

SOUTHERN
MIDLANDS
COUNCIL



AGENDA

ORDINARY COUNCIL MEETING

Wednesday, 24th July 2019
10.00 a.m.

Municipal Offices
71 High Street, Oatlands

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Dear Sir/Madam

NOTICE OF MEETING

Notice is hereby given that the next ordinary meeting of Council will be held on

Date: Wednesday, 24th July 2019
Time: 10.00 a.m.
Venue: Municipal Offices, 71 High Street, Oatlands

The Local Government Act 1993 section 65 provides the following:

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

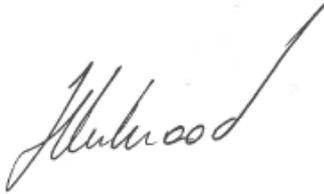
I therefore certify that with respect to all advice, information or recommendation provided to the Council in or with this Agenda:

- (1) *The advice, information or recommendation is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation; and*
- (2) *Where any advice is directly given by a person who does not have the required qualification or experience, that person has obtained and taken into account in that person's general advice, the advice from an appropriately qualified or experienced person.*

Councillors please note:

- Public Question Time has been scheduled for 10.30 a.m.
- Karen Mathieson – President of Oatlands Community Association Inc will address Council at 10.45 a.m.
- Councillors will attend the launch of the 'Big Blue Farmer' at the Rural Alive & Well building (73 High Street, Oatlands) at 1.00 p.m.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Tim Kirkwood', written in a cursive style.

Tim Kirkwood
GENERAL MANAGER

OPEN COUNCIL AGENDA

1. PRAYERS

Rev Dennis Cousens to recite prayers.

2. ATTENDANCE

3. APOLOGIES

Clr A Bantick & Clr K Dudgeon

4. MINUTES

4.1 ORDINARY COUNCIL MINUTES

The Minutes (Open Council Minutes) of the previous meeting of Council held on the 26th June 2019, as circulated, are submitted for confirmation.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

4.2 SPECIAL COMMITTEES OF COUNCIL MINUTES

4.2.1 SPECIAL COMMITTEES OF COUNCIL - RECEIPT OF MINUTES

The Minutes of the following Special Committee of Council, as circulated, are submitted for receipt:

- Minutes – Woodsdale Hall Management Committee – 24th June 2019.

RECOMMENDATION

THAT the minutes of the above Special Committee of Council be received.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

4.2.2 SPECIAL COMMITTEES OF COUNCIL - ENDORSEMENT OF RECOMMENDATIONS

The recommendations contained within the minutes of the following Special Committee of Council are submitted for endorsement.

- Nil.

DECISION NOT REQUIRED

4.3 JOINT AUTHORITIES (ESTABLISHED UNDER DIVISION 4 OF THE LOCAL GOVERNMENT ACT 1993)

4.3.1 JOINT AUTHORITIES - RECEIPT OF MINUTES

The Minutes of the following Joint Authority Meetings, as circulated, are submitted for receipt:

- Southern Tasmanian Councils Authority – Nil.
- Southern Tasmanian Councils Authority (Waste Strategy South) – Nil.

DECISION NOT REQUIRED

4.3.2 JOINT AUTHORITIES - RECEIPT OF REPORTS (ANNUAL & QUARTERLY)

Reports prepared by the following Joint Authorities, as circulated, are submitted for receipt:

- Southern Tasmanian Councils Authority – Nil.

DECISION NOT REQUIRED

5. NOTIFICATION OF COUNCIL WORKSHOPS

In accordance with the requirements of the *Local Government (Meeting Procedures) Regulations 2015*, the Agenda is to include details of any Council workshop held since the last meeting.

No workshops have been held since the last Ordinary Meeting.

RECOMMENDATION

THAT the information be received.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

6. COUNCILLORS – QUESTION TIME

6.1 QUESTIONS (ON NOTICE)

Regulation 30 of the *Local Government (Meeting Procedures) Regulations 2015* relates to Questions on notice. It states:

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

Nil.

6.2 QUESTIONS WITHOUT NOTICE

Section 29 of the *Local Government (Meeting Procedures) Regulations 2015* relates to Questions without notice.

It states:

“29. Questions without notice

(1) *A councillor at a meeting may ask a question without notice –*

- (a) of the chairperson; or*
- (b) through the chairperson, of –*
 - (i) another councillor; or*
 - (ii) the general manager.*

(2) *In putting a question without notice at a meeting, a councillor must not –*

- (a) offer an argument or opinion; or*
- (b) draw any inferences or make any imputations – except so far as may be necessary to explain the question.*

(3) *The chairperson of a meeting must not permit any debate of a question without notice or its answer.*

(4) *The chairperson, councillor or general manager who is asked a question without notice at a meeting may decline to answer the question.*

(5) *The chairperson of a meeting may refuse to accept a question without notice if it does not relate to the activities of the council.*

(6) *Questions without notice, and any answers to those questions, are not required to be recorded in the minutes of the meeting.*

(7) *The chairperson of a meeting may require a councillor to put a question without notice in writing.*

An opportunity is provided for Councillors to ask questions relating to Council business, previous Agenda items or issues of a general nature.

7. DECLARATIONS OF PECUNIARY INTEREST

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015*, the chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the Agenda.

Accordingly, Councillors are requested to advise of a pecuniary interest they may have in respect to any matter on the agenda, or any supplementary item to the agenda, which Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*.

8. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

In accordance with the requirements of Part 2 Regulation 8 (6) of the *Local Government (Meeting Procedures) Regulations 2015*, the Council, by absolute majority may decide at an ordinary meeting to deal with a matter that is not on the agenda if the General Manager has reported –

- (a) the reason it was not possible to include the matter on the agenda; and
- (b) that the matter is urgent; and
- (c) that advice has been provided under section 65 of the Act.

RECOMMENDATION

THAT the Council resolve by absolute majority to deal with any supplementary items not appearing on the agenda, as reported by the General Manager in accordance with the provisions of the *Local Government (Meeting Procedures) Regulations 2015*.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

9. PUBLIC QUESTION TIME (SCHEDULED FOR 10.30 A.M.)

In accordance with the requirements of Part 2 Regulation 8 of the *Local Government (Meeting Procedures) Regulations 2015*, the agenda is to make provision for public question time.

In particular, Regulation 31 of the *Local Government (Meeting Procedures) Regulations 2015* states:

- (1) *Members of the public may give written notice to the General Manager 7 days before an ordinary meeting of Council of a question to be asked at the meeting.*
- (2) *The chairperson may –*
 - (a) *address questions on notice submitted by members of the public; and*
 - (b) *invite any member of the public present at an ordinary meeting to ask questions relating to the activities of the Council.*
- (3) *The chairperson at an ordinary meeting of a council must ensure that, if required, at least 15 minutes of that meeting is made available for questions by members of the public.*
- (4) *A question by any member of the public under this regulation and an answer to that question are not to be debated.*
- (5) *The chairperson may –*
 - (a) *refuse to accept a question; or*
 - (b) *require a question to be put on notice and in writing to be answered at a later meeting.*
- (6) *If the chairperson refuses to accept a question, the chairperson is to give reasons for doing so.*

Councillors are advised that, at the time of issuing the Agenda, the following questions on notice had been received from a member of the public (see over).

Mayor A O Green to then invite questions from members of the public in attendance.

9.1 Permission to Address Council

Permission has been granted for the following person(s) to address Council:

- Karen Mathieson – President of Oatlands Community Association Inc will address Council at 10.45 a.m.

TERRY LOFTUS - OATLANDS

The following email was submitted on the 16th July 2019 addressed to the General Manager.

From: Terry Loftus
Sent: Tuesday, 16 July 2019 10:40 AM
To: Timothy Kirkwood
Subject: Question for SMC July meeting

Please find a list of questions I would like answered at the July 2019, Southern Midlands Council meeting:

With the Council's recent release of the following reports (Midlands Aquatic & Recreation Centre Feasibility Analysis 2006 and Midlands Aquatic and Recreation Centre Business Plan 2009 -2011), can Council provide the following information?

- Does council consider these two important reports need to be reviewed and updated since they are both over ten years old and much of the vital information is outdated?

It is confirmed that the 'Midlands Aquatic and Recreation Centre Business Plan 2009-2011', will be reviewed and updated as part of the decision making process. This will be undertaken following closure of tenders. This timeframe recognises the need to confirm the actual capital cost of construction, being a major input into the plan.

- In the 2006 Feasibility Study, it states: "*The facility will not easily, if ever, achieve a break-even financial position.*" Has the council updated their current financial position to reflect the financial commitment required by the council's current financial position? If so, can a copy of the report be provided?

It is well documented and recognised that Swimming Pools, and like infrastructure, do not achieve a break-even financial position. Investment in these type of facilities reflects the broader community benefits associated with leisure; health; recreation; learn to swim; water education and safety etc.

In addition, this type of investment helps attract people to live in Oatlands (and surrounding communities), and the fact that better opportunities for youth activities held relieve boredom and possible vandalism cannot be understated.

It follows that within Council's Long-term Financial Management Strategy allowance has been made for an increase in costs associated with this proposed operation. These estimates will be refined following completion of the Business Plan review.

Reference is made to the most recent Financial Management Strategy 2018/19 to 2026/27 endorsed by Council in April 2018 (copy attached). The following dot points are extracted from the Strategy as they relate to the Aquatic Centre:

Financial Projections **Comprehensive Income Statement**

1.

2. *Charges - average increase of up to 2.50% per annum over the life of the strategy allowing for the following adjustments:*
 -
 -
 - *User fees and charges increased by \$130K in YE 2020 to recognise commencement of the new Aquatic Centre operation.*
 3.
 4.
 5.
 6.
 7.
 8. *Salaries & Wages - YE 2020 - 5.00% real increase (equates to \$180K) takes into account the commencement of the Aquatic Centre operation (i.e. current Pool salaries of \$58 plus \$180K – total of \$238K.)*
 9. *Contractual Services (Materials & Contracts) – indexed at the rate of 1.50% per annum over the life of the strategy. YE 2020 – additional 2.50% increase (over and above 1.50% increase) to reflect additional costs associated with Pool Operation.*
 10. *Materials – incorporated in Contractual Services*
 11. *Depreciation - Depreciation increase in YE 2019 by \$52K; \$87K in YE 2020; and \$93K per year thereafter to reflect capital investment in Aquatic Centre. Amount is automatically calculated by the Financial Model based on capital expenditure – renewal and new assets.*
 12. *Finance Charges - Amount is automatically calculated by the Financial Model based on the level of loan debt. The Model assumes that if there is available cash, it will be used to pay off debt.*
 13. *Other Expenses - have been indexed by 1.50% per annum.*
- The original studies included an eight lane pool and separate hydro-therapy pool, has any assessment been made comparing the 'original complex design' with the current proposed much-scaled down design and the effects on usage and income generated?

These changes will be taken into account and reflected in the revised Business Plan.

- In the Midlands Aquatic and Recreation Centre Business Plan 2009-2011 report it states council subsidised the pool up to \$60,000. In the recent 2019-2020 budget, council estimates the pool subsidy will be \$103,000. Has council in its ten year financial planning estimated the pool subsidy it will require each year for the new pool? If not, will this be a consideration before committing the council's financial stability to this long term debt?

Yes – refer above response.

- When making big financial decisions, most councils determine the 'Whole of Life' cost and benefits of such expenditure - Has the Elected Council been provided a 'whole of life' cost and benefits report or analysis? If not, will such a report be provided to the community and council for consideration?

Whole of life costs are reflected in Council's Long-Term Financial Management Strategy.

- In the Business Plan, the SWOT Analysis states the weakness/threats are: '*Not projected to break even*', and '*Some inherent site limitations*', and '*Lower demand than forecast due to broader economic issues*', and '*Council capacity to fund ongoing maintenance*' - Have these issues be recently considered and a process to address each issue resolved?

These type of issues will all be re-considered as part of the Business Plan review process, and will include some sensitivity analysis from a financial perspective.

- I believe this project will be the biggest Southern Midlands Council has 'taken-on' for probably 20 years or ever, can full details of how the council is planning to pay off the capital debt and ensure the council can afford the daily running costs for it planned 7 days a week, 6:00am to 8:00pm fully heated pool, as detailed in the recently released reports?

Refer above comments. Repayment of loan principal and interest is all included in the Long-Term Financial Management Strategy.

Many thanks, I look forward to receiving your details answers.

Regards
Terry Loftus
22 Wellington St
Oatlands

**10. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN UNDER
REGULATION 16 (5) OF THE LOCAL GOVERNMENT
(MEETING PROCEDURES) REGULATIONS 2015**

Nil.

11. COUNCIL ACTING AS A PLANNING AUTHORITY PURSUANT TO THE LAND USE PLANNING AND APPROVALS ACT 1993 AND COUNCIL'S STATUTORY LAND USE PLANNING SCHEME

Session of Council sitting as a Planning Authority pursuant to the Land Use Planning and Approvals Act 1993 and Council's statutory land use planning schemes.

11.1 DEVELOPMENT APPLICATIONS

Nil.

11.2 SUBDIVISIONS

Nil.

11.3 MUNICIPAL SEAL (Planning Authority)

Nil.

11.4 PLANNING (OTHER)

Nil.

[THIS CONCLUDES THE SESSION OF COUNCIL ACTING AS A PLANNING AUTHORITY]

12. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – INFRASTRUCTURE)

12.1 Roads

Strategic Plan Reference 1.1.1

Maintenance and improvement of the standard and safety of roads in the municipal area.

Nil.

12.2 Bridges

Strategic Plan Reference 1.2.1

Maintenance and improvement of the standard and safety of bridges in the municipality.

Nil.

12.3 Walkways, Cycle ways and Trails

Strategic Plan Reference 1.3.1

Maintenance and improvement of the standard and safety of walkways, cycle ways and pedestrian areas to provide consistent accessibility.

Nil.

12.4 Lighting

Strategic Plan Reference 1.4.1a & 1.4.1b

Ensure adequate lighting based on demonstrated need / Contestability of energy supply.

Nil.

12.5 Buildings

Strategic Plan Reference 1.5.1

Maintenance and improvement of the standard and safety of public buildings in the municipality.

Nil.

12.6 Sewers / Water

Strategic Plan Reference(s) 1.6.1 & 1.6.2

Increase the capacity of access to reticulated sewerage services / Increase the capacity and ability to access water to satisfy development and Community to have access to reticulated water.

Nil.

12.7 Drainage

Strategic Plan Reference 1.7.1

Maintenance and improvement of the town storm-water drainage systems.

Nil.

12.8 Waste

Strategic Plan Reference 1.8.1

Maintenance and improvement of the provision of waste management services to the Community.

12.8.1 TASMANIAN GOVERNMENT – DRAFT WASTE ACTION PLAN

Author: MANAGER DEVELOPMENT AND ENVIRONMENTAL SERVICES (DAVID CUNDALL)

Date: 17 JULY 2019

Enclosure:

Draft Waste Action Plan – Consultation Draft June 2019

PURPOSE OF REPORT

To provide Council with a copy of the *Draft Waste Action Plan – Consultation Draft June 2019, Department of Primary Industries, Parks, Water and Environment* prepared by the Tasmanian Government.

Council to discuss and provide any initial feedback which can then be incorporated into a submission to be prepared by Council offices and referred to the August or September Council Meeting for endorsement.

BACKGROUND

As Council would be aware the Tasmanian Government have released the *Draft Waste Action Plan – Consultation Draft June 2019* (“Waste Action Plan”) for consultation with stakeholders and the wider public.

The draft Waste Action Plan provides a framework for discussion with Local Government, business and the community on the best way to address the waste and resource recovery challenges that face Tasmania. It identifies the actions the Tasmanian Government will take to tackle Tasmania’s waste and recycling problems, in particular the Government’s commitment to replace the current voluntary regional council waste levies with a legislated statewide waste levy and to introduce a Container Refund Scheme (CRS) in Tasmania.

Council have until the 7th October 2019 to lodge a written submission directly with the Tasmanian Government or Council could opt to channel comments/submission through the Local Government Association Tasmanian (LGAT) by the 30th September 2019. LGAT have sought comments to inform an LGAT submission in an email dated 11th July 2019.

LGAT have given an undertaking to run a regional “drop in session” in August and September 2019 to discuss the Waste Action Plan and formation of an LGAT submission.

Council may provide comments/submission to both LGAT and the Government.

A suite of prompts and policy changes have led to the inception and preparation of the Waste Action Plan. The major items being:

- LGAT have been actively lobbying the State Government for the development of a State Waste Action Plan since July 2016 when, at the time, the Government announced it would not be introducing a statutory waste levy. LGAT then commenced a Waste and Resource Management Strategy in 2017 which detailed a suite of initiatives which aimed to address key state-wide waste management issues faced by local government. The recommendations of the strategy were then handed to the Environment Protection Authority (EPA).
- The endorsement of the *National Waste Policy* at a meeting of the State Environment Ministers in December 2018. This higher level policy provided a framework and policy environment set to address issues in processing recyclables in Australia, stimulating a re-use and recycling circular economy on goods and delivery on targets for a reduction in single use plastics (including greater use of recyclable and compostable packaging).
- Outcome of the Tasmanian Waste and Resource Recovery Forum held November 2018 held by the Waste Management Association of Australia.
- Liberal Government targets for the environment.
- Changes in international markets, and China's "Green Sword Policy" limiting and prohibiting recyclables entering China for processing. China is the biggest processor of recyclables.
- Social, scientific, economic and environmental changes and attitudes to waste are informing policy globally.

The key actions and targets detailed in the Waste Action Plan are:

- Introduce a waste levy by 2021 to fund waste management and resource recovery activities;
- Introduce a Container Refund Scheme in Tasmania by the end of 2022;
- Ensure 100% of packaging is reusable, recyclable or compostable by 2025;
- Reduce waste generated in Tasmania by 5% per person by 2025 and 10% by 2030;
- Achieve a 40% average recovery rate from all waste streams by 2025 and 80% by 2030;
- Have the lowest incidence of littering in the country by 2023;
- Work at the national level and with local government and businesses in Tasmania to phase out problematic and unnecessary plastics¹ by 2030; and
- Reduce the volume of organic waste sent to landfill by 25% by 2025 and 50% by 2030.

DISCUSSION

The Waste Action Plan is a one of three (3) significant strategic state and regional projects currently underway which directly impact the way Council manages waste, re-usables and recyclables into the future. The other two (2) being:

- The *Southern Waste Strategy* (Southern Waste Strategy Authority)
- *Feasibility Study into a State-wide Waste Management Arrangement* (LGAT).

The principles driving all three (3) initiatives are essentially the same. That is:

- Reduce waste to landfill
- Policy or legislation for waste reduction
- Foster markets for recyclables and resource recovery
- Introduction of a statewide waste levy
- Maintain accurate data and records on waste generation, circulation and distribution
- Fund, develop and build related infrastructure
- Regional and State led management of waste

Based on previous motions of Council, motions at LGAT meetings and Council's *Waste Management Strategy 2016*, Council should be actively supporting much of actions and targets provided in the Waste Action Plan.

The most recent related motion was March 2018:

DECISION

Moved by Cllr D Marshall, seconded by Cllr R Campbell

THAT the Southern Midlands Council submit the following Motion for consideration at the next Local Government Association of Tasmania (LGAT) General Meeting:

“THAT the LGAT be requested to lobby the State Government to institute a container deposit scheme for Tasmania similar to many mainland states.”

CARRIED

As mentioned above, Council have supported previous motions to commence investigation and studies into the feasibility of a statewide waste levy at LGAT meetings as recently as 2016, 2017 and 2018.

As Council would recall, the Southern Midlands, like most Council's in Australia, is highly vulnerable to international and national market changes to recyclables. This was experienced again recently in May 2018 with the implementation of the “China Green Sword Policy” and the sudden increase in costs to recycle materials through SKM (an increase of \$32 per tonne to \$100 per tonne).

Council remains highly vulnerable to local and largely uncontrollable external forces such as fee increases at landfill sites, environmental regulations, changes in policy or procedures at such sites, limited range of resource recovery options in the South and a limited range of waste service providers generally.

Much of these issues are aimed to be addressed through state led initiatives and funding through a state-wide waste levy. A waste levy would be used to fund new infrastructure, foster markets for re-usables and recyclables and potentially fund a “statewide waste management authority”.

Council should however strongly encourage that any waste levy collected is dedicated solely to waste management initiatives and innovation and not into general revenue or other unrelated programs.

It is recommended that Council consider these issues and prepare a submission to be endorsed at the August or September 2019 Council Meeting.

Human Resources & Financial Implications - The preparation of a submission by Council Officers will stem from discussion of this report (at this meeting). There is no requirement for external advice or consultants to prepare a submission.

Implications however for supporting some of the actions in the Waste Action Plan will likely lead to some financial implications.

A statewide waste levy should be considered at this early stage of the strategy given this could potentially lead to an increase in costs for delivering general waste streams to landfill from Council's household collection service and from Council's three (3) waste transfer stations.

Councils that currently administer a voluntary waste levy of only \$5 per tonne use funds towards initiatives such as Rethink Waste Tasmania which promotes efforts to reduce, re-use and recycle. Southern Midlands have used some of the marketing and educational materials in our own educational programs.

The Waste Action Plan does not yet include any figures on a possible waste levy amount.

Council should be aware that the legislated levy in other states is significantly higher than the current voluntary levies in Tasmania. The table below details this levy:

	TAS	WA	SA	VIC	NSW	QLD	NZ
Generation (kg/cap yr) (2014-2015 figures)	1,837	2,623	2,527	2,216	2,144	2,210	3,200
Metro Landfill Levy rate (2018-2019)	\$5 (voluntary)	\$70	\$100	\$64.30	\$141.20	\$75	\$NZ10
Public Investment Level	\$1.1m	\$5.5m	\$19.9m	\$6.4m	\$6.4m	\$21.4m	\$NZ4.5m

Source: National Waste Report (2018) and National Waste Report (2016), and New Zealand Waste Disposal Levy (2017)

In implementing a statewide waste levy then Council would be subject to the levy for the disposal of waste at landfill sites. That is the waste from household collection and the waste transfer stations. This would likely result in an adjustment to the waste rate and the charge at the waste transfer stations. Any changes would be subject to separate and detailed reporting to Council.

In any case the primary purpose of the waste levy is to reduce materials being sent to landfill and to find and fund alternative disposal and re-use or recycling schemes. So in effect should reduce the volumes of waste in any case.

Other financial implications, which will be subject to further reporting to Council, would be changes to the waste transfer stations to increase and re-use and recycling rates. This however aligns with Council's own *Waste Management Strategy*.

Community Consultation & Public Relations Implications - Should Council prepare a written submission to either LGAT or the Tasmanian Government then the details of which will be subject to a report to the August or September 2019 Council meeting. The public will have the opportunity to review Council's draft position and submission prior to any decision being made.

It is envisioned however that the premises of the submission will be based on Council's existing strategies to reduce waste volumes generally.

Communications - The Waste Action Plan has been widely publicised in the media and some engagement directly with stakeholders.

Priority - Implementation Time Frame - A submission will need to be prepared by either 7th October 2019 to the Tasmanian Government or by the 30th September to the LGAT.

A Council submission will need to be endorsed at the September meeting at the latest.

Risk Assessment - The content of any submission lodged should be based on existing strategy and policy direction of Council. So there is minimal risk to Council or the community.

RECOMMENDATION

THAT:

- A. This report be received by Council;
- B. Council receive a copy of the 'Draft Waste Action Plan – Consultation Draft June 2019, Department of Primary Industries, Parks, Water and Environment';
- C. Councillors provide any initial feedback and comment which can then be incorporated into a submission to be prepared by Council officers and referred to Council for endorsement before the end of September 2019; and
- D. Council to decide to lodge a submission with LGAT or directly with the Tasmanian Government on the Waste Action Plan or both.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

ENCLOSURE
Agenda Item 12.8.1

Draft Waste Action Plan

Consultation Draft June 2019



Department of Primary Industries, Parks, Water and Environment





Draft Waste Action Plan – Consultation Draft, June 2019

Minister's Foreword

The Hodgman Liberal Government is committed to working with local government, the waste industry, local businesses and the broader community to improve waste management and resource recovery in Tasmania and believes that all of us have a role to play in managing the waste we produce.

It is encouraging to witness the changes that many businesses and consumers are now making to address unsustainable resource consumption and the environmental impacts of our waste. Our Government understands it has an important role to play to help people make informed choices and support innovative waste and recycling initiatives.

In response to some of Tasmania's most pressing waste issues, our Government has already acted through investing in controlled waste and tyre processing facilities, tightening regulation of waste tyres and assisting the roll-out of national product stewardship schemes for e-waste, paint, tyres, batteries and packaging.

New challenges and opportunities continue to develop, like dealing with increasing volumes of e-waste, finding ways to divert organic waste from landfills to reduce emissions, and helping councils and businesses adapt to recent restrictions on the importing of recyclable materials into China following the introduction of the China National Sword policy. These changes are having an impact on waste and recycling businesses and local governments across Australia.



Governments and industries both nationally and globally are seeking ways to create resilient reuse markets and increasingly this means moving towards a Circular Economy across a range of sectors. In December 2018, Australian governments through the Meeting of Environment Ministers endorsed the new *National Waste Policy*. The policy incorporates a range of commitments made by Ministers in early 2018 to help local government and industry respond to the changing international markets.

It includes a framework to stimulate the resource recovery industry, boost demand for recycled products, and deliver on targets for recyclable, compostable and reusable packaging. This changing policy environment and the challenging markets for recyclable materials have highlighted the need for a new strategic and integrated approach to waste management in Tasmania, in which responsibility is shared between all levels of government, the private sector, and the community.

The Tasmanian Government will work closely with local government, industry and other stakeholders to finalise and implement the *Tasmanian Draft Waste Action Plan*. The Plan sets out a broad framework for waste management in Tasmania and details proposed actions across a number of priority Focus Areas, which cover the major waste and resource recovery issues that we will all need to tackle in the coming years.

I look forward to working with local government, Tasmanian businesses and the community to improve waste management, reuse and recycling in Tasmania.

A handwritten signature in blue ink that reads "Elise Archer".

Hon Elise Archer MP

Minister for Environment



Have your say

Public submissions are now invited on the Tasmanian *Draft Waste Action Plan*.

Questions are provided in each section of the Plan to help guide your comments, but feel free to provide any other feedback you believe is relevant.

Additional information is available at www.dpipwe.tas.gov.au/environmental-management

Consultation closes at 5.00pm on 7 October 2019.

Email: WAP.Enquiries@dpipwe.tas.gov.au

Mail: Policy and Business Branch
Department of Primary Industries, Parks, Water and Environment
GPO Box 1550
HOBART TAS 7001



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Executive Summary

In the past decade there have been significant developments in waste policy and the resource recovery sector in Australia. This includes issues such as the problems faced Australia-wide around end-of-life tyres, ongoing work by governments and industry to increase packaging recycling, the introduction of container refund schemes in most states and territories, bans on lightweight plastic shopping bags, and the roll-out of national stewardship schemes for TVs, computers, paint, batteries and other products.

In Tasmania, the Government has invested in facilities for controlled waste and the processing of end-of-life tyres and assigned to the EPA the regulation of large tyre stockpiles. The *Litter Act 2007* is also being amended to provide increased penalties for illegal dumping. Other measures, such as the development of an online application to improve litter reporting, are being introduced. The Government continues to be active at the national level, where waste and resource recovery issues have been priorities for Australian Environment Ministers for some time.

The recent decision by China to impose new restrictions on the import of recyclable materials has had a significant impact on local governments across Australia and parts of the resource recovery industry, bringing a closer focus on how we deal with our waste and recycling. This has led to strong recognition by governments of the economic basis of our waste and resource use challenges. In late 2018, Australian Environment Ministers endorsed the new *National Waste Policy*, which is based on Circular Economy principles. This recognises the need for maximising the use and value of resources at every stage of a product or material's lifecycle.

The Tasmanian Government is working closely with Local Government, industry and other stakeholders to develop a new strategic approach to waste management and resource recovery. Targeted consultation with these groups identified a number of waste management priorities that are shared by governments, industry and the community alike. These priorities – along with key strategies and principles from the *National Waste Policy 2018* – form the basis of the *Tasmanian Draft Waste Action Plan*. The Plan sets out a broad framework for waste management and resource recovery in Tasmania and includes the following key actions and targets:

- Introduce a waste levy by 2021 to fund waste management and resource recovery activities;
- Introduce a Container Refund Scheme in Tasmania by the end of 2022;
- Ensure 100% of packaging is reusable, recyclable or compostable by 2025;
- Reduce waste generated in Tasmania by 5% per person by 2025 and 10% by 2030;
- Achieve a 40% average recovery rate from all waste streams by 2025 and 80% by 2030;
- Have the lowest incidence of littering in the country by 2023;
- Work at the national level and with local government and businesses in Tasmania to phase out problematic and unnecessary plastics¹ by 2030; and
- Reduce the volume of organic waste sent to landfill by 25% by 2025 and 50% by 2030.

¹ This includes materials such as packaging or single-use plastic items that are not easy to recycle or cannot be recycled.



Growing Resource Recovery in Tasmania

THE DRAFT WASTE ACTION PLAN AND THE CIRCULAR ECONOMY

The Tasmanian Government has taken into account the views of local government and industry over the past two years to develop a new waste strategy for Tasmania. Targeted consultation with these groups has identified the key waste management priorities, which form the basis of the *Draft Waste Action Plan*. The Plan sets out a broad framework for waste management and resource recovery in Tasmania that is underpinned by a set of tangible actions. During the time the Plan was being developed, China began to impose new restrictions on the level of contamination allowed in the recyclable materials they import. This has had a significant financial impact on local government and parts of the resource recovery industry, resulting in increased concern from governments, industry and the community on how we deal with our waste and recycling.

In 2018, Australian Environment Ministers recognised the need to respond to the changing and challenging global markets. In April 2018, the Meeting of Environment Ministers (MEM) committed to a number of actions to stimulate Australia's resource recovery capacity, to increase demand for recycled products through government procurement, to work with industry to have 100% of Australian packaging recyclable, compostable or reusable by 2025 and to revise the National Waste Policy. The new *National Waste Policy: Less Waste, More Resources*, which is based on Circular Economy principles, was endorsed by Ministers in late 2018.

A Circular Economy (CE) does not use a traditional linear model of “take” (resources), “make” (products), and “dispose” (waste). Instead it aims to maximise the value and the use of materials and resources at every stage of the life of a product or material. Waste management has traditionally dealt with the disposal step. The growing amount and diversity of waste has created challenges that can only be solved by considering the entire “lifecycle” of a product; from when its constituent parts are taken, to when it is made, to when it is disposed, and then reusing what remains to provide resources for the next economic cycle. The waste hierarchy uses principles similar to those underpinning a CE.² CE principles are increasingly being adopted by governments and industries around the world³, and there is a growing body of evidence that moving to a CE is likely to lead to increased innovation and a more creative, robust and productive economy. Some Australian jurisdictions are also moving to adopt CE principles, both in waste management and more broadly.⁴

² The waste hierarchy prioritises waste management options in order from most preferable to least, being: avoiding the production of waste, minimising the production of waste, reuse of waste, recycling of waste, recovery of energy and other resources from waste, treatment of waste to ameliorate impacts, and environmentally safe disposal of waste.

³ http://ec.europa.eu/environment/circular-economy/index_en.htm

⁴ <https://www.greenindustries.sa.gov.au/circular-economy>, <https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/response-to-china-national-sword/circular-economy-policy>; <https://www.environment.vic.gov.au/sustainability/transitioning-victoria-to-a-circular-economy>; <http://www.wasteauthority.wa.gov.au/about/waste-strategy/>

STATEWIDE WASTE LEVY

Moving towards a Circular Economy (CE) will require all levels of government to work closely with industry and the community in an economy-wide effort that goes beyond just the waste and recycling sector. It will require a whole of government approach to develop new and existing waste markets, facilitate efficient transport options, plan for and invest in waste infrastructure, reduce emissions from organic waste, and seek renewable energy options from waste materials where applicable. Key principles are to avoid waste, improve resource recovery, increase use of and demand for recycled products and to improve data collection and support for innovation and market adoption of CE products. Addressing our priority waste management issues and moving towards a CE will require long-term efforts and an effective funding stream.

This has been achieved in Australian and international jurisdictions through the introduction of waste levies. A waste levy is a financial contribution typically paid to the State Government by a landfill or other licensed waste facility operator (usually a local council) for each tonne of waste received. Levies provide an important funding source to invest in waste and resource recovery initiatives and infrastructure and over time achieve an increase in the diversion of waste away from landfill.⁵ The absence of a landfill levy, along with the transport challenges from being an island state, means that resource recovery businesses in Tasmania may struggle, particularly during times of market disruption, although there are already some Tasmanian industries focusing on reducing, recycling or repurposing waste material.

In collaboration with the local government and regional waste authorities, industry and the community, the Tasmanian Government will introduce a statewide legislated waste levy by 2021. It is proposed that the new legislated statewide waste levy would replace any existing council levies. The design (including cost) of the statewide waste levy will be developed in consultation with local government, industry, businesses and the wider community with the modelling and analysis, taking into account the potential impact of the proposed levy on households and businesses. The Tasmanian Government will also develop legislation that indicates how the revenue collected from the levy will be directed to waste management and resource recovery initiatives, while ensuring regional authorities continue to derive a revenue stream from the new levy.

Through time, this will provide a pricing signal to waste generators and create an income stream to reinvest in business growth and the planning and development of waste management and resource recovery infrastructure, and other waste management programs, such as initiatives or grants to promote alternatives to landfilling. It will also provide a revenue stream to assist councils with legacy issues associated with old refuse sites. Maximising the value of our products and materials – and what we may have formerly thought of as "waste" – is not only the key to achieving parts of a CE, but also brings employment opportunities.⁶

⁵ KMPG, 2012, Review of the NSW Waste and Environment Levy.

⁶ For every 10,000 tonnes of waste recycled, 9.2 jobs are created compared with 2.8 jobs from landfilling. Hyder, 2010, Landfill Ban Investigation: Final Report. A five per cent improvement in efficient use of materials across could benefit Australia's gross domestic product by as much as \$24 billion. Centre for International Economics, 2017, Final report: Headline economic value for waste and materials efficiency in Australia.



How are waste levies in Tasmania and other jurisdictions used?

A large number of Tasmanian councils already have a locally administered levy of \$5 per tonne, which some councils have proposed to increase to \$7.50 per tonne by 2019/20, for the disposal of solid waste. This small levy and broader local government contributions have funded a range of waste initiatives such as Rethink Waste Tasmania, which promotes efforts to reduce, reuse and recycle.⁷

In other Australian states with a waste levy, substantial funds are redirected to addressing waste management and resource recovery issues faced by local government, industry, and the community. In New South Wales, the levy is used for programs such as the Better Waste and Recycling Fund, which provides funding to local councils and regional council groups to support projects to reduce waste generation, improve reuse and recycling, and address littering and illegal dumping.⁸ The levy also provides funding to improve public recycling. For example, the Community Recycling Centre Program has established over 80 recycling centres that make it easier for the community to recycle problem wastes such as paint, gas bottles, fire extinguishers, motor and cooking oils, car and household batteries, and fluorescent tubes and globes.⁹

Other programs funded by the NSW levy, include the Waste and Recycling Infrastructure Fund, which stimulates investment in the waste and resource recovery sector and assists industry with finding new markets.¹⁰ This program has provided funding to businesses and councils for the: development of recycling facilities and installation of equipment for processing construction and demolition waste; sorting and processing mixed glass and plastics; and the production of rubber crumb and granules from waste tyres.¹¹ Other funded projects include upgrades to existing facilities to increase the production of locally made recycled plastic resin, the purchase of plant to process crushed glass into road base materials and the installation of paper processing equipment to reduce contamination in recycled paper.¹² South Australia uses its levy to fund programs such as the Recycling Infrastructure Grants, transport subsidies for local councils, an Infrastructure Investment Loan Scheme and Business Sustainability Funding.¹³

CONTAINER REFUND SCHEME

To help bolster the recovery of some of the materials currently facing export and other economic barriers, the Tasmanian Government will introduce a Container Refund Scheme (CRS) in Tasmania by 2022.¹⁴ The time required to implement a scheme is based on advice from other jurisdictions that have recently developed their own CRS. They strongly advise that anything less than two years would be rushed and not allow for the necessary infrastructure and adjustments to be made. The CRS will be a key part of meeting

⁷ <http://rethinkwaste.com.au>

⁸ <https://www.epa.nsw.gov.au/working-together/grants/councils/better-waste-and-recycling-fund>

⁹ <https://www.epa.nsw.gov.au/working-together/grants/systems-household-problem-waste/community-recycling-centre-program>

¹⁰ <https://www.epa.nsw.gov.au/working-together/grants/infrastructure-fund>

¹¹ <https://www.environment.nsw.gov.au/funding-and-support/nsw-environmental-trust/grants-available/major-resource-recovery-infrastructure/grants-awarded-and-project-summaries>

¹² <https://www.epa.nsw.gov.au/working-together/grants/infrastructure-fund/product-improvement-program/product-improvement-program-previous-recipients>

¹³ <https://www.greenindustries.sa.gov.au/funding>

¹⁴ Container Refund Schemes (also known as Container Deposit Schemes) involve beverage suppliers paying an upfront deposit to a scheme coordinator on all eligible containers at the time of sale. Under a Container Refund Scheme, suppliers pay a deposit to the scheme coordinator, but only on redeemed eligible containers. All current schemes in Australia are container refund-based schemes.

the Government's littering targets and will help to generate cleaner streams of recyclable material with greater value.

This is incredibly important at a time when some of our key international markets are demanding increased quality in imported paper, plastic and other materials. Along with the introduction of a legislated waste levy, the CRS will help to create new and improved markets for some of our most important recycled materials.

Most states and territories in Australia have or are about to implement a CRS. It would seem that a large part of the national retail market has already adapted to having a CRS in place. This is evidenced by Coca-Cola Amatil's recent commitment to doubling its use of recycled plastic packaging to 53% by the end of the year and, by 2020, seven in 10 bottles will be made from recycled PET. Similarly, other major suppliers such as Carlton United Breweries and Lion Breweries are moving towards CE principles via commitments within environmental policies and statements to maximise the use of recycled materials.

The NSW CRS introduced in 2017, has already resulted in a 69% increase in eligible drink containers being collected and recycled, a 44% reduction in eligible drink container litter volume and a 48 per cent reduction in total litter volume across NSW.

WASTE REDUCTION AND RESOURCE RECOVERY TARGETS

The Tasmanian recycling rate in 2016-17 was 49% compared to the national average of 58%¹⁵. It is also around half the diversion rate of NSW, Victoria, South Australia and the ACT. The levels of recovery of materials from some waste streams, such as construction and demolition (C&D) waste, are significantly lower than the overall average recovery rate for Tasmania. However, by focusing our attention on key waste streams (e.g. organics, C&D) and having an appropriate investment framework in place, it will be possible to make substantial gains in a relatively short period of time. Ambitious recovery targets for the state are set out below. These targets are in line with broader commitments on waste and resource recovery agreed to by Environment Ministers in 2018, strategies from the *National Waste Policy*, priority actions identified through consultation with local government and industry, and Tasmanian Government commitments on littering and illegal dumping. These targets will be regularly reviewed as our data on waste improves and new market opportunities arise:

- Reduce waste generated in Tasmania by 5% per person by 2025 and 10% by 2030;
- Ensure 100% of packaging is reusable, recyclable or compostable by 2025;
- Achieve a 40% average recovery rate from all waste streams by 2025 and 80% by 2030.
- Have the lowest incidence of littering in the country by 2023;
- Work at the national level and with local government and businesses in Tasmania to help phase out problematic and unnecessary plastics¹⁶ by 2030; and
- Reduce the volume of organic waste sent to landfill by 25% by 2025 and 50% by 2030.

