



Local Government Association Tasmania

# General Meeting

## Minutes

11 September

**Tamar Function Centre  
Windsor Community Precinct  
Riverside**

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**PROCEDURAL MATTERS.  
RULES REGARDING CONDUCT OF MEETINGS**

**13. WHO MAY ATTEND A MEETING OF THE ASSOCIATION**

- (a) Subject to Rule 13(f), each Member shall be entitled to send a Voting Representative to any Meeting of the Association, such Voting Representative exercising the number of votes determined according to Rule 16(a).
- (b) In addition to the requirements set out in Rule 13(f), after each ordinary Council Election, the Chief Executive Officer shall request each Member to advise the name of its Voting Representative and the proxy for the Voting Representative for Meetings of the Association until the next ordinary Council Elections.
- (c) Subject to Rule 13(f), Members may change their Voting Representative or proxy at any time by advising the Chief Executive Officer in writing of the Voting Representative prior to that representative taking his or her position at a Meeting of the Association.
- (d) A list of Voting Representatives will be made available at the commencement of any Meeting of the Association.
- (e) Members may send other elected members or Council officers as observers to any Meeting of the Association.
- (f) Each Member must provide the Association with written notice of the details of the Voting Representative who was by a resolution of the Member lawfully appointed as the Voting Representative of the Member at a Meeting of the Association.

**14. PROXIES AT MEETINGS**

- (a) Up to 1 hour prior to any Meeting of the Association, a Member may appoint another Member as its proxy.
- (b) The form of the proxy is to be provided by the Chief Executive Officer and is to be signed by either the Mayor or General Manager of the Council appointing the proxy.
- (c) The Chair of the meeting is not entitled to inquire as to whether the proxy has cast any vote in accordance with the wishes of the Member appointing the proxy.
- (d) Proxies count for the purposes of voting and quorum at any meeting.

**15. QUORUM AT MEETINGS**

- (a) At any Meeting of the Association, a majority of the Member Councils shall constitute a quorum.
- (b) If a quorum is not present within one hour after the time appointed for the commencement of a Meeting of the Association, the meeting is to be adjourned to a time and date specified by the Chair.

**16. VOTING AT MEETINGS**

- (a) Voting at any Meeting of the Association shall be upon the basis of each Voting Representative being provided with, immediately prior to the meeting, an electronic voting button or placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according voting entitlement and the voting buttons will be coded according to voting entitlement:

Population of the Council Area	Number of votes entitled to be exercised by the voting delegate	Colour placard to be raised by the voting delegate when voting
Under 10,000	1	Red
10,000 – 19,999	2	White
20,000 – 39,999	3	Blue
40,000 and above	4	Green

- (b) Electronic voting buttons will be the first choice for voting on all decisions, with placards only to be used if the technology fails.
- (c) Voting buttons allow councils to vote for or against a motion or formally abstain from voting. An abstain is not to be taken as a negative vote.
- (d) The Chair of the meeting shall be entitled to rely upon the electronic vote or the raising of a coloured placard as the recording of the vote for the Member and as evidence of the number of votes being cast.
- (e) Except as provided in sub-rule (f), each question, matter or resolution shall be decided by a majority of the votes for a motion. If there is an equal number of votes upon any question, it shall be declared not carried.
- (f)
  - (i) When a vote is being taken to amend a Policy of the Association, the resolution must be carried by a majority of the votes capable of being cast by Members present at the meeting.
  - (ii) When a vote is being taken for the Association to sign a protocol, memorandum of understanding or partnership agreement, the resolution must be carried by a majority of votes capable of being cast by Members and by a majority of Members, whether present at the meeting or not.
  - (iii) When a vote is being taken to amend these Rules of the Association, the resolution must be carried by at least two-thirds of the votes capable of being cast by Members, whether present at the meeting or not.
- (g) A Voting Representative or his or her proxy in the name of the Member is entitled to vote on any matter considered at a Meeting of the Association.

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\* Denotes Attachment

## GENERAL MEETING SCHEDULE

<b>9.30</b>	<b>Coffee on arrival</b>
<b>10.00</b>	<b>Meeting Commences</b>
	<b>Council Round Up Derwent Valley Council</b>
<b>11.30</b>	<b>Mr Craig Perkins CEO and Director of Regional Development RDA Tasmanian</b>
<b>12.30 approx</b>	<b>Lunch</b>

# 1. GOVERNANCE

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The President declared the meeting open at 10.07am, welcoming Members and recognising General Managers Mr Dean Griggs, Derwent Valley Council, Mr John Jordan, Meander Valley Council and Mr James Dryburgh, Brighton Council as attending their first General Meeting.

The new Mayor of Glamorgan Spring Bay, Councillor Robert Young was also acknowledged and welcomed.

## **Acknowledgement of Country**

The President acknowledged and paid respect to the Tasmanian Aboriginal community as the traditional and original owners and continuing custodians of this land.

