrade	\$139k	\$139k	\$69k	Works commenced November
Public Toilet Upgrade	\$182k	\$64k	\$2k	Works have commenced on Bus Mall Toilet
Montrose Bay Pontoon	\$200k	\$70k	\$12k	Works forecast to commence February

Explanatory Notes

These notes are provided where a single or collective variance within the Statement of Comprehensive Income requires explanation because (a) it has materially affected the financial position across multiple prior reporting periods or (b) it will continue to materially affect the financial position in future reporting periods or (c) is of particular relevance to require further explanation. To enable \$ variances to be contextualised, they are also expressed as a % variance (rounded to a whole number).

Notes:

1. The threshold for variance reporting is the combination of +/- \$5k and +/-5% budget to actual.
2. Rounding to the nearest \$1k may be apparent in amounts displayed as totals or sub-totals
3. Arrow indicators represent:

Revenue higher than budget	↑	Revenue lower than budget	↓
Expense higher than budget	↑	Expense lower than budget	↓

Note	Revenue / Expenditure Item		
1	Rates:		
		Variance \$'000	Variance %
	Rates, Interest, Penalty and Fire Levy	↑ 121	<1%
	A favourable YTD variance of \$121k has been recorded representing 0.31% above budget.		
2	User charges and licences:		
		Variance \$'000	Variance %
	Kennel Licences	↓ 5	100%
	Building & Plumbing – Application Fees	↓ 5	9%
	Building Governance – Backflow Prevention	↓ 5	100%
	Planning Services – Advertising Fees	↓ 6	16%
	Child Care Parent Fees - Berriedale	↓ 9	8%
	Parking Infringements	↓ 10	6%
	Rates – s132 Certificates	↑ 14	29%
	General Infringements	↓ 17	38%
	Building Governance – s337 Certificates	↓ 19	20%
	KGV Facility Outgoings Reimbursement	↓ 20	100%
	Planning Services – Application Fees	↑ 22	22%
	Moonah Arts Centre	↑ 24	90%
	Landfill – Recycle Fees	↑ 32	>100%
	KGV Facility Leases (incl Main Oval)	↑ 41	33%
	Landfill -Tip Fees	↓ 87	7%
	Budgets are based on a combination of historical revenue received, increases to the fees charged, allowances for known or anticipated complicating factors and assumed customer demand. On this basis, variances in some circumstances may occur.		

Attachment 1

3	Interest:			
			Variance \$,000	Variance %
	Interest on Investments	↑	41	25%
	Council invests surplus funds in accordance with the Investment Policy. This results in deposits for varying terms across multiple institutions. An accrual calculation is undertaken monthly to reflect the interest return for that month however this may not always correspond with the budget.			
4	Grants:			
			Variance \$'000	Variance %
	Berriedale Child Care Centre – Fed Govt Subsidy	↑	102	74%
	Benjafield Child Care Centre – Fed Govt Subsidy	↑	107	>100%
	Moonah Moves	↓	53	100%
	On 1 July 2018, the Federal Government introduced the “New Child Care Package”. The subsidy budget was based on conservative assumptions thus resulting in a favourable variance to date. Conversely, the parent contributions recorded in User Fees & Charges may be lower than budgeted due to the assumed effects of the new package.			
5	Contributions – cash: No reportable variances.			
6	Investment income from TasWater:			
			Variance \$'000	Variance %
	TasWater Tax Equivalent	↑	41	8%
	Payment from TasWater can vary in both timing and amount which may differ from budget.			
7	Other income:			
			Variance \$,000	Variance %
	Berriedale Child Care Centre	↑	13	100%
	Insurance Claims	↑	142	100%
	Asset Data Fees	↑	8	100%
	In the Statement of Comprehensive Income, revenue that does not fit the criteria of other classifications is allocated to Other Income by default.			
8	Contributions - non-monetary assets: No reportable variances.			
9	Net gain/(loss) on disposal of property, infrastructure, plant and equipment: No reportable variances.			