¹⁵ Blue Environment and Randell Environmental Consulting, 2018, *National Waste Report 2018*, p.26. If energy recovery from waste is included, the total resource recovery rate for Tasmania in 2016-17 was 53%, compared to a national rate of 62%.

¹⁶ See page 4.



FOCUS AREAS AND ACTIONS

The *Draft Waste Action Plan* identifies seven priority themes or Focus Areas. The Focus Areas are also aligned with the MEM commitments from 2018 and the strategies detailed in the *National Waste Policy*, and are aimed at capturing the views of local government and industry as expressed in various forums in recent years. Specific and tangible actions have been identified for most of the Focus Areas, which aim to address priority waste issues and, where possible, begin to embed CE principles into waste management and the broader economy in Tasmania. The Focus Areas are presented below.

1. Moving to a Circular Economy
2. Governance
3. Data, targets, and innovation networks
4. Infrastructure planning
5. Support for the Resource Recovery Industry
6. Education and community engagement
7. State and National Policy and Regulatory settings

1. Moving to a Circular Economy: Government Priorities and Key Sectors

We are only just at the beginning of the discussion about a Circular Economy in Tasmania. Such a change is intended to be system-wide and economy-wide, and likely to require a range of policy interventions across sectors, industries and communities. Actions from the *Draft Waste Action Plan* alone will not be enough to achieve this transition, but they are a good place to start.

As the solutions to our waste and recycling challenges are strongly market-based, capacity should be developed to support the establishment of recycling and reuse businesses, which would include support for domestic businesses entering national and international markets. While governments can set the policy frameworks and provide supportive structures, it is also up to industry to promote its recycled products and for consumers to buy these products.

There are several Government priorities and industry sectors that could provide opportunities for reducing waste generation and boosting related business and employment opportunities, namely:

- tourism and the development of the Tasmanian brand (amenity, littering and dumping, sustainable tourism, resource-efficient tourism businesses);
- higher education, STEM, research and innovation (State-based expertise and innovation networks, investment in R&D and technology transfer);
- the Bioeconomy (agriculture, aquaculture, agrifood, agritech, biological-cycle based systems);
- renewables and reducing emissions;
- public health (regulation of the movement or storage of controlled waste); and
- regional investment and job creation (all sectors, but with focus on the reuse and recycling industry)

Making connections wherever possible between actions in this Plan and these sectoral priorities will enable us to leverage resources and efforts across the Tasmanian economy (Figure 1).



The “ReSOLVE” model for moving to a CE has six elements: Regenerate, Share, Optimise, Loop, Virtualise and Exchange.¹⁷ Regenerate is partly about the shift to renewables. This is clearly an area where Tasmania is well-advanced, with some 90% of our power coming from renewables. Tasmania became the first Australian jurisdiction to achieve zero net emissions in 2015-16.

The Tasmanian Government has a vision to make Tasmania the Battery of the Nation, through additional interconnection with mainland Australia, releasing the latent capacity of the Tasmanian hydropower system and developing pumped hydro energy systems and facilitating investment in new wind farms and renewable generation. The Australian Government has committed \$56 million to the design and approvals phase of Project Marinus, which is investigating the development of more electricity interconnection between Tasmania and the mainland. Through Hydro Tasmania, the Tasmanian Government has committed up to \$30 million to advance the first phase of Battery of the Nation pumped hydro to a final investment decision. In the action areas of the Circular Economy related to waste management, there is more work to do in the areas of Sharing (reuse), Optimising (avoiding and removing waste in the supply chain), and Looping (recycling, extracting resources from organic or other wastes).

What do you think?

- What are the key opportunities for reducing waste, developing our resource recovery industry and shifting to a Circular Economy?



Figure 1. Focus Areas and Key Government Priorities/Sectors. Actions in the Focus Areas (inside) address the key waste challenges in Tasmania. The sectors / government priorities (outside) would benefit from the development of links and adoption of circular economy principles.

¹⁷ Ellen Mac Arthur Foundation, 2015, Delivering the Circular Economy: A Toolkit for Policymakers v1.1, Ellen Mac Arthur Foundation, <https://www.ellenmacarthurfoundation.org/>

2. Governance

The introduction of a waste levy will require the establishment of an administrative structure. The Local Government Association of Tasmania (LGAT) with support from the Tasmanian Government is currently investigating the feasibility of establishing waste management arrangements to help coordinate and deliver statewide waste policies, strategies, programs and services. A range of models may be considered by State and local government, but the LGAT study will provide an important contribution to the Government's deliberations on governance requirements.

ACTIONS

- Investigate and discuss models for waste management governance with local government.
- Establish a relevant administrative structure.

What do you think?

- What are the primary waste management and resource recovery roles and responsibilities of governments, industry and the wider community?

3. Data, Innovation Networks and Resource Recovery Targets

Many of the actions in the WAP require accurate data on waste generation, landfilling, and the types and quantities of materials landfilled, recovered and reprocessed. There is some data capture that informs state and national reporting, but data is not collected in a standardised fashion across waste facilities. Information on specific parts of the waste stream (e.g. organics waste, C&D waste) is required for short- to medium-term planning. Improved knowledge and data on organics and C&D streams will help facilitate investment in businesses that produce and use these resources.

Tasmania is blessed with an abundance of innovators across the private and public spheres and they are keen to share their expertise for the benefit of the community. Tasmania's agricultural sector, for example, already has some of its waste being used productively and is seeing increased collaboration between research organisations, government and industry to improve resource recovery and maximise the value of materials and products.¹⁸ The interconnectedness of the entire supply chain is now increasingly being considered, leading to formerly separate sectors such as food and agriculture combining into larger sectors like the agrifood industry – a “paddock to plate” or “farm to fork” approach, or simply the Bioeconomy.

Finding innovative approaches to preventing or reusing organic and food waste arise naturally out of the Bioeconomy, which seeks to maximise value chains for products and services. These innovation networks provide research and development and technology transfer opportunities, for example in fit-for-purpose technologies that address specific regional needs, but bring global investment to the State (e.g. agtech or technology to improve processing and separation of recyclable material). The use of these innovation networks will be an important component in Tasmanian waste management.

¹⁸ For example, investigations into the types of packaging that can reduce food waste. See <http://www.utas.edu.au/tia/news-events/news-items/delving-delicately-into-ripe-raspberries>.

The Government is also proposing the adoption of a number of targets for resource recovery. These targets are based partly on the commitments made by Australian Environment Ministers in 2018 and on national targets considered during the development of the National Waste Policy.

ACTIONS

- Help to support the establishment of standardised data management systems to capture waste data, to monitor progress against targets and facilitate businesses investment in resource recovery.
- Develop and support waste-related innovation and research networks in the bioeconomy, agritech, tourism, education (STEM), and renewable energy sectors.
- Adopt the following targets for waste and resource recovery:
 - reduce waste generated in Tasmania by 5% per person by 2025 and 10% by 2030;
 - ensure 100% of packaging is reusable, recyclable or compostable by 2025;
 - achieve a 50% average recovery rate from all waste streams by 2025 and 80% by 2030;
 - have the lowest incidence of littering in the country by 2023;
 - reduce the volume of organic waste sent to landfill by 25% by 2025 and 50% by 2030; and
 - work at the national level and with local government and businesses in Tasmania to help phase out problematic and unnecessary plastics¹⁹ by 2030.

What do you think?

- What are your key data and information needs on waste and resource recovery?
- How can we best use existing research and innovation networks, or establish new networks, to help address our waste and resource recovery challenges?
- What are your views and suggestions on the targets presented above?
- Which waste streams would provide the best opportunities to make some early progress on the proposed targets?

4. Infrastructure Planning

To achieve our resource recovery targets will require planning for and investment in waste and resource recovery infrastructure. Tasmania is likely to have similar investment priorities to those identified through infrastructure planning processes in other Australian states. These include kerbside source separation bins (particularly for organic waste); processing facilities for organics; drop-off facilities for various recyclable materials; and facilities for Commercial and Industrial waste, C&D waste; and energy from waste infrastructure. Planning our waste and resource recovery infrastructure in Tasmania will require an understanding of existing capacity and rigorous data on waste trends and information on specific waste streams to help facilitate business investment.

The Infrastructure Plan will identify potential investment opportunities at council resource recovery centres or transfer stations that would improve the recovery of a wider range of materials (C&D waste, household hazardous waste, e-waste, batteries) and also improve data collection at facilities.

¹⁹ See page 4.



ACTIONS

- Develop a Tasmanian Waste and Resource Recovery Infrastructure Plan by 2021.
- Work with Local Government to address potential planning issues around waste management and resource recovery infrastructure.

What do you think?

- What do you consider are the highest priority infrastructure requirements for waste management and resource recovery in Tasmania?

5. Support Resource Recovery across Industry

A key lesson coming out of jurisdictions that are introducing CE frameworks is the need for a whole of government and whole of industry approach. Increasing recovery rates is not possible without supporting new and existing waste and recycling businesses. This needs to be at both a level of the individual business, but also by providing a broader strategic approach to developing these markets in Tasmania, and helping to facilitate access to mainland or international markets.

In the short-term this support will come primarily through existing Tasmanian Government business development and support programs. Over the life of this Plan the introduction of waste levy will help to stimulate resource recovery through appropriate price signals and the creation of an investment stream for waste management and resource recovery activities. In Tasmania, the organic waste stream offers some promising opportunities. For example, diversion of domestic garden and food organics would reduce household waste by 20-30%, and put Tasmania in a strong position to achieve its organic waste target.²⁰ The establishment of a Container Refund Scheme and introduction of a waste levy are also key parts of this Focus Area. The Australian Government's four-year, \$100 million *Environment Restoration Fund* includes the clean-up, recovery and recycling of waste as a priority.²¹

ACTIONS

- Develop capacity across Government to support business development in the waste and recycling industry.
- Establish a loan scheme for businesses and local government that helps grow locally based and innovative recycling and processing facilities which increase recycling rates while also delivering new jobs across Tasmania.
- Support industry to use materials effectively, reuse materials and to understand the business case to improve resource recovery.
- Develop an Organic Waste and Resource Recovery Strategy by the end of 2020.
- Develop a Tasmanian Market Development Study by the end of 2021.

²⁰ Key actions from the Tasmanian Government's climate change strategy include reducing emissions from waste and increasing the resource efficiency of business and industry. See Tasmanian Climate Change Office, Department of Premier and Cabinet, 2017, *Climate Action 21: Tasmania's Climate Change Action Plan 2017-2021*, pp. 18-19.

²¹ <https://www.environment.gov.au/environment-restoration-fund>

- Continue to investigate and provide appropriate support for Energy from Waste and Bioenergy options, which includes the management and utilisation of forest residues.²²
- Support the investment in industrial waste sorting – in particular construction and demolition waste.
- Boost demand for recycled products through adoption of sustainable procurement practices across State and local government.

What do you think?

- How can governments, businesses and the community best support the development of the resource recovery industry in Tasmania?

6. Education and Community Engagement

Local government in Tasmania has indicated that the State's kerbside recycling system is not as effective as other states, despite similar collection arrangements being in place. Community engagement and education can achieve waste avoidance, improve landfill diversion and change community behaviour. Boosting the resources available for community education will also help to decrease contamination levels in our kerbside recycling. The private sector also has a large role to play by marketing products with recycled content and making them attractive and acceptable to consumers. The introduction of a waste levy will require a program of targeted engagement with waste facility operators, businesses and non-government organisations, such as charities and the community.

ACTIONS

- Provide support to local government and the regional waste groups to continue their targeted education and grant programs for schools, businesses, householders and other stakeholders such as charitable recycling organisations.

What do you think?

- Are you aware of any existing education materials that could be adapted for the Tasmanian context? (Please provide examples).

7. State and National Policy and Regulatory settings

The key legislative mechanism to achieve the targets in this Plan will be the introduction of a statewide waste levy. Through time the levy will provide a pricing signal that will make resource recovery preferable to landfilling and generate a funding stream for a range of waste management and resource recovery activities. This will lead to increased business and employment opportunities in the sector. The Container Refund Scheme will also help boost the market for clean streams of recyclable material and achieve a reduction in the volume of litter in Tasmania. A number of associated regulations will be revised within the

²² https://www.stategrowth.tas.gov.au/energy_and_resources/energy/bioenergy,
https://www.stategrowth.tas.gov.au/energy_and_resources/forestry/residues



life of this Plan, including the *Environmental Management and Pollution Control (Waste Management) Regulations 2010* and the *Environmental Management and Pollution Control (Controlled Waste Tracking) Regulations 2010*. The revision of these regulations, along with proposed minor amendments to the *Environmental Management and Pollution Control Act 1994* (EMPCA) will also provide an opportunity to consider the waste streams that may be more responsive to the proposed pricing signals, such as C&D waste, which generally has more alternatives available to landfilling.

The laws and policies of the Australian Government are critical for addressing waste management issues in Tasmania. Policy tools available under national legislation like the *Product Stewardship Act 2011* could potentially be used more effectively, and existing stewardship schemes reviewed and improved. Another role for national regulation or policy includes the setting of standards and specifications for recycled materials that promotes the reuse of waste rather than virgin resources. Along with changes to procurement across government and the private sector, this could help increase demand.

ACTIONS

- Work with local government to introduce a statewide waste levy by 2021 to fund waste management and resource recovery activities.
- Introduce a Container Refund Scheme into Tasmania by the end of 2022
- Work with the Australian Government to ensure that reviews of relevant legislation, such as the *Product Stewardship Act 2011*, result in effective programs that enhance resource recovery.

What do you think?

- Which policy or regulatory settings will help us achieve the targets in this Plan and help stimulate the resource recovery industry?
- Do you have other comments on the *Draft Waste Action Plan*?

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Department of Primary Industries, Parks, Water and Environment

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12.9 Information, Communication Technology

Strategic Plan Reference 1.9.1

Improve access to modern communications infrastructure.

Nil.

12.10 Officer Reports – Infrastructure & Works

12.10.1 MANAGER – INFRASTRUCTURE & WORKS REPORT

Author: MANAGER INFRASTRUCTURE & WORKS (JACK LYALL)

Date: 18 JULY 2019

Roads Program

Maintenance grading in the Clifton vale and Tunnack areas.

The Traffic Counter is currently installed on Buckland Road and will be removed on Tuesday 23rd July 2019.

Town and General Maintenance

Footpath repairs/trip hazards to be undertaken in the coming week in Oatlands.

Town and general maintenance is continuing in all other areas.

Waste Management Program

Operating arrangements at the Waste Transfer Stations are working well.

QUESTIONS WITHOUT NOTICE TO MANAGER, INFRASTRUCTURE & WORKS

RECOMMENDATION

THAT the Infrastructure & Works Report be received and the information noted.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

13. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – GROWTH)

13.1 Residential

Strategic Plan Reference 2.1.1

Increase the resident, rate-paying population in the municipality.

Nil.

13.2 Tourism

Strategic Plan Reference 2.2.1

Increase the number of tourists visiting and spending money in the municipality.

Nil.

13.3 Business

Strategic Plan Reference 2.3.1a, 2.3.1b & 2.3.1c

Increase the number and diversity of businesses in the Southern Midlands / Increase employment within the municipality / Increase Council revenue to facilitate business and development activities (social enterprise).

Nil.

13.4 Industry

Strategic Plan Reference 2.4.1 & 2.4.2

Retain and enhance the development of the rural sector as a key economic driver in the Southern Midlands / Increase access to irrigation water within the municipality.

Nil.

14. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LANDSCAPES)

14.1 Heritage

Strategic Plan Reference 3.1.1, 3.1.2 & 3.1.3

Maintenance and restoration of significant public heritage assets / Act as an advocate for heritage and provide support to heritage property owners / Investigate document, understand and promote the heritage values of the Southern Midlands.

14.1.1 HERITAGE PROJECT PROGRAM REPORT

Author: MANAGER HERITAGE PROJECTS (BRAD WILLIAMS)

Date: 19 JULY 2019

ISSUE

Report from the Manager, Heritage Projects on various Southern Midlands Heritage Projects.

DETAIL

During the month, Southern Midlands Council Heritage Projects have included:

- Michelle Webster has commenced with the Heritage Projects Program 2-days per week as a Heritage Projects Officer. Michelle's role will be working in conjunction with the heritage and community development teams to progress the Heritage Hub as well as taking the lead with promotion, access and partnerships for the use of heritage buildings and resources.
- A Heritage Collections, Exhibitions and Data Officer position (0.6fte) has been advertised to backfill Simon Blight's position. Applications close 31/7/19.
- The expressions of interest document for the use of the Oatlands Commissariat oven has been advertised. Submissions close on 31/7/19.
- Liaison with the Hunter Island Press Group for an Artist in Residence residency to for early 2020.
- Preparation for the Heritage and Bullock Festival.
- Staging the first day of the 4-day (over one year) school holiday program. 16 local children participated in workshops which included a mock archaeological dig, 'convict' brickmaking, lime mortar and limewash, and historical research. Very positive feedback has been gained and the next day will be held in the second week of October.
- Working with the University of Tasmania and Tasmanian Historical Research Association on transcribing and researching the diary of a 40th Regiment soldier stationed at Oatlands during 1829.
- The Oatlands Commissariat Interpretation Plan has been publicly exhibited for a month, as per the resolution of the May meeting. No submissions were received. The recommendation below seeks Council's endorsement to finalise the draft plan.

- Hosted book launch of the ‘Railway Hotels of Tasmania’ at Heritage Hub in partnership with the Oatlands District Historical Society.
- Preparation of another exhibition room on the ground floor of the Oatlands Gaol with the Heritage Projects office moving upstairs.
- Alan Townsend has been on leave for part of this month.

RECOMMENDATION

THAT:

1. the Heritage Projects Report be received and the information noted; and
2. Council endorse the draft Oatlands Commissariat Interpretation Plan further to the May resolution.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

14.2 Natural

Strategic Plan Reference 3.2.1 & 3.2.2

Identify and protect areas that are of high conservation value / Encourage the adoption of best practice land care techniques.

14.2.1 LANDCARE UNIT – GENERAL REPORT

Author: NRM PROGRAMS MANAGER (MARIA WEEDING)

Date: 16 JULY 2019

ISSUE: Southern Midlands Landcare Unit Monthly Report.

DETAIL

- Helen Geard and Maria Weeding together with Graham Green went to visit many of the properties that were part of the 2014, 2015 Bushlinks 500 project. Under that project 18 900 plants were planted over 29.7 Ha, 57 Ha of pasture was managed for native grasslands, and 430 Ha of Remnant bush was protected. The main purpose of the trip to some of the properties was to gauge the success or otherwise of the works that had been undertaken. Of all sites visited, the results have been quite spectacular, particularly in regard to the survival rates and growth of the planted trees. It appears that the landholders that were involved continue to manage the sites. The only issue is now the need to remove many of the tree guards that were used to assist in the establishment phase of the 18 900 plants planted. Helen is going to see if there is any opportunity to get some landcare volunteers to partake in a removal of the tree guards. It would be a big job for any one landholder on their own.
- Helen Geard and Maria Weeding provided a number of trees for local landholders, as part of the Midlands Tree Committee commitment to continuing to promote and facilitate tree planting in the Oatlands, York Plains, Lemont, Jericho and Tunnack areas of the Southern Midlands.
- Maria Weeding, together with Andrew Benson, met with the Oatlands High Street Traders Group on Tuesday evening (18th June 2019). Maria was there to talk to the group on a range of Lake Dulverton matters. The meeting went well and the group had many questions answered. The group now plan to write to Council with a few ideas that they would like to see pursued.
- Query to Council from Senator Abetz regarding willows in the Blackman River. Maria provided a response to Council's Executive Office regarding past works in the area and some of the challenges regarding any forward works programs. Some of this information will be used by the Executive Office as part of a reply to Senator Abetz.
- Helen Geard has been away on annual leave for two weeks.
- The Weeds Officer Jen Milne, returned back to work from maternity leave on Tuesday 2 July 2019. A report from Jen is as follows:

WEEDS REPORT:

Council roadside weed control and Spanish heath

- Re-visited Spanish heath along roads in the Woodsdale/ Levendale area. Four plants removed from Levendale Primary School, but otherwise 2018 control successful. Plants now starting to flower, properties recorded to receive letters for control.

Advice

- Advice for one Development Application for boneseed management (Dysart), low risk of spread.

Weed issues general

- Chilean needle grass in Coal River Valley. DPIPWE have had a contractor working with landowners developing individual management plans and winter control completed. Funding has come from DPIPWE Weed Action fund. Landowners may be able to access further funding from this fund over the next 4 years to assist with control. Three council managed roadsides in the area have small infestations on them with annual summer and winter control recommended.

Meeting

- Attended meeting with Maria Weeding and landowners of the Woodbury area to discuss cotton and saffron thistle control. Will be submitting a grant application for weed control under DPIPWE Weed Action Grants (up to \$5000).

Database management

- Pampas report and seed heads removed from a new site in Campania by Helen Geard, added to database for annual monitoring. Spanish heath databases have been updated. Discussed control status of serrated tussock with landowner (only site in Sth Midlands).

Newsletter article

- Pampas awareness submitted for inclusion in next Council newsletter. Facebook post alerting of Weed Action grant round.

RECOMMENDATION

THAT the Landcare Unit Report be received and the information noted.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

14.3 Cultural

Strategic Plan Reference 3.3.1

Ensure that the cultural diversity of the Southern Midlands is maximised.

Nil.

14.4 Regulatory (Other than Planning Authority Agenda Items)

Strategic Plan Reference 3.4.1

A regulatory environment that is supportive of and enables appropriate development.

Nil.

14.5 Climate Change

Strategic Plan Reference 3.5.1

Implement strategies to address issues of climate change in relation to its impact on Councils corporate functions and on the Community.

Nil.

15. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – LIFESTYLE)

15.1 Community Health and Wellbeing

Strategic Plan Reference 4.1.1

Support and improve the independence, health and wellbeing of the Community.

15.1.1 RURAL ALIVE & WELL – REQUEST FOR COMMUNITY BASED PROJECT SUPPORT

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 17 JULY 2019

Enclosure:

Proposed Location Plan

ISSUE

Having approved the support of the 'Looking Out For Each Other Project' in financial terms, Council is required to consider the location for the 'Project', ie the establishment of the Blue Farmer at the Southern entrance to Oatlands.

EXTRACT – APRIL 2019 COUNCIL MINUTES

ISSUE

Council has received a copy of a Project Plan and a request from Rural Alive & Well to assist in the establishment of an installation through a contribution of \$3,000.

DETAIL

The draft proposal provided by Grietje van Randen, provides background to the project concept, though for this project schools will not be involved.

Apparently Peta-Maree Davidson from Rural Alive & Well (RAW) has spoken to Grietje and she has agreed to run the project for \$6,000. RAW is happy to contribute \$3,000 and is seeking a co-sponsor to support this project.

What RAW would like to do is start and launch the project at AGFEST this year and have Southern Midlands Community members assist in completing the project. Once completed have the community come together with a BBQ for the final installation of the Blue Man possibly at the entrance of Oatlands off the highway. The timing of the installation would be estimated to be either September or October, in light of the recent Suicide tragedy timing would need to be based on the readiness of the community as a whole.

If Council agrees to support the project, a suitable location will need to be identified.

Peta-Maree provided a presentation to Council on the project earlier.

RECOMMENDATION

For discussion and decision

DECISION

Moved by Cllr D Fish, seconded by Cllr R McDougall

THAT Council

- a) **endorse the Rural Alive & Well Inc., Community Art Project, ‘Looking Out For Each Other’; and**
- b) **provide a funding contribution of \$3,000 to the project.**

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	√	
Deputy Mayor E Batt	√	
Cllr A Bantick	√	
Cllr A Bisdee OAM	√	
Cllr K Dudgeon	√	
Cllr D F Fish	√	
Cllr R McDougall	√	

END OF EXTRACT – APRIL 2019 COUNCIL MINUTES

In seeking to advise Council in respect of this matter the considered opinion of the Manager Development & Environmental Services was sought in respect of the requirements of the Planning Scheme and his response is detailed below

Thanks Andrew,

I have reviewed the attached proposed location [southern entrance to the Oatlands Village from the Midland Highway] and particulars. I confirm that the works are best described as a “public art” and that the Interim Planning Scheme exempts such works from requiring a permit where undertaken on or on behalf of a public authority. I provide the exert below with “public art” highlighted:

6.2 Provision and Upgrades of Linear and Minor Utilities and Infrastructure

6.2.1

A permit under this planning scheme is not required for a use development described in subclause 6.2.2 unless there is:

- (a) a code in this planning scheme which lists a heritage place or precinct and requires a permit for the use or development that is to be undertaken;
- (b) disturbance of more than 1m² of land that has been affected by a potentially contaminating activity;
- (c) excavation or fill of more than 0.5m depth in a salinity hazard area or landslip hazard area shown in the planning scheme;
- (d) the removal of any threatened vegetation; or
- (e) land located within 30m of a wetland or watercourse.

6.2.2

The provision by or on behalf of the State Government, a Council, a statutory authority, or a corporation all the shares of which are held by or on behalf of the State or by a statutory authority, of the following utilities and infrastructure:

- (a) electricity, gas, sewerage, stormwater and water reticulation to individual streets, lots or buildings; and

- (b) *footpaths and cycle paths, playground equipment, seating and shelters, telephone booths, post boxes, bike racks, fire hydrants, drinking fountains, rubbish bins, public art, traffic control devices and markings, and the like on public land.*

I advise that this part of the Planning Scheme overrides all other provisions (aside from those matters in 6.1.1).

Regards

David Cundall
Manager Development & Environmental Services

It is understood from Rural Alive & Well they would like this installation to be a permanent addition to the streetscape. However the blue baling twine may become faded over time (maybe three years) and RAW have advised that they will be responsible for the changing of the 'baling twine clothing' as and when required.

Human Resources & Financial Implications – Council Officers may be required to assist with the installation, given it is in the road reservation. A small 'interpretation sign' will be required at the site and Council could consider contributing fifty percent of the cost of that sign, plus installation.

Community Consultation & Public Relations Implications – Any support for a community based suicide prevention installation would have positive public relations implications.

Policy Implications – N/A

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

That the location of the Blue Farmer installation be approved at the Southern entrance to Oatlands on the grassed mound at the junction of Birmingham Arms Road and High Street.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

ENCLOSURE
Agenda Item 15.1.1



15.2 Youth

Strategic Plan Reference 4.2.1
Increase the retention of young people in the municipality.

Nil.

15.3 Seniors

Strategic Plan Reference 4.3.1
Improve the ability of the seniors to stay in their communities.

Nil.

15.4 Children and Families

Strategic Plan Reference 4.4.1
Ensure that appropriate childcare services as well as other family related services are facilitated within the Community.

Nil.

15.5 Volunteers

Strategic Plan Reference 4.5.1
Encourage community members to volunteer.

Nil.

15.6 Access

Strategic Plan Reference 4.6.1a & 4.6.1b
Continue to explore transport options for the Southern Midlands Community / Continue to meet the requirements of the Disability Discrimination Act (DDA).

Nil.

15.7 Public Health

Strategic Plan Reference 4.7.1
Monitor and maintain a safe and healthy public environment.

Nil.

15.8 Recreation

Strategic Plan Reference 4.8.1
Provide a range of recreational activities and services that meet the reasonable needs of the Community.

Nil.

15.9 Animals

Strategic Plan Reference 4.9.1

Create an environment where animals are treated with respect and do not create a nuisance for the Community.

15.10 Education

Strategic Plan Reference 4.10.1

Increase the educational and employment opportunities available within the Southern Midlands.

Nil.

16. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – COMMUNITY)

16.1 Capacity

Strategic Plan Reference 5.1.1 & 5.1.2

Build the capacity of the community to help itself and embrace the framework and strategies articulated through social inclusion to achieve sustainability / Maintain and strengthen communities in the Southern Midlands.

16.1.1 BADEN HALL

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)

Date: 17 JULY 2019

ISSUE

Council was asked by a local Community Member, John Summers at a Council meeting in Tunnack to assist with determining the future of the Baden Hall. The Baden Hall is not a Council owned Hall and was built using funds raised by the local Community circa 1900. The Hall is on private property. There are differing views between the Community & the property owner (Peter Collins) as to the future of the Hall. Council is not the Hall owner and therefore not a decision maker in this interaction. Council officers have undertaken the research to arrive at a position where all of the known facts are available to the parties and by enlarge taken a facilitation style role in sharing this information in an effort for the parties to arrive at an agreed position. An agreed position between the parties has not been arrived at.

BACKGROUND

Whilst the reporting in relation to this matter was subject to a voluminous report, at the last Council meeting, it is not intended to repeat that same information in this report, other than the recommendation from that June 2019 meeting.

[EXTRACT FROM THE MINUTES OF THE JUNE 2019 COUNCIL MEETING]

RECOMMENDATION

For Discussion

DECISION

Moved by Deputy Mayor E Batt, seconded by Cllr D Fish

THAT Council research the possibility of negotiating with the Landowner and Crown Land Services to transfer the Title encompassing the Baden Hall property in exchange for the Police Reserve Title.

CARRIED

Councillor	Vote FOR	Vote AGAINST
Mayor A O Green	√	
Deputy Mayor E Batt	√	
Cllr A Bantick	√	

Clr A Bisdee OAM	√	
Clr K Dudgeon	√	
Clr D F Fish	√	
Clr R McDougall	√	

[END OF EXTRACT FROM THE MINUTES OF THE JUNE 2019 COUNCIL MEETING]

Following the Council meeting, the author of the report arranged a face-to-face meeting with Mr Collins on the 27th June 2019 to explore the options of the Council's decision. The following letter articulates the discussions during the meeting.

[Letter from Council to Mr Collins]

28th June 2019

Peter Collins
1739 Tunnack Road
BADEN TAS 7120

Dear Peter

BADEN HALL

Thank you for your time yesterday to discuss the outcomes of the Council meeting in respect of the Baden Hall.

Council requested that I seek a view from you about an exchange of the 'Police Block' opposite the start of the Stonor Road, with the Baden Hall site. This of course would be subject to the ability of Council to secure the 'Police Block' from the State Government

During our meeting we covered a range of matters in relation to the Hall and I acknowledge your commitment in supporting the recognition of the history surrounding the Hall. We talked at length about some of those events and the bond generated within the District by having the Baden Hall at the centre of those events.

You talked about your interest in seeing the Hall used as a productive farm building, maybe a shearing shed with it remaining in the landscape. However, on reflection your desire to clad the building with steel wall cladding would I am sure not add value to the building fabric and would erode any sense of place that the building may have. It is acknowledged that to repair and maintain the weatherboards would be a very costly exercise. We talked through the cost of bringing the old Hall up to a workable building for your purposes and we both acknowledged that a purpose built structure in close proximity to your existing big shed near Woodbanks Road would probably be a more cost effective solution for the farm infrastructure expansion. To that end I have attached a plan of the recent shed that we had constructed at the new Council Depot in Glenelg Street Oatlands at a cost of \$49,000. This shed at 216m² would probably be twice the size of the old Baden Hall and greater head room with a height of 5.16 to the ridge line. Also bearing in mind that this building has six high roller doors as part of its construction. From my perspective that provides a very compelling argument for a new strategic infrastructure investment for your property.

As we discussed, I am prepared to put a report to Council, on yours and the Community's behalf, suggesting the following;

- *the Hall footprint and an adjacent area be subdivided from your land as Public Open Space (POS) (the Southern Midlands Interim Planning Scheme 2015 only*

allows subdivision for POS in the Rural Resource Zone, as opposed to that of creating a new parcel of land for any other purposes) and vesting the POS Lot in Southern Midlands Council;

- *the area of that land would be less than the area currently taken up within the fenced area of the Hall, subject to a concept plan being developed;*
- *the purchase price would be \$1;*
- *Council to cover the cost of subdivision and fencing the proposed Public Open Space Lot;*
- *the Hall to be demolished, whilst retaining the sandstone on the site to create part of the interpretation of the site;*
- *the footprint at ground level of the Hall to be established in the retained sandstone;*
- *consultation be undertaken with the Community, including yourself to agree on some interpretation panels covering the district and a symbolic vertical structural element to identify the site. It would also be acknowledged on the panel that the land was donated by you for the benefit of the Community;*
- *some car parking (maybe three spaces) with gravel surface to be included in the POS Lot, plus a defined pace for the School Bus to load/unload its passengers; and*
- *funding of the interpretation be subject to Council budget allocation and/or Grant funding.*

At the end of the day Peter, the future of this much-loved 'space' is in your hands. Council are keen to support the Community in their aspirations for a 'commemorative site' to be created as a space that appropriately articulates the treasured memories of the District. It was interesting to note during our meeting in the Council Chambers at Oatlands, that the photo of the 1907 Oatlands Councillors, with Warden George Nettlefold in the centre of the photo, was hanging on the wall adjacent to us. Maybe metaphorically speaking George was keeping an eye on proceedings, over a century on from his original philanthropic gesture.

I look forward to your response and please give me a call if you require any further information at this point of time.

Regards



Andrew Benson
Deputy General Manager
Manager Community & Corporate Development

Encl Oatlands Depot Shed Plans

[End of Letter from Council to Mr Collins]

At this point in time no response has been received from Mr Collins.

RECOMMENDATION

For Consideration and Discussion.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

16.1.2 HERITAGE & BULLOCK FESTIVAL 2019 – PROGRESS REPORT

Author: DEPUTY GENERAL MANAGER (ANDREW BENSON)
PROJECT MANAGER – HERITAGE & BULLOCK FESTIVAL

Date: 19 JULY 2019

Enclosure:

Rationale & Preparation for the Heritage & Bullock Festival 2019
Buildings & Spaces for Exhibitors
A Taste of What You can expect.

ISSUE

To provide Council with a progress report on the forthcoming Heritage & Bullock Festival.

BACKGROUND

The original motivation for the 2018 Heritage & Bullock Festival was to establish a major Community Development project that brings the Village of Oatlands together, where everyone contributes, plays a part, feels proud of what was done and has fun on the journey.

The Committee structure was empowering and creative, with each Convener shouldering the responsibility of delivering their particular passion along with their colleagues to showcase to the Community/Visitors alike. Brian Fish as the Chairman of the Committee, ably supported by his wife Lyn set an amazing example of leadership, energy and passion. Dr Simpson AM and Jack Lyall completed the leadership team that was underpinned by Michelle Webster as the Exhibitors Coordinator, Wendy Young as the Health, Safety & Logistic Coordinator, with Andrew Benson as the Project Manager. Everyone had a 'can do attitude' and it was an immense pleasure to see the smile on everyone's faces as they went about their respective tasks with enthusiasm and commitment. What a 'Team' in the true sense of the word. Many Council staff members gave selflessly of their own time and energies in contributing to the event.

The support of Sgt Rob Cooke and his team from Tasmania Police in the lead-up and during the Festival was greatly appreciated.

T-shirts & aprons were printed, and badges were made, sharing them with the High Street Traders and the wider Community.

The range of activities at the Festival was amazing, from the Bullocks in the High Street, plus Karen Fish with her pack horses, along with the Bagpipes and the Lion Dancers, to the leatherworks, the Wooden Boat Centre, Blacksmiths, Farriers, the Roberts Sheep Sale, the auction and of course the theatrical performance in the Supreme Court Building. Mrs Cantwell opened her amazing shop and the Oatlands District Historical Society provided fascinating displays in their Museum. And of course who could forget the wonderful bread baked by Jay in the Commissariat oven. There were many more activities at the Festival and all were captivating in their own right.

Some quick Stats

- Estimated that 5,200 people attended over the two days;
- ROI to the Community at approx. \$50/person spend, \$260,000; and
- There were approximately 653 volunteer hours invested in the Festival.

The many hours that everyone associated with the Festival, including the Oatlands Traders, contributed of their own time, plus their level of support in pulling activities together for the event was greatly appreciated by the organising committee. Without such generous support by everyone, the festival would not have been as successful as it was.

Amazingly, the 2018 Festival received wide recognition with awards, finalist positions and contributed significantly to Oatlands winning the Australian Sustainable Communities National Award for Heritage & Culture.

Following the success of the 2018 Heritage & Bullock Festival, the Committee elected to go for it again this year.

DETAIL

The attached documentation provides the scale and energies that are apparent for the 2019 Heritage and Bullock Festival. The organising Committee has grown in size, the exhibitor numbers have grown in size and everyone is brimming over with excitement & enthusiasm looking forward to the 10th & 11th August 2019.

Discussions are also being held with Handbuilt Creative to showcase their augmented reality project in Oatlands. Although still in the introductory phase, the new app allows users to see views from the past suspended in 'augmented reality' with the help of some very clever technology. Working with 'smart' devices, this means – at its simplest – users will be able to look through the camera screens on their device, and see historic images hovering in space where they once would have been.

There is information about the Festival on the Southern Midlands Council website, with more being loaded as the dates come closer. Michelle Webster placed the first social media event listing a couple of months ago and that has recorded, as of the date of this report 14,600 hits. The Heritage Highway Touring Region social media is about to roll into action with trickle feed 'blogs' over the coming weeks. Heritage Tasmania is in the process of compiling a significant social media article on the Festival.

A schedule of newspaper articles is being rolled out with the Mercury, Examiner and Tas Country, as well as coverage with ABC Mornings with Ryk Goddard, ABC Afternoons with Helen Shield as well as ABC Sunday Mornings with Joel Rheinberger. Packages are being considered with commercial radio as well.

Human Resources & Financial Implications – \$10,000 in the budget plus Council Officer time.

Community Consultation & Public Relations Implications – Extensive consultation plus very positive PR.

Policy Implications – N/A

Priority - Implementation Time Frame – Immediate.

RECOMMENDATION

That Council

- 1. Receive and note the Report; and**
- 2. Acknowledge the amazing contribution of the whole Community with this project.**

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

ENCLOSURE
Agenda Item 16.1.2



Heritage & Bullock Festival 2019 Oatlands

*The Rationale of our Thinking
and our Preparation for this Year's Event*

by

Andrew Benson

Deputy General Manager

Southern Midlands Council

Email: abenson@southernmidlands.tas.gov.au mobile: 0429 852 730

July 2019



*200 Years On there's still plenty of ways to get held up on the
Heritage Highway at Oatlands in the Southern Midlands of Tasmania*



Why is Oatlands the Right Place for Such an Event? *A Number of Historical Dramas have been Filmed in Oatlands*



*Council had to gravel over the existing bitumen High Street to bring authenticity to the filming.
The underground power lines in the High Street added to the atmosphere.*





A Project Facilitated by
Southern Midlands Council
July 2018





For a copy of this Evaluation refer to
the Southern Midlands Council website
www.southernmidlands.tas.gov.au



Heritage & Bullock Festival 2018 - Oatlands

What Was Achieved – Finances, Volunteers & Visitors

Through a careful analysis it is estimated that in the order of **5,200 people attended the Festival** over the two days

There were an **estimated 653 volunteer hours** provided in the planning, activities and windup of the Festival

Based on an estimated spend in accordance with the aforementioned Report 'Reinventing Rural Places' \$50/person is quite a conservative estimate, therefore multiply the **\$50 x the number of attendees 5,200 = \$260,000.00** that stays in the Community as an economic benefit from the Festival.