## **Apologies were received from -**

Mr Tim Watson	Dorset Council
Mrs Lyn Eyles	Central Highlands Council
Mr Michael Stretton	Launceston City Council
Mayor Loueen Triffitt	Central Highlands Council
Mayor Tony Foster	Brighton Council
Mayor Phil Vickers	West Coast Council
Mayor Annie Revie	Flinders Council
Mr David Midson	West Coast Council
Mr Warren Groves	Flinders Council
Mayor Tim Wilson	Kentish Council
D/Mayor Joy Allen	West Tamar Council
Mrs Kim Hossack	Tasman Council
Mayor Jan Bonde	Central Coast Council
Mr Andrew Benson	Southern Midlands Council
Mr Robert Higgins	Sorell Council
Mayor Kerry Vincent	Sorell Council
Mr Greg Alomes	King Island Council

## 1.1 CONFIRMATION OF MINUTES \*

**Break O'Day Council/Northern Midlands Council**

**That the Minutes of the meeting held on 22 July 2020, as circulated, be confirmed.**

**Carried**

### **Background:**

The Minutes of the General Meeting held on 22 July 2020, as circulated, are submitted for confirmation and are at **Attachment to Item 1.1.**

## 1.2 BUSINESS ARISING \*

**Break O'Day Council/Northern Midlands Council**

**That Members note the information.**

**Carried**

### **Background:**

**At Attachment to Item 1.2** is a schedule of business considered at the previous meeting and its status.

## 1.3 CONFIRMATION OF AGENDA

**Break O'Day Council/Northern Midlands Council**

**That consideration be given to the Agenda items and the order of business.**

**Carried**

### **Background:**

Delegates will be invited to confirm the Agenda for the meeting and the order of business.

## 1.4 FOLLOW UP OF MOTIONS \*

**Break O'Day Council/Northern Midlands Council**

**That Members note the following report.**

**Carried**

### **Background:**

A table detailing action taken to date in relation to motions passed at previous meetings is at **Attachment to Item 1.4.**

## 1.5 PRESIDENT'S REPORT

**Break O'Day Council/Northern Midlands Council**

**That Members note the report on the Presidents activity from 13 June to 21 August 2020.**

**Carried**

### **Media & Communications**

- Report to AGM
- Pulse
- LGTas
- Letter to Minister re Charitable Rates and Code of Conduct
- MR – Life Member Awards
- MR - Waste Levy

### **Meetings & Events**

- LGAT General Meeting, Special General Meeting and AGM
- Regular discussions with CEO
- Webex meetings with Minister Shelton
- General Management Committee
- Premier's Local Government Council
- Tasman and Glenorchy Councils (with CEO via zoom)
- ALGA Board Forum
- LGAT Webinar – Leading in a time of a pandemic
- Life Member Awards

## 1.6 CHIEF EXECUTIVE OFFICERS REPORT

**Break O'Day Council/Northern Midlands Council**

**That Members note the report on activity from 12 June to 21 August 2020.**

**Carried**

### **Policy, Projects and Presentations**

- AGM and General Meeting Papers
- Presentation to TasCOSS Members re LG COVID impacts
- Public Accounts Committee COVID Inquiry Public Hearing/ Data collection LG Stimulus Loans
- Life Member Awards
- Elected Member inquiries

## **Media & Communications**

- Contributions to LGAT Publications
- News Clippings
- Pick up of Public Accounts hearing
- Collaboration with RDA on Councils as Placemakers Op Ed/Report

## **Meetings, Training and Events.**

- Regular engagement with Director of LG Craig Limkin, Matt Healey and Advisor to LG Minister Melanie Brown.
- Regular engagement with President.
- ALGA CEO Meetings weekly,
- ALGA Board Forums and Meeting
- LGAT General Management Committee, Special General Meeting, General Meeting and AGM
- Premier's Local Government Council Officials and Premier's Local Government Council
- LG Professionals Board Meeting
- Regional Intelligence Sharing Meetings (approximately fortnightly)
- MAV Insurance Board Meetings
- Webex Meetings with Minister Shelton
- Peak Body CEOs re potential collaboration in recovery
- Regional Development Tasmania Committee Meeting
- Younger Elected Member Forum
- AICD re future collaboration
- CEO TasCOSS
- CEO MAST
- Rescheduling of Mayor's Workshop
- Tourism Tasmania re recovery plan
- Life Member Awards
- Local Government Act Review Steering Committee
- ALGA review of NGA Motions
- CEO Volunteering Tasmania
- JLT Insurance sponsorship discussion
- Farewell Ron Sanderson
- Meeting re Community Housing Growth Program
- Mike Blake re Fire Review
- Anita Dow – LG Matters
- Tasman and Glenorchy Councils via zoom
- Premier's Health and Wellbeing Advisory Council
- Road Safety Advisory Council
- LGAT Webinar Leading in a Time of a Pandemic



## Operations

- Update of flexible working arrangements policy
- Event Planning and preparation
- Business Safe Planning and implementation for return to LGAT Office
- Regular staff meetings
- Preparation for General Meeting and AGM including test of online voting
- Audit Entry Meeting/Review financial statements

### 1.7 COUNCIL ROUND UPS

#### Tasman Council/Circular Head Council

**That Members determine who will present briefings at the next meeting.**

**Resolved**

#### **Background comment:**

Derwent Valley Council has offered to conduct a brief presentation on a matter that is of interest in their municipality.

The session also allows time for questions and provides an opportunity to briefly share and highlight problems or opportunities facing councils.

## 2. ITEMS FOR DECISION

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### 2.1 REVIEW OF LOCAL GOVERNMENT LEGISLATION Contact Officer – Katrena Stephenson

**Burnie City Council/West Tamar Council**

**That Members note the report on the review of Local Government Legislation.**

**Carried**

### 2.1B CHARITABLE RATES

**City of Hobart/Glenorchy City Council**

**That this Meeting endorse the Steering Committee to commence a media campaign against the State Government's position on Charitable Rates Exemptions on Independent Living Units, if an amicable solution is not reached.**

**Carried**

### 2.1C REVIEW OF LOCAL GOVERNMENT LEGISLATION - CODE OF CONDUCT

**City of Hobart/Glenorchy City Council**

**That LGAT call on the State Government to conduct a full review of the entire Code of Conduct process, including the Code.**

**Carried**

### **Background**

Further to the report made at the July General Meeting, the Local Government Legislative Review Steering Committee has been reconvened and the Minister has advised councils of revised timeframes.