10	Capital grants received specifically for new or upgraded assets:				
				Variance \$'000	Variance %
	Roads to Recovery		↓	167	39%
	Granton Cycleway		↑	200	100%
	It is common for grants to become available during the year that were not anticipated when the budget was approved. It is also common for the timing of anticipated grant payments to be different than budgeted. On this basis, variances in some circumstances may occur.				
11	Fair value recognition of land under roads: No reportable variances.				
12	Total Income:				
	Budget \$'000	Actual \$'000		Variance \$,000	Variance %
	49,900	50,414	↑	514	(<1)%
	Total income has returned a favourable variance (additional) of \$514k or 1.03% at the end of the reporting period. This compares to last month's favourable variance of \$145k or 0.30%				
13	Employment costs:				
	Budget \$'000	Actual \$'000		Variance \$'000	Variance %
	8,792	8,820	↑	28	<1%
	The variance at the end of the reporting period is \$27k or 0.32% over budget which is a reduction to the \$119k variance in last month's report.				
14	Material and services:				
	Budget \$'000	Actual \$'000		Variance \$'000	Variance %
	6,477	6,918	↑	441	7%
	The variance at the end of the reporting period represents an overall collective overspend of \$441k or 6.81%. This compares to last month's variance of \$219k or 4.02%.				
15	Depreciation and amortisation:				
	Budget \$'000	Actual \$'000		Variance \$'000	Variance %
	5,757	5,704	↓	53	<1%
	Depreciation is budgeted for equally over each of the twelve months of the financial year based on estimated asset value at 30 June. However new assets are commissioned at various times during the year, so the timing of the capitalisation of these assets may contribute to a variance during the year.				

Attachment 1

16	State Fire Commission contribution: No reportable variances.										
17	Finance costs: <table><tr><td></td><td></td><td>Variance \$'000</td><td>Variance %</td></tr><tr><td>Interest on Loans</td><td>↑</td><td>7</td><td>13%</td></tr></table> An accrual calculation is undertaken monthly to reflect the loan interest for that month however this may not always correspond exactly with the budget. However, actual loan interest is reported in the months of December and June when loan repayments are made.			Variance \$'000	Variance %	Interest on Loans	↑	7	13%		
		Variance \$'000	Variance %								
Interest on Loans	↑	7	13%								
18	Assets written off: No reportable variances.										
19	Bad and doubtful debts: No reportable variances.										
20	Other expenses: No reportable variances.										
21	Total Expenses: <table><tr><td>Budget \$'000</td><td>Actual \$'000</td><td></td><td>Variance \$'000</td><td>Variance %</td></tr><tr><td>22,712</td><td>23,115</td><td>↑</td><td>403</td><td>2%</td></tr></table> Total Expenses are \$403k or 1.77% in excess of budget at the end of the reporting period. This is an increase on last month's excess of \$280k or 1.49%.	Budget \$'000	Actual \$'000		Variance \$'000	Variance %	22,712	23,115	↑	403	2%
Budget \$'000	Actual \$'000		Variance \$'000	Variance %							
22,712	23,115	↑	403	2%							
22	Surplus/(Deficit): <table><tr><td>Budget \$'000</td><td>Actual \$'000</td><td></td><td>Variance \$'000</td></tr><tr><td>27,187</td><td>27,299</td><td>↑</td><td>112</td></tr></table> The overall income versus expenditure result records a favourable variance of \$112k of budget to actual. For the year to date, this is a combination of increased revenue received of \$514k offset by overspent expenses of \$403k.	Budget \$'000	Actual \$'000		Variance \$'000	27,187	27,299	↑	112		
Budget \$'000	Actual \$'000		Variance \$'000								
27,187	27,299	↑	112								
23	Total Other Comprehensive Income: No reportable variances.										
24	Total Comprehensive Result: <table><tr><td>Budget \$'000</td><td>Actual \$'000</td><td></td><td>Variance \$'000</td></tr><tr><td>27,187</td><td>27,299</td><td>↑</td><td>112</td></tr></table> There is no change to the reported Surplus/(Deficit).	Budget \$'000	Actual \$'000		Variance \$'000	27,187	27,299	↑	112		
Budget \$'000	Actual \$'000		Variance \$'000								
27,187	27,299	↑	112								

Attachment 1

Previously reported variances considered permanent until end of year

To avoid repetition of comments in the previous tables, the following table contains variances that (a) are single-instance fixed amounts, (b) have previously been reported and (c) will most likely not alter.