Examples of benefits to the individual Community organisations (generated by direct visitor expenditure):

The Wooden Spoon Café in High Street Oatlands – Normal takings on a Saturday (not open on Sundays) \$100 for the day, takings for the two days of the Festival \$3,000

The Brighton & Southern Midlands Pony Club - The Club ran a BBQ at the drover's Hut in Callington Park on the Saturday. They generated \$1,200 through the BBQ for the Club

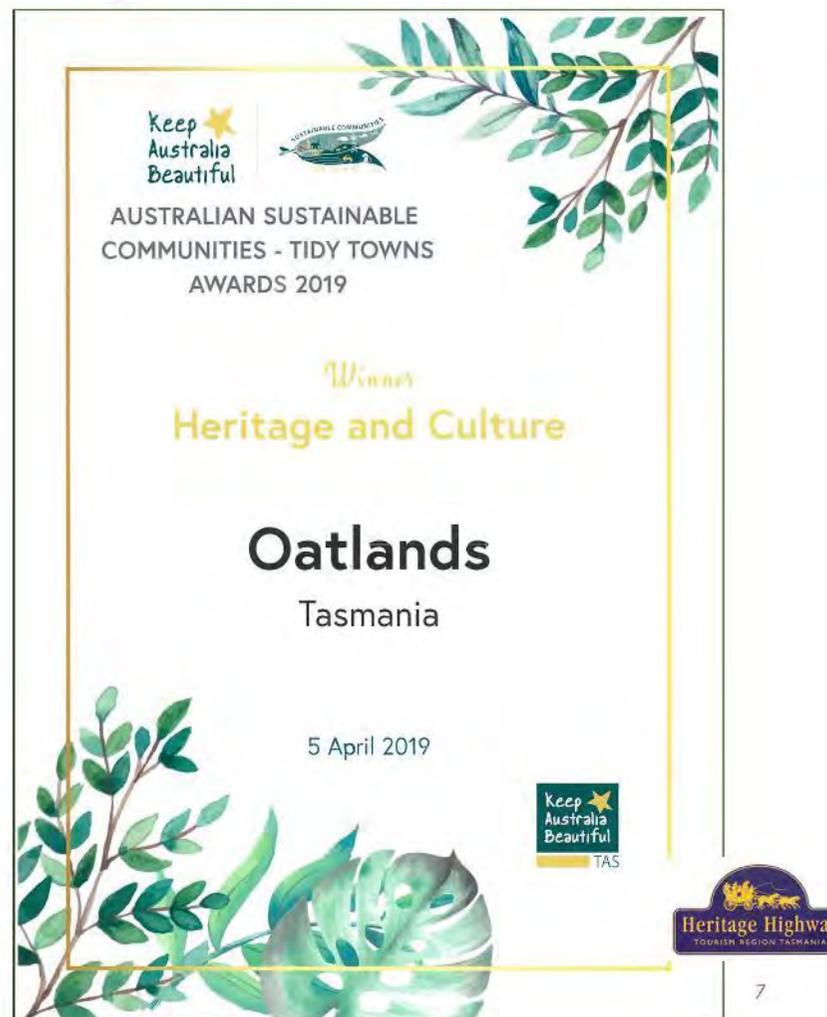
The Oatlands Bargain Centre (Preloved Clothing) - They would take in the order of \$180 /weekend normally. Over the Festival weekend they took in the order of \$700

The Bullock Committee Donated \$7,000 to the Midlands Multi-Purpose Health Centre, Oatlands

Brian Fish, Chairman of the Heritage & Bullock Festival said "There were so many high points in the event that they are too numerous to mention, suffice to say that everyone put in a major effort and should rightly be very proud of Oatlands and the Heritage & Bullock Festival"



Recognition of the 2018 Heritage & Bullock Festival



Recognition of the 2018 Heritage & Bullock Festival



MERCURY

Stardom (brand excellence):

This category is really about showcasing experiences that make southern Tasmania a very special place to visit. The pillars that underpin the Tasmanian brand are:

- ★ arts and culture
- ★ waterways
- ★ history and heritage
- ★ food and beverage, and
- ★ nature and wildlife experiences.

This category provides the opportunity for businesses to demonstrate how they contribute to the southern Tasmanian brand by showcasing these tourism assets in the best possible light. Nominees will need to show how they create lasting memories by delivering unique experiences with the highest standards of service excellence.

Finalist:
Southern Midlands Council Heritage & Bullock Festival 2018



Why Are We Doing This?

Its about, People, Places and Partnerships

Hear ye ! Hear ye ! Hear ye !

In the days long before mass communication, Town Criers with hand bells were the best way to get the latest news and announcements to the general public in Georgian England as well as the Colonies.

We will use the same method in sharing information during the Festival.



We want to...

- *Use a significant event to bring the Community together and focus on the many endearing aspects of Oatlands and to demonstrate what can happen when everyone is engaged & benefiting in 'a whole of Village event'. Creating a Win – Win experience for the whole Community;*
- *Showcase authentic and traditional skills;*
- *Raise the profile and tourist experience (intra-state as well as inter-state) of Oatlands & the Southern Midlands;*
- *Open Oatlands' heritage buildings to the general public; and*
- *Showcase Oatlands as a 'living historic Village'.*

We want to achieve

- **Awareness** – we want people to know more about the tourism & visitor experiences in our region
- **Dispersal** – we want people to explore more parts of our region
- **Yield** – we want each visitor to spend more during their visit

Page 5

Chairman of the 2018 and the 2019 Oatlands Heritage & Bullock Festival

Brian Fish is a person who is extremely well regarded in Tasmania and across the country.

His passions are for Bullocks, traditional farming techniques and the recognition of Oatlands as one of the last bastions of traditional historic country life in Tasmania.

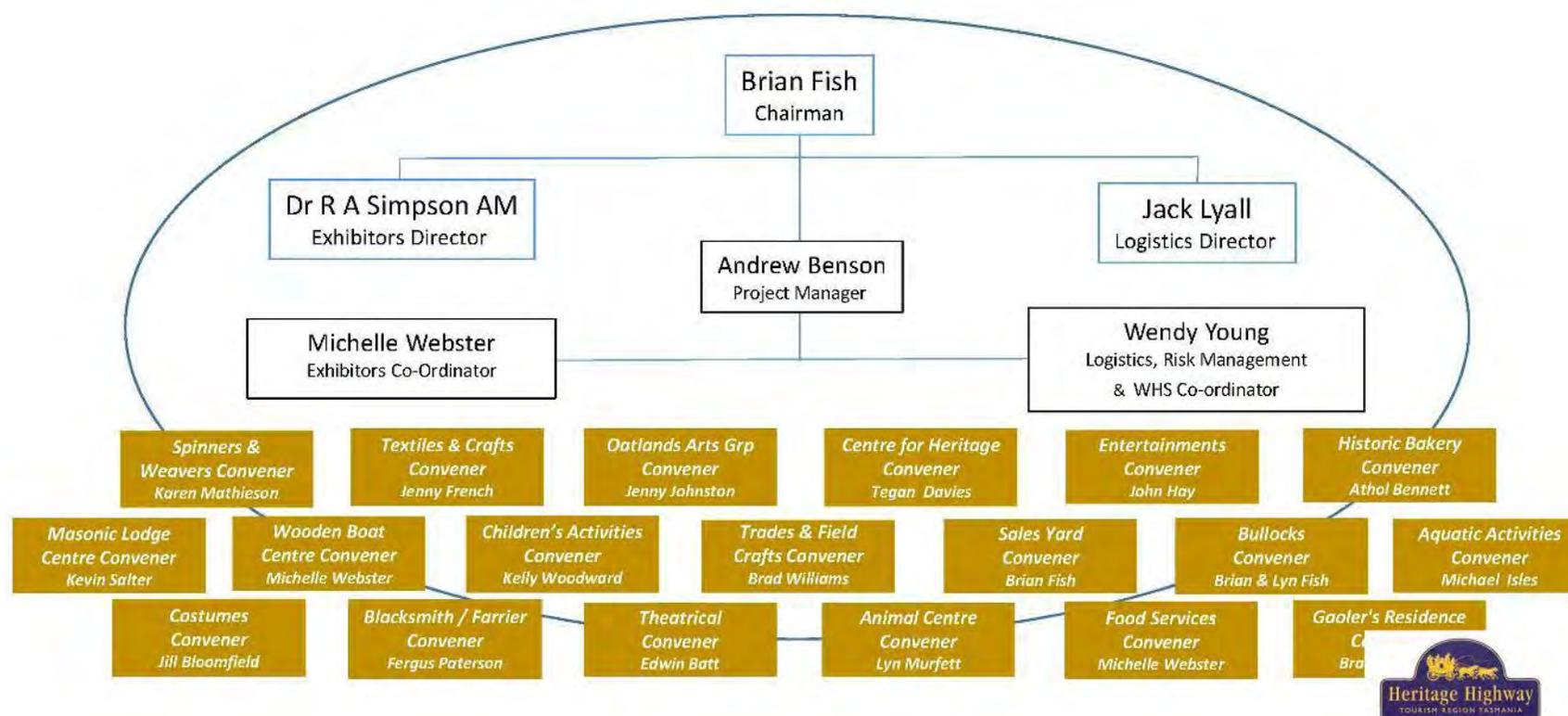


*The ABC's Chris Wisbey
interviewing Chairman
Brian Fish*

July 2018



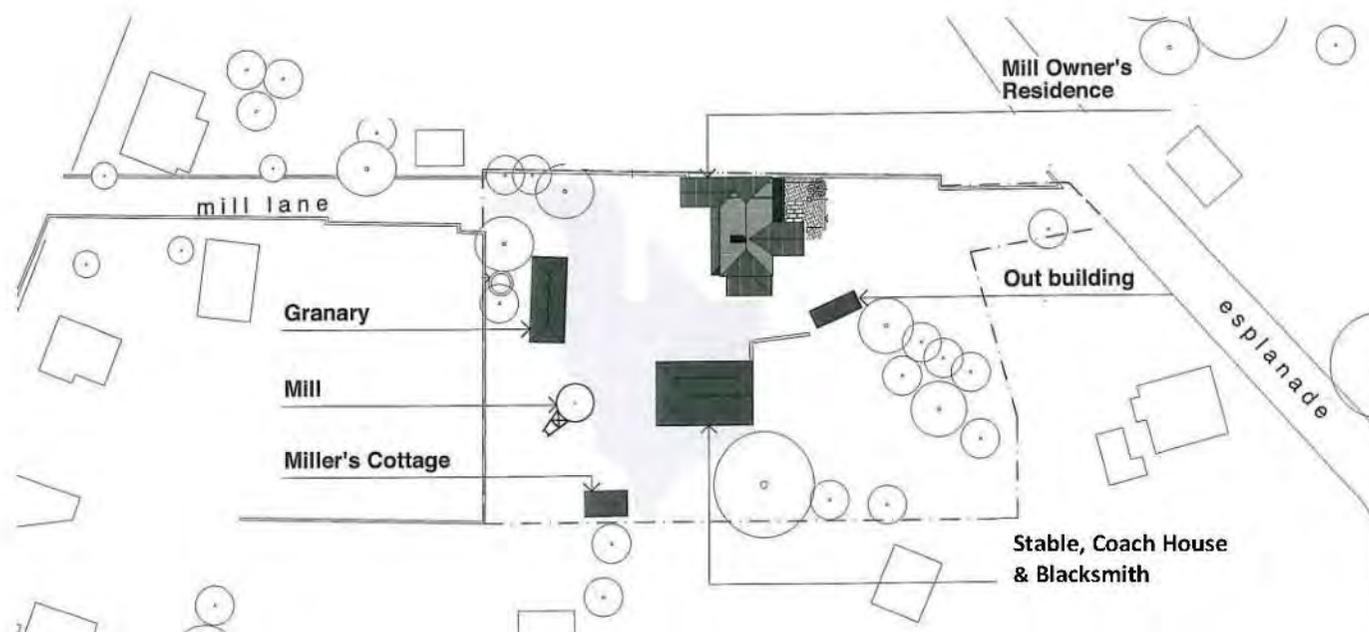
The Team Driving the 2019 Event





The Properties & Spaces Being Used for the Event

For more details in relation to locations refer to the document titled 'Buildings & Open Space Sites for the Use by Exhibitors' on the Southern Midlands Council website



Callington Mill Site
1 Mill Lane, Oatlands



The Properties & Spaces Being Used for the Event

For more details in relation to locations refer to the document titled 'Buildings & Open Space Sites for the Use by Exhibitors' on the Southern Midlands Council website



The Properties & Spaces Being Used for the Event

For more details in relation to locations refer to the document titled 'Buildings & Open Space Sites for the Use by Exhibitors' on the Southern Midlands Council website





Special Guests with Unique & Traditional Skills



Special Guests with Unique & Traditional Skills



Special Guests from Franklin with Unique & Traditional Skills



Involving all Organisations and Groups in the Oatlands Village







Southern Midlands Council

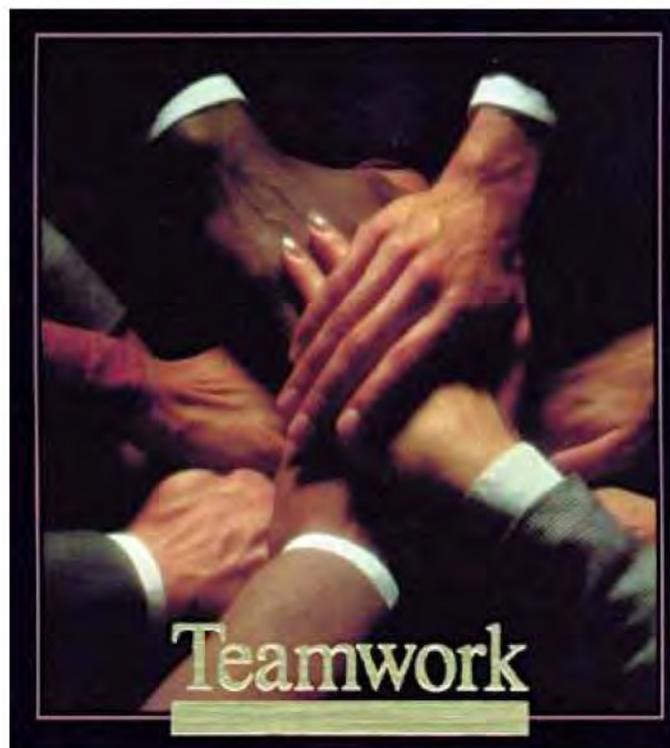
*leveraging the creativity and dynamics
of our Community for the benefit of our Community*

***“Never doubt that a small group of
thoughtful, committed people can change
the world.***

Indeed, it is the only thing that ever has.”

Margaret Mead

Carpe Diem – Seize the Day





Buildings & Open Space Sites for the Use by Exhibitors

10 & 11 August 2019

*Prepared by
Andrew Benson
10.07.19*









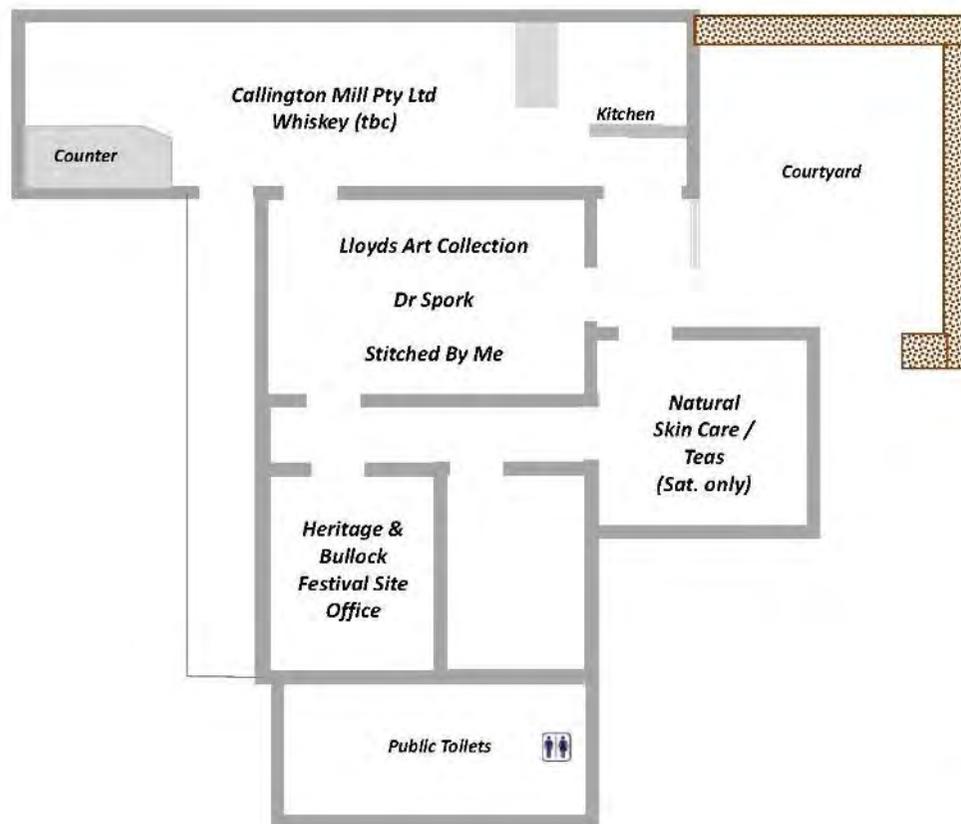
Callington Mill Site 1 Mill Lane, Oatlands



Mill Owner's Residence

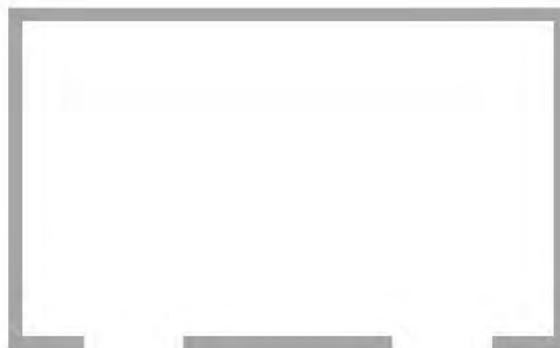


Mill Owner's Cottage Callington Mill Site 1 Mill Lane, Oatlands

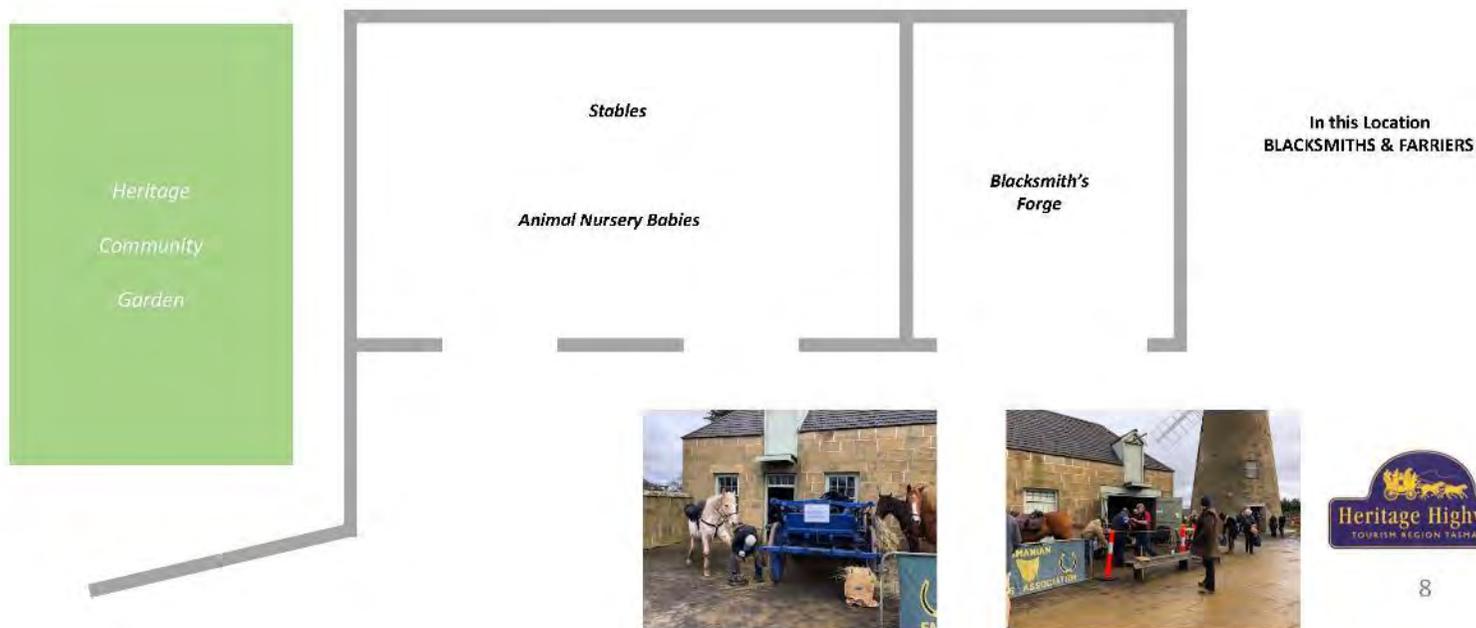


*Miller's Cottage
Callington Mill Site
1 Mill Lane, Oatlands*

Note this location was not available/used last year



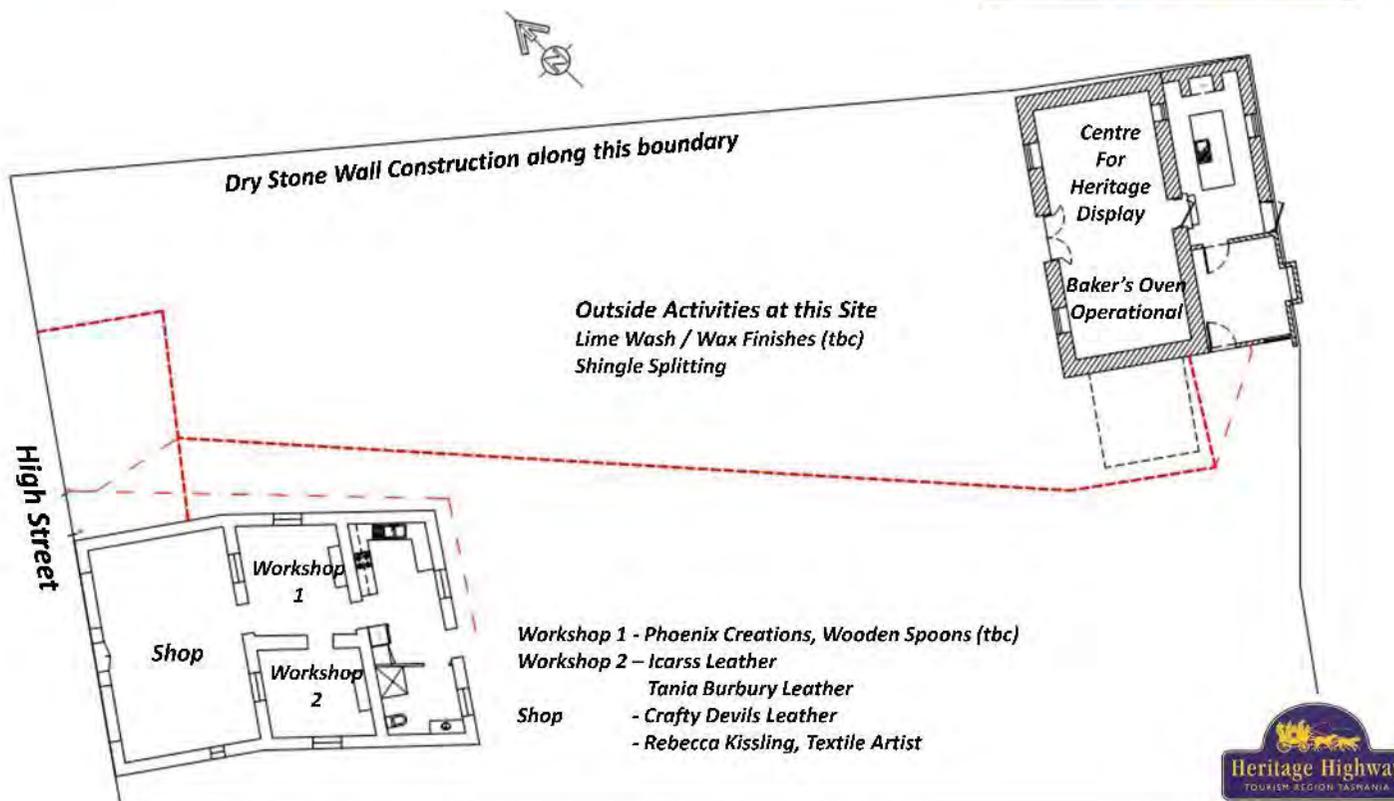
Blacksmith's Forge & Stables Callington Mill Site 1 Mill Lane, Oatlands



Site Plan 79 High Street Oatlands



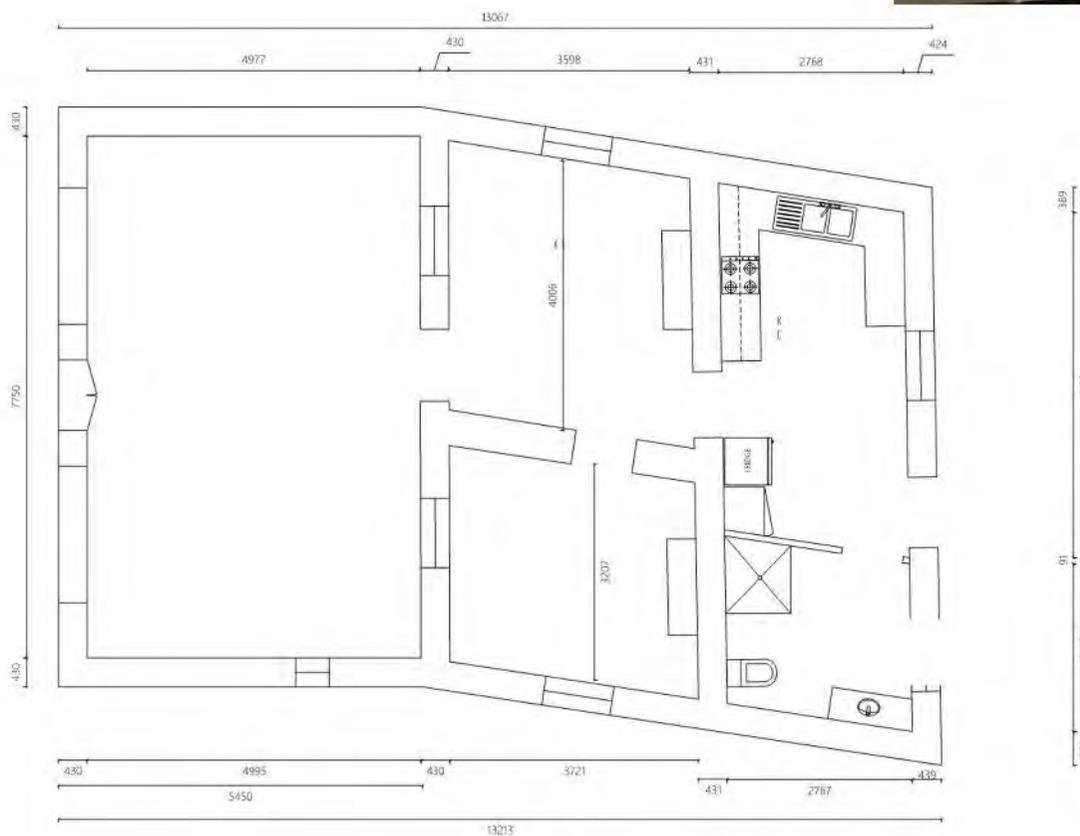
--- SERVICE TRENCH



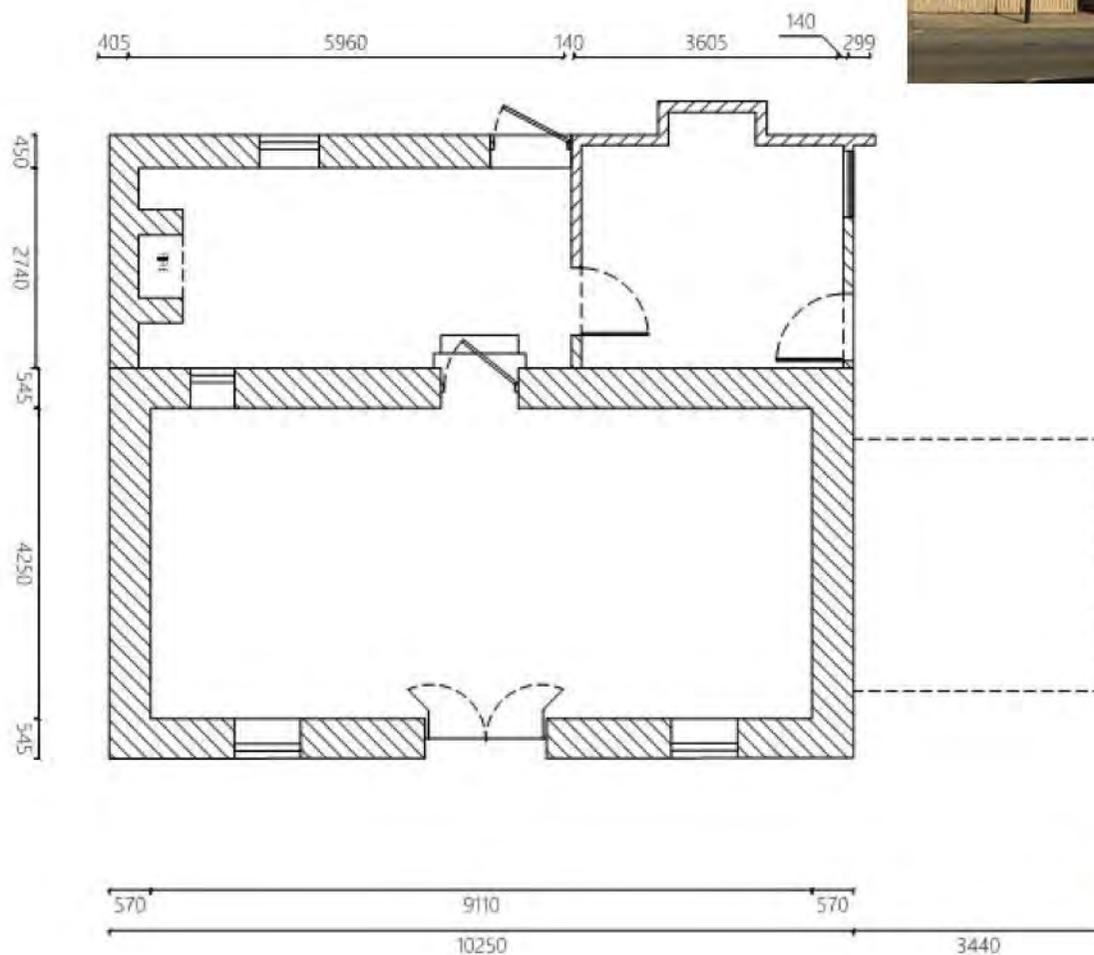
Heritage Hub 79 High Street Oatlands

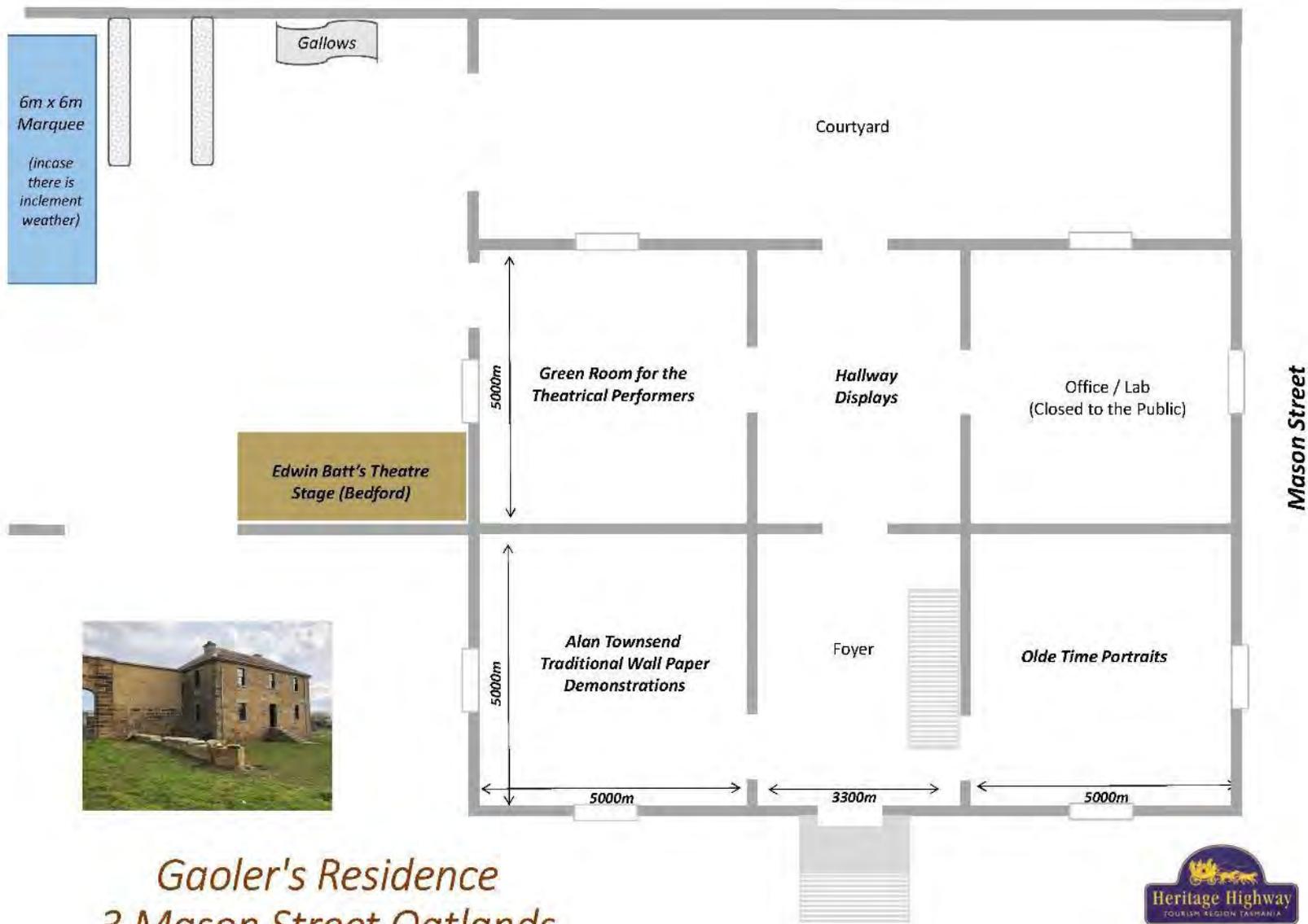


High Street



Commissariat 79 High Street Oatlands





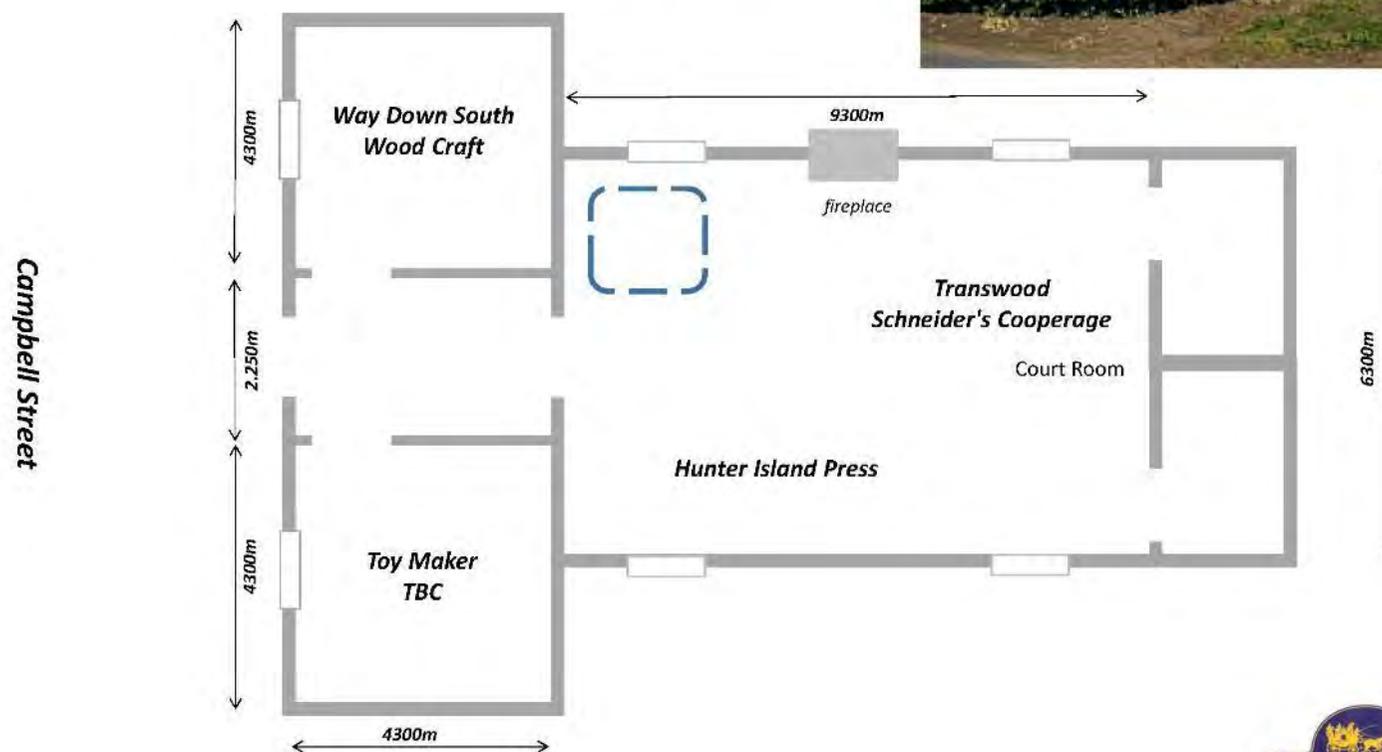
*Gaoler's Residence
3 Mason Street Oatlands*



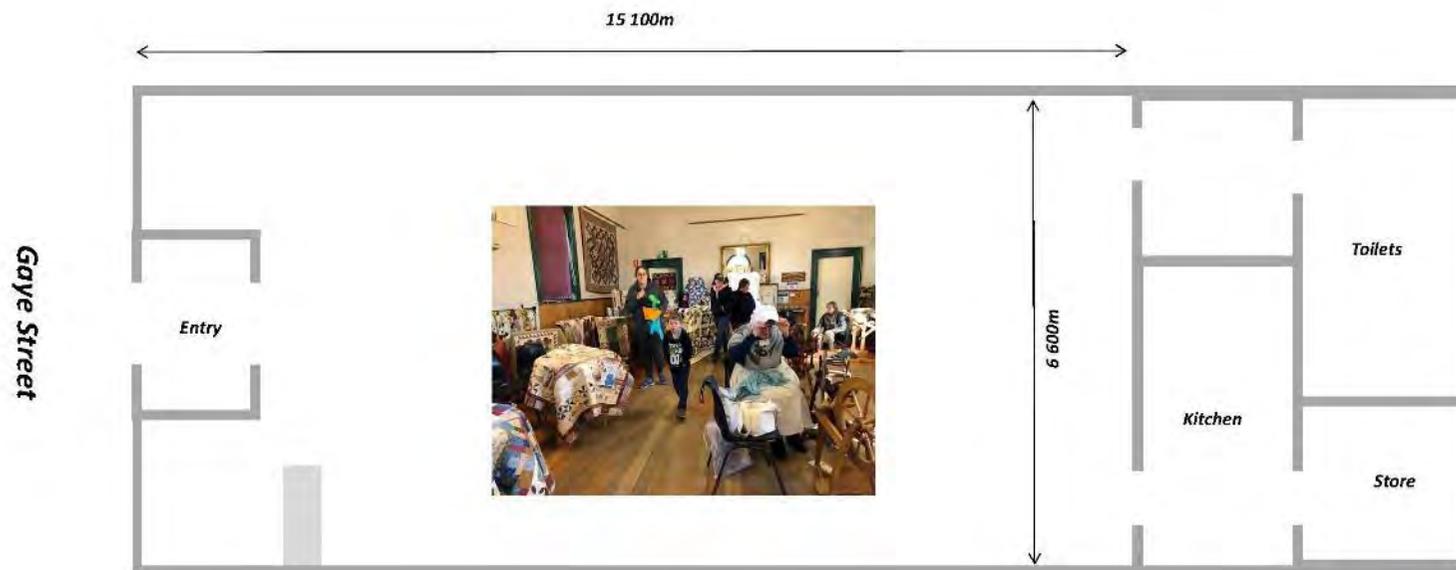
Supreme Court 7 Campbell Street Oatlands



The Esplanade



Oatlands Community Hall (Rechabite Hall) 1 Gaye Street, Oatlands



In this Location
Spinners, Weavers
and Quilters



*Lodge Dulverton
Masonic Lodge
Temple & Hall
3 Gaye Street, Oatlands*

*Oatlands Community Hall
(Rechabite Hall)
1 Gaye Street, Oatlands*



Oatlands Council Chambers 71 High Street, Oatlands



*Former CT Fish Building
70 High Street, Oatlands*



Spinners & Weavers
In this
Location
Plus Bullock Display



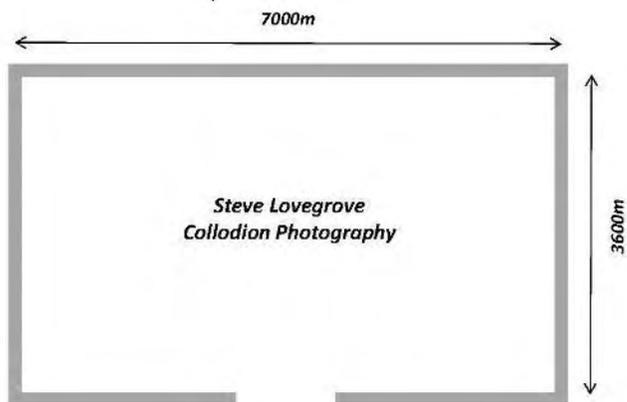
*Forecourt of Roche Hall
73 High Street, Oatlands*



Carriage Display in the Forecourt



Lake Fredrick Inn Studio 1 Mill Lane, Oatlands



Parterre
Garden
(tbc)



*Oatlands District
Historical Society Inc.
107 High Street, Oatlands*

*Wool Press
Historical Cottage
History Rooms*



*Former ANZ Bank
107 High Street, Oatlands
(tbc)*

**Christina Henri
Convict Bonnets Display (tbc)**



Cantwell's Store 120 High Street, Oatlands



Village Street Activities



*Brian Fish with his Son, his Grand Son
& his beloved Bullocks*



Town Crier

*Parade through the Village
on Saturday & Sunday*



Join us for the Heritage & Bullock Festival on the weekend of the 10th & 11th August 2019 at Oatlands.