A draft Local Government Bill will be released for consultation in early 2021, with the Bill to be introduced to Parliament later in 2021. The draft new Local Government (Elections) Bill will be released for public consultation following the passage of the Local Government Bill.

The Local Government Division is developing an engagement strategy for the next Steering Committee meeting, which will outline processes for consulting on those high order

determinations that now need more detailed consideration (for example the requirements around engagement strategies and General Manager contracts and performance reviews).

The revised timelines have considered the need for the draft Act to be contemplated in tandem with draft Regulations so that there is enough detail to understand practical implications for councils.

Since the release of the Directions, the Minister has indicated that Code of Conduct matters, previously excluded from the Review can now be included, with some issues to be addressed in the immediate term.

At time of writing, we are seeking formal confirmation that the Review will include consideration of issues around charitable rates exemptions. The Steering Committee agreed to deferring the matter to the review given the COVID 19 environment. While this was initially welcomed by the Director of Local Government, there now seems to be some ambiguity and so LGAT has written to the Minister noting this is a priority area and that it would not be acceptable to have the matter pushed out beyond the current legislative review process.

#### **LGAT Procurement**

Each State and Territory in Australia has a procurement service linked to their Local Government Association that has responsibility for developing and delivering procurement services for their local councils. In other States and Territories councils have over time, come to rely heavily on these services as a way of reducing costs associated with procurement, improving probity and auditable processes and increasing the availability of skilled procurement officers. LGAT Procurement is a developing area of LGAT and works with other States and Territories to make these benefits available to Tasmanian councils.

LGAT Procurement has experienced increasing year on year success in terms of the level of assistance provided to LGAT Member Councils in Tasmania. It is expected that with increasing ongoing engagement and use of available LGAT Panel arrangements, Member councils and their local communities will continue to benefit significantly from what LGAT Procurement has made available for them.

As detailed in Item 4.5, Tasmanian council spending under the contracts exceeded \$8.4 million in the 6 months to end June 2020 , representing a 126% increase in spend through the contracts compared to the 6 months to end June 2019 and estimated savings for Members in excess of \$2.5million over the 12 months to end March 2020.

#### **Points to be considered in the Review of the Act.**

1. To strengthen the requirement to consider LGAT Panel arrangements that have been developed to meet the procurement needs of Member councils, local suppliers and communities. When available, these panel arrangements should be used by Member councils unless there are strong and considered reasons to deviate from their use.

These panel arrangements negate the requirement for Member councils to run their own complex and time consuming full Tender processes.

2. To tighten the Act Regulations so that Tender Exempt conditions (27) are clear, in that any interstate procurement organisation/body/business, that offers goods and services panel arrangements should not automatically be entitled to be selected by councils for the avoidance of a Tender process.

### **Budget Impact**

Within current budget.

### **Current Policy**

Strategic Priority 6

Support the sector through the next stages of Local Government Reform

## **2.2 LGAT PROCUREMENT**

**Contact Officer – Dion Lester**

### **Break O'Day Council/Sorell Council**

**That Members agree that all eligible purchases from supplies on the following four LGAT Procurement contracts be deemed to be through the contract unless councils specifically opt out –**

- 1. Tyres, Tubes, Automotive and Marine Batteries (NPN 1.14-2);**
- 2. Office Supplies, Products, Equipment and Accessories (OS4400-2020);**
- 3. Corporate Clothing, Workwear and PPE (BUS271; and**
- 4. Hardware (NPN 1.16).**

**Carried**

### **Background**

Separate to Item 2.1 – Local Government Legislation Review:

As stated in the previous item, LGAT Procurement is a developing area of LGAT, with twenty-seven goods and services panel arrangements currently in place.

There is an opportunity for all suppliers on the four contracts listed above to provide councils with the negotiated LGAT Procurement contract price for items covered by the contract terms and conditions.

Currently, the process requires each council to opt into the LGAT Procurement arrangement and this is problematic where there is a lack of knowledge of the contract or lack of promotion by the supplier. **This results in significant lost savings to councils.**

The four contracts that have been identified as suitable for this arrangement are contracts that provide lower cost goods which are purchased frequently by councils in small batches and often from local suppliers listed on the LGAT Procurement contract.

LGAT Procurement has recently met with several suppliers under these contracts and we understand that many councils regularly purchase from them. However, due to a lack of knowledge by the council officers undertaking the purchases, they do not request the purchase be made under the contract and therefore do not receive the best price or protections which have been negotiated through the LGAT Procurement tender and contract process.

By agreeing to all eligible purchases being deemed to be through the LGAT Procurement contract there will be no obligation for councils to use the suppliers on the contract, but when they do use them, the councils will benefit from the terms and conditions of contract negotiated on behalf of member councils by council procurement experts.

A simple form has been developed so that councils can opt out if they have existing formal arrangements in place.

#### **Budget Impact**

Being undertaken within current resources.