Note	Details		Variance \$'000	Variance %
2	Mobile Phone Tower – Poimena (paid in advance)	↑	12	100%
2	Contribution to North Chigwell Oval BBQ Facility	↑	34	100%
2	DPWRS – Land Tax Recovery	↓	12	100%
2	Review of Leases	↓	10	100%
4	Moonah Taste – State Govt (paid in advance)	↑	10	100%
4	Multicultural Hub (to be received June 2019)	↓	50	100%
4	Specific Purpose Grants (funded from prior year)	↑	71	100%
4	Glenorchy Mountain Bike Trail	↑	100	100%
4	Specific Purpose Grants (unfunded from prior year)	↓	108	100%
7	Land Tax Refund	↑	28	100%
7	Heavy Vehicle Motor Tax – State Govt Refund	↑	29	100%
10	Peltro Street Cycle Lane – State Govt	↑	52	100%
20	External Audit	↑	19	100%
20	Internal Audit	↓	35	78%

Adjustments to amounts previously reported

There are instances where ledger adjustments are required in respect of amounts reported in prior periods. Any adjustments will be visible when comparing current versus previous “Whole of Council Revenue and Expenditure” reports. Changes to the bottom line variances reported in last month’s Financial Performance Report compared those reported this month are:

Revenue - Whole of Council \$'000

Variance	Jul	Aug	Sep	Oct
Last Month	(297)	(134)	(229)	(145)
This Month	(297)	(455)	(550)	(466)
Change	0	(321)	(321)	(321)

Expenditure – Whole of Council \$'000

Variance	Jul	Aug	Sep	Oct
Last Month	(308)	(193)	173	280
This Month	(305)	(192)	174	279
Change	(3)	(1)	1	(1)

The following adjustments have contributed to the above changes:

Affected Month/s	Comment	Amount	Reason
Aug - Oct Revenue	The August 2018 budget for the Financial Assistance Grant has been moved to June 2019 to align with the anticipated payment date by the Federal Government.	\$321k	(f)

Reason Codes:

- (a) audit requirement
- (b) reclassification of amounts between operational and capital
- (c) processing adjustments early or late
- (d) correction of errors
- (e) change to method of reporting
- (f) budget month/s moved

Glossary of Revenue & Expenditure Descriptions in the Comprehensive Statement**Recurrent income**Rates

The main source of Council revenue comprising General rates, interest & penalty on overdue rates, legal costs recovered in the collection of rates and the State Fire Levy collected on behalf of State Fire Commission.

User Charges and Licences

Revenue received from childcare, various registrations and licences, Derwent Entertainment Centre, Derwent Park Water Reuse, development and building, garbage and recycling, general fines & infringements, rental revenue and other fees and charges.

Interest

Revenue received by Council from interest on investments and deposits.

Grants

Any income received by Council for a specific project or purpose for which there is an associated deed outlining the purpose.

Contributions – cash

Any voluntary monetary contribution to Council for a specific purpose that is usually ad-hoc, such as a donation or sponsorship.

Investment Income from TasWater

Council is a shareholder of TasWater along with the other Tasmanian Councils. Council receives revenue in the form of dividends, tax equivalent payments and guarantee fees.

Other Income

Revenue includes fuel tax credits, waste education program, State Fire Commission contribution for collecting the levy and miscellaneous refunds Council may receive from suppliers.

Capital incomeContributions – non-monetary assets

Income received by Council predominately from found or donated capital assets typically Buildings, Land, Stormwater or Roads which are valued for the first time and added to the Council financial accounts. Examples include roads in new subdivisions or identifying previously unknown stormwater pipes.

Net gain/(loss) on disposal of property, infrastructure, plant and equipment

Any item that is at the end of its useful life which has some residual value that is sold or disposed.

Capital grants received specifically for new or upgraded assets

Any grants received by Council specifically for use to improve or construct assets such as Blackspot, Roads2Recovery and Recreation Reserve lighting installation.