Make your way along the Heritage Highway (Midland Highway) following the 'Shadows of the Past' to Oatlands

<https://www.southernmidlands.tas.gov.au/shadows-of-the-past/>



Here is a taste of what you can expect.....

This will be the second year of this event. Last year the event attracted approximately 5,200 attendees and it has won much recognition through awards and extremely positive feedback. Refer to the document titled 'Rationale & Preparation'.

The Oatlands High Street traders will be open offering a range of cafes with delightful food choices to satisfy the most discerning taste. The non-food traders will also be open for the visitors to wander and ponder through a treasure trove of unique wares.

Oatlands has the largest number of intact Georgian buildings in a Village environment in Australia and the Village was listed on the Register of the National Estate, so it is appropriate that a Festival showcasing traditional trades and crafts is being held in such a unique location. Wear your traditional costumes if you have them, plenty of people will be dressed for the occasion, including the Town Crier. Costumes will also be available on the day, call into the Heritage Hub and ask directions.

The trades and crafts will be showcased by the artisans in a range of historic building and spaces in historic Oatlands. A visit to 79 High Street, the recently restored Heritage Hub and Commissariat will be a must for all visitors to the Festival.

Typical rural scenes will be played out throughout the two-day event, with Brian Fish's team of bullocks pulling a load along the High Street from 10.30am each day from the Oatlands Recreation Ground to Callington Park. During the both days, the bullocks will have working displays in Callington Park.

Since 1865, Roberts Livestock has been providing expert advice to livestock producers across Tasmania and as such it is appropriate that this Tasmanian Company will be holding a sheep auction in the original sheep yards at the Callington Park site, adjacent to Callington Mill. Callington Park was originally the sale yards for the district with the site holding up to 7,000 sheep on auction days. We will only have 500 sheep for the auction on the Saturday, plus a few head of cattle. The auction by Roberts will be one of the highlights of the Festival. Whilst talking about auctions, a traditional 'Paddy's Auction' auction will follow the livestock auction, with 'traditional items' reminiscent of the old country market.



The traditional Chinese Lion Dance will be performed by the Buddhist members of the Southern Midlands Community, following the bullocks and their journey along the High Street. This inclusion in the event recognizes that the Chinese Community were early settlers in Tasmania and that they significantly contributed to the economic growth in the early days of the colony and continue to be valued members of our Community. A Pipe Band and pack horses will also accompany the Bullocks and Dancers along the High Street, a sight not to be missed.

The theatrical performance at the Oatlands Gaol will be again be a highlight, as it was last year, at the Oatlands Supreme Court. Edwin Batt and his thespians will provide a very humorous and engaging experience for all who attend.



The adjacent image is of the theatrical event from the 2018 Heritage & Bullock Festival. There were two performances each day and the level of audience engagement was absolutely amazing. Don't miss this year's performance.

The Dulverton Masonic Lodge will be open with conducted tours throughout the two days. Learn more about this organisation that has been in Oatlands since the mid-1880s, and was first established in the mid-1700s (the Irish Constitution).

The Wooden Boat Centre from Franklin will be there along with other traditional trades of hedge laying, Blacksmithing and the like.

There are no entry fees to any of the Festival sites. A Community Courtesy Coach will be available to circulate throughout the Village during the Festival.

Refer to the Programme on the website for details of exhibitors and entertainment activities.

16.2 Safety

Strategic Plan Reference 5.2.1

Increase the level of safety of the community and those visiting or passing through the municipality.

Nil.

16.3 Consultation & Communication

Strategic Plan Reference 5.3.1

Improve the effectiveness of consultation and communication with the community.

Nil.

17. OPERATIONAL MATTERS ARISING (STRATEGIC THEME – ORGANISATION)

17.1 Improvement

Strategic Plan Reference(s) 6.1.1, 6.1.2, 6.1.3, 6.1.4 & 6.1.5

Improve the level of responsiveness to Community needs / Improve communication within Council / Improve the accuracy, comprehensiveness and user friendliness of the Council asset management system / Increase the effectiveness, efficiency and use-ability of Council IT systems / Develop an overall Continuous Improvement Strategy and framework.

Nil.

17.2 Sustainability

Strategic Plan Reference(s) 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.5, 6.2.6, 6.2.7 & 6.2.8

Retain corporate and operational knowledge within Council / Provide a safe and healthy working environment / Ensure that staff and elected members have the training and skills they need to undertake their roles / Increase the cost effectiveness of Council operations through resource sharing with other organisations / Continue to manage and improve the level of statutory compliance of Council operations / Ensure that suitably qualified and sufficient staff are available to meet the Communities need / Work co-operatively with State and Regional organisations / Minimise Councils exposure to risk.

17.2.1 LOCAL GOVERNMENT SHARED SERVICES UPDATE (STANDING ITEM – INFORMATION ONLY)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 19 JULY 2019

Enclosure(s):

Local Government Shared Services Update – May & June 2019

Local Government Shared Services – Council Update – May & June 2019

ISSUE

To inform Council of the Common Services Joint Venture activities for the month of May & June 2019.

BACKGROUND

There are seven existing members of the Common Services Joint Venture Agreement, with two other Council's participating as non-members.

Members: Brighton, Central Highlands, Glenorchy, Huon Valley, Sorell, Southern Midlands and Tasman.

DETAIL

Refer to the enclosed 'Local Government Shared Services – Council Update'.

Human Resources & Financial Implications – Refer comment provided in the update.

Councillors will note that the Southern Midlands Council provided 105 hours of service to other Councils and received 11 hours of services from other Councils during May 2019.

In June 2019 Southern Midlands Council provided 177 hours of service to other Councils and received 3 hours of services from other Councils.

Details of services provided are included in the enclosures.

Community Consultation & Public Relations Implications – Nil

Policy Implications – N/A

Priority - Implementation Time Frame – Ongoing.

RECOMMENDATION

THAT the information be received.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

ENCLOSURE
Agenda Item 17.2.1

LG Shared Services Update

May 2019

Summary of Recent Shared Services Activity

735 hours of Shared Services were exchanged between Councils in May 2019, which is an increase of 66% when compared to hours exchanged in April 2019 (442 hours) and is slightly below the three-month average of 750 hours per month.

Fig 1 - Shared Service Exchange Hours in Recent Months

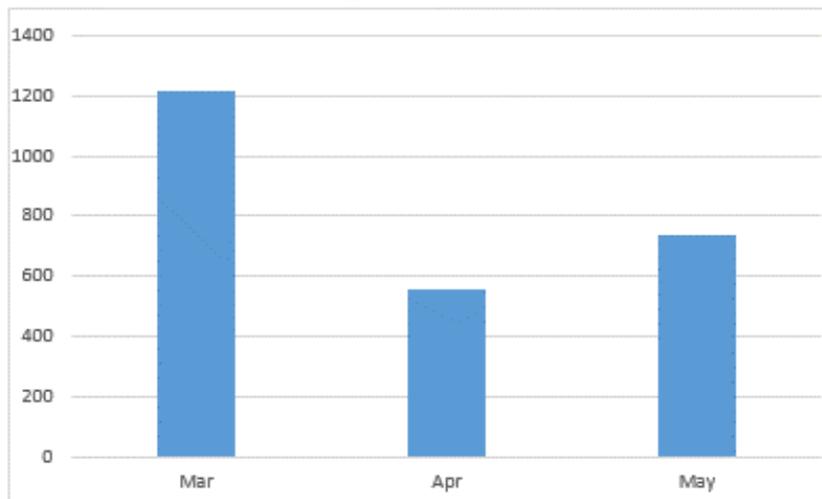
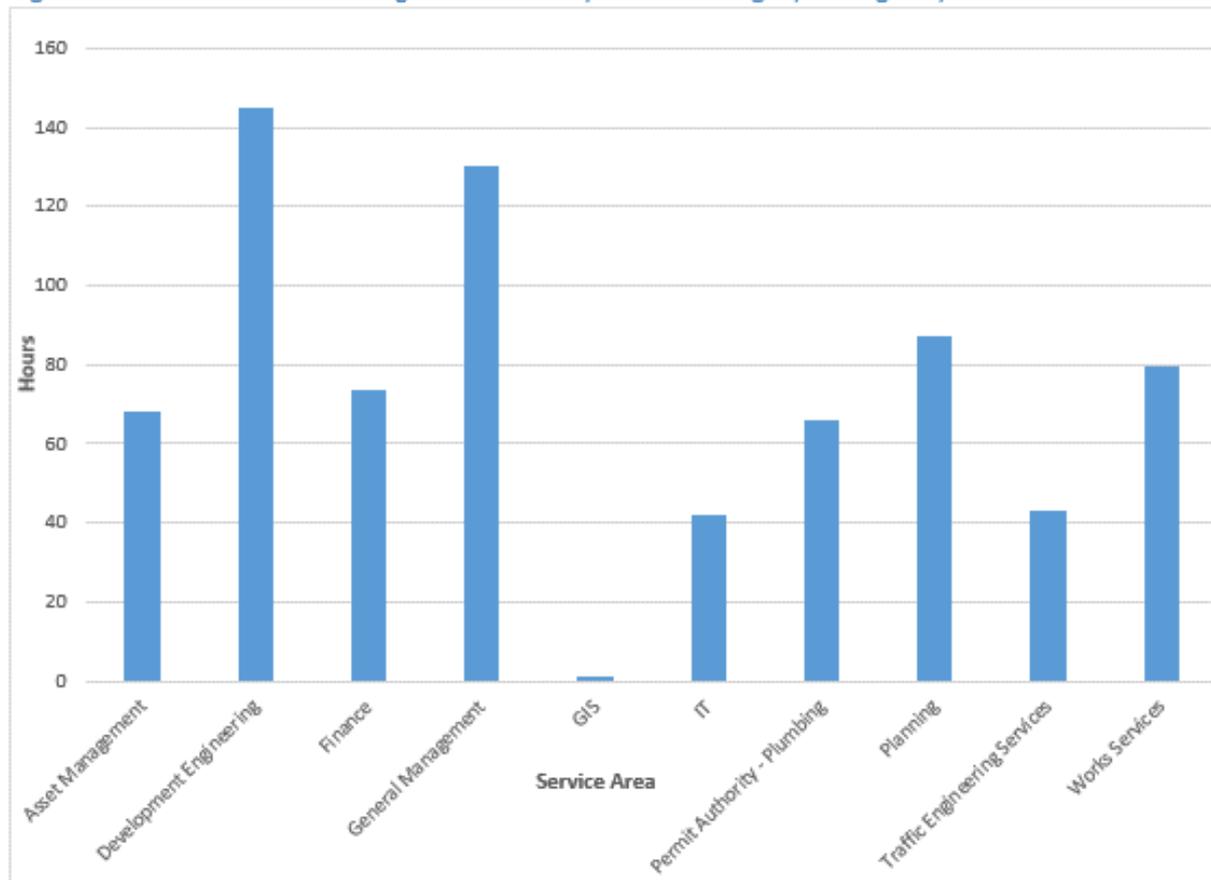


Fig 2 - Details of Current Exchange of Services by Council during May 2019

Provider Council	Client / Organisation							
	Brighton	Central Highlands	Derwent Valley	GSB	Glenorchy	Sorell	Southern Midlands	Tasman
Brighton		9	8.5	43	120	2	9	255
Central Highlands	2					2	2	2
GSB								
Glenorchy								
Huon Valley								
Litchfield								
West Arnhem								
Sorell				34				142
Southern Midlands		31	74					
Tasman								

* Council/Organisation not currently a member of the Shared Services Joint Venture Agreement

Fig 3 - Details of Current Exchange of Services by Service Category during May 2019



Savings to Local Government

A total of 735 hours of shared services were exchanged between Councils last month. Analysis of Shared Services provision has indicated that both the Provider Council and the Client Council save money through the exchange of Shared Services at an approximate ratio of 50%.

Due to this, it is estimated that the provision of shared services between Councils saved participating Councils and Local Government as a whole \$53,500 for the month of May. This was a result of increasing the utilisation of current Council Staff at Councils providing services and from Client Councils utilising Shared services from within Local Government as opposed to external consultants (on average LG Shared Services rates can be procured at significant discount to external consultant fees).

Local Government Shared Services – Council Update

Council

Southern Midlands

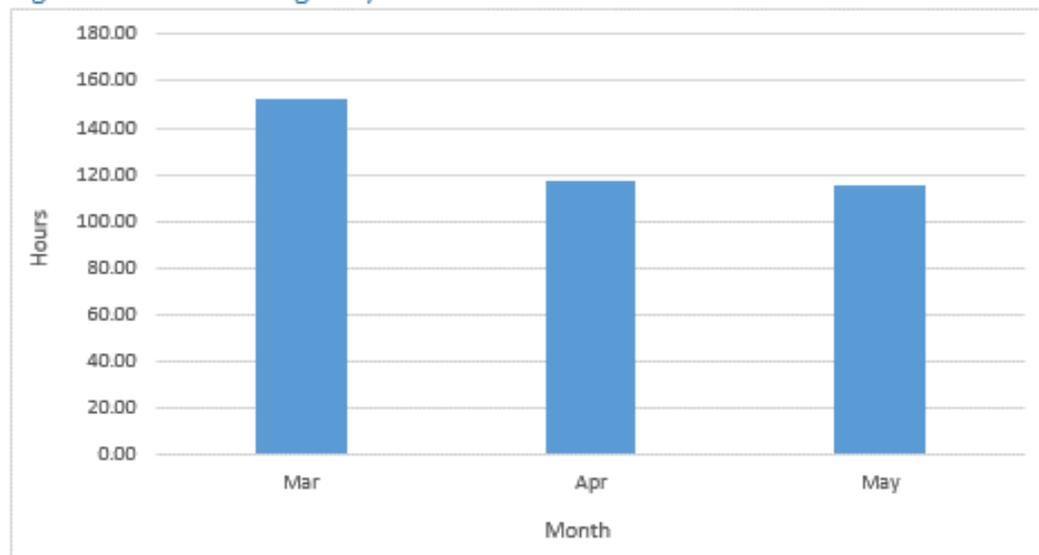
Shared Service Participation in May 2019

116 hours

Summary

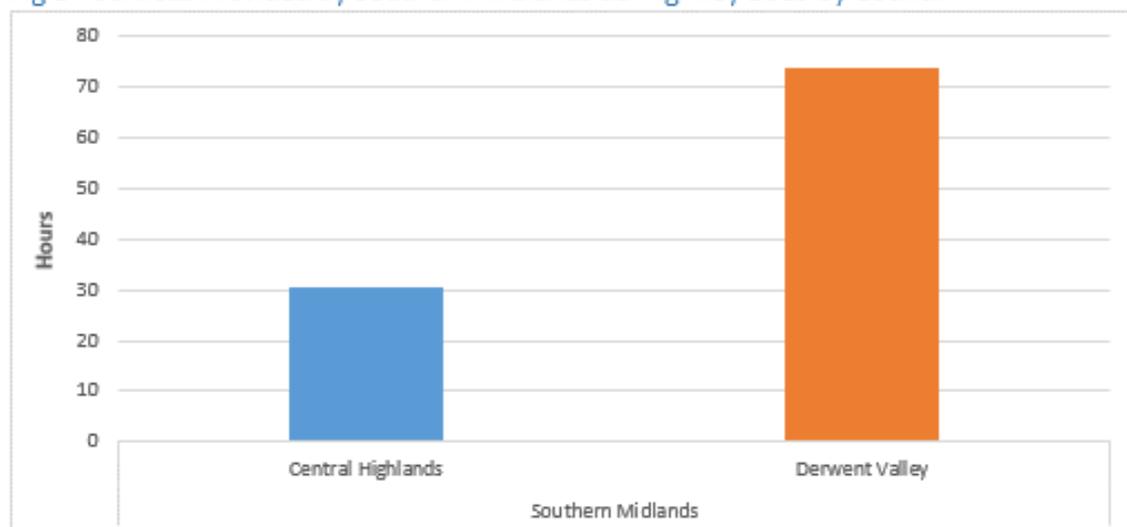
In May 2019, 116 hours of shared services were exchanged by the Southern Midlands Council. From this total, Southern Midlands provided 105 hours to other Councils and received 11 hours of services from other Councils. Total hours of exchange decreased by 2% when compared to April 2019 (118) and were below the three-month average of 129 hours per month.

Fig 1 – Services Exchanged by Southern Midlands Council in Recent Months



Services Provided by Southern Midlands Council

Fig 2 - Services Provided by Southern Midlands during May 2019 by Council



* Council is not currently a member of LG Shared Services

Fig 3 - Services Provided by Southern Midlands during May 2019 by Service Category

Southern Midlands	104	Summary of Services Provided
Central Highlands	31	
Planning	31	DA Assessment, Heritage & Strategic Planning
Derwent Valley	74	
Asset Management	24	Asset Management Services
Permit Authority - Plumbing	50	On site plumbing inspections

* Council is not currently a member of LG Shared Services

Services Received by Southern Midlands Council

Fig 4 - Services Received by Southern Midlands during May 2019 by Council

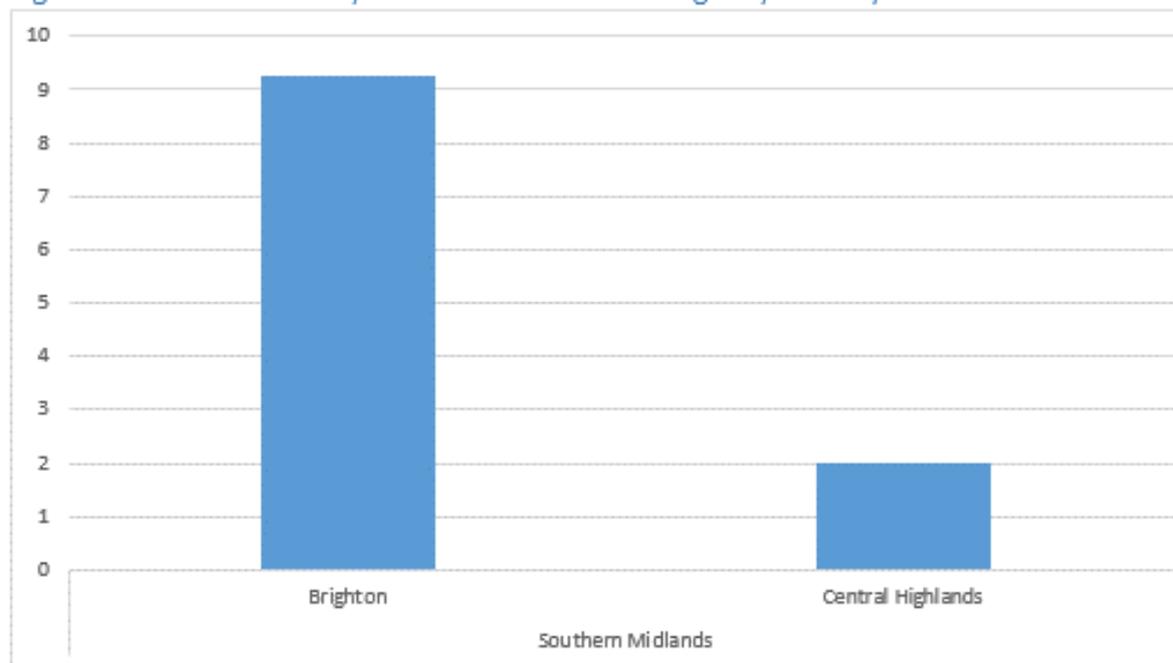


Fig 5 - Services Received by Southern Midlands during May 2019 by Service Category

Southern Midlands	11	Summary of Services Received
Brighton	9	
Development Engineering	8	Subdivision Approvals & Inspections
Planning	2	Planning Services
Central Highlands	2	
Works Services	2	Online Contractor Inductions

Cost Benefits Achieved by Southern Midlands and Other Councils

116 hours of Shared Services were exchanged by Southern Midlands Council last month. Analysis of Shared services provision has indicated that both the Provider Council and the Client Council save money through the exchange of Shared services at an approximate ratio of 50%.

In the month of May, it is estimated, Council have achieved a net benefit of approximately \$3,500. This was a result of increasing the utilisation of its current staff to earn additional revenue from providing services to other Councils, and from utilising Shared services from within Local Government as opposed to external consultants (on average LG Shared Services rates can be procured at significant discount to external consultant fees).

It is estimated that Southern Midlands Council's direct involvement in Shared services saved participating Councils (including Southern Midlands Council) approximately \$7,800 for the month of May.

LG Shared Services Update

June 2019

Summary of Recent Shared Services Activity

684 hours of Shared Services were exchanged between Councils in June 2019, which is a decrease of 7% when compared to hours exchanged in May 2019 (735 hours) and is above the three-month average of 658 hours per month.

Fig 1 - Shared Service Exchange Hours in Recent Months

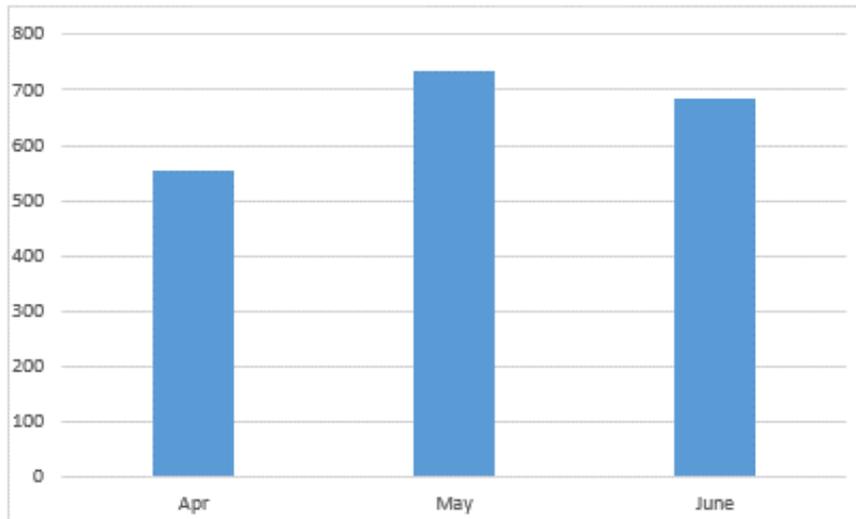
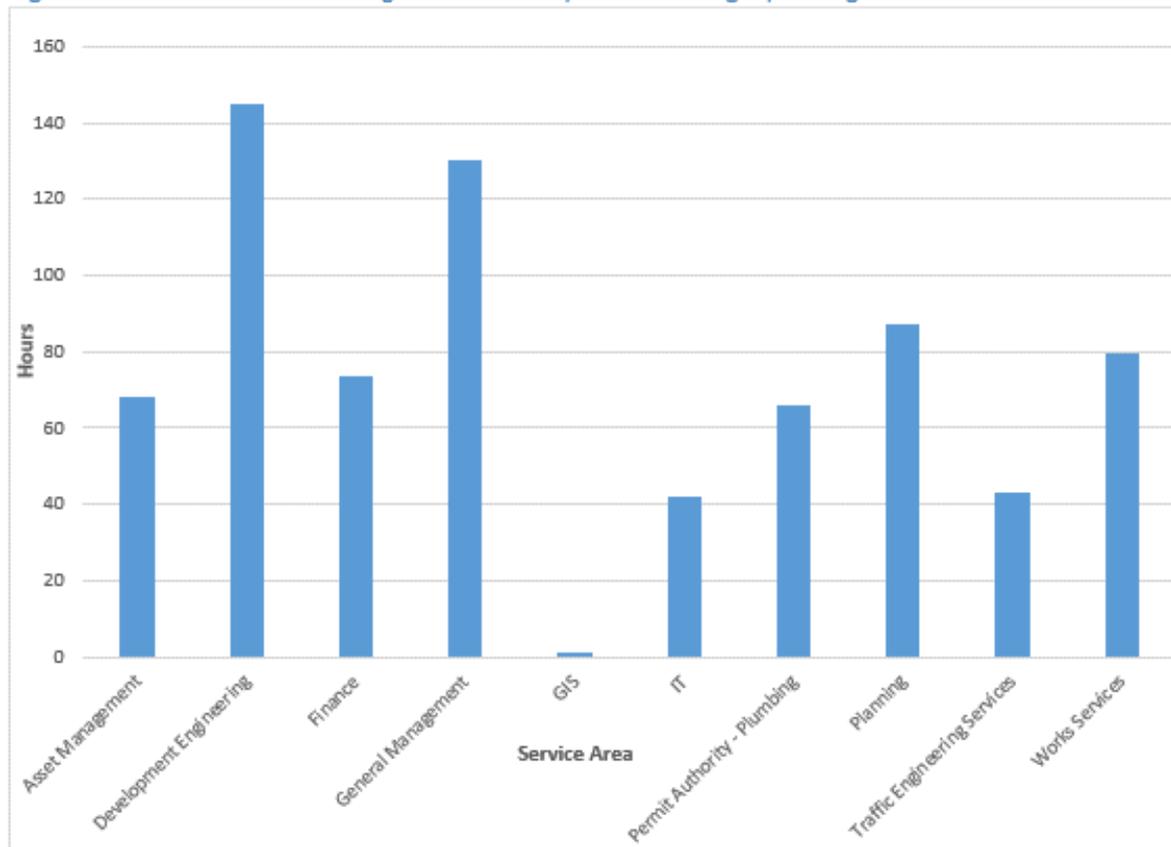


Fig 2 - Details of Current Exchange of Services by Council during June 2019

Provider Council	Client / Organisation							
	Brighton	Central Highlands	Derwent Valley	GSB	Glenorchy	Sorell	Southern Midlands	Tasman
Brighton			4	42	60		1	224
Central Highlands	2					2	2	2
GSB								
Glenorchy								
Huon Valley								
Litchfield								
West Arnhem Regional								
Sorell				27				142
Southern Midlands		59	118					
Tasman								

* Council/Organisation not currently a member of the Shared Services Joint Venture Agreement

Fig 3 - Details of Current Exchange of Services by Service Category during June 2019



Savings to Local Government

A total of 684 hours of shared services were exchanged between Councils last month. Analysis of Shared Services provision has indicated that both the Provider Council and the Client Council save money through the exchange of Shared Services at an approximate ratio of 50%.

Due to this, it is estimated that the provision of shared services between Councils saved participating Councils and Local Government as a whole \$47,500 for the month of June. This was a result of increasing the utilisation of current Council Staff at Councils providing services and from Client Councils utilising Shared services from within Local Government as opposed to external consultants (on average LG Shared Services rates can be procured at significant discount to external consultant fees).

Local Government Shared Services - Council Update

Council

Southern Midlands

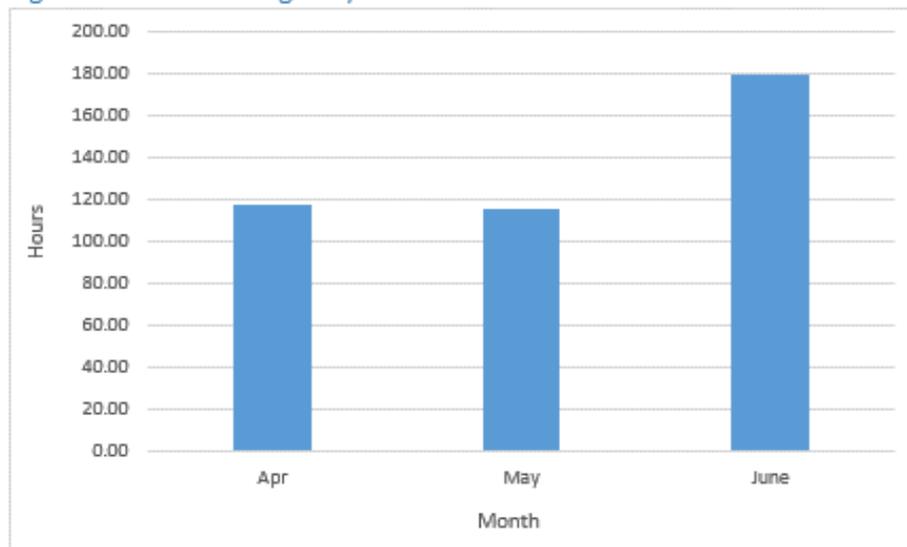
Shared Service Participation in June 2019

180 hours

Summary

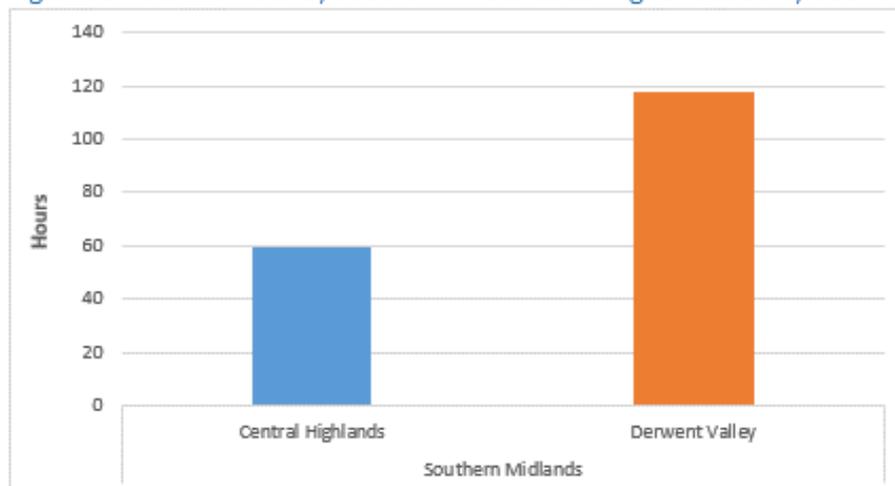
In June 2019, 180 hours of shared services were exchanged by the Southern Midlands Council. From this total, Southern Midlands provided 177 hours to other Councils and received 3 hours of services from other Councils. Total hours of exchange increased by 56% when compared to May 2019 (116) and were well above the three-month average of 138 hours per month.

Fig 1 – Services Exchanged by Southern Midlands Council in Recent Months



Services Provided by Southern Midlands Council

Fig 2 - Services Provided by Southern Midlands during June 2019 by Council



* Council is not currently a member of LG Shared Services

Fig 3 - Services Provided by Southern Midlands during June 2019 by Service Category

Southern Midlands	177	Summary of Services Provided
Central Highlands	59	
Planning	59	Saltmarsh Subdivision
Derwent Valley	118	
Asset Management	46	DA Assessment Distillery
Permit Authority	72	Plumbing Permit Authority

* Council is not currently a member of LG Shared Services

Services Received by Southern Midlands Council

Fig 4 - Services Received by Southern Midlands during June 2019 by Council

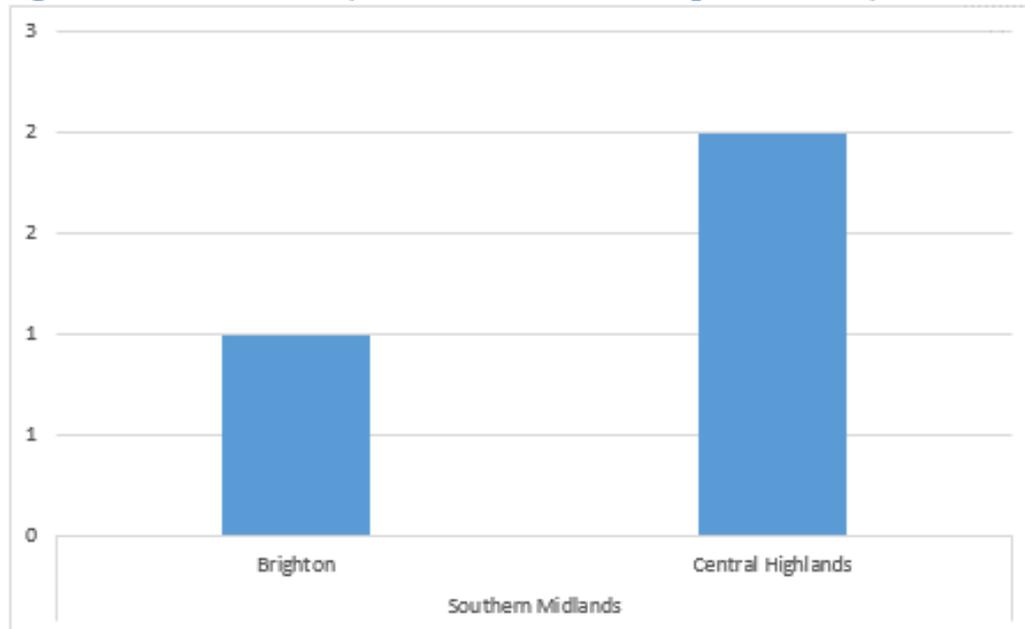


Fig 5 - Services Received by Southern Midlands during June 2019 by Service Category

Southern Midlands	3	Summary of Services Received
Brighton	1	
Planning	1	Saltmarsh Subdivision
Central Highlands	2	
Works Services	2	Online Contractor Inductions

17.2.2 REVIEW OF TASMANIA'S LOCAL GOVERNMENT LEGISLATION FRAMEWORK – REFORM DIRECTIONS PAPER

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 18 JULY 2019

Attachment:

Reform Directions Paper – Review of Tasmania's Local Government Legislation Framework

ISSUE

- a) Provide Council with a copy of the Reform Directions Paper; and
- b) Council to set a workshop date to consider the proposals in detail.

BACKGROUND

The Minister for Local Government, the Hon. Mark Shelton MP, has launched the Government's *Reform Directions Paper*, officially marking the start of the second Phase of the Review of Tasmania's Local Government Legislation Framework.

In terms of process:

- a) the Local Government Division will be undertaking regional forums; and
- b) the Local Government Association of Tasmania (LGAT) will be taking both written feedback (for its formal written submission) as well as ensuring opportunity for face to face discussion and input into our advocacy from both Elected Members and Officers.

The LGAT will also be highly engaged in the establishment of the technical reference groups who will be primarily focussed on the draft legislation.

Noting that the closing date for submissions is 30th September 2019, it is expected that the LGAT will be conducting the 'face to face' discussions from early to mid-September.

DETAIL

The LGAT has indicated that feedback, consistent with the major reform areas identified in the Paper, would assist with preparation of a sector based submission, but would welcome any form of feedback.

The following major reform areas have been identified:

1. Legislative Framework
2. Elections
3. Community Engagement
4. Ethics and Standards
5. Transparency and Flexibility
6. Council Decision Making

7. Oversight and Intervention
8. Council Performance Reporting
9. Collaboration
10. Model By Laws
11. Local Government Board
12. Out of Scope Issues

The Paper records the key issues raised to date, and provides an indication of reform directions.

It should be noted that the Paper does not deal with every potential reform detail, but provides the key policy directions being considered. Additionally, reforms of a technical nature are not considered in this Paper. These more detailed reforms will be publicly consulted on once they have been finalised through draft Bills in 2020.

It is intended that Council convene a workshop to consider each of the key reform areas with the intent of preparing feedback for referral to the LGAT and/or direct submission to the Local Government Division Legislation Review Project Team.

Human Resources & Financial Implications – To be considered.

Community Consultation & Public Relations Implications – This is an open process whereby the community can consider the Review Paper and provide feedback.

Council Web Site Implications: - N/A

Policy Implications – Policy position (part).

Priority - Implementation Time Frame – The LGAT are seeking written submissions from Councils by 16th September 2019.

RECOMMENDATION

THAT Council:

- a) **Receive a copy of the ‘Reform Directions Paper – Review of Tasmania’s Local Government Legislation Framework’; and**
- b) **Agree to conduct a workshop on (date to be set) for the purpose of considering the Review Paper and preparing feedback and comment in response to the issues raised and the proposed reform directions.**

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

ENCLOSURE
Agenda Item 17.2.2



**REFORM
DIRECTIONS
PAPER
PHASE
TWO**

**Review of
Tasmania's
Local Government
Legislation
Framework**



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The Government recognises that local government has an essential – and increasingly demanding – role in serving and representing local Tasmanian communities. Local government makes important economic, social and environmental decisions that support the lives of all Tasmanians.

The legal framework (the framework) that governs the Tasmanian local government sector needs to reflect and support this and align with what other levels of Government and communities expect from their councils. Tasmania needs a framework that can adapt and change over time to remain contemporary. It also needs to minimise the administrative burden on councils so they can focus on getting on with their job in providing for their communities. Of course, this must be balanced with ensuring the fundamental rights and protections for both the community and councils are enshrined in legislation.

The Government consulted on the principles that should underpin a contemporary legislative framework for local government from late 2018 through to early 2019. The initial consultation received 382 submissions and I have been impressed by the high degree of interest and feedback from the community, the local government sector and other interested stakeholders.

The proposed Reform Directions outlined in this Paper have been informed by research, practices in other Australian jurisdictions, feedback and submissions from Phase 1, as well as discussions and advice from the Review Reference Group, who were appointed in February 2019.

I particularly wish to thank the members of the Review Reference Group, who dedicated their time, skills and knowledge to considering the issues raised in Phase 1. They provided valuable advice to the Review Steering Committee on reforms to create a stronger, more effective legislative framework to support local government into the future. Similarly, I thank all those Tasmanians who responded to the initial Discussion Paper.