#### **Current Policy**

Strategic Plan

- Building Local Government's reputation
- Fostering collaboration
- Promoting financial sustainability

2020 – 21 Annual Priority

- Continue to expand the procurement program
- Support councils' recovery efforts from COVID-19

**2.3 PARLIAMENTARY INQUIRIES - TASWATER**  
**Contact Officer      Katrena Stephenson**

**Kingborough Council/Meander Valley Council**

**That the TasWater Owners agree to provide support to the Chief Owner Representative (COR) through an expert Steering Committee and/or engagement of a consultant as required with the first task being to review the Shareholders Letter of Expectations (SLE) and financials from an Owner Perspective.**

**The Owner Representative Group (ORF) is to engage the Board on a range of issues including infrastructure renewals and upgrades, capacity to support new development, provisioning around COVID-19 and their approach to scoping the standard of new infrastructure.**

**That LGAT support the COR by facilitating council only engagement prior to the ORG Meetings.**

**That LGAT work with the COR to for a submission to the Legislative Council focusing on depoliticization of pricing, headworks, the fluidity of dividends and the broad benefits of Local Government ownership.**

**Carried**

Following a discussion about the Legislative Council Select Committee Inquiry into TasWater, Members noted there was a need to strengthen support to the Chief Owner Representative and enhance the effectiveness of the Owner Representative Group.

## 3. ITEMS FOR DISCUSSION

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### 3.1 ELECTED MEMBER PROFESSIONAL DEVELOPMENT Contact Officer – Katrena Stephenson

**That Members discuss what constitutes best practice for Elected Member Professional Development.**

**This Item was deferred to allow time for discussion around TasWater.**

#### **Background**

At the February General Management Committee (GMC), a discussion on sector reputation highlighted varying levels of commitment to professional development for and by Elected Members. It was agreed this would be worthy of a broader discussion with a view to assisting LGAT's service planning and advocacy.

The State Government has agreed the following key directions around capacity building as part of the Local Government Legislative Review:

- Introduce a pre-nomination training package – this will be online and focused on roles and responsibilities information.
- Core competency requirements for elected members will be outlined with general managers needing to develop and deliver an induction plan for elected members following each council election. It will also be a requirement for councillors to complete training about their role as a Planning Authority.
- Reporting of training completed by elected members will not be required to be reported publicly, rather general managers will be required to develop induction plans for elected members, with meeting procedures training to be completed prior to the first meeting

Consultation with Members on State Government's initial proposals regarding elected member professional development as part of the Local Government Legislative Review revealed the following:

- The concept of capability requirements for elected members generated the most discussion in this theme area. While some councils expressed limited support, others were strongly opposed on the basis that there is no similar requirement of those elected to State and Federal Government. Even where there was support, there were questions as to how the requirements would be applied - particularly where a councillor was returned rather than new to Council.

- It is LGAT's view that community and candidate education is vital to strong election outcomes. LGAT believes there would be support from our Members for candidates to at least engage with some online training prior to nominating, to cover the basics of their roles, and in particular to help them better understand what will be required when they act as a Planning Authority.
- The broader question of mandatory training for councillors which is often raised was considered as part of the Targeted Review and at that time, LGAT's submission noted:
 

“The majority of responding councils felt there should be compulsory induction following elections and that even returning councillors should participate. Others felt that returning councillors might not require the full induction, more a tighter, tailored briefing in recognition of their experience. The focus of any compulsory training should be on **governance, planning and meeting procedures and supported by an ongoing professional development** program. At the July 2015 LGAT General Meeting a motion regarding compulsory training for councillors was amended and carried as follows: *That all councillors be encouraged to undertake training courses i.e. Planning, Legislation, Code of Conduct, Meeting Procedures etc.*”

In relation to the proposal for core capability requirements for elected members outlined in the Review of the Local Government Act Directions paper we note the following:

- There was no consensus on this matter and particularly during workshops this was described as an overly prescriptive direction.
- It was noted by some that because Local Government is no different to State and Federal Governments in that the elected members are democratically elected, at most this should take the form of guidelines.
- Others suggested that training extend beyond planning and Local Government to include topics directly relevant to the role of an elected member (e.g. meeting procedure training).
- One Council raised concern around the term 'core capability' as it implies there may be a pass or fail scenario for elected members. This Council suggested it be changed to 'professional development'.
- It was uncertain how weight would be given to experience both on and off Council.
- Training needs to be delivered in plain English and accessible via multiple platforms.
- Questions were raised as to how it would be implemented and how it would be affordable and accessible relative to the councillor's role and allowances.

And in relation to the proposal for reporting training there was not strong support. One reason given by councils for not supporting this reform is the different level of training required by each elected member, according to their skills, background and experience (i.e. yearly reports will not provide a complete picture of capability and/or existing qualifications).



Others, however, see merit in reporting core capability training and in extending this reform to all councillor professional development.

The following feedback was received through the LGAT Performance and Improvement Survey:

- New Councillor Resources (online) and the Councillor Resource kit were the most highly rated LGAT resources.
- Suggestions for resources and tools included a Deputy Mayor toolkit, best practice templates and policies, speed reading and advanced planning authority training.
- Respondents noted they would like to see additional councillor workshops (at convenient times and places) covering a diversity of topics (e.g. project management, grant seeking, dealing with ratepayers and case studies) as well as documents and templates (e.g. best practice and discussion papers, technical reports, and data), including guidance on how to utilise these resources.

Uptake of LGAT training offerings can be variable. While some short/focussed topics could be offered online, detailed, longer or practically focussed professional development must be face-to-face and generally requires a minimum number of attendees for viability, particularly when an external provider is required. LGAT continues to offer brokerage services for councils wishing to deliver training locally or regionally.