ExpensesEmployment costs

Any expenses associated with employee remuneration such as wages, salaries, allowances, redundancies, on-costs (eg payroll tax and workers compensation premiums), superannuation, leave and fringe benefits tax.

Materials and services

This covers the purchase of goods and services Council consumes and uses in providing services to the community. This typically includes materials from retailers, services from providers, contractors, routine plant & equipment maintenance, public utilities (eg water, sewerage, gas and electricity) and consultants.

Depreciation and amortisation

Buildings, land improvements, plant and equipment, infrastructure and other assets having limited useful lives are systematically depreciated over their useful lives in a manner which reflects consumption of the service potential embodied in those assets. Amortisation is the same process as depreciation except that it is applied to non-tangible assets such as goodwill or intellectual property.

State Fire Commission contribution

As part of the rates billing process, Council collects a fire service levy totalling the amount determined by the State Fire Commission. This is remitted to the Commission four times per annum.

Finance costs

Finance costs include interest on bank overdrafts, interest on borrowings, and unwinding of discounts.

Assets written off

This occurs when Council no longer owns an asset or the value of an asset is declared to be zero or worthless. An asset can lose value through obsolescence, changes in market demand, damage, spoilage, or theft.

Bad and doubtful debts

This is money owed to Council that is unlikely to be collected typically due to bankruptcy, liquidation, disappearance or recovery action is uneconomic.

Other expenses

These are specific expenses to Council including land tax, external auditor costs and the payment of grants such as scholarships and community group contributions.

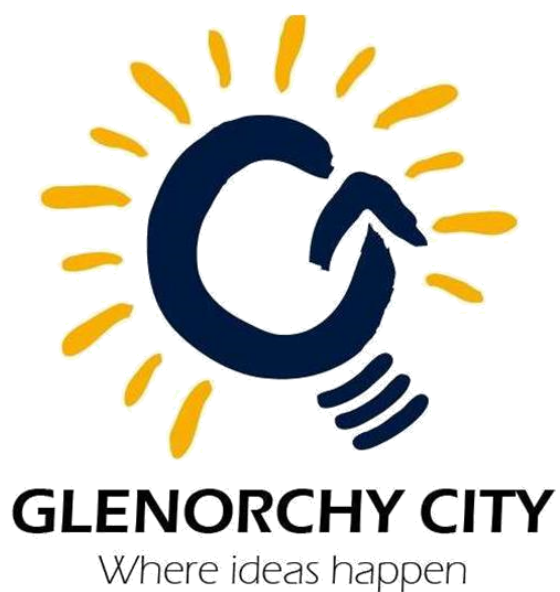
Other comprehensive incomeNet gain/(loss) on revaluation of property, plant and equipment

Any property that at the end of its use by Council has some residual value and is sold or disposed of but will not be reclassified to surplus or deficit.

Fair value adjustment on available for sale assets

The Fair value reserve includes the net revaluation increments and decrements arising from the revaluation of the relevant available for sale asset.