As a Government, we are committed to developing a modern, best-practice legislative framework for local government. As with Phase 1, consultation on the proposed Reform Directions will offer opportunities for engagement, through public forums and stakeholder consultation. I encourage all those with an interest to have their say.

Mark Shelton
Minister for Local Government

Chapter 1



Overview



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



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. The framework needs to support councils to be able to meet requirements and community expectations now, and into the future. Making continuous updates to the existing legislation is unsustainable and a more proactive, forward-looking approach is needed.



Overview

The intended outcome of this wholesale Local Government Legislative Review (the 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. It will enhance accountability and transparency across the sector and increase democratic and community engagement, participation and confidence in local government. In achieving these aims, it will also minimise the red tape and administrative burden on councils, businesses and the broader community.

There are fundamental community expectations that all councils must meet, such as maintaining good governance and being transparent and accountable for the decisions they make for their individual communities. The proposed Reform Directions in this Paper seek to embed these fundamental expectations in legislation, create a clear and efficient oversight structure and ensure that the rights and protections of both the community and councils are upheld. The reforms aim to deliver a legislative framework that will:

1. to the greatest extent possible, be practical and 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.

Purpose of this Paper

This Paper aims to provide an overview of the major policy reforms under consideration by the Government, particularly in response to those issues raised in Phase 1 of the Review (an overview of the Review process is provided at Appendix 1). It seeks feedback on the level of support or otherwise for the proposed reforms which will then be considered by Government in determining its final position.

The Paper does not deal with every potential reform detail, but provides the key policy directions being considered. Additionally, reforms of a very technical nature are not considered in this Paper. These more detailed reforms will be publicly consulted on once they have been finalised through draft Bills in 2020.



Submissions

Submissions are invited on the proposed Reform Directions discussed in this Paper. You are not required to address all the proposed reforms when making your submission, if you do not wish to do so.

A survey supports this Paper which allows you to rate your support or otherwise for the proposed reforms. You may wish to complete this survey rather than make a submission, although both are welcome.

Submissions close on 30 September 2019.

Submissions can be made either by:

- completing the survey at www.dpac.tas.gov.au/lgreview or
- writing to or calling the Review Project team.

Email: lgreview@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. Submissions will be published on the Local Government Division's website in accordance with the Department of Premier and Cabinet's submission policy. Please advise if you do not wish your submission to be published, or if it is being provided confidentially.

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 lgreview@dpac.tas.gov.au



Major Reform Areas

PART A A flexible, innovative and future-focused legislative framework

The new legislative framework needs to support councils to meet expectations both now and into the future. It will need to be able to accommodate future structural, technological and social change that might occur. The proposed Reform Directions aim to achieve a flexible, innovative and future-focused Act that will help to improve the overall efficiency and effectiveness of the services that councils provide to the Tasmanian community. This will also improve accountability and transparency of council decisions and performance. To the greatest extent that is possible, a new Act will be practical and outcomes-focused and well understood by councils, businesses, and the broader Tasmanian community.

To support this, a new Act will focus on principles that local government must meet. These will include principles for good governance, community engagement and financial management in delivering for their communities.

By setting principles in legislation, the level of prescriptive processes within legislation can be removed where possible, allowing councils to determine the best way to meet these principles according to the individual circumstances of their community.

For example, prescriptive processes currently require councils to advertise through public notices in daily newspapers. For some councils, public notices may still be the best way to consult with their communities, where for others, methods such as websites or social media may be more effective in reaching the majority of residents. Requiring councils to meet principles and removing the prescription on exactly how this is done will reduce unnecessary processes that create costs for councils and the community, while ensuring councils are still accountable for their decisions and actions.

Some prescription will be retained in the Act where necessary and appropriate, to ensure the rights and protections of both the community and councils. Process-driven provisions that may need to be amended more regularly over time will be set out in Regulations, allowing the legislative framework to move efficiently with societal and technology changes over time. Acknowledging that councils often seek guidance and advice in applying legislation, the legislative structure will be supported by non-legislative guidance material that will provide practical advice.

To ensure processes relating to local government elections are easier to understand and administer, the electoral provisions will be separated out as a stand-alone Act.

There will also be an examination of the provisions across related local government legislation, such as the *Local Government (Building and Miscellaneous Provisions) Act 1993*. To the extent that those provisions intersect and overlap with the current Act, they will be consolidated. This will be managed throughout the technical drafting stages of the Review in Phase 3.

Reform Directions

The following proposed Reform Directions outline the proposed new local government legislative framework.

Reform	Details
1. Principles-based legislation	<p>To the greatest extent possible, create legislation that sets principles for the governance and operations of local government. These principles are: good governance, community engagement and financial management.</p> <p>Some prescription will be necessary and appropriate in a new Act to protect the rights of both the community and councils. For example, a council's power to sell public land may require a minimum level of prescription to ensure community views are considered.</p> <p>Greater detail on processes to support the Act will generally be set in Regulations. This allows amendments to be made in a timely manner where processes or technology changes over time and legislation must accommodate this.</p> <p>This structure allows for legislation that can be flexible to move with changes over time without the need for constant changes to the Act.</p>
2. Accessible, easy-to read legislation	<p>A new Act will be structured logically, be easy to read and understand, while still being legally effective.</p>
3. A new Act for electoral provisions	<p>Electoral provisions are typically used every four years or when a by-election is called. Separating out these provisions in a separate Act will make it easier to understand and administer these provisions. It may also help in aligning local government electoral provisions with the <i>State Electoral Act 2004</i> to create greater consistency in election processes in Tasmania.</p>
4. Consolidating related local government legislation	<p>Related local government legislation will be examined, such as the <i>Local Government (Building and Miscellaneous Provisions) Act 1993</i>, to identify where provisions intersect and overlap with the current Act. Duplication will be removed and provisions consolidated, where necessary. This will be managed throughout the technical drafting stages of the Review in Phase 3.</p>



Part B



Major Reform Areas

PART B Representative and Democratic Councils



I. Elections

Local government elections are an opportunity for communities to choose people to represent them and are a fundamental part of democracy. Electoral processes and legislation should be as clear, simple and understandable as possible. Elections should be conducted with integrity by an unbiased independent body in whom the community can have confidence. Maximising voter participation in local government elections helps to ensure that elected councils are representative of the local community as a whole.

Key Issues Raised

The following issues were raised in feedback, consultations and submissions during Phase 1 of the Review, as well as through Reference Group discussions and advice. They reflect issues that respondents would particularly like to see addressed or changed.

Simplify the voting processes including ballot papers and candidate numbers.

Improve candidacy requirements to attract candidates who are serious about standing for council and serving their community. Introduce basic training and require the disclosure of gifts and donations. Introduce measures to ensure a candidate is a fit-and-proper person to carry out the role of councillor.



Review the General Manager's Roll to:

- Limit eligibility to Australian citizens.
- Improve the integrity of the administration of the Roll.
- Move the administration of the General Manager's Roll to the Tasmanian Electoral Commission as an unbiased independent body with specific expertise in maintaining electoral rolls.

Increase voter participation while minimising the informal vote.

Consider introducing compulsory voting. Ensure that councils are truly representative of the local community.



Introduce caretaker provisions that prevent councils making major decisions immediately before an election that bind future councils.

Introduce alternative voting methods that respond to advances in technology and increase voter participation, such as electronic voting.

Entitlement to vote should be based on the principle of 'one vote, one value'.



Clarify the voting process for electing mayors and deputy mayors.

Part B

Reform Directions

The following proposed Reform Directions have been developed after taking into account the key issues raised.

Area	Reform	Details
Eligibility to vote	5. Reform eligibility for the General Manager's Roll	<p>Currently, a person is entitled to vote in a local government election if they are on the State House of Assembly roll, or if they are on what is known as the 'General Manager's Roll'. The General Manager's Roll generally allows persons to vote that are not on the House of Assembly roll but own or occupy a property (residential or business) in the municipality.</p> <p>No changes are proposed with regard to eligibility to vote based on enrolment on the House of Assembly roll. However, the following criteria are proposed to apply to the General Manager's Roll:</p> <p>Criteria 1: A person must be an Australian citizen to be eligible to vote in local government elections. This is consistent with the voting rights at a State level and with most other jurisdictions' local government voting rights. Non-citizens would no longer be entitled to vote.</p> <p>Criteria 2: Individuals who meet criteria 1 and also own or occupy property in a municipal area where they are not a resident, are eligible for enrolment.</p> <p>Criteria 3: A person is eligible for enrolment as the (sole) nominated representative of a corporation operating from a property in the municipal area, ONLY if the representative meets criteria 1 and is not already enrolled under any other entitlement in that municipal area.</p>
	6. Reform the voting franchise to reflect 'one person, one vote' principle in any one municipality	<p>No individual owner, occupier or corporation (or their delegate) will get more than one vote per municipality. Owners of corporations will no longer be entitled to a potential second vote within the same municipal area elections.</p>
Increasing voter participation	7. Simplify the election process for the positions of mayor and deputy mayor	<p>Currently, mayors and deputy mayors must also be concurrently elected as councillors. This requires voters to complete a ballot paper for all councillor candidates and then a second ballot paper for candidates also standing as mayor or deputy mayor, meaning these candidates must be voted for twice, once as councillor and once as mayor/deputy mayor. This process can be confusing and at times, can result in a candidate being elected as mayor or deputy mayor but not as councillor, meaning they are unable to accept the position of mayor or deputy mayor. The confusion can also increase informal voting.</p> <p>Several options have been identified that seek to assist in simplifying the voting process for the mayor, which are outlined below. It is acknowledged that there is no perfect solution to this challenge and therefore retaining the status quo is also an option.</p> <p>Mayoral Election</p> <p>Mayors have been popularly elected in all councils in Tasmania since 2000. Prior to this, the position of mayor was voted on by council, 'around the table'.</p> <p>7A: Retain the status quo as outlined above. If the status quo option is retained, a higher nomination fee would be charged in accordance with proposed Reform Direction 13.</p>

Area	Reform	Details
		<p>7B: Popularly elected – voters will popularly elect the mayor at the same time as the council elections are held. A successfully elected mayor will automatically be elected as councillor, removing the requirement to be concurrently elected as councillor. Candidates will be able to stand either for mayor or councillor but not both. Unsuccessful mayoral candidates will not be eligible for election as councillor. This process is in place in Queensland and South Australia.</p> <p>7C: Popularly elected – simplify the voting process for the position of mayor by providing that the candidate who is elected first, from the ballot for candidates, would automatically be elected as mayor. This reform retains the concept of a popularly elected mayor, without the necessity of voting twice. The Tasmanian Electoral Commission advises that this form of voting would be simple to administer and would reduce costs as there would only be one ballot.</p> <p>7D: Council votes – all candidates stand and are elected as councillors. Mayors are then elected ‘around the table’ by the council. This is an option in New South Wales, Western Australia, Victoria and for councils in regional Northern Territory.</p> <p>Deputy Mayor Election The deputy mayor would be voted on by the council ‘around the table’. This would simplify the process for voters and allow the council to choose an appropriate person to support the mayor. This is consistent with deputy mayor processes in every other jurisdiction in Australia.</p>
	8. Make alternative voting methods available	<p>Enabling electronic voting when the technology becomes viable, as well as postal voting. The most appropriate voting method would be chosen by the Minister 12 months prior to the local government elections. This allows flexibility for election methods to adjust to social and technological changes over time, and to choose the most appropriate method as it becomes available. It improves accessibility for all voters, to increase voter participation.</p>
	9. Simplify the voting process to reduce informal voting rates	<p>The voting process will be amended to require a minimum ballot of 1-5 preferences to constitute a formal vote. This would remove the requirement to mark a preference for every available councillor position and/or candidate. This simplifies the process for voters and aligns formal vote requirements with State elections. Advice from the Tasmanian Electoral Commission is that a minimum of 1-5 preferences would not have a material impact on election results, as in most cases later preferences are not required during counting.</p> <p>The level of legislated prescription for ballot papers will be reduced. As with State elections, the Tasmanian Electoral Commission could then determine the best layout of the ballot paper. This will allow necessary changes to occur over time to ensure voting is as clear, simple and accessible as possible for voters.</p>

Part B

Area	Reform	Details
Electoral Integrity	10. Introduce caretaker provisions to reduce major policy and contractual decisions that may bind an incoming council, and avoid the inappropriate use of ratepayer resources during an election	<p>Caretaker provisions are commonplace in other levels of government and local government in other jurisdictions. Caretaker provisions would apply to all councils from the time candidate nominations open. They would limit councils making major policy or contractual decisions during an election period. The operational business of councils must still continue and caretaker provisions would provide for this, including where councils have to meet statutory timeframes and obligations.</p> <p>Caretaker provisions would also limit the use of council resources from being used to promote or support candidates, including sitting councillors. This is consistent with the notion that public funds should not be used to unfairly support one or more candidates over others.</p>
	11. Move administration of the General Manager's Roll from councils to the Tasmanian Electoral Commission	<p>This measure would improve the integrity of the democratic process by removing general managers and council staff from the electoral process. It would also reduce the administrative burden on general managers to maintain the accuracy and integrity of the Roll and achieve greater consistency across Tasmania.</p> <p>There will be resourcing impacts for the Tasmanian Electoral Commission in taking on administration of the Roll from councils. Costs will apply to councils for the transfer of this responsibility but should be cost neutral, or possibly result in a net overall cost reduction (given expected efficiency for the Tasmanian Electoral Commission as a single administering entity, compared with the current 29 separately administered rolls).</p>
Candidate Changes	12. Introduce a pre-nomination training package	<p>A training package must be completed in order to nominate as a candidate. This will help candidates understand the role and responsibilities they will take on should they be successfully elected. These information packages would be completed in a simple online format and will provide information rather than testing a potential candidate's knowledge. This is becoming increasingly common in other jurisdictions for local government candidates.</p>
	13. Introduce a candidate nomination fee	<p>Candidates for the office of councillor would pay a small fee to lodge their nomination, which would be refundable on receiving a percentage of the vote (typically 4%). Candidates standing for the position of mayor would pay a higher nomination fee, depending on the option adopted in Reform Direction 7. This principle is common in other local government jurisdictions and aims to attract serious candidates and reduce nominations by those without real intentions to be elected (having considered fees in other jurisdictions, the likely fee would be around \$100 for councillor nominations and \$250 for mayoral nominations). The Tasmanian Electoral Commission would administer the payment and retain fees not eligible to be refunded as a contribution toward the cost of elections.</p>

Area	Reform	Details
	14. Require the disclosure of gifts and donations by all local government candidates received during the electoral period	All candidates would be required to declare gifts and donations received during the electoral period. This will ensure an equitable platform for all candidates and the transparency and accountability expected by the public (published online). The Tasmanian Electoral Commission would administer the receipt of disclosures given the alignment with existing advertising returns. Tasmania is currently the only State not to require gifts and donations declarations by candidates in local government elections.
	15. Align eligibility requirements to nominate as a candidate with State eligibility requirements	This direction is intended to bring the eligibility requirements into closer alignment with the current requirements for members of the House of Assembly and Legislative Council, as per the requirements of the <i>Electoral Act 2004</i> and the <i>Constitution Act 1934</i> , where appropriate. Eligibility to nominate as a candidate for the office of councillor will continue to include key existing provisions, including eligibility to vote and the candidate having their place of residence in Tasmania, as well as those applicable from the above legislation.
Modern councillor titles	16. Remove the title of 'Alderman'	Councillor titles would be modernised and made consistent by removing the title of 'Alderman', which is currently available to city councils, as the term is considered archaic and gender biased. The local government sector supports this change, as voted on at the sector's Annual General Meeting in 2018. A contemporary Act should align language with community expectations.



Major Reform Areas

PART C Councils Connected to their Communities



2. Community Engagement

Community engagement is the process by which public authorities provide opportunities for the community to participate in, and influence, government decision-making. Community engagement on major decisions ensures the local community has a voice in determining what their council will do and how it will affect them.

Community engagement and consultation is a rapidly evolving environment and it is clear that community expectations of engagement have changed. Traditional consultation methods that councils must provide under the current legislation are fast becoming less effective as society changes, particularly with new technologies. The community expects that councils will be more accessible and available to engage, mainly via online engagement methods, while still catering to the different communication needs of the community.

Community expectations of engagement are increasing, including the need for far greater community involvement in council decision-making. Evidence shows that, where communities are engaged in the decision-making process, they are more likely to trust and accept council decisions. These decisions are therefore more likely to deliver good public value, as they will better reflect the community's needs and priorities.

Key Issues Raised

Greater opportunity for community input into major council strategic and financial decisions that affect the community. The community want a say in how the financial resources of council, including rates, are managed to enable services to be delivered.

Reduce unnecessary reporting requirements and overly prescriptive public notification requirements. Remove the specific requirement for public notices to be published in daily newspapers.

A flexible approach to engagement is required as every council and community is different.

More effective methods of capturing community feedback about issues at both a local and regional level.

Councils should engage with the community when considering service trade-offs to meet funding challenges.

Provide more flexible options for councils to communicate with their community, allowing for technological and social changes into the future. Engagement via online methods as well as traditional methods.

Introduce satisfaction surveys from the community on council performance.

Part C

Meaningful community consultation on the services councils should provide (particularly newer, less traditional services). Services should be based on community needs identified through engagement and consultation.

The community should be consulted on and involved in decisions that relate to the revenue raising and expenditure activities of councils.

Elector polls are too costly, resource-intensive and time-consuming for a non-binding outcome.

A stronger focus on engagement, particularly in deciding and communicating the council's priorities and activities is desired. Engagement should inform the strategic plan and what services councils will provide.

Replace requirements for annual general meetings with alternative engagement methods that are more contemporary and accessible.

Greater access to council information on financial matters, planning and development, performance data and decisions that affect the community.

Councils should consider opportunities for significant change to involve the community in the consultation process and give feedback on how their input influenced council's decision.

Reform Directions

The following proposed Reform Directions aim to address the issues raised during consultation by introducing a Community Engagement Strategy that provides an overarching framework for how councils consult with the community at all levels. A Community Engagement Strategy would empower the community to have a say on policy proposals and be involved in some decision-making and the future direction of the council. The introduction of a Community Engagement Strategy allows for some prescriptive consultation requirements to be removed from the Act, giving autonomy to councils and the community which reflects the diversity of each municipal area.

Area	Reform	Details
Community Engagement	17. All councils will develop and adopt a community engagement strategy	<p>Councils would engage their communities in developing their Community Engagement Strategy after each election. This Community Engagement Strategy will then inform how council will engage, involve, consult and inform their communities on plans, projects and policies. Acknowledging that every council and municipality will have different needs, this allows the community and council to work together on their engagement plan, including how and when they will engage and what methods they will use. Minimum requirements will be set for developing the Community Engagement Strategy and would include:</p> <ul style="list-style-type: none"> - a genuine intent to engage the community; - a defined reason for consulting; - clearly defined timeframes; - use of plain English; and - clear advice for how the community will be informed of the outcome. <p>The final strategy should include:</p> <ul style="list-style-type: none"> - what matters the councils will engage the community on; - how it will engage with the community; - how it used the input from the community; and - when the community will be advised of outcomes. <p>Councils must then follow their Community Engagement Strategy when engaging the community on their Strategic Plan, determining their service delivery priorities and when setting their budget (including rating decisions).</p>

Part C

Area	Reform	Details
Removing prescription and giving councils autonomy and flexibility	18. Removing prescriptive consultation requirements	<p>Broaden the capacity for councils to engage with their communities in accordance with their Community Engagement Strategy, rather than through the current prescriptive consultation methods such as Annual General Meetings, public notices and formal submission processes. Instead, for example, when making financial and rating information available, councils could provide information, across a range of platforms that best suits their community's needs, such as council websites. This would allow them to make decisions at the appropriate time for the information being communicated, rather than through inflexible processes.</p> <p>Some specific consultation requirements will need to be maintained, where necessary, for the protection and rights of the community and councils.</p> <p>Wherever possible, prescriptive requirements to provide reports and information in a specified way, such as by post, will be removed. This will be replaced with a broad transparency principle that information published in the public domain must be accessible and driven by what the community wants to see.</p>
	19. Remove requirements for public meetings and elector polls	<p>The current requirements related to public meetings and elector polls are highly prescriptive and precede technologies such as the internet. There are now many alternative ways in today's society that people can make their views known to their council.</p> <p>Additionally, as the outcome of an elector poll or public meeting is non-binding, it does not compel a council to do anything. Councils, and subsequently ratepayers, incur a large cost for no clear outcome. It is also increasingly difficult for councils to confirm who the electors are in the local area who signed an online petition. It is therefore proposed that the provisions relating to public meetings and elector polls be removed from the Act.</p> <p>In line with the overarching principle of the Community Engagement Strategy, a council will still be able to initiate and hold an elector poll, if circumstances warrant one. If community members want to hold public meetings and submit petitions (and even have polls), it will be a matter for councils to determine the processes for that manner of engagement, in line with the Community Engagement Strategy.</p> <p>In addition, the capacity will be provided for the State to initiate a state-wide referendum on a particular issue, if required.</p>



Major Reform Areas

Part D: Responsible and Effective Councils

Part D



Local government is created through State legislation which sets out the functions and powers of councils. Therefore, the State has a responsibility to ensure local government operates responsibly and effectively, in accordance with legislation and in line with community expectations. This 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.

3. Ethics and Standards

Governance is the processes and culture that guide the activities of an organisation.¹ Good governance is critical to effective, efficient and well-run local governments that deliver quality services in the best interests of the community. It underpins sound decision-making and ensures proper accountability and transparency.

Good governance allows organisations to manage their affairs with proper oversight and accountability, while maximising value for stakeholders and the community.² The current Tasmanian Local Government *Good Governance Guide* sets out characteristics for good governance, based on universally recognised principles developed by the United Nations Development Program.³ To meet the expectations of the community, a well-governed council should be:

- Accountable
- Transparent
- Law-abiding
- Responsive
- Equitable and Inclusive
- Participatory
- Effective and Efficient
- Consensus Orientated.

Good governance also promotes public trust, encourages council officers and elected members to be confident, and leads to better decisions.

¹ Department of Premier and Cabinet, Local Government Division's *Good Governance Guide*

² <http://www.companydirectors.com.au/~media/r/resources/director-resource-centre/governance-and-director-issues/guiding-principles-of-good-corporate-governance.ashx?la=en>

³ https://iog.ca/docs/2003_August_policybrief15.pdf

Key Issues Raised

General manager performance reviews can be perceived as political processes when conducted by councillors without a clear and agreed objective process.



Review internal mechanisms that councils have in place for handling complaints related to operational matters/administrative decisions.

Councils face challenges in recruiting general managers and managing their employment contracts and performance reviews. Elected members may not necessarily have expertise in executive recruitment.

Include good governance principles in legislation to highlight their importance, mandate compliance and reinforce community expectations of how councils should be governed.



Current legislative provisions make it difficult for councils to meet to deal with general manager contract and performance management issues without the involvement of the general manager themselves or other staff, which can place them in awkward positions.

Elected members should undertake training on their roles and responsibilities and the legal framework they operate within in serving their community. Training can improve decision-making and standards of behaviour.

The community expects council staff, as publicly funded employees, to uphold minimum standards of behaviour. There is no current framework that governs the behaviour or performance of council employees.

Part D

Reform Directions

The following proposed Reform Directions aim to address the issues raised during consultation by introducing a range of measures to improve the overall governance of councils.

Area	Reform	Details
Good Governance	20. Legislate the eight good governance principles	<p>The principles from the Local Government <i>Good Governance Guide</i> would be legislated and linked to the behaviours in the Code of Conduct.</p> <p>These principles will also inform the high-level functions and powers of a council, in providing municipal services for their local government area.</p>
Financial Governance	21. Set high-level financial management principles that encourage efficiency and value for money in council service delivery	<p>These principles would emphasise that councils make important decisions on the use of community funds, for the betterment of the community. Councils must regularly consider improvements to operational efficiency and assess services for their value to the community, not just their cost. They must also consider the risk they expose ratepayers to, and ensure that their decisions are affordable and fair across different generations of ratepayers.</p> <p>Victoria's Local Government Review has taken this approach. It intends to create a set of high-level financial management principles that focus on transparency, accountability and sound financial management. For example:</p> <ul style="list-style-type: none"> – managing financial risks prudently in light of economic circumstances; – aligning income and expenditure policies with strategic planning documents; – responsible spending and investment; and – ensuring full, accurate and timely disclosure of financial information about the council.⁴ <p>Similar principles are proposed for Tasmania and in practice would provide a clear expectation for councils when developing their strategic plans and budgets.</p>
Elected Member Development	22. Establish core capability requirements for elected members	<p>Setting core capability requirements would build capacity for all elected members and have positive impacts on standards of behaviour, sound decision-making and better relationships, as councillors would have a better understanding of the framework their role fits within.</p> <p>Core capability requirements may include:</p> <ul style="list-style-type: none"> • the roles and responsibilities of elected members under the Act and regulations, with specific reference to the Model Code of Conduct and the <i>Good Governance Guide</i>; • ethical decision-making; • financial fundamentals, including understanding of financial statements and budget preparation; • decision-making in reference to the <i>Land Use Planning and Approvals Act 1993</i>; and • meeting procedures. <p>The option to introduce mandatory training was considered however it is not proposed to mandate councillor training at this point. The Minister will retain the option to issue a Performance Improvement Direction to specific councils or councillors where it is needed. The exception to not implementing mandatory training for councillors, is that mandatory training for councillors in their role as a Planning Authority will be required.</p>

⁴ https://www.localgovernment.vic.gov.au/_data/assets/pdf_file/0042/397968/Act_for_the_future_-_Directions_for_a_new_Local_Government_Act.pdf

Area	Reform	Details
Council Staff Accountability	23. Require councils to publicly report the core capability training that each elected member has completed annually	This will introduce a greater level of transparency of councillors' professional development activities.
	24. Establish principles for all council staff that set minimum standards of behaviour	<p>Setting principles on a minimum standard of behaviour for council employees will bring local government in line with other jurisdictions, other levels of government and community expectations for public officer behaviour.</p> <p>For example, under the <i>Tasmanian State Service Act 2000</i>, an employee must adhere to State Service principles including that:</p> <ul style="list-style-type: none"> the State Service is apolitical, performing its functions in an impartial, ethical and professional manner; the State Service is accountable for its actions and performance to the Government, the Parliament and the community; the State Service is responsive to the Government in providing honest, comprehensive, accurate and timely advice and in implementing the Government's policies and programs; and the State Service delivers services fairly and impartially to the community. <p>These principles inform the <i>Tasmanian State Service Code of Conduct</i>. A breach of the Code can result in real and serious consequences, including termination of employment. In recognition that local government staff operate under individual Enterprise Bargain Agreements, the consequences for a breach of minimum staff standards of behaviour would be a matter for each council to determine.</p>
General Manager Performance	25. Prescribe minimum standards for general manager recruitment, contracts, performance management and termination	<p>This aims to encourage best-practice recruitment practices in line with community expectations and ensure a consistent approach to general manager contracts.</p> <p>The current power to issue a Ministerial Order on the appointment and performance of general managers would remain, allowing the Minister to specify the principles and processes governing the selection of general managers and the monitoring of their performance by the council.</p>
Complaints Management	26. Include principles on complaints management in legislation	<p>A rigorous process must exist for complaints management, balancing the need to address genuine concerns of the community with processes that enable the dismissal of vexatious or frivolous complaints.</p> <p>Best-practice complaints management is independent, unbiased and removes conflict. Where councils are handling complaints about their own internal processes or staff (for example, the general manager), questions arise as to how independent and unbiased the complaints management process actually is. While it is appropriate that councils respond in the first instance to the majority of complaints, stronger provisions would seek to improve the independence of internal reviews of complaints.</p>

4. Transparency and Flexibility in Budget Management

In practice, the determination of expenditure, revenue, and rates is an iterative process in the development of a council's budget, with the final budget passed by a council representing how it balances expenditure needs with the community's capacity to pay. Councils are accountable to their communities for these decisions.

Revenue is essential to councils' financial sustainability and their ability to serve their local communities. Revenue is sourced through grants, general property rates and charges, or specific purpose rates, such as for infrastructure upgrades of a road. Fees and charges for services also contribute to revenue to meet the costs of those services.

Generally, revenue is largely drawn from rates, fees and charges, although smaller councils can be more reliant on grants. Councils can invest in business or commercial activities to derive a source of revenue, which may reduce rates, however, may also expose ratepayers to commercial risks.

Transparency and community engagement in the way council services are delivered and funded is essential to fostering and maintaining community trust and goodwill, and demonstrates that communities are receiving value for money in public spending. The financial sustainability of councils will depend on sound revenue raising and expenditure decisions, and strategic forward planning.

It is recognised that there is no 'one size fits all' approach - revenue raising will vary due to regional differences and the diversity and size of the communities that councils serve.

Key Issues Raised

The current rating system may not deliver equity and consistency for ratepayers across municipalities in Tasmania.

External oversight of rates increases should be considered to ensure significant rate increases are justified.



Greater consistency in rating methodology. Councils' autonomy to set rating methodology and rate increases should be considered.

As a form of tax, the principles of taxation should be considered when setting and raising rates.

Communities need to be confident that councils are operating with good financial discipline and are financially sustainable.

A more transparent and consistent approach to the setting of fees and charges is required. A lack of consultation with communities was noted on the way fees and charges are raised and spent, and a lack of consistency for similar services and service levels across councils.



Councils need to budget expenditure prudently and be able to provide sound justification for significant rate increases.

Clarify how and why councils operate significant business activities, which are sometimes seen as diverting councils away from providing 'core services'.

Part D

Reform Directions

The following proposed Reform Directions aim to address the issues raised during consultation by setting principles and introducing mechanisms to improve community engagement, transparency and accountability in the revenue raising processes of councils.

Area	Reform	Details
Rating Policies	27. Ensure council rating policies consider taxation principles and align with their budget and financial planning documents	<p>Councils have flexibility in determining how to distribute the rating burden among ratepayers. Rates are a form of general taxation and, therefore, taxation principles are relevant to how councils make their rating decisions. The taxation principles are: efficiency, simplicity, equity, capacity to pay, benefit principle, sustainability, cross-border competitiveness and competitive neutrality.</p> <p>Councils should reflect outcomes of consultation with the community on council budget and financial planning when developing rates and charges policies, as per the overarching Community Engagement Strategy. Communities want to understand the revenue councils are raising through rates and where it will be spent. This is closely linked to the councils' budgeting process. This would also apply where councils change their rating policies significantly or move to a different rating model.</p>
	28. Introduce more flexibility for councils to easily transition from one rating approach to another, to manage rating impacts on ratepayers	<p>Councils can use different valuation methods to determine their rates and this would not change. Historically, councils have generally used the Assessed Annual Value (AAV) method to determine their rates. This method is a proxy for rental returns on a property.</p> <p>Work done a few years ago suggests that using Capital Value (CV) would produce a more equitable and efficient rating outcome for the majority of ratepayers. However, very few councils have transitioned to a CV method because of the significant impacts this would have for some ratepayers.</p> <p>This direction would provide councils with greater ability to manage rating changes on ratepayers through transitional arrangements. For example, if a council wishes to transition from the AAV to CV rating basis, the legislation would give councils improved tools to mitigate shocks to individual ratepayers by smoothing the impacts over time.</p>
Transparent and accountable rate setting	29. Establish an independent rates oversight mechanism	<p>This would introduce a role for the Economic Regulator to provide independent expertise on, and oversight of, proposed rates increases that deviate from a council's Long Term Financial Management Plan and are significantly greater than the Consumer Price Index. The Minister would have the power to refer a council to the Economic Regulator but not to veto the rating policy. The Economic Regulator would provide advice back to a council on proposed rating increases and whether other options to alleviate financial impacts on the community appear available. The Economic Regulator would be required to publish its report</p> <p>This direction would give a council advice independent of council staff for such a significant decision, and provide the community with comfort that any proposed rate increase has been subject to rigorous testing.</p> <p>The cost of any rating increase investigation by the Economic Regulator would be met by the relevant council.</p>

Area	Reform	Details
Transparent and accountable fees and charges	30. Set principles or guidelines for setting fees and charges	<p>In response to issues raised regarding significant differences between councils in the fees and charges applied for similar services, this direction would promote greater consistency in the approach to setting fees and charges, without prescription around the amounts themselves. Fees and charges should be reflective of the cost of the service being delivered. They are not a tax to raise general revenue.</p> <p>The Department of Treasury and Finance has guidelines for State Agencies with regard to setting fees and charges and it is proposed that a similar discipline be introduced for local government.</p>
Budget Management	31. Provide for a more autonomous and less prescriptive budget process	<p>This will allow councils more flexibility to allocate resources as required. Councils should be accountable for outputs and outcomes, with transparency through reporting. Councils clearly set the budget and priorities, however general managers should have the flexibility to move resources around within the overall budget allocation to achieve priorities. This direction would relate to the operational budget, not the capital budget. It would also provide for a formal half-yearly financial report stating actual expenditure against budget.</p>
Significant Business Activities	32. Clarify significant business activities	<p>There is a need to better define 'significant business activities' so that the commercial operations of councils are transparently reported. Councils will be required to publish reports on the operations and performance of significant business activities.</p> <p>Councils may undertake significant business activities for a range of reasons in carrying out their functions. Some support resource sharing arrangements, some are commercial operations and some have elements of both. The Act currently enables councils to undertake these activities under enterprise powers. These powers are not well understood.</p> <p>If significant business activities are competing with the private market, they need to be operating on fair terms. If significant business activities are operating for a profit, they should not enjoy benefits not available to private enterprise, such as tendering exemptions, as is currently the case under the Act.</p>

5. Council Decision-making

Transparency is vital for good governance and is a core principle of all representative governments.

Council meetings and meeting papers are a key mechanism to engage and inform communities of council decisions. How councils account for what occurs at a council meeting is crucial to good governance. Councils have an obligation to report, explain and be answerable for the consequences of the decisions they have made on behalf of the community they represent and serve.

Community trust in, and the appropriate management of, conflicts of interest is a key element to ensuring public confidence in council decision-making. Councillors must be accountable for their decisions and make judgments about their ability to participate in any discussion or vote on a matter being considered by the council.

Key Issues Raised



Greater transparency in council meetings and minutes is needed. Open and transparent access to council decision-making processes, through video or audio recorded meetings, would build community trust.

The reasons for closing some or all of the council meeting are not always clear or transparent. This creates suspicion within the community and raises questions about the legitimacy of closing the meeting.

Conflicts of interest need to be better managed. Clarify the requirements for the disclosure of interests by councillors to increase transparency and accountability in decision-making. With Tasmania's small population, non-pecuniary conflicts of interest, perceived or actual, can regularly occur within local government.

Matters heard in the closed portion of a council meeting should be limited to where absolutely necessary.

A review and accountability mechanism is needed to ensure councils are accountable for how they exercise their statutory authority powers.

Technology increases accessibility by the community to the functions of council.

Reform Directions

The following proposed Reform Directions aim to address the issues raised during consultation by setting requirements in legislation that clarify the transparency requirements for councils and individual councillors in their decision-making processes.

Area	Reform	Details
Council Meetings	33. Require electronic recording of council meetings to be made publicly available	<p>This requirement is increasing in other jurisdictions across Australia, where councils are capturing recordings using a range of electronic devices.</p> <p>Council decisions are supported by agenda papers and the minutes of meetings. However, council minutes are often brief and record little more than the motion and voting decision. Unless a member of the community is present at the meeting, there is little public record of any debate that occurred.</p> <p>The current Act allows for audio recording and a number of councils make audio recordings available on their websites. A small number of councils also video record and live stream.</p> <p>Making electronic recording, and its publication, mandatory would improve public confidence in the integrity, transparency and accountability of council decision-making. It would increase the community's access to, and connection with, the council and could improve councillor conduct generally.</p> <p>Councils have raised the issue of not having legal immunity protections for statements they may make, which are available to State and Federal Parliament, such as Parliamentary Privilege. As council meetings are currently available to the public, recording these sessions does not change the status quo on protections. Councils can hold closed meetings where necessary, which is not available to Parliamentary debate. No other jurisdiction has offered councillors immunity protections in this context. Recognising, however, the concern of some councils, live streaming would not be mandated.</p>
Conflict of Interest Framework	34. Simplify what is a conflict of interest	<p>This will capture both what are currently termed 'pecuniary' and 'non-pecuniary' interests and remove overlap and confusion in declaring conflicts of interest at council meetings.</p> <p>Legislative provisions will be supported by clear, easy-to-read and understand guidelines to assist councillors in determining when it is appropriate to declare a conflict of interest and what further action to take, if any.</p>
Managing Conflicts in the Exercise of Statutory Functions	35. Enhance the integrity of council decisions made when exercising statutory powers	<p>This will require councils to manage perceived conflicts of interest by councils in exercising their statutory powers. For example, when a council is submitting and assessing its own development applications under the <i>Land Use Planning and Approvals Act 1993</i>, the assessment should be allocated to another council or private planner for assessment to reduce its conflict of interest. This would place the onus on councils to proactively remove themselves from any perceived conflict of interest. A number of councils already engage such practices in the interests of good governance.</p> <p>It is recognised that under the current planning legal framework, a council still needs to make the decision on its own Development Application, even if the assessment has been referred to an independent planner. There is some support to address this issue.</p>

Part D

6. Oversight and Interventions

Autonomy in council decision-making needs to be balanced with oversight and intervention powers to ensure accountability and stability. 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 members.⁵

Councils generally self-regulate effectively through the use of good governance structures, however self-regulation needs to be balanced with external intervention powers when required. Significant dysfunction in a few councils in Tasmania in recent years has caused significant impacts for ratepayers and communities.

The proposed oversight model takes a risk-based approach, seeking first to ensure transparency in council performance and, where necessary, detect, respond to and manage poor performance.

Mechanisms, such as early intervention powers, should exist to effectively and swiftly manage non-compliance and breaches of the Act as they arise, without penalising high performing councils with additional red tape.

⁵ Victorian Ombudsman submission to the Victorian Government's Review of the Local Government Act 1989.

Key Issues Raised

Assistance should be provided to councils to build capability and capacity where issues have been identified.

Clarify the roles and responsibilities of the various oversight and investigatory bodies in Tasmania that deal with local government complaints. The current overlap in the roles of the Local Government Division, the Integrity Commission and the Code of Conduct Panel creates confusion and difficulty for both complainants and the bodies themselves in managing complaints effectively and efficiently.



There should be stricter penalties for breaches of the Act.

The consequences of poor management should be serious and dealt with swiftly to prevent ongoing issues that are ultimately paid for by the community.

Compliance measures need to be in place to detect and address breaches.

Introduce early intervention options that can be actioned quickly to respond to non-compliance and serious issues within a council.



The Minister should have power to dismiss a council that is not performing or where there is serious dysfunction.

Intervention powers should balance council autonomy with responsive, rigorous intervention measures.



Streamline the structure for managing local government complaints and investigations to remove overlap, provide clarity and increase efficiency.

Part D

Reform Directions

The following proposed reform directions aim to achieve an oversight and intervention framework, in response to issues raised.