**Budget Impact**

Does not apply.

**Current Policy**

Strategic Plan

Developing capacity and capability to deliver

## 4. ITEMS FOR NOTING

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### 4.1 PARLIAMENTARY INQUIRIES

Contact Officer – Katrena Stephenson

#### Southern Midlands Council/Circular Head Council

That Members note the report on LGAT's contributions to the following inquiries:

- a) Public Accounts Committee Inquiry into the Government's economic and health expenditure response to the COVID 19 pandemic.
- b) Legislative Council Select Committee TasWater.

Carried

#### Public Accounts Committee

This Committee will inquire into and regularly report upon the Tasmanian Government's response to the COVID-19 pandemic with particular regard to:

1. The timeliness and efficacy of the Government's economic response including stimulus funding and targeted financial support programs/payments;
2. Health expenditure with specific reference to preparation and response to the COVID-19 pandemic;
3. The impact, progress and outcome of the Government's economic recovery plan for Tasmania; and
4. Any other matter incidental thereto.

LGAT did not make a specific submission but provided a copy of our first submission to the Premier's Economic and Social Recovery Advisory Council (PESRAC) which detailed impacts to the Sector.

The LGAT CEO was asked to present to the Committee, who expressed an interest in understanding how the Local Government Interest Free Loans program had been received. Over the course of an hour, there was a diversity of focus and the transcript is available [here](#).

#### TasWater

The Legislative Council have established a Select Committee to make inquiry into TasWater Operation, details of the Select Committee can be found [here](#). Submissions are due by 4 September, 2020.

One of the terms of reference is:

- (5) The effect of TasWater's dividend policy on Local Government revenue.

The matter of the compounding impact of the freeze of TasWater Dividends to respond to COVID 19 plus the freeze on rates was raised by LGAT in our submission to PESRAC which is available [here](#).

A common theme emerging in feedback for that submission was:

*...for councils, the long-term financial impacts are front of mind, particularly going into a budget period. The lack of certainty about TasWater revenue, as illustrated by the immediate non-payment of dividends, has councils deeply concerned about the accuracy of their long-term financial plans. There was a strong feeling that councils had already provided significant relief through a range of measures and should not have to provide relief through dividend hits as well.*

Consequently, LGAT determined to make a submission that considers this matter with feedback on the following questions currently being sought from councils -

1. What impact has the non-payment of dividends in response to COVID 19 had on your council?
2. Was their sufficient engagement with Council owners in the lead up to the policy decision?
3. Do you support the approach taken by TasWater?
4. Outside of COVID 19 is the Dividend policy/payment process sufficiently robust to support long-term financial planning?
5. What changes if any would you like to see?

There are a range of other matters the Committee will consider including compliance, trade waste, re-use, sewerage treatment, service quality, impact of COVID etc. These may be matters that the Owner Representatives wish to make a submission on. LGAT has therefore asked if councils think an owner rep submission will be required in order to provide support to the Chief Owner Rep as required.

### **Budget Impact**

Within current budget.

### **Current Policy**

Strategic Priority 6

Support the sector through the next stages of Local Government Reform

## 4.2 PREMIER'S ECONOMIC AND SOCIAL RECOVERY ADVISORY COUNCIL SUBMISSION

Contact Officer – Dion Lester

Southern Midlands Council/Circular Head Council

**That Members note the report on LGAT's second submission to the Premier's Economic and Social Recovery Advisory Council.**

**Carried**

### Background

In late July LGAT provided the Premier's Economic and Social Recovery Advisory Council (PESRAC) with our second submission, focusing on recovery opportunities. Our submission notes that councils' ability to support economic development at the local level is essential to revitalising local economies and building more resilient regions. LGAT provided a suite of initiatives for consideration in contributing to our recovery efforts, including a transformative *Circular Economy Plan for Tasmania* as well as a number of existing LGAT initiatives that we believe can be leveraged to support recovery. Each of these is briefly discussed below.

COVID-19 has had disastrous human and economic consequences, revealing our system's exposure to a variety of risks. The fragility of our supply chains was highlighted throughout the early stages of the pandemic, best illustrated by the struggle with the availability of medical equipment, but of course at the local level there were numerous other examples of supply chain disruption. The *Circular Economy Plan for Tasmania* is designed to not only respond to this fragility but also capture the opportunities to adapt, transform and expand so that our economy is well positioned over the years to come. In short, it involves mapping local economic and social structures and understanding material flows and skills capacity, to determine where circular economy opportunities exist and then supporting their development.

LGAT has three existing projects already underway that we believe can be leveraged to bolster support for councils in light of the unique challenges and opportunities posed by recovery from COVID-19. At their core, they are each about building councils' capacity to better support their diverse communities. The three projects are 21st Century Councils, Digitally Ready Councils and the LGAT Community Health and Wellbeing Project.

Two priorities have emerged out of our work on the *21st Century Councils Project* that align with recommendations within the PESRAC Interim Report, July 2020. These are enhancing councils' local procurement practices to underpin their local economies (PESRAC Recommendations 18 – 20) and the development of a strategic shared services model to improve efficiency and delivery of services (PESRAC Recommendations 25). The first of these would involve LGAT expanding our procurement program to undertake procurement spend analysis and to develop and implement tailored procurement plans for individual councils, with a focus on expanding local supplier panels to support Tasmanian businesses. The

proposal for a *Strategic Shared Services Model* seeks support to establish land use planning services within LGAT to support/supplement council planning resources and requirements. This would start modestly, but we expect it could soon grow to include other disciplines, where regional skills shortages exist, such as Environmental Health Officers. To be clear, this is not a model which is about replacing council services, but rather about providing the opportunity to access additional skilled staff to support periods of heavy strategic workload and staff absences given the known skills shortages in these fields.