Attachment 2



Monthly Financial Performance Report

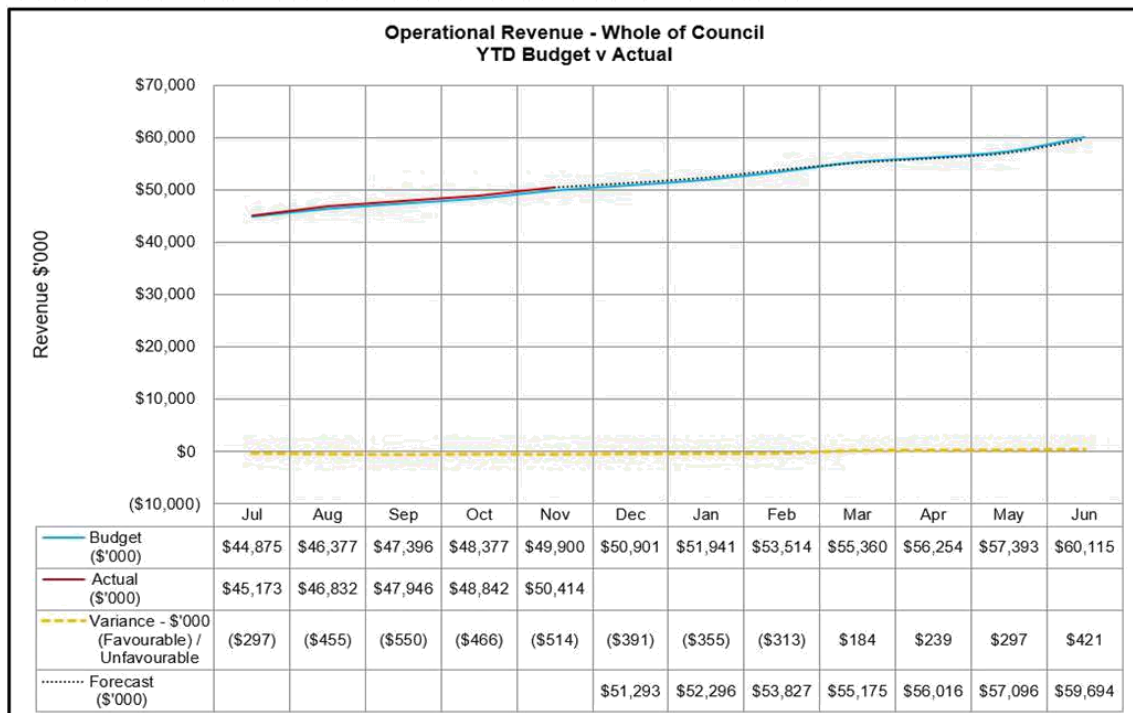
For the year-to-date ending 30 November 2018

Statement of Comprehensive Income

Glenorchy City Council Financial Report Statement of Comprehensive Income to 30 November 2018					
Year-to-Date (YTD) to 30 November 2018	Note	2019 Budget \$'000	2019 Actual \$'000	2018 Actual \$'000	2019 Variance Actual to Budget
Income					
Recurrent Income					
Rates		39,586	39,707	35,396	↑ 0.3%
User charges and licences		7,986	7,849	7,557	↓ -1.7%
Interest		161	202	153	↑ 25.5%
Grants	1	925	1,132	919	↑ 22.4%
Contributions - cash		26	19	156	↓ -26.9%
Investment income from TasWater		503	544	337	↑ 8.2%
Other income	2	278	457	251	↑ 64.4%
		49,466	49,910	44,768	↑ 0.9%
Capital Income					
Contributions – non-monetary assets		-	-	-	
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	5		(10)	115	↓ -300.0%
Capital grants received specifically for new or upgraded assets		429	514	359	↑ 19.8%
Fair value recognition of land under roads		-	-	-	
		434	504	475	↑ 16.1%
Total Income		49,900	50,414	45,243	↑ 1.0%
Expenses					
Employment costs		8,792	8,820	8,559	↑ 0.3%
Materials and services		6,477	6,918	6,024	↑ 6.8%
Depreciation and amortisation		5,757	5,704	5,709	↓ -0.9%
State Fire Commission contribution		1,410	1,410	1,333	0.0%
Finance costs		55	62	94	↑ 12.7%
Assets written off		-	-	-	
Bad and doubtful debts		1	-	-	
Other expenses		220	201	217	↓ -8.6%
Total expenses		22,712	23,115	21,936	↑ 1.8%
Surplus/(deficit)		27,187	27,299	23,307	↑ 0.4%
Other Comprehensive income					
Items that will not be reclassified to surplus or deficit					
Net gain/(loss) on revaluation of property, plant and equipment		-	-	-	
Items that may be reclassified subsequently to surplus or deficit					
Financial assets available for sale reserve					
-Fair value adjustment on available for sale assets		-	-	-	
Total other comprehensive income		-	-	-	
Total comprehensive result	24	27,187	27,299	23,307	↑ 0.4%