Area	Reform	Details
Independent Oversight	36. Strengthen the information gathering powers of the Director of Local Government	The Director of Local Government already has the power to require information from councils and this would not change. What is currently not clear is the scope of the advice councils' audit panels are providing to councils, including what risks and mitigation actions are being identified and recommended. Similarly, it is not clear how well councils are responding to their audit panels' advice. Consequently, it is proposed that audit panels would be required to provide their reports to the Director of Local Government, upon the Director's request.
	37. Create a power for the Director of Local Government to require an undertaking from a council as a measure to address compliance issues	Under the current Act, instances of non-compliance with the Act can occur but with little consequence. For example, the Act may set out requirements to be followed, but there is no express penalty for not doing so. Many of these do not warrant an offence, but there is a gap with regard to powers to remedy non-compliance. This direction would provide the power to the Director to require an undertaking to be given by a council, councillor or general manager to either correct an act of non-compliance, or to ensure there is no recurrence. The failure to observe an undertaking could result in further action, depending on the gravity of the non-compliance. An undertaking could also be used to require councils to address the Auditor-General's recommendations arising from its financial audits, particularly where responses to high risk area recommendations appear not to be acted upon in a timely manner.
	38. Establish a Monitor/Advisor role	There are circumstances where early intervention can assist a council before issues result in more serious outcomes. This direction would provide a power for a Monitor to enter a council to review its operations, request information from the council administration (and the Audit Panel), provide guidance to elected members and senior staff, and make recommendations to the council. A council would be able to decide to engage a Monitor, but the Director of Local Government would also have the power to require one if the circumstances clearly require a 'circuit breaker'. A council would pay the cost of a Monitor (where one has been required by the Director, costs would be determined in consultation with the council).

Area	Reform	Details
Ministerial Intervention	39. Establish the power to appoint a Financial Controller	This direction would allow for a Financial Controller to be appointed to a council to manage serious, demonstrated financial challenges, without putting the council into administration. Similar powers exist in New South Wales. The equivalent position to the Director in New South Wales has the power to appoint a Financial Controller to councils in that state, and it is proposed the Director would have similar power in Tasmania. The cost of a Financial Controller would be borne by the council. While it is acknowledged this would be an additional cost, the benefit to ratepayers would be expected to be significantly greater through correcting the council's financial sustainability.
	40. Continue to conduct formal investigations by the Director of Local Government	The Director of Local Government would continue to have the power to investigate breaches of legislation. However, the outcomes of an investigation would be strengthened such that the Director can make a finding and provide recommendations to the Minister that the council or an individual councillor be suspended or dismissed. Natural justice and procedural fairness principles must apply to any investigation. To support the Director's investigatory powers, the Director would be able to appoint appropriately skilled and qualified persons to support them. Depending on the circumstances, this could include persons external to the Director's staff, such as persons with significant legal experience.
	41. Provide for the Minister to dismiss a council or individual councillor	While the Director of Local Government will have significant powers to intervene when serious governance challenges arise, ultimately any action that results in the suspension or dismissal of a council or councillor must be taken by the Minister for Local Government. The Minister already has the power to impose a Performance Improvement Direction on a council or councillor (on a recommendation from the Director), and this will be retained. Suspension is a possible sanction for failure to adhere to a Performance Improvement Direction. In addition, the Minister could dismiss a council or councillor on recommendation of the Director. Alternatively, the Minister can establish a Board of Inquiry, and in response to findings, recommend the Governor dismiss a council or councillor, as is currently available.

Part D

Area	Reform	Details
Maladministration	42. Create offences for mismanagement and to address poor governance (maladministration)	<p>This would create a maladministration offence provision that relates to the council as an entity, individual councillors and the general manager, for systemic failures or a major consequence resulting from a single act of impropriety, incompetence or neglect. This is another measure to address the current gap with regard to there being no sanction available for non-compliance with the Act.</p> <p>The responsibility to ensure operational good governance within a council rests with the general manager, as the person responsible for implementing the decisions of the council and the day to day operations of the council. A maladministration offence should apply solely to the general manager, rather than other senior executive staff. Council staff come under the employment of the general manager and are therefore the responsibility of the general manager.</p> <p>It is recognised that while the council itself is responsible for the management and performance of the general manager, there is a need to legislate consequences where there is a repeated issue in failing to discharge their duties or the conduct is so grave that it warrants intervention. If early intervention measures are introduced, this would provide many opportunities to improve governance before this measure was necessary.</p> <p>South Australia has an offence for 'maladministration', which relates to a public officer or entity failing to meet reasonable standards of performance in discharging their duties, including conduct resulting from incompetence or negligence. This relates to serious systematic failures, not isolated mistakes or errors. The South Australian Ombudsman can investigate any public officer or entity for this conduct. Where councils have been incompetently managed, resulting in maladministration, an administrator can be appointed to manage the council. The South Australian <i>Independent Commissioner Against Corruption Act 2012</i>⁶ defines maladministration in public administration as including conduct that results in the unauthorised use of public money or the substantial mismanagement of public resources; substantial mismanagement in the performance of official functions; and conduct resulting from impropriety, incompetence or negligence.</p>
Complaints Management	43. Simplify the complaints framework	<p>There is currently overlap between the oversight and regulatory roles of various bodies, which makes it difficult for people to know who to make their complaint to. This direction would provide clarity for complainants, increase efficiency and ensure prompt intervention in serious issues.</p> <p>The main focus of this direction will be to remove the overlap in the complaint process between the current Director of Local Government and the Integrity Commission.</p>

7. Council Performance Reporting

Performance reporting is another element of accountability. When monitored, measured and publicly reported, it has the capacity to enhance transparency and to drive improvement by, and within, councils. Performance monitoring and reporting increases awareness and accountability on public spending and decision-making and encourages performance improvements. It is a means by which the public can hold the council accountable against its own strategic plans and performance, including financial performance.

⁶ https://www.legislation.sa.gov.au/LZ/C/A/INDEPENDENT%20COMMISSIONER%20AGAINST%20CORRUPTION%20ACT%202012/CURRENT/2012_52_AU1111.PDF

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. One example is Victoria's 'Know Your Council' online council performance information portal, which provides for easy comparison of council performance against key performance indicators.

Key Issues Raised

Financial and strategic planning documents are difficult to understand, do not provide clarity on service delivery and offer little value to the community. This information should be more meaningful, easier to understand and readily available (for example, published on council websites).

Greater transparency in budgets and financial information is required through financial reporting.

Increase transparency in council activities by requiring standardised performance reporting that focuses on the outcomes councils have delivered.

The strategic planning process should include a review of the current services a council is delivering, assessing the value of the services, as well as the cost to ensure financial efficiency.

Access to meaningful and clear information on the services councils deliver.

Councils need to be accountable to the community for progress against their long-term plans.

Greater controls are required on council performance and accountability.

Access to consistent, reliable and user-friendly reporting that can be compared across councils. Data should be publicly available to enable benchmarking and continuous improvement.

An online reporting platform for local government performance assessed against key performance indicators, rather than simply through traditional annual reports.

Part D

Reform Directions

The following proposed Reform Directions aim to address the issues raised during consultation by introducing publicly available reporting measures that strengthen local government accountability and performance.

Area	Reform	Details
Performance Reporting Framework	44. Introduce a local government performance reporting framework	<p>There is already significant information and reporting on and by councils, but it is sometimes difficult to access and is not well consolidated. This direction would more clearly set a performance reporting framework that seeks to consolidate and make better use of existing data and information. It should reduce the reporting burden for councils, while improving public access to information.</p> <p>The reporting framework would also use existing key performance indicators as a basis for reporting, but have capacity to have additional key performance indicators over time where it is agreed the data required can be captured, and provides meaningful value to councils and the community.</p>
	45. Require councils to publish a compliance statement in the Annual Report	<p>Councils have a range of statutory obligations to meet but there is no clear reporting in all instances that they have met these obligations. This direction would require a general manager to sign off and account for the council's compliance obligations under the Act and some associated legislation, and report to the community a formal attestation that council's compliance obligations have been met. By requiring such an attestation, it will drive a culture in councils of checking that they have indeed met their statutory obligations.</p>
	46. Remove prescription around Annual Report	<p>A council's Annual Report will still remain a key reporting mechanism, consistent with the requirements for other public entities. However, some of the current provisions for what is required to be reported are outdated. Future requirements for Annual Reports will reflect the directions, particularly what a council determines through its Community Engagement Strategy.</p>



Major Reform Areas

Part E: Adaptable Councils

Part E



8. Collaboration

As the closest level of government to the community, councils are in a unique position to identify community needs and make sure that those needs are met in the most appropriate and sustainable way. Communities value their councils for their capacity to adopt different approaches and solutions to meet the community's needs and priorities.

Contemporary councils need to be adaptable to change, including the capacity to collaborate with other councils, to deliver high quality and value-for-money services for their communities. Flexible approaches to collaboration are required to make it easier and more cost effective for councils to deliver outcomes for their communities, without stepping through unnecessary and time-consuming processes.

Part E

Key Issues Raised

It can be difficult for smaller councils to fund the same level of administrative support services that are available to larger councils, which may impact the service delivery and administrative costs on that municipality.

Increased use of shared service arrangements to improve service delivery and lower administrative costs.

Consideration of scale and scope of services and compliance standards, and councils' capacity to deliver.

Councils should place a greater focus on local needs and issues to deliver services that directly benefit local communities.

Reform Directions

The following proposed Reform Directions aim to address the issues raised during consultation by creating mechanisms that foster collaboration between councils.

Area	Reform	Details
Collaboration across councils	47. Introduce provisions that support efficient and high-quality council operations and collaborative shared service opportunities	<p>Councils are already engaging in various formal and informal collaborative service delivery models. The legislation should provide the flexibility for councils to collaborate and work across council boundaries to deliver outcomes for their communities, recognising that different communities want different things. This direction would seek to remove any legal and administrative barriers to collaboration across councils, such as concerns regarding the extent delegations can be given and exercised.</p> <p>Legislation would also provide the power for two or more councils to be serviced by one administrative organisation. Such flexibility is likely to be necessary for the sustainability of small councils. In particular, Latrobe and Kentish Councils have in practice adopted this model, and it is important that the legal framework allows such innovations to occur.</p>
	48. Introduce the option to create Regional Councils	<p>A 'Regional Council' would be able to be established to incorporate a number of individual 'local councils'. A Regional Council could be established through a Local Government Board review (the current mechanism for structural change), or as a result of the voluntary decision of a minimum of two councils to collaborate in such a manner. A Regional Council would be supported by a general manager and staff, with the individual local councils being serviced by one administrative organisation. The Regional Council would be responsible for region wide planning and service delivery. Local councils would retain some local decisions and be the primary advocates for their communities to inform decisions made by the Regional Council. The Mayors of the local councils would be members of the Regional Council, with additional members to be determined by the respective local councils. A Regional Council would represent the strongest collaboration model that does not involve amalgamation.</p>

9. Model By-Laws

Councils have a range of important responsibilities in regulating social, economic and environmental activities within their local communities. Councils do this in their own right (for example, when making by-laws) or as a statutory authority empowered by State legislation.

Councils have the power to make by-laws, a form of subordinate legislation, to regulate local activities such as public parks and the environment, on-street parking, waste management and street dining. To make a by-law, a council must determine whether it is in the public interest to do so, which includes a public consultation process. Councils must release a Regulatory Impact Statement (RIS) for public consultation before making a by-law. A Regulatory Impact Statement states the nature and intent of the by-law but primarily looks at how the regulation would impact on competition and business, and its costs and benefits.

Key Issues Raised

Issue 1: Councils do not always sufficiently engage with relevant State Government agencies when making by-laws, which can lead to overlap and duplication. While State legislation will always override by-laws, duplication or overlap can create unnecessary confusion and frustration for the community.

Issue 2: The inconsistency in by-laws that are made to regulate the same issue, results in rules that can be slightly different in each municipality.

Issue 3: Some councils manage similar issues without by-laws, raising questions as to whether additional regulation is necessary.

Issue 4: Streamline by-law powers. Greater consistency across all councils on common by-laws would positively impact community awareness and compliance.

Issue 5: Disparity on common issues creates confusion, particularly for people operating businesses or living and working across multiple municipalities.

Part E

Reform Directions

The following proposed Reform Direction aims to address the issues raised during consultation by establishing model by-laws on the common issues that councils regulate.

Area	Reform	Details
Consistent By laws	49. Create model by laws for common issues, with streamlined administrative processes	<p>A model by-law would be subject to a rigorous assessment process and once approved, any council could adopt the model by law without the need to go through the assessment process again. Councils would simply need to consult with the community on any municipality-specific issues before adopting the final by-law. For example, there could be a model public places by-law with common features, but a council would need to consult on where the by-law would be applied in its municipality.</p> <p>This would significantly reduce the administrative process councils must go through in developing by-laws and create greater State-wide consistency.</p> <p>Councils would retain the power to create their own bespoke by-laws if they so desire, but would need to go through the full Regulatory Impact Statement process, and be able to adequately justify the need for creating such a by-law.</p> <p>Consideration will also be given to aligning by-law processes with those that apply to State legislation.</p>



Strategic Reviews



10. Local Government Board

Currently, the Minister may convene the Local Government Board (the Board) to undertake an independent review of structural issues, including but not limited to: municipal boundaries, councillor numbers, the combining of two or more municipal areas, and any other matter the Minister may request.

It is proposed to retain the Board and introduce flexibility into the review process by removing prescription around nominations for membership of the Board and streamlining administrative processes to improve efficiency. The membership would be determined by the Minister, however must still include a member with significant local government expertise.

The current power that the Board holds to review the operation of a council would be removed, as this duplicates responsibility with the Director of Local Government's role. This will make it clear that the Board's focus is on strategic matters. The Minister would retain the power to convene the Board to undertake any strategic review at any time.

Part F

Key Issues Raised

The current make-up of the Local Government Board is heavily prescribed.



Some of the current functions of the Local Government Board duplicate functions of the Director of Local Government and can confuse the lines of responsibility.

The Local Government Board is responsible for undertaking structural reviews of the sector and making recommendations to the Minister for change. The tools and options available for structural change are currently limited.

Some of the administrative processes for the Local Government Board can be time-consuming and unnecessary.

Reform Directions

The following proposed Reform Directions aim to address the issues raised during consultation by shifting the focus of the Board to the review of strategic issues and streamlining processes for efficiency. The Board would remain an independent body, appointed by and reporting to the Minister directly.

Area	Reform	Details
Local Government Board	50. Strategic reviews of councils	<p>The Local Government Board will be retained, to be established and directed by the Minister to undertake strategic reviews of local government. The Local Government Board must contain a member with local government expertise but otherwise will be at the discretion of the Minister; allowing for appropriate persons with relevant skills and expertise to be appointed depending on the subject of the review.</p> <p>The Local Government Board must, at a minimum, undertake</p> <ul style="list-style-type: none"> • a review of councillor numbers and allowances every eight years, or two election cycles; and • a review of the 'State of the Sector' every five years. <p>The Local Government Board would no longer be able to review the operation of a council as its focus would be on local government sector strategic issues. Operational reviews would be carried out by the Director of Local Government as appropriate under the oversight and intervention framework.</p>
	51. Voluntary amalgamation	<p>A voluntary amalgamation will be able to occur, without the need for a Local Government Board review, if it is requested by two or more councils. If councils have undertaken a significant body of work to develop a business case on their own initiative to explore amalgamation options, they should be able to proceed without an additional report from the Local Government Board, which is time and resource intensive.</p>

Consideration of other key issues raised

Many issues were raised during consultation for consideration in developing potential reforms. These issues were reviewed and considered, and responses informed by research and advice. Following this process, it was determined that some issues would not be put forward as potential reforms. These areas and the rationale for why they have not been included is provided below.

Mandatory Councillor Training	<p>The option to introduce mandatory training was considered, however it is not proposed to mandate councillor training at this point. Mandatory training is not supported by the local government sector. However, the directions include proposed mandatory candidate training and the requirement for councillors to report professional development against set core competencies. The Minister will also retain the option to issue a Performance Improvement Direction to specific councils or councillors where it is needed.</p> <p>The exception to not implementing mandatory training for councillors, is that mandatory training for councillors in their role as a Planning Authority will be required.</p>
Maximum Councillor terms	<p>Limiting councillor terms was considered undemocratic and inconsistent with other levels of government and local government in other jurisdictions. The councillor turnover rate at the 2018 elections was around 40 per cent, indicating at a broad level that a reasonable balance between councillor renewal and stability is being achieved, without the need to set maximum terms.</p>
General Manager Performance and Contracts	<p>Requiring an independent provider to aid councils in the recruitment, performance management and contract management for general managers was considered. It was determined that there were alternative methods to achieve greater consistency, remove conflicts of interest, and have these processes professionally and objectively managed, without mandatorily imposing on councils the cost of an independent provider on a regular basis. Many councils voluntarily use the services of independent providers to manage general manager recruitment, performance management and contract management, but the cost for a number of smaller councils is often significant to regularly use these services.</p> <p>The Minister will retain the power to specify the principle and processes governing the selection of general managers and the monitoring of their performance by the council.</p>
Electronic attendance at council meetings	<p>It was considered and determined that the status quo would remain. In-person attendance is required at other levels of government when making publicly open decisions (in parliaments) and there is no compelling argument to support it in local government. Leaves of absence are available for councillors who cannot attend meetings.</p>
Compulsory Voting	<p>While there was a good level of support for compulsory voting, it was not enough to demonstrate that the majority of the community support this approach. Tasmania's local government elections already attract a high voter turn-out compared with other jurisdictions, and therefore the potential marginal increase in votes that compulsory voting may achieve is not considered enough justify the increase in the cost burden placed on the community.</p>
Clarity between role of the general manager and the council, especially the mayor	<p>A significant amount of work was undertaken on this issue during the Targeted Review of the Act and amendments were made in 2017. The Act is very specific about the functions of mayors, deputy mayors, councillors and general managers. The Act provides for the Minister to clarify the functions of mayor by order, as the Minister considers appropriate. In addition, the Minister, by order, may clarify the functions of general managers by specifying matters, or classes of matters, that are operational or administrative in nature and so are to be performed by general managers. These orders would apply to all councils.</p> <p>Effective working relationships require professionals to work collaboratively together, and this is the principle that should guide the working relationship between the general manager and the elected members. No further changes are proposed given this context.</p>

Out of Scope Issues

The following issues received significant comment during Phase 1 of the Review, even though they were out of scope.

Council's Role as Planning Authority

Consultation highlighted the inherent conflict in a council's role when acting as a statutory planning authority with a councillor's role in representing their communities. As councillors, elected members represent the community's views on issues and in council decision-making. When sitting as a planning authority, councillors cannot represent community views as they must make decisions strictly in accordance with the planning scheme. The planning authority can only consider community views (via representations) that relate to particular elements of the planning scheme. Where a council exceeds this scope of authority and determines an application on the basis of community feedback or sentiment rather than planning considerations, the decision is usually overturned when appealed to the Resource Management and Planning Appeal Tribunal, which can be costly to the council and ultimately the community.

Some councillors also raised concerns that the limitations on their ability to consider the community's views when making planning decisions was not well understood, making it difficult for them to manage community expectations.

This inherent conflict has arisen in other jurisdictions, resulting in a number of different models to assess planning applications.

There remains strong support for the planning scheme, strategic land use planning and policy development to remain with councils. It is the council's role in making planning decisions on development applications that has arisen as an issue during this Review, where there is some sentiment that this function could be removed from councils.

Further issues that have been raised include:

- A council's capacity to make objective decisions as the planning authority when considering applications where the council is also the developer. Some councils recognise this inherent conflict and attempt to manage it through contracting out these applications for assessment to an outside planning consultant (sometimes in another council). While direction 34 seeks to deal with this, some of the consultation feedback argued that an independent planning authority or arbiter is needed for such cases.
- The potential lack of quorum that can occur if several councillors declare a conflict of interest when a planning matter is being considered and step out of the meeting. This can have implications on the ability of council to meet its statutory timeframes, under the *Land Use Planning and Approvals Act 1993*, to assess and determine a planning application.
- Significant regional developments that can result in cross-council implications, but only one council makes the decision.

Response

The role of councils sitting as a Planning Authority is administered under separate legislation – the *Land Use Planning and Approvals Act 1993*. The matters raised during the initial consultation phase of this Review need to be considered within the broader context of the planning framework.

The Minister for Planning will consider the matters raised.

Amalgamations

A number of submissions and stakeholders advocated for fewer councils in Tasmania. The Government's position is no forced amalgamations. Structural reforms, particularly amalgamations, were specifically out of scope for this Review.

Response

Structural reforms outside of forced amalgamations have been considered, and the directions set out new ways that councils can work together to achieve significant benefits for communities across current council boundaries.

Appendix I

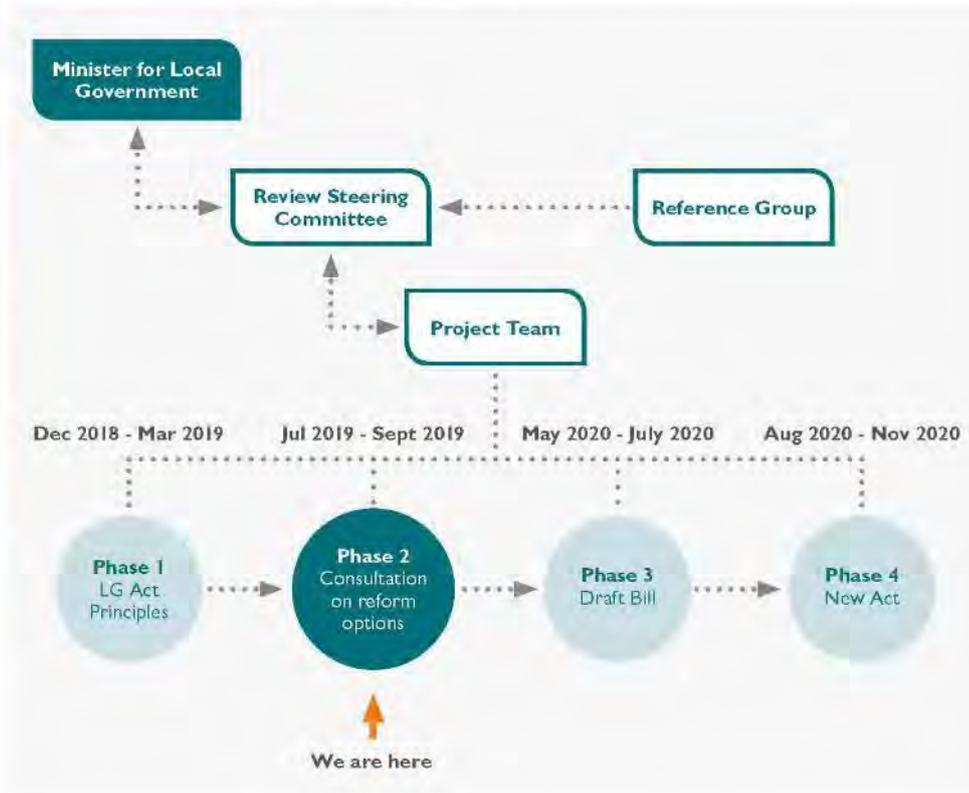
Review Process

This Reform Directions Paper is the second consultation phase in the Review which commenced in December 2018 with a Discussion Paper on the principles that should underpin a local government legislative framework.

The Discussion Paper was open to the public for submissions between 7 December 2018 and 1 March 2019 and received 382 submissions from the public, the local government sector and other interested stakeholders. Submissions can be viewed on the Review webpage at: www.dpac.tas.gov.au/lgreview

The proposed Reform Directions seek to address issues raised during Phase 1 and have been informed by feedback, submissions, research and practice in other jurisdictions.

Submissions and feedback received on the Reform Directions proposed will be provided to Government in late 2019 and will inform the legislative drafting process. The Government will consult further on the resulting draft legislation in 2020.





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HOBART TAS 7001

17.2.3 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA (LGAT) – LGAT 2019 COMMUNITY SATISFACTION SURVEY (INFORMATION ONLY)

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 16 JULY 2019

Enclosure(s):

LGAT 2019 Community Satisfaction Survey (Summary for Decision Makers)

ISSUE

To provide Council with a copy of the 'LGAT 2019 Community Satisfaction Survey - Summary for Decision Makers'.

BACKGROUND

The Local Government Association of Tasmania has generally conducted this Survey (or similar) every two years, however the prior Survey was undertaken in 2015.

DETAIL

The following is an extract from the LGAT Website which details the highlights of the Survey:

"The LGAT Community Satisfaction Survey 2019 (the Survey) was conducted via telephone interviews of 1200 randomly selected residents across Tasmania during the early months of 2019. The Survey aimed to measure community satisfaction with Tasmanian councils overall performance, as well as with a range of council provided services and facilities.

Key findings:

- Tasmanian communities are generally satisfied with the overall performance of their councils. Community satisfaction with councils' overall performance has remained stable since 2009, with respondents rating Local Government's performance as 'good';*
- The most common thing respondents nominated as the best thing about their local council related to their council being responsive, proactive, engaged, accessible, and consultative. Other valued aspects included cleanliness of the local area, parks, gardens and open spaces, communication and efficient, reliable or good services;*
- The performance of Local Government in Tasmania in relation to governance, accountability, and leadership has improved significantly between 2015 and 2019, with respondents rating these aspects of council performance as 'good';*
- Regular garbage collection was the service that respondents rated as the most important and was also the service with the highest level of satisfaction, rated as "excellent".*

- *Other services and facilities that received "excellent" levels of satisfaction were museums, galleries, public art, community events and festivals, parks, gardens, and playgrounds and regular/green waste recycling;*
- *Other services and facilities with the highest levels of importance to respondent were drains, stormwater maintenance, and repairs, the maintenance and cleaning of public areas, emergency and disaster management and the provision and maintenance of footpaths/pedestrian areas; and*
- *Consistent with the increasing satisfaction with councils' governance and leadership performance, more respondents considered that the image of Local Government had improved in the last four years, than considered that it had declined."*

Human Resources & Financial Implications – The cost of the Survey is incorporated in the annual Subscription fee.

Policy Implications – N/A

Priority - Implementation Time Frame – Ongoing.

RECOMMENDATION

THAT the information be received.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

ENCLOSURE
Agenda Item 17.2.3

Attachment to Item 9.6



LGAT 2019 COMMUNITY SATISFACTION SURVEY

Summary for Decision Makers

21 May 2019

Contact: Dion Lester

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Phone: 03 6146 3740

www.lgat.tas.gov.au

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Introduction

Metropolis Research was commissioned by LGAT to conduct primary research of 1,200 residents drawn proportionally from across the state to explore community satisfaction with the performance of Local Government. This research builds on satisfaction research previously conducted by LGAT and has been conducted using the same methodology as has been employed in previous years.

Surveys were conducted as telephone interviews of randomly selected residents across Tasmania during the early months of 2019. The interviews lasted for a duration of roughly twenty minutes and were conducted by trained Metropolis Research staff. The purpose of the interviews was to measure community satisfaction with council's overall performance, as well as with a range of council provided services and facilities.

Satisfaction scores have been categorised accordingly:

- Excellent – scores of 7.75;
- Very Good – scores of 7.25 to less than 7.75;
- Good – scores of 6.5 to less than 7.25;
- Solid – scores of 6 to less than 6.5;
- Poor – scores of 5.5 to less than 6;
- Very Poor – scores of 5 to less than 5.5; and
- Extremely Poor – scores of less than 5.

The survey was completed by a total of 1,200 respondents whom were predominately from the Launceston (12%), Clarence (11%), Hobart (10%), and Glenorchy (9%) municipalities. The final sample was weighted by age and gender to ensure that the results proportionally represented the community. Table 1 outlines additional sociodemographic information – see Appendix A for a breakdown by region and type of council.

Table 1. *Respondent Demographic Information (Unweighted)*

Variable	N (%)
Age Group	
Young persons (18-24 years)	19 (1.6)
Young adults (25-34 years)	44 (3.7)

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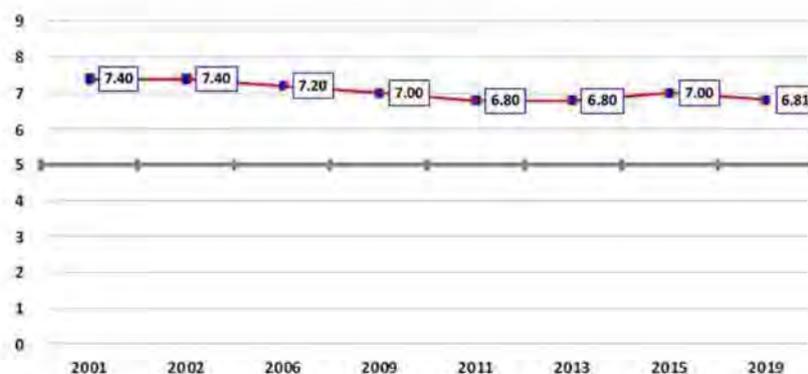
Adults (35-44 years)	78 (6.5)
Middle-aged adults (44-59 years)	296 (24.7)
Older adults (60-74 years)	497 (41.4)
Senior citizens (75 years and over)	266 (22.2)
Gender	
Male	542 (45.2)
Female	656 (54.8)
Housing Situation	
Own this home	710 (60.9%)
Mortgage	242 (20.8%)
Renting	176 (15.1%)
Other arrangement	37 (3.2%)
Household Structure	
Two-parent family	347 (30.1%)
One-parent family	58 (5.0%)
Couple only household	384 (33.3%)
Other/Extended family household	7 (0.6%)
Group household	104 (9.0%)
Sole person household	254 (22.0%)
Council Region	
South	623 (51.9)
North	320 (26.7)
North West	257 (21.4)
Council Type	
City	609 (50.8)
Urban	281 (23.5)
Rural	310 (25.8)
Period of Residence in the Municipality	
Less than one year	30 (2.6)
One to less than five years	143 (12.3)

Five to less than ten years	117 (10.0)
Ten years or more	876 (75.1)

Satisfaction with Council's Overall Performance

Respondents rated their satisfaction with their council's overall performance at an average of 6.81 ('good') out of a potential 10. Time series results (Figure 1) suggest that satisfaction with the overall performance of Local Government in Tasmania has remained stable (within the margin of error) since 2009.

Figure 1. *Satisfaction with Council's Overall Performance*



Despite the fact that overall satisfaction is generally stable this year compared to 2015, satisfaction with aspects of governance and leadership, as well as satisfaction with many services and facilities, has increased substantially this year compared to 2015.

There was some variation in overall satisfaction observed across the state, as follows:

- More satisfied than average – respondents from the rural and Northwest councils, younger respondents (aged 18 to 34 years), senior citizens (aged 75 years and over), and new residents (less than five years in their municipality).
- Less satisfied than average – respondents from city councils, mortgagee households, and two parent families (with youngest child aged 5 to 12 years).

More than one-third (41.3%) of respondents were very satisfied with their council's overall performance, whilst 9.4% were dissatisfied. Issues around the elected council (e.g. perceived

infighting, a lack of transparency and focus on community needs) were most commonly reported by respondents as reasons for dissatisfaction.

These results are thought to reflect a focus by many respondents on council as being the individuals on the elected council, sometimes in a very personal and engaged manner, rather than the services provided by the council. This may be due to the relatively small size of many Tasmanian municipalities as well as the greater proportion of rural and semi-rural municipalities, where the community can often have a greater engagement with their elected representatives.

The most common thing respondents nominated as the best thing about their local council related to their council being responsive, proactive, engaged, accessible, and consultative (20.0%). Other aspects that were nominated include cleanliness/maintenance of the local area (5.7%), parks, gardens and open spaces (3.0%), library services (1.3%), communication (1.3%), and efficient, reliable or good services (1.2%).

Aspects most commonly raised as the most important thing the council could do to improve its performance were again focused on improvements to the responsive, proactive, engaged, accessible, and consultative nature of the council (10.8%), as well as improvements to the council's governance, performance, accountability, and reputation (6.1%). Other improvements identified by respondents include road maintenance and repairs (4.8%), communication (4.3%), planning, development and housing (3.3%), and rates (2.5%).

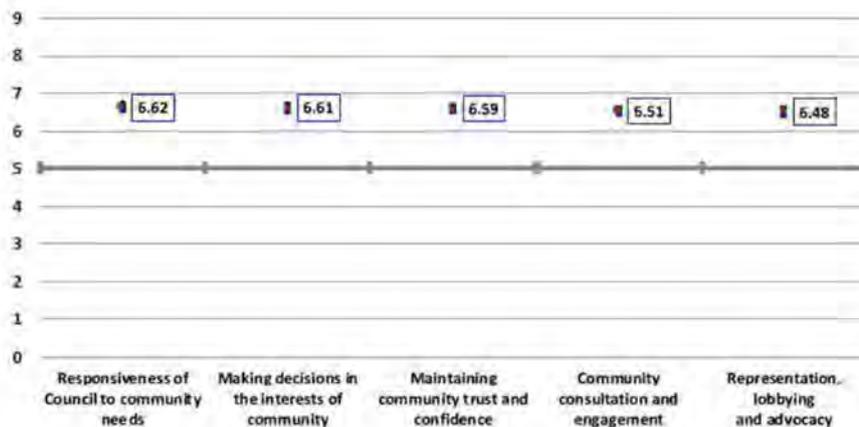
Rural council respondents were the most likely to identify responsive, proactive, engaged, accessible, and consultative aspects as the best thing about their local council, and were the least likely to identify these aspects as the most important thing that council could do to improve its performance. The opposite is true in relation to respondents from city councils.

Governance and Leadership

Respondents were asked to rate their satisfaction with five aspects of governance and leadership (Figure 2):

1. Community consultation and engagement;
2. Representation, lobbying, and advocacy;
3. Responsiveness to local community needs;
4. Making decisions in the interests of the community; and
5. Maintaining trust and confidence of local community.

Figure 2. Average Satisfaction with Aspects of Governance and Leadership



The average satisfaction with all five aspects of governance and leadership was 6.56 ('good') out of a potential ten. More than forty percent of respondents were very satisfied with each of the five aspects, whilst a little less than one-sixth of respondents were dissatisfied. Respondents from the North West were significantly more satisfied with each of the five aspects than the state average.

Only two of these five aspects of governance and leadership were included in the previous research, however both have significantly increased between 2015 and 2019.

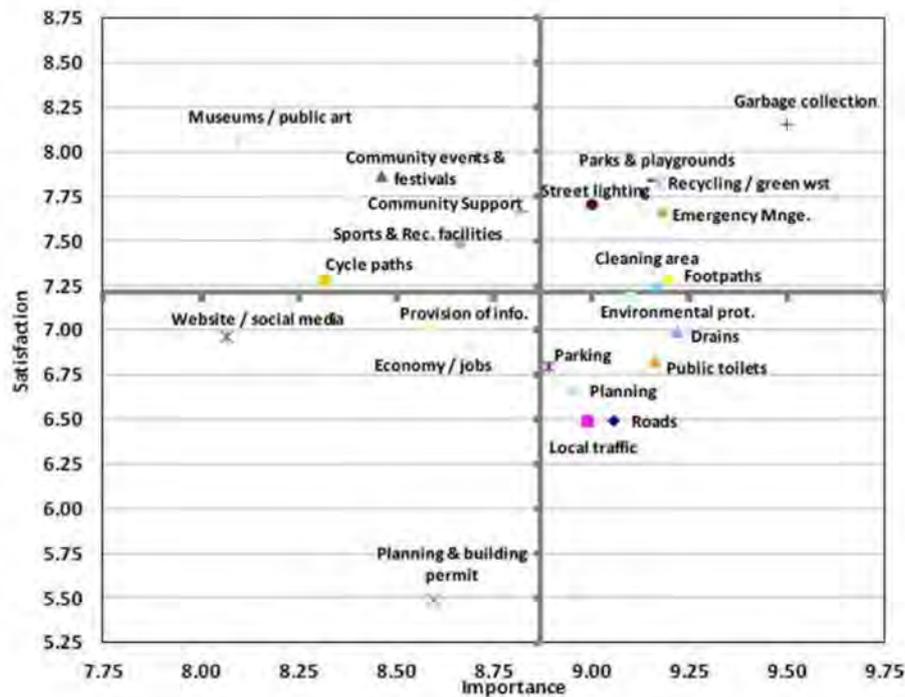
Importance of and Satisfaction with Council Services

Respondents were asked to rate the importance to the community, as well as their personal satisfaction with, twenty-three council services and facilities. These services and facilities have been broadly categorised into eight groups, and are as follows:

1. Transport services;
2. Community support services;
3. Infrastructure;
4. Waste, recycling, and cleaning;
5. Communications;
6. Recreation, arts and culture, and open spaces;
7. Economy, environment, and emergency management; and
8. Planning and building.

Figure 3 provides a cross-tabulation of the average importance of each of the twenty-three included council services and facilities against the average satisfaction with each service and facility. The large grey cross-hairs represent the average importance (8.87) and the average satisfaction (7.22) across all service areas.

Figure 3. Importance and Satisfaction Cross-Tabulation



Services located in the top right-hand quadrant are more important than average and have obtained higher than average satisfaction. Services in the lower right-hand quadrant are those that are more important than average, but with which respondents were less satisfied than average. This quadrant represents the services and facilities of most concern (e.g. local traffic management, local roads, and planning for what buildings are developed where).

Services with lower than average importance are typically services which are considered less critical or are used by only a subset of the community (e.g. arts and culture). Services with lower than average satisfaction may be a result, at least in part, of the lower importance respondents place on these services.

See Appendix B for a detailed account of the council services' results.

A summary of the ten most important services are presented below:

Regular garbage collection services

The average importance of regular garbage collection services was 9.50 out of a potential ten. This score ranks the service as the most important service of the 23 included in the survey. There was some variation in this result observed across the state, with respondents from urban councils rating importance measurably lower than the state average.

The average satisfaction with regular garbage collection services across Tasmania was 8.15 (“excellent”). This score ranks the service 1st of the 23 services and facilities included in the survey in terms of satisfaction.

Drains, stormwater maintenance, and repairs

The average importance of drains, stormwater maintenance, and repairs was 9.22 out of a potential ten. This ranks the service 2nd of the 23 services and facilities included in the survey in terms of importance.

The average satisfaction with drains, stormwater maintenance, and repairs across Tasmania was 6.99 (“good”). This ranks the service 15th of the 23 services and facilities included in the survey in terms of satisfaction.

The maintenance and cleaning of public areas

The average importance of the maintenance and cleaning of public areas was 9.20 out of a potential ten. This ranks the service 3rd of the 23 services and facilities included in the survey in terms of importance.

The average satisfaction with the maintenance and cleaning of public areas across Tasmania was 7.30 (“very good”). This ranks the service equal 11th of the 23 services and facilities included in the survey in terms of satisfaction.

Emergency and disaster management and recovery

The average importance of emergency and disaster management and recovery was 9.18 out of a potential ten. This ranks the service 4th of the 23 services and facilities included in the survey in terms of importance.

The average satisfaction with emergency and disaster management and recovery across Tasmania was 7.57 (“very good”). This ranks the service 8th of the 23 services and facilities included in the survey in terms of satisfaction.

Provision and maintenance of footpaths/pedestrian areas

The average importance of the provision and maintenance of footpaths/pedestrian areas was 9.17 out of a potential ten. This ranks the service equal 5th of the 23 services and facilities included in the survey in terms of importance.

The average satisfaction with the provision and maintenance of footpaths/pedestrian areas across Tasmania was 7.23 (“good”). This ranks the service 12th of the 23 services and facilities included in the survey in terms of satisfaction.

Regular recycling and green waste recycling services

The average importance of regular recycling/green waste recycling services was 9.17 out of a potential ten. This ranks the service equal 5th of the 23 services and facilities included in the survey in terms of importance. There was some variation in this result observed across the state, with respondents from the North rating importance measurably lower than the state average.

The average satisfaction with regular recycling/green waste recycling services across Tasmania was 7.83 (“excellent”). This ranks the service equal 4th of the 23 services and facilities included in the survey in terms of satisfaction. There was some variation in this result observed across the state, with respondents from rural councils rating satisfaction measurably lower than the state average.

Provision and maintenance of public toilets

The average importance of the provision and maintenance of public toilets was 9.16 out of a potential ten. This ranks the service 7th of the 23 services and facilities included in the survey in terms of importance.