The *Digitally Ready Councils* initiative links LGATs existing work in this space with recommendations 54 and 55 of the PESRAC Interim Report. If supported, this program would engage technology specialists to work alongside LGAT, in supporting the digital transformation of councils.

Since 2017 LGAT has received funding from the Department of Health to support councils' role in community health and wellbeing. To address the new challenges from COVID-19, we believe the work already planned as part of the *Community Health and Wellbeing Project* could be useful in supporting social recovery and we have offered this opportunity to the State Government.

Both LGAT submissions to PESRAC can be found on the [LGAT website here](#).

### **Budget Implications**

Being undertaken within current resources.

### **Current Policy**

Strategic Plan

- Building Local Government's reputation
- Fostering collaboration
- Promoting financial sustainability
- Developing capacity and capability to deliver

2020 – 21 Annual Priority

- Lead the waste management reform agenda
- Influence the planning and red tape reduction reform agendas
- Continue to expand the procurement program
- Support councils' role in community health and wellbeing
- Support councils' recovery efforts from COVID-19

#### 4.3 PLANNING REFORM \*

Contact Officer – Dion Lester

Southern Midlands Council/Circular Head Council

**That Members note the report on planning reform and the red tape reduction agenda.**

**Carried**

#### **Background**

The State Government’s planning reform agenda appears to have stalled, as the long overdue scoping document for the Tasmanian Planning Policies (TPPs) still has not been finalised and released. This delay is concerning, as it is the Government’s intention to progress the TPPs prior to commencing a review of the governance arrangements and then contents of the Regional Land Use Strategies, which in most cases are in desperate need of an update.

The main activity that has occurred in recent times are consultation on generally minor amendments to the *Land Use Planning and Approvals Act* to streamline some aspects of the Local Provision Schedule assessment process and a significant focus on “red tape reduction”, discussed below. Despite this, LGAT continues to advocate for the Government to place a greater emphasis on the strategic end of our planning system, with two of the major newspapers running the Opinion Editorial included at **Attachment to Item 4.3**. At the July Premiers Local Government Council Meeting the Minister for Planning noted the “none too subtle reminder”, so it is hoped that we might see some progress soon.

Following on from the suite of reforms included in the *Building and Construction (Regulatory Reform Amendment) Act*, passed by Parliament in August, the Government is currently consulting with the sector on tranche 2.

LGAT successfully negotiated some improvements to the first tranche through the (truncated) consultation process and then Legislative Council and based on the feedback from the sector on tranche 2 we will need to try and do the same again this time. At the very least, LGATs advocacy on tranche 1 has resulted in a substantial improvement with the consultation process for tranche 2.

This tranche includes the following reform suggestions:

- 28-day timeframe for councils to sign off information submitted (further reports, detailed design plans etc.) post approval to satisfy planning permit conditions;
- 7-day timeframe for determining “No Permit Required” applications;
- 21-day timeframe for sealing of plans by councils;
- Improving the definition of minor amendments to permits in the Act; and
- 42-day timeframe for sign off on Strata titles.

At the time of writing LGAT was still consulting with councils both on the merit of the reforms proposed and also if there were alternative solutions.

#### **Budget Implications**

Being undertaken within current resources.

#### **Current Policy**

Strategic Plan

Facilitating change

Building Local Government's reputation

Developing capacity and capability to deliver

2020-21 Annual Priority

Influence the planning and red tape reduction reform agendas.

#### **4.4 WASTE AND RESOURCE RECOVERY \***

**Southern Midlands Council/Circular Head Council**

**That Members note the report on waste and resource recovery.**

**Carried**

#### **Background**

Since the July General Meeting update there has been little progress on the finalisation of the draft Waste Action Plan, beyond on-going work investigating potential Governance arrangements for the Container Refund Scheme (CRS) and the engagement of a consultant (Urban EP) to undertake a sectoral impact analysis on the introduction of a statewide waste levy.

In mid-August Font PR, on behalf of Coca-Cola Amatil and Lion, wrote to all Mayors providing information on a new not for profit entity, TASRecycle, that had been set up "to tackle container recycling in Tasmania. LGAT's Policy Director provided some advice regarding the proposal being touted by the Beverage Industry via an email to all Mayors on 14 August, a copy of which can be found at **Attachment to Item 4.4.**

LGAT, via its role on the Expert Reference Group for the design of the CRS in Tasmania and other means, will continue to advocate for the most appropriate scheme design for the Tasmanian community.

In late August the Minister for Environment and Parks wrote to LGAT to invite our participation on a Waste and Resource Recovery Ministerial Advisory Group, which will provide advice and recommendations over the next 18 months on waste management and

resource recovery policies and regulatory settings. In particular, the group will provide input on:

- The drafting of the *Resource Recovery (Waste Governance and Levy) Bill*, which will cover the general principles for governance and administration (including collection and disbursement) of levy funds;
- The implementation of other critical actions from the State Government's *Waste Action Plan*;
- The implementation of Tasmania's response to the COAG waste export bans; and
- Other matters referred to it by the Minister or the Waste Management and Resource Recovery IDC.