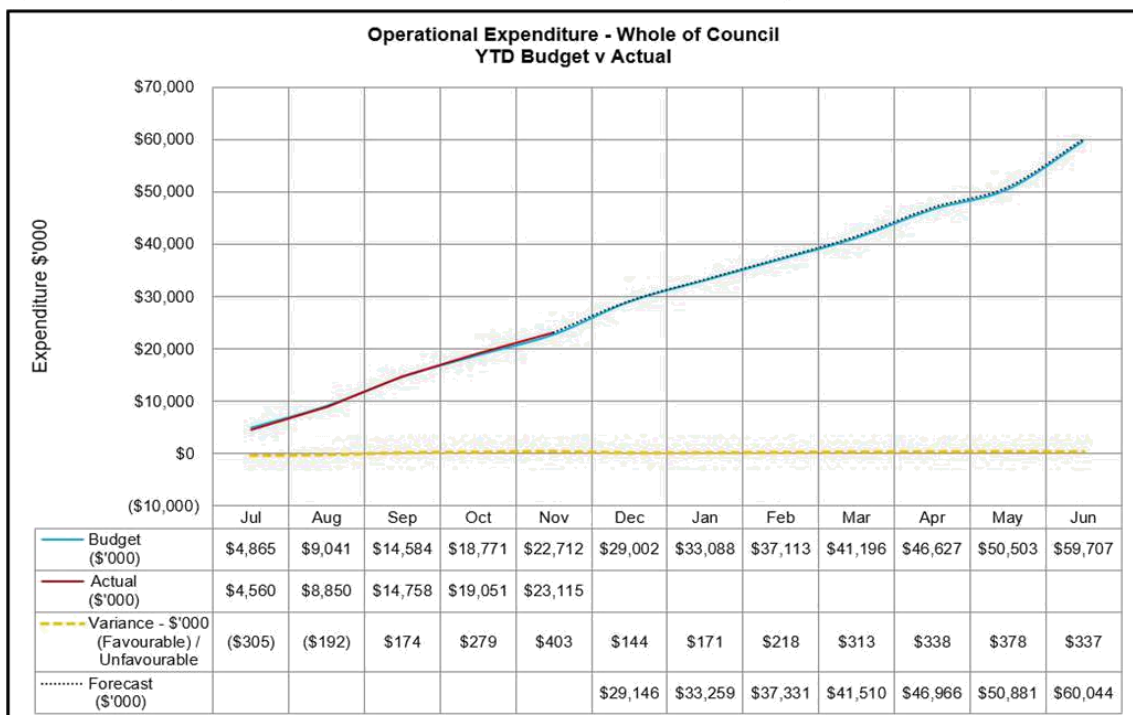
Nb: Rounding may be reflected in some subtotals