The average satisfaction with the provision and maintenance of public toilets across Tasmania was 6.86 (“good”). This ranks the service 18th of the 23 services and facilities included in the survey in terms of satisfaction. There was some variation in this result observed across the state, with respondents from rural councils rating satisfaction measurably higher than the state average.

Provision and maintenance of parks, gardens, and playgrounds

The average importance of the provision and maintenance of parks, gardens and playgrounds was 9.15 out of a potential ten. This ranks the service 8th of the 23 services and facilities included in the survey in terms of importance. There was some variation in this result observed across the state, with respondents from the North West region rating importance measurably higher than the state average.

The average satisfaction with the provision and maintenance of parks, gardens and playgrounds across Tasmania was 7.83 (“excellent”). This ranks the service equal 4th of the 23 services and facilities included in the survey in terms of satisfaction.

Environmental protection

The average importance of environmental protection was 9.10 out of a potential ten. This ranks the service 9th of the 23 services and facilities included in the survey in terms of importance. There was some variation in this result observed across the state, with respondents from the North West rating importance measurably higher than average.

The average satisfaction with environmental protection across Tasmania was 7.19 (“good”). This ranks the service 13th of the 23 services and facilities included in the survey in terms of satisfaction.

Provision and maintenance of local roads

The average importance of the provision and maintenance of local roads was 9.05 out of a potential ten. This ranks the service 10th of the 23 services and facilities included in the survey in terms of importance.

The average satisfaction with the provision and maintenance of local roads across Tasmania was 6.49 (“solid”). This ranks the service 21st of the 23 services and facilities included in the survey in terms of satisfaction.

Customer Service

A little more than one-fifth (21.8%) of respondents reported that they had contacted their council in the last twelve months. Respondents from the urban, southern and city councils were somewhat more likely to have contacted their local council in the last twelve months than respondents from rural and North West councils.

The two most common methods by which respondents last contacted their local council was via telephone (49.6%) and visits in person (37.6%). Only ten percent (10.5%) of respondents contacted their council via email, the website, or social media.

Respondents contacted their local council for a wide range of issues, which reflect the diversity of services and facilities provided by Local Government. The most common reasons for contacting council in the last twelve months were enquiries regarding rates (12.2%), animal management issues (9.8%), parking issues (6.9%), and planning related issues (6.6%).

The results suggest that respondents were more satisfied with both the courtesy, attitude, and professionalism of staff and the provision of information, than they were with the experience overall. This is thought to reflect the fact that other aspects such as speed of service and the final outcome of the interaction can influence overall satisfaction with the experience.

Current Issues for Council

Road maintenance and repairs (13.8%) and traffic management (10.5%) were the two most commonly nominated issues to address in the local municipality. The respondents who did raise these issues were, on average, significantly less satisfied with their local council's overall performance than the state-wide average. This result strongly suggests that road and traffic issues are important for some in the community, and that for these respondents, it is a significant influence on their overall satisfaction with Local Government.

Population Growth

On average, respondents across Tasmania rated satisfaction with the change in population in their municipality at 6.80 ("good") out of ten, whilst their satisfaction with state and Local Government planning for population change was rated measurably lower at 6.16 ("solid").

Almost half (45.1%) of the respondents were very satisfied with the change in population in their municipality in the last four years, and one-third (33.4%) were very satisfied with state and Local Government planning for population change. There was some variation in this result observed across the state in that southern and city council respondents were almost twice as likely to be dissatisfied with planning for population change.

These results suggest that the community is less concerned with the change in population, and more concerned with how the change in population is managed, particularly in relation to the provision of services and the development of appropriate infrastructure (e.g. roads and public transport, community and health services).

Housing in the Municipality

Satisfaction with the availability of housing that meets the needs of the community (5.08) and the affordability of housing (5.00) were both rated at very poor levels. This is a very low result and well less than any other area investigated as part of this or past community satisfaction surveys. In addition, less than one-quarter of respondents were very satisfied with these two aspects of housing, whilst more than forty percent were dissatisfied, particularly in the city and southern region councils.

Safety in Public Areas

Respondents were asked to rate their perception of safety in the public areas of their local area during the day, at night, and in and around their local shopping area (Figure 4).

Figure 4. Perception of Safety in Public Areas



This high perception of safety (above) reflects the fact that just 1.3% of respondents identified safety, policing and crime issues as one of the top three issues to address in the municipality at the moment.

Rural and elderly respondents reported feeling consistently safer than the state-wide average.

Image of Local Government

The image of Local Government was rated at 6.21 (“moderate”) out of a potential ten. Consistent with the increasing satisfaction with the council’s governance and leadership performance in recent years, more respondents considered that the image of Local Government had improved in the last four years (17.3%), than considered that it had deteriorated (13.7%)

The three most common reasons why respondents’ view of the image of Local Government had improved in the last four years were:

- Good governance and leadership (*N* = 31)
- Council as responsive, proactive, engaged, accessible, consultative (*N* = 24)
- Perception that council is doing a good job (*N* = 22)

The three most common reasons why respondents’ view of the image of Local Government had deteriorated in the last four years were:

- Poor governance and leadership (*N* = 89)
- Perception that council is not doing a good job (*N* = 26)
- Failure to be responsive, proactive, engaged, accessible, consultative (*N* = 14)

Respondents from all three regions and types of council rated the image of Local Government across Tasmania significantly lower than satisfaction with their individual council. This result is most prominent in relation to respondents from the city councils, where respondents’ average satisfaction with their local council was 21.7% higher than their average image of Local Government more broadly. The statewide average for this difference is 11.4%.

Appendix A: Breakdown by Region and Type of Council

Region	Type	Council
South	City	Hobart City Council Clarence City Council Glenorchy City Council
	Urban	Kingborough Council Brighton Council
	Rural	Sorell Council Huon Valley Council Derwent Valley Council Southern Midlands Council Glamorgan Spring Bay Council Central Highlands Council Tasman Council
North	City	Launceston City Council
	Urban	West Tamar Council Meander Valley Council
	Rural	Northern Midlands Council George Town Council Dorset Council Break O' Day Council Flinders Council
Northwest	City	Devonport City Council Burnie City Council
	Urban	Central Coast Council
	Rural	Circular Head Council Latrobe Council Waratah-Wynyard Council West Coast Council Kentish Council

		King Island Council
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Appendix B: Average Satisfaction with and Importance of Council Services

Council Area/Service	Satisfaction Score	Satisfaction Ranking	Importance Score	Importance Ranking
Overall performance	6.81 ("good")			
Transport services	6.60 ("good")			
Local roads	6.49 ("solid")	21 st	9.05	10 th
Local traffic	6.49 ("solid")	22 nd	8.99	12 th
Parking	6.80 ("good")	19 th	8.89	14 th
Community support	7.70 ("very good")			
Support and social welfare	7.70 ("very good")	6 th	8.82	15 th
Infrastructure	7.22 ("good")			
Street lighting	7.70 ("very good")	6 th	9.00	11 th
Cycle paths	7.33 ("very good")	10 th	8.32	21 st
Drains/stormwater	6.99 ("good")	15 th	9.22	2 nd
Footpaths/pedestrian areas	7.23 ("good")	12 th	9.17	5 th
Public toilets	6.86 ("good")	18 th	9.16	7 th
Waste, recycling, and cleaning	7.76 ("excellent")			
Garbage collection	8.15 ("excellent")	1 st	9.50	1 st
Recycling	7.83 ("excellent")	4 th	9.17	5 th
Cleaning of public areas	7.30 ("very good")	11 th	9.20	3 rd
	7.00 ("good")			
Communications				
Provision of information	7.03 ("good")	14 th	8.59	19 th
Council website/social media	6.97 ("good")	16 th	8.06	23 rd
Recreation, arts/culture, and open spaces	7.84 ("excellent")			
Parks, gardens, and playgrounds	7.83 ("excellent")	4 th	9.15	8 th
Recreation/aquatic centres/ sporting	7.56 ("very good")	9 th	8.66	17 th
Museums, galleries, and public art	8.07 ("excellent")	2 nd	8.10	22 nd
Community events and festivals	7.89 ("excellent")	3 rd	8.46	20 th
Economy, environment, and emergency	7.22 ("good")			
Economic development and tourism	6.90 ("good")	17 th	8.69	16 th
Environmental protection	7.19 ("good")	13 th	9.10	9 th
Emergency and disaster management	7.57 ("very good")	8 th	9.18	4 th
Planning and building	6.12 ("solid")			
Buildings	6.66 ("good")	20 th	8.95	13 th
Permit processes	5.57 ("poor")	23 rd	8.60	18 th

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17.2.4 NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (NATIONAL REDRESS SCHEME) – MEMORANDUM OF UNDERSTANDING WITH THE TASMANIAN GOVERNMENT

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 15 JULY 2019

Enclosure(s):

Draft Memorandum of Understanding on the participation of local councils in the National Redress Scheme for Institutional Child Sexual Abuse.

ISSUE

To inform Council of the proposal to form a partnership with the Tasmanian Government underpinned by a Memorandum of Understanding to participate in the National Redress Scheme as a ‘State institution’.

BACKGROUND

The following is an extract from a joint letter written by the Minister for Local Government and the Minister for Justice:

“Dear Mayor

As you would be aware, since 1 November 2018 the Tasmanian Government has been participating in the National Redress Scheme for Institutional Child Sexual Abuse (National Redress Scheme).

The National Redress Scheme is underpinned by an intergovernmental agreement and provides an opportunity for victims of child sexual abuse in an institutional setting to make an application to the National Redress Scheme for redress instead of pursuing onerous civil litigation.

The National Redress Scheme involves three key components:

- 1. A monetary payment of up to \$150 000;*
- 2. Access to counselling and psychological care services; and*
- 3. The opportunity for a direct personal response (such as an apology or meeting with a senior official of the responsible organisation).*

All state and territory governments have now commenced participation in the National Redress Scheme and progressively non-government institutions are coming on board. Participation in the National Redress Scheme is voluntary and all organisations have been urged to consider their potential liability for child sexual abuse.

The Australian Government has called on states and territories to engage with local government and encourage their participation in the National Redress Scheme. All states and territories have undertaken, or are currently undertaking, engagement with their respective local government sector. The Victorian local councils are now participating in the National Redress Scheme.

In Tasmania, local government has undertaken a variety of child-related activities such as delivery of child care services, youth programs, holiday programs and child recreational services (e.g. pools and sports centres). Many of these services have since been divested to the private and non-government sector but a number continue to be delivered directly by local government. Local government employs staff to run facilities and/or deliver services to children and young people, and their employees interact with children and young people in a variety of contexts.

As with all institutions involved with child-related services, local government is exposed to potential liability (in particular for the actions of its employees) and may be the subject of some claims of institutional child sexual abuse through the National Redress Scheme.

The Tasmanian Government is considering allowing local councils to participate under the auspice of the Tasmanian Government without the need to undertake individual steps to join the Scheme. This requires the Tasmanian Government declaring Tasmanian local councils 'State Institutions' specifically for the purposes of the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth).

In practice, local government claims will be received like claims against a Tasmanian Government Agency and processing will be coordinated by the Department of Justice.

Under this proposal, local councils will have a clear mechanism to redress any sexual abuse that has occurred within their institutions in the past.

A draft Memorandum of Understanding has been prepared for your consideration. Two of the key features of this arrangement would be that the Tasmanian Government will not seek contribution to the Department of Justice's administrative costs arising from the coordination and management of local council's claims, and the Tasmanian Government will underwrite the redress liability for local government as calculated by the Scheme Operator for individual claims and seek payment in arrears consistent with the Scheme's arrangements."

DETAIL

In terms of local government's involvement in the National Redress Scheme, it should be acknowledged that local government has (and continues) to undertake a variety of child related activities. In the case of the Southern Midlands Council, this includes youth-related programs; holiday programs; and child recreational services (e.g. pool etc.).

Given the timing of the Government's letter, this issue was considered at the recent General Meeting of the Local Government Association of Tasmania held 3rd July 2019.

At this meeting Councils decided to proceed collectively and the Local Government Association of Tasmania will take the lead on behalf of all Councils to finalise the Memorandum of Understanding.

Human Resources & Financial Implications – The National Redress Scheme involves three key components:

1. A monetary payment of up to \$150,000
2. Access to counselling and psychological care services; and
3. The opportunity for a direct personal response (such as an apology or meeting with a senior official of the responsible organisation).

The draft Memorandum of Understanding states that the Tasmanian Government will not seek contribution to the Department of Justice's administrative costs arising from the coordination and management of local council's claims, and the Tasmanian Government will underwrite the redress liability for local government as calculated by the Scheme Operator for individual claims and seek payment in arrears consistent with the Scheme's arrangements.

Community Consultation & Public Relations Implications – positive implications.

Policy Implications – Policy position.

Priority - Implementation Time Frame – Ongoing.

RECOMMENDATION

THAT;

- a) the information be received; and
- b) Council formally consent to participating in the National Redress Scheme as a 'state institution' which will be underpinned by a Memorandum of Understanding between the State of Tasmania and individual Tasmanian Councils.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

ENCLOSURE

Agenda Item 17.2.4



Tasmania

**Memorandum of Understanding
on the participation of local councils
in the National Redress Scheme for
Institutional Child Sexual Abuse**

Recitals

1. The parties enter into this Memorandum of Understanding (MoU) in recognition of the importance of the National Redress Scheme for Institutional Child Sexual Abuse. This Agreement is an acknowledgment that sexual abuse suffered by children in institutional settings is wrong and should not have happened.
2. The Parties agree the objective of providing redress for survivors of child sexual abuse is to recognise and alleviate the impact of past institutional child sexual abuse and related abuse, and to respond to the recommendations contained in the *Redress and Civil Litigation Report* of the Royal Commission into Institutional Responses to Child Sexual Abuse.
3. This MoU represents the cooperation between Parties on the participation in the National Redress Scheme and sets out the roles and responsibilities of the Parties under the National Redress Scheme.
4. This MoU is to be read in conjunction with the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) and other related legislation.
5. The Minister for Justice or the Minister with portfolio responsibility for the National Redress Scheme and Lord Mayors are authorised to agree to amendments to this MoU in accordance with Part 5 – Governance Arrangements.

PART I – Operative Provisions

Parties

6. This MoU is between:
 - a) the State of Tasmania (the "State"); and
 - b) the local councils, being:
 - Break O'Day
 - Brighton
 - Burnie
 - Central Coast
 - Central Highlands
 - Circular Head
 - Clarence
 - Derwent Valley
 - Devonport
 - Dorset
 - Flinders
 - George Town

Glamorgan – Spring Bay
Glenorchy
Hobart
Huon Valley
Kentish
Kingborough
King Island
Latrobe
Launceston
Meander Valley
Northern Midlands
Sorell
Southern Midlands
Tasman
Waratah Wynyard
West Coast
West Tamar

(Together, "the Parties")

Term of this MoU

8. This MoU will commence for each Party as soon as it is signed by them. This may occur after the commencement date of the National Redress Scheme. This MoU will expire on 30 June 2028, unless terminated earlier or extended as agreed in writing by the Parties.
9. Commitments under this MoU which refer to participating government institutions, only apply to Parties that have participating government institutions declared.

Enforceability

10. The Parties do not intend any of the provisions of this MoU to be legally enforceable. However, that does not lessen the Parties' commitment to this MoU.

Delegations

11. The Minister for Justice or the relevant Minister with portfolio responsibility for the National Redress Scheme is authorised to agree to amendments to this MoU and schedules to this MoU in accordance with Part 5 – Governance Arrangements.
12. Respective Lord Mayors are authorised to agree to amendments to this MoU and schedules to this MoU in accordance with Part 5 – Governance Arrangements.

Definitions

13. In this MoU, unless the contrary appears:
- a) where a word or phrase has a defined meaning, any grammatical form of that word has a corresponding meaning,
 - b) a reference to legislation or a legislative provision includes a reference to any amendment, substitution or re-enactment of that legislation or provision, and
 - c) the singular includes the plural and vice versa.
14. Terms in this MoU will have the same meaning as in Scheme legislation.
15. In this MoU, unless the contrary appears:

Confidential Information means information that:

- i. The Parties know, or ought to know is confidential, or
- ii. The Parties agree in writing after the commencement of this MoU is confidential information for the purpose of this MoU.

For the avoidance of doubt, Confidential Information does not include Protected Information as defined in the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018. An example of Confidential Information would be a policy position shared by a Party on an issue that has arisen in the course of the Scheme.

The assessment framework policy guidelines for the monetary redress payment is Confidential Information.

Scheme legislation means:

- i. the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth) (the National Redress Scheme Act);
- ii. the National Redress Scheme for Institutional Child Sexual Abuse Rules 2018 (the Rules); and
- iii. the *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018* (Tas).

PART 2 – Objectives

Role and purpose of this MoU

16. This MoU provides the foundation for governments to work together to implement the Scheme. This MoU will be signed by any local council that seeks to become a participating state institution for the purposes of the Scheme.
17. In addition, this MoU provides Parties with the framework for delivering the Scheme by setting out:
- a) roles and responsibilities of the State and participating local councils;
 - b) governance arrangements;
 - c) financial arrangements;

- d) implementation arrangements; and
- e) Scheme operational arrangements.

Objects of the Redress Scheme

- 18. The National Redress Scheme Act set out the objects of the Scheme.
- 19. The main objects if the Scheme are to recognise and alleviate the impact of past institutional child sexual abuse and related abuse, and provide justice for the survivors of that abuse.

PART 3 – Roles and Responsibilities

Shared roles and responsibilities

- 20. The State and local councils which have had participating government institutions declared will:
 - a) work collaboratively to deliver redress from participating institutions to eligible survivors;
 - b) share information and data, subject to this MoU and privacy requirements, to promote a best practice and survivor-focused Scheme; and
 - c) identify and seek to resolve issues in a timely manner where Scheme arrangements are having unintended impacts.

Roles and responsibilities of the State

- 21. The State will:
 - a) introduce legislation to refer to the Commonwealth Parliament the text reference and the amendment reference, or adopt the relevant version of the National Redress Scheme Act once enacted and refer the amendment reference, in accordance with s 51(xxxvii) of the Constitution;
 - b) administer the participation of the Parties to the Scheme through the State Department of Justice;
 - c) deliver direct personal responses to its survivors in accordance with the Direct Personal Response Framework;
 - d) deliver access to counselling and psychological care to survivors residing in Tasmania;
 - e) fulfil reporting obligations to the Scheme; and
 - f) fulfil agreed financial obligations in accordance with Part 6 – Financial Arrangements.

Roles and responsibilities of the local councils

- 22. The local councils will:
 - a) deliver direct personal responses to its survivors in accordance with the Direct Personal Response Framework;

-
- b) fulfil information sharing and reporting obligations required under the National Redress Scheme to the State; and
 - c) fulfil agreed financial obligations in accordance with Part 6 – Financial Arrangements.

PART 4 – IMPLEMENTATION ARRANGEMENTS

Reporting

- 23. The State will provide local councils which have had claims made under the Scheme with an individual quarterly report on applications made under the Scheme that relate to their participating institutions, including information on:
 - a) the number of completed applications,
 - b) the number of completed internal reviews of decisions,
 - c) the proportion of affirmed decisions,
 - d) the proportion of accepted offers,
 - e) the number of applicants that have been determined not entitled to redress under the criminal convictions policy, and
 - f) the number of applications to be processed.

Confidential Information

- 24. Subject to clause 25, a Party must not disclose Confidential Information to anyone, without the prior written consent of the Party that provided them with the information.
- 25. A Party can disclose Confidential Information to the extent that it:
 - a) is disclosed to its internal management personnel, solely to enable effective management and/or auditing of the Scheme;
 - b) is shared within a Party, or with another agency, where this serves the State's or local council's legitimate interests;
 - c) is authorised or required by law to be disclosed, or
 - d) is in the public domain otherwise than due to a breach of this MoU.
- 26. Where a Party discloses Confidential Information to another person under clause 25 they must:
 - a) notify the receiving person that the information is confidential; and
 - b) not provide the information unless the receiving person agrees to keep the information confidential.
- 27. A Party receiving Confidential Information will take all reasonable steps to ensure that the Confidential Information of the other Party is protected at all times from any unauthorised use or access and to immediately notify the other Party if the receiving Party becomes aware of any unauthorised access to, or use or disclosure of Confidential Information.

Privacy

28. In exchanging information under this MoU, officials need to be aware of their obligations under privacy legislation.

PART 5 – GOVERNANCE

Variation of this MoU

29. This MoU, and schedules to this MoU, may be amended at any time by agreement in writing by all the Parties.

Review of this MoU

30. The Parties may review the operation and objectives of this MoU following the review of the Scheme outlined in the Scheme legislation, or as otherwise agreed by the Parties.

Withdrawal and Termination of this MoU

31. The Parties agree that withdrawal from this MoU will be a measure of last resort.
32. A Party that ceases to be a declared participating state institution under the Scheme legislation immediately ceases to be a Party to this MoU.
33. A Party to the MoU may indicate its intent to withdraw from this MoU at any time by notifying all other Parties in writing of its intention to do so. A Party that proposes to withdraw will give at least three months' notice of its intention to withdraw.
34. Following notification of a Party's intention to withdraw from this MoU under clause 33, the terms of withdrawal, including the date on which the Party will cease to be a Party, and arrangements necessary because of the withdrawal, will be negotiated in good faith and agreed between the State and the Party intending to withdraw from this MoU.
35. If a Party withdraws, this MoU will continue between all remaining Parties.

Counterparts

36. This MoU may be executed in any number of counterparts. All counterparts, taken together, constitute this MoU. A Party may execute this MoU by signing any counterpart.

Dispute Resolution

37. Any Party may give notice in writing to other Parties of a dispute under this MoU.
38. Officials of relevant Parties will attempt to resolve any dispute in the first instance.
39. If a dispute is unable to be resolved by officials, it may be escalated to the Minister for Justice or relevant Minister with responsibility for redress and Lord Mayors.

Ministerial Declarations

40. Local councils will declare the participating local council institutions as participating State institutions.

-
41. Local councils are required to specify which local government institutions they agree to being declared under the Scheme, in accordance with the Scheme Legislation, and may do this by specifying a list of institutions by class.
 42. The State will arrange the Commonwealth Minister responsible for redress to declare the specified local government institutions as participating institutions where the relevant requirements are met. The Minister's declaration will be in the form of a notifiable instrument (which is not disallowable).

PART 6 – FINANCIAL ARRANGEMENTS

43. The Scheme operates on a 'responsible entity pays' basis, as recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse. Parties will fund the cost of providing redress to each eligible survivor for whom one of their participating government institutions is responsible. This includes the monetary payment, access to Counselling and Psychological Care (CPC) and costs associated with delivering direct personal responses.
44. Participating local government institutions that are determined to be responsible for abuse will pay an administrative charge, set at 7.5 per cent of the total value of the institution's gross liability for redress payments made in relation to that abuse in each quarter.
45. Participating local government institutions, will also be required to pay a per-claim contribution towards legal support costs, delivered by the Scheme's legal support services. This amount will be \$1,000 for each claim for which the institution is the only liable participating institution, or a portion of the \$1,000 contribution proportionate to the institution's share of the redress payment where it is jointly responsible for providing redress with another institution or institutions. This amount does not include any GST, and no GST will be charged. These costs are directly attributable to supporting eligible applicants to access legal support.
46. Parties will be invoiced in arrears on a quarterly basis. The quarterly invoice will include the total amount owed and the total number of applicants who have been paid in the quarter broken down by CPC contribution, redress payment, legal support contribution and administrative charge along with details for payment. This approach ensures Parties will not have to make up front contributions to the Scheme based on estimated exposure to claims.
47. The Parties note that the per claim administrative charge will be reviewed by the Commonwealth Government in accordance with the requirements under the Scheme legislation to ensure it accurately reflects the costs being recovered.

PART 7 – THE SCHEME

48. The National Redress Scheme Act establishes the National Redress Scheme for Institutional Child Sexual Abuse. It provides the legislative basis for entitlement, participation, how to obtain redress, offers and acceptance of redress, provision of redress, funding, funder of last resort and other administrative matters.

Responsibility for redress

49. A participating institution will be responsible for redress if the abuse occurred in circumstances where the institution is, or should be treated as being, primarily or equally responsible for the abuse.

Release from civil liability

50. Survivors receiving redress under the Scheme will be required to release the responsible participating institution(s), their associates and the officials of these institutions (other than the abuser) from all civil liability in relation to all instances of child sexual abuse, and related non-sexual abuse within scope of the Scheme. This will be a condition of accepting any components of redress under the Scheme.
51. Where a participating institution has been released from civil liability either at common law or under another payment scheme in relation to the abuse they have been found liable for under the Scheme, then that release and any confidentiality provisions, cannot be relied upon for the limited purpose of determining the payment amount that a survivor may be entitled to under the Scheme.
52. Parties agree that their participating government institutions will waive their rights under prior releases to the extent necessary, and will not take action against survivors for failing to comply with the prior release simply on the basis that the survivor has applied for redress and notified the Scheme of information relevant to their application including a prior payment received. All other conditions under existing releases with survivors will remain.

Counselling and psychological care (CPC)

53. Parties agree that survivors found eligible under the Scheme, and who have signed the release from civil liability, will have the opportunity to access CPC to address the impact of their experience.
54. The State will provide access to CPC by delivering CPC services directly to survivors residing in Tasmania and receiving a tiered payment of \$1,250, \$2,500 or \$5,000 from responsible institutions for the provision of their services.

Direct personal response

55. Parties agree that survivors who are entitled to redress under the Scheme, and who have signed the release from civil liability, should have the opportunity to receive a direct personal response from the responsible participating institution(s), if they choose it.
56. Parties that have had participating institutions declared agree to adhere to the National Redress Scheme for Institutional Child Sexual Abuse Direct Personal Response Framework 2018.

*Signed for and on behalf of the State of
Tasmania by*

The Honourable Elise Archer MP
Attorney-General and Minister for Justice

Date

*Signed for and on behalf of the
Break O'Day Council by*

Mick Tucker
Lord Mayor of the Break O'Day Council

Date

*Signed for and on behalf of the
Brighton Council by*

Tony Foster
Lord Mayor of the Brighton Council

Date

*Signed for and on behalf of the
Burnie City Council by*

Steven Kons
Lord Mayor of the Burnie City Council

Date

*Signed for and on behalf of the
Central Coast Council by*

Jan Bonde
Lord Mayor of Central Coast Council

Date

*Signed for and on behalf of the
Central Highlands Council by*

Loueen Triffitt
Lord Mayor of the Central Highlands Council

Date

*Signed for and on behalf of the
Circular Head Council by*

Daryl Quilliam
Lord Mayor of the Circular Head Council

Date

*Signed for and on behalf of the Clarence City
Council by*

Doug Chipman
Lord Mayor of the Clarence City Council

Date

*Signed for and on behalf of the Derwent Valley
Council by*

Ben Shaw
Lord Mayor of the Derwent Valley Council

Date

Signed for and on behalf of the Devonport City Council by

Annette Rockliff
Lord Mayor of the Devonport City Council
Date

Signed for and on behalf of the Flinders Council by

Annie Revie
Lord Mayor of the Flinders Council
Date

Signed for and on behalf of the Glamorgan – Spring Bay Council by

Debby Wisby
Lord Mayor of the Glamorgan – Spring Bay Council
Date

Signed for and on behalf of the Hobart City Council by

Anna Reynolds
Lord Mayor of the Hobart City Council
Date

Signed for and on behalf of the Kentish Council by

Tim Wilson
Lord Mayor of the Kentish Council
Date

Signed for and on behalf of the King Island Council by

Julie Arnold
Lord Mayor of the King Island Council
Date

Signed for and on behalf of the Dorset Council by

Greg Howard
Lord Mayor of the Dorset Council
Date

Signed for and on behalf of the George Town Council by

Bridget Archer
Lord Mayor of the George Town Council
Date

Signed for and on behalf of the Glenorchy City Council by

Kristie Johnston
Lord Mayor of the Glenorchy City Council
Date

Signed for and on behalf of the Huon Valley Council by

Bec Enders
Lord Mayor of the Huon Valley Council
Date

Signed for and on behalf of the Kingborough City Council by

Dean Winter
Lord Mayor of the Kingborough City Council
Date

Signed for and on behalf of the Latrobe Council by

Peter Freshney
Lord Mayor of the Latrobe Council
Date

Signed for and on behalf of the Launceston City Council by

Albert van Zetten

Lord Mayor of the Launceston City Council

Date

Signed for and on behalf of the Northern Midlands Council by

Mary Knowles

Lord Mayor of the Northern Midlands Council

Date

Signed for and on behalf of the Southern Midlands Council by

Alex Green

Lord Mayor of the Southern Midlands Council

Date

Signed for and on behalf of the Waratah Wynyard Council by

Robby Walsh

Lord Mayor of the Waratah Wynyard Council

Date

Signed for and on behalf of the West Tamar Council by

Christina Holmhadl

Lord Mayor of the West Tamar Council

Date

Signed for and on behalf of the Meander Valley Council by

Wayne Johnston

Lord Mayor of the Meander Valley Council

Date

Signed for and on behalf of the Sorell City Council by

Kerry Vincent

Lord Mayor of the Sorell Council

Date

Signed for and on behalf of the Tasman Council by

Kelly Spaulding

Lord Mayor of the Tasman Council

Date

Signed for and on behalf of the West Coast Council by

Phil Vickers

Lord Mayor of the West Coast Council

Date

17.2.5 REQUEST FOR FUNDING - ROYAL AUSTRALIAN ARTILLERY HISTORICAL COMPANY

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 19 JULY 2019

Enclosure(s):

Request from Royal Australian Artillery Historical Company dated 1st July 2019

ISSUE

Council to consider a request for funding received from the Royal Australian Artillery Historical Company (RAAHC).

DETAIL

The RAAHC wish to bring the ANZAC Centennial Gun Team to Tasmania in November 2019. They have made an application to the TAS Community Fund to support the proposal which was not approved. The Spirit of Tasmania and the Arms Collectors Guild of Tasmania have offered sponsorship.

The RAAHC is a public company and an all volunteer not- for- profit charitable organisation of members. The Company's core purpose is to promote the significance of Australia's Artillery, its history and heritage. In accord with this purpose the RAAHC Board in 2013 decided to initiate the ANZAC Centennial Gun Project.

The request is for the Devonport City Council, Meander Valley Council, Northern Midlands Council, Southern Midlands Council, City of Launceston and City of Hobart Council to give consideration to combine to meet the \$20,000 shortfall in funding to allow the ANZAC Centennial Gun to tour those communities.

It should be noted that the itinerary suggested by the proponent has no scheduled display in the Southern Midlands and is only passing through the municipality.

Human Resources & Financial Implications – The request is for the 6 Councils to fund \$20,000. Whilst this equates to approximately \$3,300 per Council, a pro-rata payment based on per head of population (or similar formula) would be substantially less.

Policy Implications – This organisation is not recognised in Council's 'Donations and Community Support Policy' and therefore the request is to be considered on merit.

RECOMMENDATION

THAT Council respectfully decline the request for funding from the Royal Australian Artillery Historical Company

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

- ACT (Belgium Embassy, Australian Defence Force Academy, Canberra Old Parliament House, Reception by Governor General)
- France. The Team participated in a ceremony to commemorate the 100th Anniversary of the Battle of Passchendaele. All volunteers paid their own way and manned an 18 Pounder to represent Australia in a 100 round salute. Gun crews from NZ, France, UK, Canada, and Belgium also participated.



The ANZAC Centennial Gun ANZAC Day 2015

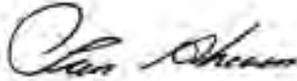
The visit to Tasmania will consist of displaying the gun and horse in communities in Devonport, Westbury, Launceston, Ross and Campbell culminating in participation of the Remembrance Day Service in Hobart. The gun and horses will travel from the Canberra Region to Melbourne then onto Tasmania by the Spirit of Tasmania and then back to Melbourne and the Canberra Region.

The total cost to bring the ANZAC Centennial Team to Tasmania is \$31,500 less \$4,500 sponsorship from TT Line and the Arms Collectors Guild of Tasmania. The RAAHC will provide \$7,000 of its own funds leaving a shortfall of \$20,000. Funds are expended on horse agistment and fodder, transport for horses and team members, rations and accommodation for team members. No payment is received by any of the team; only reimbursement of costs.

It is requested that the Devonport City Council, Meander Valley Council, Northern Midlands Council, Southern Midlands Council, City of Launceston and City of Hobart Council give consideration to combine to meet the \$20,000 shortfall in funding to allow the ANZAC Centennial Gun to tour their communities.

I can provide additional information if needed and can be contacted by email or mobile as shown in my signature block below.

Yours sincerely,



1st July 2019

Ian Ahearn
Deputy Chair RAAHC
Mobile: 0417691741 Email: ifahearn45@email.com
OR ISFdr@artilleryhistory.org

17.2.6 TABLING OF DOCUMENTS

CORRESPONDENCE FROM OATLANDS HIGH STREET TRADERS GROUP



Mayor, Councillors & General Manager
Southern Midlands Council
PO Box 21
Oatlands Tas 7120

Dear Mayor, Councillors & Tim

TRAFFIC MANAGEMENT ISSUES IN OATLANDS

Deputy General Manager, Andrew Benson attended the inaugural meeting of the Oatlands High Street Traders Group (Group) on the 18th January 2019. At that meeting, he tabled a plan of the Oatlands Village saying that he was seeking input/comments and proceeded to share with the Group, Council's initial concerns about the lack of parking for people with a disability in the Village. That discussion then ventured further into other traffic management issues, in and around Oatlands. It was a very healthy discussion with many interesting insights from Members in respect of their experiences and suggestions for better vehicular and pedestrian access, in and around the Village.

In respect to the initial request for input the Group offered the following locations that they felt warranted a defined disability parking space, namely;

- Outside the Chemist, in High Street
- Outside the Post Office, in High Street
- Outside the IGA Supermarket, in High Street
- At the Council Chambers, in Stutzer Street noting that the parking adjacent to the side door challenging to negotiate at the best of times, let alone if someone has a disability,
- Outside the Midlands Multi-Purpose Health Centre, in Church Street

It was noted that there were no people present at the meeting from the Chemist, the Post Office, the IGA Supermarket or the MMPHC

Graham Furness as a Member of the Group volunteered to undertake some detailed discussions with members of the Community and seek their views on traffic and pedestrian adjustments required for the safety and wellbeing of people in the Village, he asked to be able to meet with Andrew Benson following that consultation. It was agreed to proceed with that set of actions.

After a consolidated effort on Graham's part in respect to discussions within the Community where he met with 31 people (approximately 90% of those interviewed were above forty years of age and many in the sixty to seventy age bracket) and canvassed their views, he then meet with Andrew Benson to share those views. The following matters were covered

a) Disability Parking

All of the disability Parking spaces mentioned above were the ones identified by the Community consultation, however with the caveat that the disability parking space at the Council Chambers should be in the car park at the rear of the Council Chambers building.

It was suggested that the car park at the rear of the Council Chambers could be for general parking (time limited – say 30 minutes) as well as disability parking. That would then require the Council staff to park elsewhere. The rear of the RAW building was the suggested location for the staff parking. It was acknowledged that the access into the Council carpark is challenging, especially when people park in Stutzer Street directly opposite the entrance to the Council carpark. Therefore it was suggested that parking in Stutzer Street adjacent to the RAW building be designated a no standing zone, leaving the other side of the road adjacent to the Council Chambers the only side to park on. It was noted that the cross fall on the footpath and the road shoulder at the 'side door' to the Council Chambers needs some work on the side grades.

2 Speed Limit – High Street

Many people felt that vehicles moved far too fast along High Street. Some suggested that the vast width of the High Street contributed to people's willingness to accelerate through the centre.

It is noted that there is currently a 50km/h speed limit between Tunnack Road and Dulverton Street. During school access hours in the morning and the afternoon there is a 40km/h maximum speed limit.

The recommendation from the majority of people consulted was that it would be desirable to reduce that 50km/h to 40km/h from Wellington Street to Dulverton Street.

3. Parking in High Street

Consultation has revealed that the majority of people are

- a. comfortable with the existing angle parking at the front of the School, Bus Stop in its current position and Parallel parking in front of the Bottle Shop;
- b. Would like new angled parking on the northern side of High Street, from Church Street to opposite Barrack Street, then parallel parking for approximately 170m (to 102 High Street) and from there angle parking to Dulverton Street
- c. Parallel parking for the remainder of the Southern side of High Street, except for a small amount of angle parking outside the former Mancey's Store just beyond the pedestrian refuge.

4. Pedestrian Crossings on High Street

Given the width of High Street, elderly people have made the comment that they are quite frightened to cross the road and would like the existing road refuges (at the School and at the Council Chambers) formalised with a white lined crossing, plus a new formalised pedestrian crossing in the vicinity of Cantwell's Store, at the northern end of High Street.

5. Welcome to Oatlands sign

The current sign at the northern entrance to the Village is on the Historic Society wall but it is shielded by the recent installation of the Wool Press. This would be better served further out the northern entrance road (High Street).

6. Footpath Trip Hazards

It is noted that Council have marked potential trip hazards for repairs along High Street and this is appreciated.

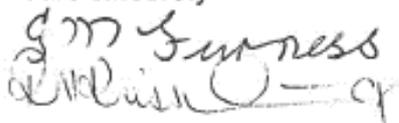
7. Mobility for People with a Disability

Graham also talked to senior officers at the Midland Multi-Purpose Health Centre about people with a disability and/or wheelchair accessibility. The Oatlands Progress Association took a range of images of awkward access points along High Street. They have been asked to provide a commentary to Council under their own letterhead under a separate cover along with the images, for your further consideration.

In discussion with Andrew Benson, he has advised that Council is in the process of establishing a 'Structure Plan' for Oatlands, he advises that a Village Structure Plan sets out a framework for the use, development and enhancement of the Oatlands Village activity centres for the next 20 years and beyond. This will include a Traffic Management Plan, pedestrian walkways/paths, village character assessment, including form and fabric as well as landscaping in certain precincts, as well as public open space design and usage. As we understand it, a 'Village Square' concept will also be explored to create a vibrant 'heart of the Village'.

We have appreciated the opportunity to comment on the traffic management issues in Oatlands and trust that when the Traffic Engineers are considering the options for Oatlands within the Structure Plan that we will be provided with the opportunity to talk through our research findings with them.

Yours sincerely



Graham Michael Furness

REBECCA KRISLING

For and on behalf of
Oatlands High Street Traders Group

Encl. Oatlands Base Map

RECOMMENDATION

THAT the correspondence from the Oatlands High Street Traders Group be received.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

17.2.7 ELECTED MEMBER BRIEFINGS

An opportunity is provided for elected members to brief fellow Councillors on issues not requiring a decision.

17.3 Finances

Strategic Plan Reference(s) 6.3.1, 6.3.2 & 6.3.3

Community's finances will be managed responsibly to enhance the wellbeing of residents / Council will maintain community wealth to ensure that the wealth enjoyed by today's generation may also be enjoyed by tomorrow's generation / Council's financial position will be robust enough to recover from unanticipated events, and absorb the volatility inherent in revenues and expenses.

17.3.1 MONTHLY FINANCIAL STATEMENT (PERIOD ENDING 30 JUNE 2019)

Author: FINANCE OFFICER (COURTNEY PENNICOTT)

Date: 19 JULY 2019

BACKGROUND

The format of the Operating Expenditure Report has been amended to include a Year To Date (YTD) Budget Column, with variations (and percentage) based on YTD Budgets – as opposed to total annual Budget.

Note: Depreciation is calculated on an annual basis at the end of the financial year and therefore the budget for depreciation is included in the June period.

DETAIL

The enclosed Report incorporates the following: -

- Statement of Comprehensive Income – 1 July 2018 to 30 June 2019.
- Operating Expenditure Budget Report – as at 30 June 2019.
- Capital Expenditure Estimates – as at 30 June 2019.
- Cash Flow Statement – 1 July 2018 to 30 June 2019.