LGAT's Policy Director will join 8 other representatives on this group from State Government, the resource recovery sector and industry more broadly.

#### **Budget Impact**

Being undertaken within current resources.

#### **Current Policy**

##### Strategic Plan

- Facilitating change
- Building Local Government's reputation
- Promoting financial sustainability
- Developing capacity and capability to deliver

##### 2020 – 21 Annual Priority

- Lead the waste management reform agenda

#### **4.5 EMERGENCY MANAGEMENT**

**Contact Officer – Georgia Palmer**

#### **Southern Midlands Council/Circular Head Council**

**That Members note the update on the review of the Fire Services Act and the process of consultation with the sector.**

**Carried**

#### **Background**

The State Government announced the review of the *Fire Services Act 1979* and all subordinate legislation in 2018. An issues paper was released in June 2018 with several councils and LGAT providing submissions. The Independent Chair of the Steering committee, Mr Michael Harris, resigned from his position on 30 January 2019 and was replaced by Mr Michael Blake.



Mr Blake has been working on the review since this time and will be providing an independent report to the Minister on 30 October 2020.

Mr Blake has met with several councils and LGAT as part of his consultation. He has also convened targeted meetings with volunteers, the State Fire Management Council, the Minister and steering committee members which includes relevant State Government Agencies. Mr Blake recently met with LGAT to discuss his draft recommendations to the Minister. He did not provide a copy of his report.

Mr Blake has provided LGAT with the opportunity to provide feedback on his draft recommendations prior to them being submitted to the Minister. Our feedback is due by 18 September 2020.

Due to the time frames and the lack of formal consultation on the report LGAT, intends to convene a small meeting with councils who have been consulted by Mr Blake and then engage more directly with the sector to inform LGAT's input to Mike Blake.

The key issues for councils in the report include:

- The proposed Governance of the Fire Service and State Emergency Service;
- How the new entity will be funded and implications on the fire service levy; and
- Centralisation of funding for SES volunteer units.

These issues will be examined in further detail as part of LGAT's consultation with the sector. At this stage it is unknown whether the Minister will publicly release the final report.

Formal State Government consultation will occur with all stakeholders as part of the drafting of the new legislation.

#### **Budget Implications**

Does not apply.

#### **Current Policy**

Strategic Plan

Facilitating Change

## 4.6 PROCUREMENT UPDATE

Contact Officer – Deborah Leisser

### Southern Midlands Council/Circular Head Council

**That members note the update on LGAT Procurement support for councils and work to encourage increasing use of LGAT Procurement Panel arrangements by your staff.**

**Carried**

### Background

Further to items 2.1 and 2.2, LGAT Procurement is committed to assisting Tasmanian councils to buy locally and achieve best practice in their procurement activities. This agenda is driven (now more than ever) by the need for Local Government to maximize the value for every dollar it spends in terms of price, quality, and service. It is also driven by the requirement that all procurement activities are conducted in a way which is robust, transparent and instils confidence in councils' procurement operations.

### LGAT Procurement Panel Arrangements

Currently, LGAT Procurement offers as a member service, 27 panel arrangements covering a broad range of goods and services areas. Over the 12 months to end March 2020, key LGAT Procurement panel arrangements used were:

- Hardware (used by 23 councils, total spend of \$228,877);
- Plant Machinery Equipment (used by 22 councils, total spend of \$4,960,394);
- Telecommunications (used by 13 councils, total spend of \$1,018,530).
- Corporate Clothing, Workwear and PPE (used by 13 councils, total spend of \$56,003);
- Trucks (used by 10 councils, total spend of \$3,179,337); and
- Tyres (used by 10 councils, total spend of \$69,734).

When a council chooses to use a LGAT Procurement contract, it can purchase via a simple request for quotation (RFQ) rather than a detailed and complex tender process. This is because LGAT Procurement, in collaboration with its interstate counterparts, has already undertaken a rigorous open tender process that pre-qualifies suppliers, defines contract terms and conditions, satisfies probity requirements and achieves best value for councils whilst buying locally.

For an up to date list of LGAT's procurement contracts, see the LGAT website [here](#).

### Council Spend and Savings

Total council spend under the contracts exceeded \$8.4 million in the six months to end June 2020. This represents a 126% increase in spend through the contracts compared to the six months to end June 2019 (\$3,729,883).

Total estimated savings for councils over the 12 months to end March 2020 was in excess of \$2.5 million. This can be broken into direct (\$2,085,916) and indirect (\$417,000) savings<sup>1</sup> and represents a 125% increase in savings compared to the 12 months to end March 2019 (\$1,107,657).

In addition to the total estimated savings, councils saved approximately \$819,000 on public lighting during the 2019/20 financial year.

### **Subscriptions**

Total LGAT subs statewide for 2019/20 amounted to \$1.2 million, savings under the contracts more than doubled this amount.

Fourteen councils made savings through the LGAT panel arrangements that were sufficient to fully offset their LGAT annual subscriptions and a further five made savings that covered more than 50% of their LGAT annual subscription.

### **Engagement**

LGAT Procurement recognises that it is important to support local businesses, particularly our small and regional suppliers, during these unprecedented economic times. Our focus, therefore, is on encouraging these businesses to tender for LGAT's procurement contracts to save time and money, as well as to increase visibility and opportunities for new business.