Operational Revenue – Whole of Council – \$ YTD Accumulative by Month

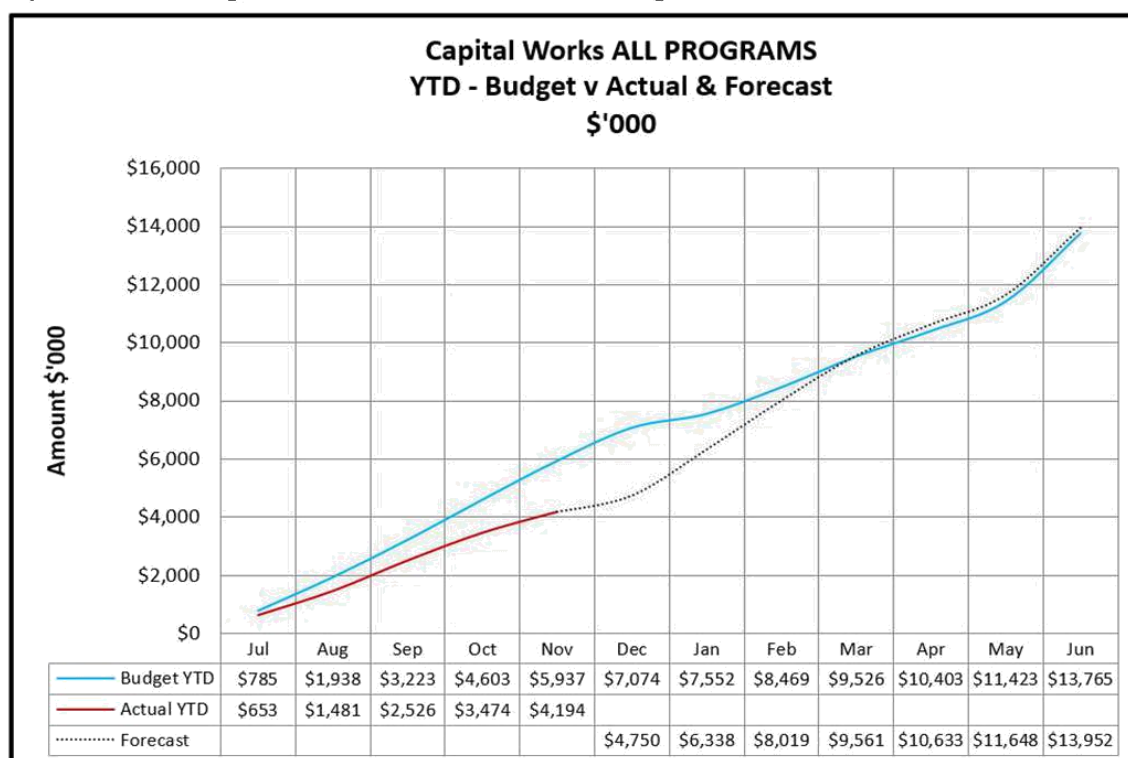


Nb: The budget for the Financial Assistance Grant has been moved to June to align with the anticipated payment date by the Federal Government. This avoids large variances that distort the overall monthly revenue result

Operational Expenditure – Whole of Council – \$ YTD Accumulative by Month



Capital Works - Budget v Actual v Forecast - \$ YTD All Programs



- As of 30 November 2018 capital works are \$1.743m underspent against the original budget forecast. This is expected to increase to \$2.324m in December 2018 before the forecast shows a reduction in underspend in January 2019 to \$1.214m. The forecast expenditure is not expected to catch up until March/April 2019.
- Council spend is increasing as projects requiring detailed design like the CBD Revitalisation and flood damage projects commence construction over the summer period.
- A number of waste management projects are also on-hold pending the outcome of the review of Council's Waste Management Strategy and its associated business cases in March 2019. These funds are estimated to be spent in June 2019 and it is possible that some funding may be carried over to the 2019/20 financial year
- Technology projects at the Work Centre to provide improved mobility are pending approval of a business case and rely on integration with existing systems. These funds are predicted to be spent in June 2019 and may also carry over to the 2019/20 financial year
- To address this possible underspend Council are bringing a number of projects forward including some additional road resurfacing.
- The total estimate of the potential carry-over is around \$1.5m and a more detailed review will be undertaken as part of the mid-year review in February 2019.

Explanatory Notes

These notes are provided where a single or collective variance within the Statement of Comprehensive Income requires explanation because (a) it has materially affected the financial position across multiple prior reporting periods or (b) it will continue to materially affect the financial position in future reporting periods or (c) is of particular relevance to require further explanation. To enable \$ variances to be contextualised, they are also expressed as a % variance (rounded to a whole number).

Notes:

1. The threshold for variance reporting only details those areas deemed to be significant.
2. Arrow indicators represent:

Revenue higher than budget	↑	Revenue lower than budget	↓
Expense higher than budget	↑	Expense lower than budget	↓

Note	Revenue / Expenditure Item			
1	Grants:			
			Variance \$'000	Variance %
	Berriedale Child Care Centre – Fed Govt Subsidy	↑	102	74%
	Benjafield Child Care Centre – Fed Govt Subsidy	↑	107	>100%
	On 1 July 2018, the Federal Government introduced the “New Child Care Package”. The subsidy budget was based on conservative assumptions thus resulting in a favourable variance to date. Conversely, the parent contributions recorded in User Fees & Charges may be lower than budgeted due to the assumed effects of the new package.			
2	Other income:			
			Variance \$,000	Variance %
	Insurance Claims		142	100%
	The budget process does not forecast insurance claims as this cannot be predicted. The Berridale Caravan park insurance claim of \$125,000 is the major component of this income.			

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