OPERATING EXPENDITURE ESTIMATES (OPERATING BUDGET)

Overall, operating expenditure to end of June 2019 was \$10,257,257, which represents 100.5% of YTD Budget.

Note: Please note that end-of-year accrual adjustments are still being processed which will result in further adjustments to these figures. Based on the current balances within internal clearing accounts, this will reduce the total expenditure to date by an amount yet to be determined.

Whilst there are some variations within the individual Program Budgets (refer following comments), YTD expenditure is consistent with Budget.

Strategic Theme - Infrastructure

Sub-Program – Bridges – expenditure to date (\$397,580 – 106.67% of YTD Budget) relates to engineering assessments required for NHVR (Special Purpose Vehicles network assessment) which is a one-off exercise at a cost of \$20,802. This assessment also relates to the Road Program and the amount expended can be offset against the Road Program Budget.

Sub-Program – Walkways – expenditure to date (\$218,949 – 112.34% of YTD Budget). Costs relate to annual township mowing, spraying and litter collection.

Sub-Program – Waste – expenditure to date (\$923,953 – 111.97% of YTD Budget). Costs relate to additional rubbish disposal costs and collections.

Sub-Program – Public Toilets – expenditure to date (\$75,543 – 117.72%). Additional unforeseen costs associated with internal sewerage blockages at Colebrook History Room Toilets.

Strategic Theme – Growth

Nil.

Strategic Theme – Landscapes

Sub-Program – Heritage – expenditure to date (\$312,495 – 104.67%). Additional expenditure relates to the development of the Commissariat Hub, and Picton Convict Road Station archaeological project.

Sub-Program – Natural – expenditure to date (\$187,947 – 108.47%). Expenditure relates to works at the Chauncy Vale Reserve (i.e. safety upgrades), Callington Park BBQ facility improvements and land care facilitator costs.

Strategic Theme – Lifestyle

Sub-Program – Public Health – expenditure to date (\$11,137 – 110.35%). Additional expenditure relates to a \$3,000 co-contribution towards Oatlands Looking out for One Another Project with Rural Alive & Well.

Strategic Theme –Community

Sub-Program – Capacity – expenditure to date (\$57,489 – 205.87%). Expenditure includes Council's contribution of \$5K to the Green Ponds Progress Association (being its contribution towards the purchase of a community bus) and costs associated with the Heritage Festival and the Kempton Memorial Avenue event.

Strategic Theme –Organisation

Nil.

RECOMMENDATION

THAT the Financial Report be received and the information noted.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

STATEMENT OF COMPREHENSIVE INCOME

FOR THE PERIOD

1st JULY 2018 to 30th JUNE 2019

	Annual Budget	Year to Date as at 30th JUNE	%	Comments
Income				
General rates	\$ 5,390,741	\$ 5,386,639	99.9%	Budget includes Interest & Penalties to be imposed to end of June 2019
User Fees (refer Note 1)	\$ 730,602	\$ 965,883	132.2%	
Interest	\$ 177,000	\$ 219,409	124.0%	
Government Subsidies	\$ 24,000	\$ 11,751	49.0%	Heavy Vehicle Licence Fees & Road Rescue MAIB reimbursements
Contract Income	\$ 0	\$ 0	0.0%	
Other (refer Note 2)	\$ 162,000	\$ 160,516	99.1%	
Sub-Total	\$ 6,484,343	\$ 6,744,199	104.0%	
Grants - Operating	\$ 3,356,130	\$ 3,460,306	103.1%	\$3,455,542 FAGS; \$4,764 ANZAC
Total Income	\$ 9,840,473	\$ 10,204,505	103.7%	
Expenses				
Employee benefits	\$ (3,914,764)	\$ (3,456,305)	88.3%	Less Roads - Resheeting Capitalised
Materials and contracts	\$ (3,042,876)	\$ (3,546,113)	116.5%	Less Roads - Resheeting Capitalised, Includes Land Tax
Depreciation and amortisation	\$ (2,855,500)	\$ (2,855,500)	100.0%	Percentage Calculation (based on year-to-date)
Finance costs	\$ (30,723)	\$ (30,723)	100.0%	
Contributions	\$ (221,180)	\$ (221,180)	100.0%	Fire Service Levies
Other	\$ (141,075)	\$ (131,625)	93.3%	Incls Rate Discounts
Total expenses	\$ (10,206,118)	\$ (10,241,446)	100.3%	
Surplus (deficit) from operations	\$ (365,645)	\$ (36,941)	10.1%	
Grants - Capital (refer Note 3)	\$ 1,669,375	\$ 555,226	33.3%	
Sale Proceeds (Plant & Machinery)	\$ 353,000	\$ 84,293	0.0%	
Net gain / (loss on disposal of non-current assets)	\$ 0	\$ 0	0.0%	
Surplus / (Deficit)	\$ 1,656,730	\$ 602,578	36.4%	

NOTES				
1. Income - User Fees (Budget \$730,602) includes:				
- All other Programs	\$ 399,869	\$ 557,837	139.5%	Actual Income Received (i.e. excluding Debtors)
- Private Works	\$ 170,733	\$ 309,555	181.3%	
- Callington Mill	\$ 160,000	\$ 98,492	61.6%	
	\$ 730,602	\$ 965,883		
2. Income - Other (Budget \$162,000) includes:				
- Tas Water Distributions	\$ 152,000	\$ 152,000	100.00%	
- HBS Dividend	\$ 10,000	\$ -	0.0%	
- Other	\$ -	\$ 8,516	0.0%	
	\$ 162,000	\$ 160,516	99.1%	
3. Grant - Capital (Budget \$1,669,375) includes:				
- Swimming Pool	\$ 1,250,000	\$ -	0.0%	
- Kempton Comm Health Centre	\$ 75,000	\$ -	0.0%	Received 30/6/18
- Roads To Recovery Grant	\$ 344,375	\$ 344,375	100.0%	
- Twin Equestrian Arenas	\$ -	\$ 36,784	0.0%	
- Stronger Communities	\$ -	\$ 17,000	0.0%	
- Blackspot	\$ -	\$ 33,267	0.0%	
- Commissariat NSRF Grant	\$ -	\$ 123,800	0.0%	
	\$ 1,669,375	\$ 555,226	33.3%	
4. Grant - Operating (Budget \$1,669,375) includes:				
Operating Grants				
FAGS	\$ 3,356,130	\$ 3,455,542	103.0%	
ANZAC Memorial Grant	\$ -	\$ 4,764		
	\$ 3,356,130	\$ 3,460,306		

CAPITAL EXPENDITURE PROGRAM 2018-19
AS AT 30 JUNE 2019

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
INFRASTRUCTURE						
ROAD ASSETS						
Resheeting Program	Various	Roads Resheeting	\$ 450,000	\$ 443,921	\$ 6,079	
		Hardings Road - vicinity of Brown Mountain Rd		\$ 24,008		RTR
Reseal Program		Roads Resealing (as per agreed program)	\$ 500,000	\$ -	\$ 287,027	
	C1010047	Kempton Intersections		\$ 16,800		
	C1010081	Interlaken Road		\$ 69,588		
	C1010082	Bangalore Court		\$ 4,484		
	C1010083	Horfield Court		\$ 7,801		
	C1010084	Iden Road		\$ 12,043		
	C1010085	Franklin Road Reseal		\$ 5,689		
	C1010086	Marla Court Reseal		\$ 57,720		
	C1010087	Maconochie Street Reseal		\$ 7,356		
	C1040025	- Tunnack Main Road Kerb & Gutter		\$ 10,080		Tunnack Main - Asphaltting
	C1090013	- Swan Street (Blackport Rd to Green Valley Rd)		\$ 21,411		Swan Street - Asphaltting
	C1010017	Glen Morey Road	\$ 135,000	\$ 154,970	\$ (19,970)	RTR
	C1010080	Woodsdale Road	\$ 135,000	\$ 162,718	\$ (27,718)	RTR
	C1020033	Yarlington Road (Smarts Hill - 150 metres)	\$ 22,500	\$ 7,740	\$ 14,760	\$22.5K Budget c/fwd
Reconstruct & Seal	C1010001	Blackbrush Road - new seal (400 metres each end)	\$ 72,000	\$ 89,973	\$ (17,973)	\$72K Budget c/fwd
	C1010021	Huntington Tier (350 metres, Huntington Tier End)	\$ 52,000	\$ 31,487	\$ 20,513	
Minor Seals (New)	C1020064	Ryndaston Road Dust Suppressant Seal	\$ 20,000	\$ 12,833	\$ 7,167	
		Church Road (Brighton Council end)	\$ 10,000	\$ -	\$ 10,000	\$10K Budget c/fwd
	C1020032	Hasting Street Junction	\$ 15,000	\$ 959	\$ 14,041	\$15K Budget c/fwd WIP 30/6/18 \$959
Unsealed - Road Widening	C1020065	Clifton Vale - (Cliff Section)	\$ 40,000	\$ -	\$ 40,000	\$40K Budget c/fwd
	C1020062	Brown Mountain Road (vicinity of Ferniehurst)	\$ 15,000	\$ 4,859	\$ 10,142	
	C1020061	Native Corners Road (Far end, Widening/Guard Rail)	\$ 20,000	\$ 10,975	\$ 9,025	
Junction / Road Realignment / Other	C1010037	Campania - Reeve St / Clime Street (includes Footpath)	\$ 70,000	\$ 2,617	\$ 67,383	\$45K Budget c/fwd WIP 30/6/18 \$2,617
	C1010079	Reeve St - Hall Street to Rec Ground (K&G) - 70 metres	\$ 20,000	\$ 6,887	\$ 13,114	Budget c/fwd
		Reeve Street - Footpath (continuation to Hall)	\$ 18,000	\$ -	\$ 18,000	
	C1020047	Lovely Banks Road (junction with Colebrook)	\$ -	\$ 3,230	\$ (3,230)	Final Survey & Acquisition Plan
	C1010088	Bagdad Primary School - Car Park (contribution)	\$ 25,000	\$ 6,036	\$ 18,964	
	C1040022	Tunbridge Main Road - Kerb & Gutter Renewal	\$ 20,000	\$ -	\$ 20,000	
	C1010039	Woodsdale Road - Landslip Area(s) - Engineering Assessment	\$ 9,500	\$ 3,662	\$ 5,838	\$9.5K Budget c/fwd
	G1010002	Bagdad Community Club - Car Park	\$ 32,000	\$ 29,255	\$ 2,745	Grant Funded (Grant Received June 18)
			\$ 1,681,000	\$ 1,209,101	\$ 495,907	

BRIDGE ASSETS	C1030006	Fields Road Bridge (B1851)	\$ -	\$ 1,469	\$ (1,469)	WIP 30/6/18
	C1030049	Inglewood Road (B 4289)	\$ -	\$ 15,462	\$ (15,462)	Capitalised 16/17
	C1030055	Link Road (B3820)		\$ 6,071	\$ (6,071)	
	C1030056	Noyes Road (Limekiln Creek T268.00051)	\$ -	\$ 350	\$ (350)	Capitalised 17/18
	C1030057	Reynolds Road (Burns Creek B5301)	\$ -	\$ 4,510	\$ (4,510)	WIP 30/6/18
			\$ -	\$ 27,862	\$ (27,862)	
WALKWAYS	C1040003	Footpaths - General Streetscapes	\$ 5,000	\$ -	\$ 5,000	
		Bagdad Township				
	C1090013	- Swan Street (Blackport Rd to Green Valley Rd)	\$ 110,000	\$ 114,365	\$ (4,365)	\$4K Budget c/fwd WIP 30/6/18 \$2,687
	C1040014	- East Bagdad Road		\$ 3,486	\$ (3,486)	
		Campania Township				
		- Review Management Plan (Site Plan) / Walking Tracks (Bush	\$ 5,000	\$ -	\$ 5,000	\$5K Budget c/fwd
		Colebrook Township				
	C1040015	- Streetscape Plan Development & Implementation (Part)	\$ 15,000	\$ 39,611	\$ (24,611)	\$15K Budget c/fwd
		Kempton Township				
	C1040004	- Streetscape Plan (Review & Implementation (Part)	\$ 70,000	\$ 82,392	\$ (12,392)	\$40K Budget c/fwd WIP 30/6/18 \$9,660
	C1040006	- Main Street Footpath Construction	\$ 25,000	\$ 22,363	\$ 2,637	
	Parattah Township					
C1040025	- Tunnack Main Road Kerb & Gutter	\$ 14,478	\$ 18,304	\$ (3,826)		
	Tunbridge Township					
C1040024	- Streetscape Project (Part Implementation) - 2 yr program	\$ 9,500	\$ 11,057	\$ (1,557)	\$9.5K Budget c/fwd	
			\$ 253,978	\$ 291,578	\$ (37,600)	

			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
LIGHTING	C1050001	Esplanade Project (Total Project Cost \$128k year 1-2)	\$ 64,000	\$ 21,251	\$ 42,749	
			\$ 64,000	\$ 21,251	\$ 42,749	
BUILDINGS	C4070037	Tunbridge Town Hall Toilets (Contribution)	\$ 10,000	\$ 18,288	\$ (8,288)	
	C1110001	Colebrook History Room toilets	\$ -	\$ 3,625	\$ (3,625)	
	C1110002	Campania Flour Mill Toilets		\$ 7,242	\$ (7,242)	
			\$ 10,000	\$ 29,154	\$ (19,154)	

DRAINAGE		Bagdad					
		- Lyndon Road	\$ 15,000	\$ -	\$ 15,000		
		- Cartledge Lane		\$ 3,204	\$ (3,204)		
		Campania					
		- Reeve Street Open Drain (north of Telephone Box)	\$ -	\$ 4,124	\$ (4,124)	WIP 30/6/18 \$4,124 - Budget c/fwd	
		Oatlands					
		- Barrack Street (towards Mason Street)	\$ 10,000	\$ -	\$ 10,000	\$10K Budget c/fwd	
		- High St/Wellington Street Junction	\$ 5,000	\$ -	\$ 5,000	\$5K Budget c/fwd	
		- Queen Anne Street	\$ 7,500	\$ -	\$ 7,500	\$7.5K Budget c/fwd	
		Kempton					
		- Memorial Avenue	\$ 10,000	\$ -	\$ 10,000	Expenditure allocated to 'Capacity Program' - Mem Ave Dev	
		- Erskine Street		\$ 4,668	\$ (4,668)		
			\$ 47,500	\$ 11,996	\$ 35,504		
WASTE	C110001	Wheelie Bins and Crates	\$ 17,000	\$ 180,322	\$ (163,322)	Funded Annual Depreciation	
		Oatlands WTS - Concrete Pad(s)	\$ 25,000	\$ -	\$ 25,000	\$25K Budget c/fwd	
		Dysart WTS - General Improvements	\$ 20,000	\$ -	\$ 20,000	\$20K Budget c/fwd	
			\$ 62,000	\$ 180,322	\$ (118,322)		
GROWTH							
TOURISM							
	C2020002	Beacon Tourism Sub-Regional Project	\$ -	\$ 428	\$ (428)	Relating to 17-18 Grant	
	C2020005	Lake Dulverton Arts Sculpture Project	\$ 12,000	\$ 14,446	\$ (2,446)	WIP 30/6/18 \$12,000	
	G2020002	Melton Mowbray Trough and Park		\$ 5,318	\$ (5,318)		
			\$ 12,000	\$ 20,192	\$ (8,192)		
HERITAGE							
	C3010003	Callington Mill (Asset Renewals)	\$ 10,000	\$ 27,758	\$ (17,758)		
		Callington Mill (Mill Tower - Fire Detection System & Exit Lighting)	\$ 6,500	\$ -	\$ 6,500	Budget c/fwd	
		Callington Mill (Restoration of Fan Tail & Sails)	\$ -	\$ 27,494	\$ (27,494)	WIP 30/6/18 \$27,494	
	G3010010	Commissariat (79 High Street)	\$ 141,800	\$ 373,093	\$ (231,293)	2018/19 - Excess includes \$45,501 - BW Wages & On-costs	
Wood Stove (Women's Kitchen)		Oatlands Court House (Stabilisation & Gaol Cell)	\$ 8,000	\$ -	\$ 8,000	Budget c/fwd \$5k	
	C3010002	Oatlands Gaol - Minor Capital Works	\$ 5,000	\$ -	\$ 5,000	Budget c/fwd	
		Oatlands Gaol - Wingwall Completion	\$ 15,000	\$ -	\$ 15,000		
		Oatlands Gaol - Aluminum Temporary Steps (Entrance)	\$ 3,500	\$ -	\$ 3,500		
	G3010011	Heritage Building (Key Card System)	\$ 47,000	\$ 45,499	\$ 1,501	\$47K Budget c/fwd WIP \$37,192	
		Kempton Watch House (Fitout)	\$ 7,500	\$ -	\$ 7,500	\$7.5K Budget c/fwd	
	C3010011	Roche Hall Forecourt (Interps - Planning Condition of Approval)	\$ 40,000	\$ 3,845	\$ 36,156		
		Roche Hall - External Painting (excl. Gutters, Fascias & Soffits)	\$ 15,000	\$ -	\$ 15,000		
	C3010006	Parattah Railway Station - Guttering & Fascia	\$ 9,600	\$ 5,700	\$ 3,900	Budget c/fwd	
			\$ 308,900	\$ 483,390	\$ (174,490)		

NATURAL						
	C3020007	Chauncy Vale - Improvements	\$ 15,000	\$ 11,009	\$ 3,991	
	C3020008	Mahers Point - Lanscape Plan	\$ 25,000	\$ 2,596	\$ 22,404	
		Callington Park - BBQ Replacement	\$ 5,500	\$ 4,962	\$ 538	
			\$ 45,500	\$ 18,566	\$ 26,934	
REGULATORY	C3040001	Kempton Council Chambers - Restoration Works	\$ 46,500	\$ 38,882	\$ 7,618	\$11.5K Budget c/fwd
	C9990001	Kempton Council Chambers - Office Furniture & Equipment	\$ 8,400	\$ 3,050	\$ 5,350	
			\$ 54,900	\$ 41,932	\$ 12,968	
CAPITAL EXPENDITURE PROGRAM 2018-19						
AS AT 30 JUNE 2019						
LIFESTYLE ACCESS			BUDGET	EXPENDITURE	VARIANCE	COMMENTS
	C4070035	All Buildings (Priority Approach - Year 3 of 5)	\$ 50,000	\$ -	\$ 50,000	
			\$ 50,000	\$ -	\$ 50,000	
PUBLIC HEALTH						
	C4070035	Kempton Community Health Facility	\$ 200,000	\$ 445	\$ 199,555	
			\$ 200,000	\$ 445	\$ 199,555	
RECREATION						
	C4070005	Recreation Committee	\$ 30,000	\$ 17,664	\$ 12,336	Colebrook Hall & Oat Community Centre
	C4070034	Oatlands Aquatic Centre (New Pool)	\$ 2,000,000	\$ 395,986	\$ 1,604,014	
	C4070034	Oatlands Aquatic Centre (New Pool)	\$ -	\$ 379,803	\$ (379,803)	WIP 30/6/18 \$379,803
	C4070015	Kempton Blue Place - Water/Sewerage Connections	\$ -	\$ 13,442	\$ (13,442)	WIP 30/6/18 \$3,844 Budget c/fwd
	C4070017	Kempton Hall - external repainting	\$ 50,000	\$ 65,133	\$ (15,133)	\$40K Budget c/fwd WIP 30/6/18 \$23,073
	G4070024	Mangalore Equestrian Arena	\$ 36,784	\$ 9,046	\$ 27,738	Grant of \$36,784 added to Budget
		Mangalore Hall (replace Gutters and Roofing)	\$ 18,000	\$ -	\$ 18,000	
		Recreation Ground - Campania (Nets)	\$ 45,000	\$ -	\$ 45,000	
	C4070019	Recreation Ground - Kempton (Granstand Rails & Seating)	\$ 10,000	\$ 4,042	\$ 5,958	
		Recreation Gorund - Kempton (Lighting)	\$ 10,000	\$ -	\$ 10,000	
		Recreation Ground - Mt Pleasant (Upgrade Toilets)	\$ 13,000	\$ -	\$ 13,000	\$13K Budget c/fwd
	C4070001	Rec Ground - Parattah (Facility Development)	\$ 14,000	\$ 13,750	\$ 250	\$14K Budget c/fwd WIP \$407
		Tunbridge Park - Perimeter Fence (Safety)	\$ 7,500	\$ -	\$ 7,500	\$7.5K Budget c/fwd
COMMUNITY			\$ 2,234,284	\$ 898,867	\$ 1,335,417	

COMMUNITY CAPACITY			\$ 2,234,284	\$ 898,867	\$ 1,335,417	
	C5020001	Levendale Community Centre	\$ 8,000	\$ -	\$ 8,000	\$8K Budget c/fwd
	2017-18	Memorial Avenue Development (Island: Survey; Fencing & Aquisit	\$ 68,032	\$ 54,902	\$ 13,130	CFIG Grant - C/Fwd WIP 30/6/18
	G4070022	Memorial Avenue Development (Interps)	\$ 19,764	\$ 44,205	\$ (24,441)	Grant of \$4,764 added to Budget
			\$ 95,796	\$ 99,108	\$ (3,312)	
SAFETY		Road Accident Rescue Unit	\$ 3,000	\$ -	\$ 3,000	
			\$ 3,000	\$ -	\$ 3,000	
ORGANISATION SUSTAINABILITY						
	C4070011	Council Chambers - Building Improvements	\$ 10,500	\$ 1,864	\$ 8,636	\$7.5K Budget c/fwd
		Council Chambers - Works Office	\$ 5,000	\$ -	\$ 5,000	
		Floor Coverings (Works Office)	\$ 6,000	\$ -	\$ 6,000	
		Council Chambers - Damp Issues & Stonemasonry	\$ 15,000	\$ -	\$ 15,000	\$15K Budget c/fwd
	C6020003	Computer System (Hardware / Software)	\$ 42,000	\$ 26,387	\$ 15,613	
	C6020008	Telephone / Comms System	\$ 55,000	\$ 27,959	\$ 27,041	\$35K Budget c/fwd
	C9990001	Town Hall (General - Incl. Office Equip/Furniture)	\$ 8,400	\$ 7,789	\$ 611	
		Photo Reframing	\$ 3,000	\$ -	\$ 3,000	
		Computers/Phones - Councillors	\$ 21,000	\$ 15,940	\$ 5,060	
			\$ 165,900	\$ 79,939	\$ 85,961	
WORKS						
	C6020011	Kempton Depot - External Painting	\$ 10,000	\$ 18,820	\$ (8,820)	\$10K Budget c/fwd
	C6020001	Depot Relocation (Site / Concept Plans/ Amneities/ Redords Storz	\$ 358,000	\$ 543,113	\$ (185,113)	\$80K Budget c/fwd
		Minor Plant Purchases	\$ 9,500	\$ 11,448	\$ (1,948)	
	C6020008	Radio System	\$ 2,000	\$ -	\$ 2,000	
		Plant Replacement Program				
		Refer separate Schedule (Gross)	\$ 770,000	\$ 222,050	\$ 547,950	
		Light Vehicles (Gross)	\$ 210,000	\$ 153,625	\$ 56,375	
		(Trade Allowance - \$180K)				
			\$ 1,359,500	\$ 949,057	\$ 410,443	
		GRAND TOTALS	\$ 6,648,258	\$ 4,362,759	\$ 2,309,507	

	INFLOWS (OUTFLOWS) (July 2018)	INFLOWS (OUTFLOWS) (August 2018)	INFLOWS (OUTFLOWS) (September 2018)	INFLOWS (OUTFLOWS) (October 2018)	INFLOWS (OUTFLOWS) (November 2018)	INFLOWS (OUTFLOWS) (December 2018)	INFLOWS (OUTFLOWS) (January 2019)	INFLOWS (OUTFLOWS) (February 2019)	INFLOWS (OUTFLOWS) (March 2019)	INFLOWS (OUTFLOWS) (April 2019)	INFLOWS (OUTFLOWS) (May 2019)	INFLOWS (OUTFLOWS) (June 2019)	INFLOWS (OUTFLOWS) (Year to Date)
Cash flows from operating activities													
Payments													
Employee costs	- 285,779.85	- 295,693.96	- 410,844.19	- 269,413.22	- 283,683.04	- 290,906.17	- 194,373.00	- 277,637.38	- 292,991.27	- 367,356.05	- 261,245.61	- 284,236.65	- 3,514,160.39
Materials and contracts	- 519,098.51	- 220,305.02	- 228,473.09	- 381,364.15	- 272,557.44	- 307,766.87	- 181,446.63	- 248,831.51	- 311,564.83	- 249,172.45	- 383,064.07	- 93,529.47	- 3,397,174.04
Interest	- 4,426.65	-	-	-	- 3,530.34	- 7,847.96	- 4,288.97	-	-	-	- 3,265.49	- 7,363.58	- 30,722.99
Other	- 25,671.40	- 41,219.25	- 71,621.86	- 92,680.45	- 29,909.04	- 35,452.97	- 127,530.20	- 25,699.36	- 65,056.57	- 82,298.00	- 88,295.91	- 35,478.18	- 720,913.19
	- 834,976.41	- 557,218.23	- 710,939.14	- 743,457.82	- 589,679.86	- 641,973.97	- 507,638.80	- 552,168.25	- 669,612.67	- 698,826.50	- 735,871.08	- 420,607.88	- 7,662,970.61
Receipts													
Rates	114,381.50	1,201,186.32	1,358,690.78	235,199.99	452,880.36	285,301.89	440,823.51	308,115.18	442,299.54	283,740.79	155,521.89	100,016.32	5,378,158.07
User charges	979,934.15	78,692.91	66,852.70	97,915.47	71,652.87	61,926.41	- 57,440.99	64,210.98	234,223.19	45,912.42	101,712.13	38,722.31	1,784,314.55
Interest received	15,678.88	19,293.05	16,295.02	18,406.88	18,528.99	14,239.46	21,354.28	10,579.55	31,779.00	8,282.93	33,359.95	11,611.21	219,409.20
Subsidies	-	11,751.00	-	-	-	-	-	-	-	-	-	-	11,751.00
Other revenue grants	-	425,775.75	-	-	425,775.75	-	-	425,834.84	53,815.82	-	425,684.84	1,785,705.75	3,542,592.75
GST Refunds from ATO	-	-	-	-	-	-	-	-	-	-	-	-	-
Other	43,984.35	65,480.21	88,924.84	- 72,721.22	129,033.57	33,085.96	- 39,866.03	81,407.37	- 80,441.61	- 28,330.93	197,782.42	62,602.13	480,941.06
	1,153,978.88	1,802,179.24	1,530,763.34	278,801.12	1,097,871.54	394,553.72	364,870.77	890,147.92	681,675.94	309,605.21	914,061.23	1,998,657.72	11,417,166.63
Net cash from operating activities	319,002.47	1,244,961.01	819,824.20	- 464,656.70	508,191.68	- 247,420.25	- 142,768.03	337,979.67	12,063.27	- 389,221.29	178,190.15	1,578,049.84	3,754,196.02
Cash flows from investing activities													
Payments for property, plant & equipment	- 140,397.25	- 369,085.11	- 311,770.44	- 132,413.29	- 180,280.39	- 590,148.80	- 159,515.48	- 95,630.81	- 278,820.02	- 405,973.53	- 230,006.05	- 540,387.80	- 3,434,428.97
Proceeds from sale of property, plant & equipment	-	-	-	909.09	40,909.09	92.89	21,636.36	-	8,613.62	3,327.25	318.18	8,486.36	84,292.84
Proceeds from Capital grants	-	-	-	4,764.00	4,146.00	-	123,800.00	-	340,229.00	-	-	-	472,939.00
Proceeds from Investments	-	-	-	-	-	-	-	-	-	-	-	-	-
Payment for Investments	-	-	-	-	-	-	-	-	-	-	-	-	-
Net cash used in investing activities	- 140,397.25	- 369,085.11	- 311,770.44	- 126,740.20	- 135,225.30	- 590,055.91	- 14,079.12	- 95,630.81	70,022.60	- 402,646.28	- 229,687.87	- 531,901.44	- 2,877,197.13
Cash flows from financing activities													
Repayment of borrowings	- 6,781.93	-	-	-	- 14,013.38	- 17,144.62	- 6,919.61	-	-	-	- 14,278.23	- 17,629.00	- 76,766.77
Proceeds from borrowings	-	-	-	-	-	-	-	-	-	-	-	-	-
Net cash from (used in) financing activities	- 6,781.93	-	-	-	- 14,013.38	- 17,144.62	- 6,919.61	-	-	-	- 14,278.23	- 17,629.00	- 76,766.77
Net increase/(decrease) in cash held	171,823.29	875,875.90	508,053.76	- 591,396.90	358,953.00	- 854,620.78	- 163,766.76	242,348.86	82,085.87	- 791,867.57	- 65,775.95	1,028,519.40	800,232.12
Cash at beginning of reporting year	11,567,278.62	11,739,101.91	12,614,977.81	13,123,031.57	12,531,634.67	12,890,587.67	12,035,966.89	11,872,200.13	12,114,548.99	12,196,634.86	11,404,767.29	11,338,991.34	11,567,278.62
Cash at end of reporting	11,739,101.91	12,614,977.81	13,123,031.57	12,531,634.67	12,890,587.67	12,035,966.89	11,872,200.13	12,114,548.99	12,196,634.86	11,404,767.29	11,338,991.34	12,367,510.74	12,367,510.74

PROGRAM	YTD ACTUAL (as at 30 June 19)	YTD BUDGET (as at 30 June 19)	YTD VARIANCE	YTD VARIANCE %	FULL YEAR BUDGET - REVISED INC. GRANTS & OTHER
INFRASTRUCTURE					
Roads	3,141,211	3,176,074	34,863	98.90%	3,176,074
Bridges	397,580	372,719	24,861	106.67%	372,719
Walkways	218,949	194,893	24,056	112.34%	194,893
Lighting	82,146	86,520	4,374	94.94%	86,520
Irrigation	117	-	117	-	-
Drainage	71,529	80,042	8,513	89.36%	80,042
Waste	923,953	825,180	98,773	111.97%	825,181
Public Toilets	75,543	64,173	11,370	117.72%	64,173
Communications	-	-	-	-	-
Signage	7,202	7,575	373	95.08%	7,575
INFRASTRUCTURE TOTAL:	4,918,229	4,807,176	-111,053	102.31%	4,807,177
GROWTH					
Residential	-	-	-	-	-
Business	444,421	408,942	35,479	108.68%	1,173,941
Tourism	19,629	43,950	24,321	44.66%	43,950
Agriculture	-	-	-	-	-
GROWTH TOTAL:	464,050	452,892	11,158	102.46%	1,217,891
LANDSCAPES					
Heritage	312,495	298,547	13,948	104.67%	298,546
Natural	187,947	173,266	14,681	108.47%	173,266
Cultural	7,201	9,600	2,399	75.01%	9,600
Regulatory	711,577	792,083	80,506	89.84%	792,083
Climate Change	-	10,047	10,047	-	10,047
LANDSCAPES TOTAL:	1,219,221	1,283,543	64,322	94.99%	1,283,542
LIFESTYLE					
Youth	281,241	257,126	24,115	109.38%	257,126
Aged	383	2,500	2,117	15.33%	2,500
Childcare	5,130	7,500	2,370	68.40%	7,500
Volunteers	36,340	40,000	3,660	90.85%	40,000
Access	-	-	-	-	-
Public Health	11,137	10,093	1,044	110.35%	10,093
Recreation	382,690	473,711	91,021	80.79%	473,710
Animals	108,815	105,552	3,263	103.09%	105,552
Education	-	-	-	-	-
LIFESTYLE TOTAL:	825,737	896,482	70,745	92.11%	896,481
COMMUNITY					
Retention	-	-	-	-	-
Capacity	57,489	27,925	29,564	205.87%	27,925
Safety	34,091	56,650	22,559	60.18%	56,650
Consultation	14,874	23,425	8,551	63.50%	23,425
COMMUNITY TOTAL:	106,455	108,000	1,545	98.57%	108,000
ORGANISATION					
Improvement	97,769	104,984	7,215	93.13%	104,984
Sustainability	2,337,650	2,256,362	81,288	103.60%	2,256,362
Finances	288,147	296,680	8,533	97.12%	296,680
ORGANISATION TOTAL:	2,723,566	2,658,026	65,540	102.47%	2,658,026
TOTALS	10,257,257	10,206,119	51,138	100.50%	10,971,117

17.3.2 ADOPTION OF THE 2019 / 2020 RATES AND CHARGES RESOLUTION

Author: GENERAL MANAGER (TIM KIRKWOOD)

Date: 18 JULY 2019

ISSUE

Formal adoption of the 2019 / 2020 Rates and Charges Resolution under the *Local Government Act 1993* and the *Fire Service Act 1979*.

DETAIL

The following Rates & Charges Resolution (draft) has been based on the outcome of discussions through the budget workshops.

2019 / 2020 RATES AND CHARGES RESOLUTION - SOUTHERN MIDLANDS COUNCIL

THAT pursuant to the *Local Government Act 1993* and the *Fire Service Act 1979*, the Southern Midlands Council ("Council") makes the following rates and charges upon rateable land within the municipal area of Southern Midlands ("the municipal area") for the period 1 July 2019 to 30 June 2020:

1. General Rates

- (a) Pursuant to section 90 of the *Local Government Act 1993* ("the Act"), Council makes a general rate of 8.6073 cents in each dollar of the Assessed Annual Value ("AAV") for all rateable land within the municipal area shown on the valuation list, prepared under the *Valuation of Land Act 2001* ("the Valuation List"), subject to a minimum amount payable of \$320.00 pursuant to section 90(4) of the Act.
- (b) Pursuant to section 107(1)(a) of the Act, Council declares that the general rate of 8.6073 cents in the dollar of the AAV (as previously made) varies within the municipal area according to the classification of that land in the Valuation List as follows:
 - (i) For land in the municipal area that is classified as primary production in the Valuation List (both land that is classified as vacant and land that is not vacant), the general rate is varied by reducing the amount of 8.6073 cents in the dollar of the AAV by 0.2037 cents, to 8.4036 cents in the dollar of the AAV; and
 - (ii) For land in the municipal area that is classified as residential in the Valuation List (excluding vacant residential land), the general rate is varied by reducing the amount of 8.6073 cents in the dollar of the AAV by 1.2542 cents, to 7.3531 cents in the dollar of the AAV; and
 - (iii) For land in the municipal area that is classified as residential in the Valuation List and identified as vacant residential land, the general rate is varied by

reducing the amount of 8.6073 cents in the dollar of the AAV, by 0.9344 cents, to 7.6729 cents in the dollar of the AAV.

2. Waste Management Charge

(a) Pursuant to section 94(3) of the Act, Council makes the following variable service charge in respect of the service of waste management, to be called the 'Waste Management Charge', upon all rateable land. Council declares that the charge is to be calculated in accordance with the following formula:

(i) for rateable land upon which a dwelling or dwellings are constructed, as recorded in the Valuation List:

Waste Management Charge = \$165.00 x D, where D is the number of dwellings on the rateable land capable of being occupied as stated in the Valuation List.

(ii) for rateable land upon which no dwelling is constructed, as recorded in the Valuation List:

Waste Management Charge = \$55.00

3. Garbage Removal Charge

(a) Pursuant to section 94(1) of the Act, Council makes the following separate services charge upon all rateable land in respect of the service of waste management, to be called the 'Garbage Removal Charge', of \$170.00.

(b) Pursuant to section 94(3A) of the Act, Council declares that the Garbage Removal Charge is varied according to the level of service provided as follows:

(i) for the land identified by Property Identification Number 3124789, the Garbage Removal Charge is \$3,570.00;

(ii) for land to which the Council does not provide a fortnightly garbage removal service and kerbside recycling service, the Garbage Removal Charge is \$0.00.

4. Fire Service Contributions

(a) Pursuant to section 93A of the Act and the *Fire Services Act* 1979, Council makes the following fire protection service rate:

(i) for all rateable land within the Oatlands & Kempton Volunteer Brigade Rating District, an amount of 0.3975 cents in the dollar on the AAV, subject to a minimum amount of \$41.00;

(ii) for all other rateable land in the municipal area, an amount of 0.3612 cents in the dollar on the AAV, subject to a minimum amount of \$41.00.

5. Instalments

- (a) These rates and charges are for the year commencing 1st July 2019 and ending 30th June 2020 and are payable by four (4) equal instalments, the first payable 30 days after the issue of the rates notices, the second by 4.30 p.m. on 29th November 2019, the third by 4.30 p.m. on 31st January 2020 and the fourth by 4.30 p.m. on 31st March 2020.
- (b) Where a ratepayer elects to enter into an arrangement to pay the current rates and charges by monthly, fortnightly, or weekly instalments via one of the electronic payment options (including direct debit), then the instalment amounts will be calculated to settle the debt by 30th June 2020. Penalty and interest will not be applied on any of the 2019-20 rates and charges at the relevant date, provided that the instalment arrangements are adhered to. In the event of default, penalty and interest is to be calculated on the outstanding amounts.

6. Late Payments

- (a) Pursuant to section 128(1)(c) of the Act, Council will apply a penalty and charge a daily amount of interest, if any rate or instalment is not paid on or before the date they fall due, in accordance with the following:
- (i) Penalty: A penalty of 5% of the unpaid rate or instalment applies to any amount that is not paid on or before the date it falls due; and
- (ii) Interest: In addition to the penalty, a daily interest will apply to any unpaid rate or instalment that are not paid on or before the date they fall due, at the rate of 7.5% per annum, and is to be calculated on a daily basis for the period during which it remains unpaid.

7. Discount

- (a) Pursuant to section 130 of the Act, a discount of 1.7% will apply to all rates and charges paid in full within 30 days after the date of issue. This discount is not applicable to rates and charges which are paid by instalments.

RECOMMENDATION

THAT Council adopt the 2019-2020 Rates and Charges resolution as presented.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

18. MUNICIPAL SEAL

Nil.

19. CONSIDERATION OF SUPPLEMENTARY ITEMS TO THE AGENDA

Council to address urgent business items previously accepted onto the agenda.

RECOMMENDATION

THAT in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, the following items are to be dealt with in Closed Session.

Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
<i>Closed Council Minutes - Confirmation</i>	15(2)
<i>Applications for Leave of Absence</i>	15(2)(h)

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

RECOMMENDATION

THAT in accordance with Regulation 15(2) of the *Local Government (Meeting Procedures) Regulations 2015*, Council move into Closed Session and the meeting be closed to members of the public.

DECISION (MUST BE BY ABSOLUTE MAJORITY)		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

CLOSED COUNCIL AGENDA

20. BUSINESS IN “CLOSED SESSION”

Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015 provides that Council may consider certain sensitive matters in Closed Meeting.

The following matters have been listed in the Closed Meeting section of the Council Agenda in accordance with Regulation 15 of the Local Government (Meeting Procedures) Regulations 2015.

20.1 CLOSED COUNCIL MINUTES - CONFIRMATION

Item considered in Closed Session in accordance with Regulation 15 (2) of the Local Government (Meeting Procedures) Regulations 2015.

20.2 APPLICATIONS FOR LEAVE OF ABSENCE

Item considered in Closed Session in accordance with Regulation 15 (2) of the Local Government (Meeting Procedures) Regulations 2015.

RECOMMENDATION

THAT Council move out of “Closed Session”.

DECISION		
Councillor	Vote FOR	Vote AGAINST
Mayor A O Green		
Deputy Mayor E Batt		
Clr A E Bisdee OAM		
Clr D F Fish		
Clr R McDougall		

OPEN COUNCIL AGENDA

21. CLOSURE