Since June 2020, LGAT Procurement has advertised the following eleven tenders, the majority of these, in all major regional papers in Tasmania, in order to encourage local supplier responses -

- Corporate Clothing, Workwear and PPE (BUS 271);
- Smart Cities Connected Communities (NPN 2.18);
- Heavy Plant Machinery Equipment (NPN 2.15-2);
- Specialised Trucks (NPN 1.15-2);
- Trailers, Tankers, Construction Caravans, Mobile Libraries & Truck Bodies (LB 286);
- Asset Management Services (LB 280);
- Supply of Plant Machinery Equipment to Local Government (RFT 20091);
- Spare Parts and Associated Services (BUS 268);
- Business, Finance and Organisational Management Services (BUS 272);
- Human Resources and Employee Services (BUS 278); and
- Project Management Services (LB 279).

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<sup>1</sup> Direct savings being the estimated savings on item price (i.e. discounts). Indirect savings being the estimated savings as a result of streamlined procurement processes (i.e. a request for quotation rather than tender).

LGAT Procurement has also introduced a series of contract meetings with suppliers who have agreed to provide goods and services to Tasmanian councils under the LGAT Procurement contracts. These meetings are ongoing and have dealt with a variety of matters linked to agreed contract Terms and Conditions and are focussed on how LGAT Procurement, the individual suppliers and councils might work together to maximise benefits associated with increased use of the broad range of available LGAT Procurement contracts.

The benefits to councils of choosing LGAT Procurement can be summarised as follows:

- Saving time – Through fast and easy access to a range of established contracts, model policies and guidelines;
- Saving money – Through leveraging the combined purchasing power of councils Australia-wide and removing the need for individual tenders; and
- Reducing risk – Through fair, ethical, and transparent procurement practices that are developed and managed by procurement specialists.

### **Budget Implications**

LGAT Procurement operates within existing staffing arrangements.

### **Current Policy**

Strategic Plan

Fostering collaboration

Promoting financial sustainability

Developing capacity and capability to deliver

2020 – 21 Annual Priority:

Continue to expand the procurement program

## 4.7 CLIMATE CHANGE PROJECTS

Contact Officer – Michael Edrich

**Southern Midlands Council/Circular Head Council**

**That Members note the activities occurring in relation to climate change.**

**Carried**

### **Background**

LGAT is continuing to support councils on climate change related issues through coordinating with the University of Tasmania and Southern Tasmanian Councils Authority (STCA) on several projects (see below).

Although necessarily focused on STCA councils, LGAT's involvement represents an opportunity to both support southern councils and share lessons from the projects with north and north-west councils in pursuing their own regional responses and strategies.

### **Regional Coastal Hazards Strategy**

The Regional Coastal Hazards Strategy (RCHS) is being developed by the Regional Climate Change Initiative (RCCI) to guide coordinated and consistent coastal adaptation planning across southern Tasmanian councils. Because collaborative action is critical to a sustainable coastal hazards response, LGAT continues to support this project by providing feedback and advice as a member of the Coastal Hazards Working Group.

Our commentary on coastal hazards is typically framed around noting:

1. That Local Government is not solely responsible for coastal responses;
2. That State Governments and property owners have a role to play in responding to coastal hazards, and
3. The vulnerability of councils when acting in isolation to embarking on costly coastal protection measures that may not properly resolve the issue yet will carry long-term financial sustainability and asset maintenance obligations.

### **Co-Producing Local Government Climate Change Response Ability**

The 'Co-Producing Local Government Climate Change Response Ability' project is a collaboration by the University of Tasmania (UTAS), STCA, City of Launceston, Tasmanian Climate Change Office (TCCO), and LGAT, our role being to provide input into the project, to communicate any findings and/or opportunities and to foster collaboration and engagement across councils. The aim of the project is to:

1. Visualise current and future climate hazards so they can be translated into improved climate literacy in councils;
2. Map community values to identify places of value at risk from climate change to broker local support for interventions;

3. Embed climate change response as part of councils' core business to ensure implementation; and
4. Determine how best to communicate and coordinate climate response at the regional scale.

The project will see the development of a regional climate response strategy, decision support system and community-facing toolkit, among other outputs, which will depend (to some extent) on an application for project funding submitted to the Australian Research Council (ARC) Linkage Program in August.

The outcome of this application will be announced early next year.

### **Collaboration**

LGAT hosts an online LG Climate Change Group on Microsoft Teams, where Local Government professionals have been collaborating and sharing information. If your council has any officers who would like to join this group and collaborate with colleagues from other councils, please send their contact details through to Katelyn Cragg ([Katelyn.Cragg@lgat.tas.gov.au](mailto:Katelyn.Cragg@lgat.tas.gov.au)).

### **Budget Implications**

Being undertaken within current resources.

### **Current Policy**

Strategic Plan

- Facilitating change
- Building Local Government's reputation
- Fostering collaboration
- Promoting financial sustainability

## **4.8 LGAT STRATEGIC ASSET MANAGEMENT PLAN TRAINING**

**Contact Officer – Michael Edrich**

**Southern Midlands Council/Circular Head Council**

**That Members note the report on the training offered by LGAT on *Completing your Council's Strategic Asset Management Plan*.**

**Carried**

### **Background**

LGAT is teaming up with the Institute of Public Works Engineers Australasia (IPWEA) to deliver customised training to Tasmanian councils in completing their Strategic Asset Management Plan (SAMP). The SAMP is a critical document that links with councils' Long-Term Financial Plan and interfaces between the management of physical assets and sound accounting and

organisational financial management. Because of this, the SAMP is one of the key documents required of councils by the *Local Government Act 1993*<sup>2</sup> and an area of interest for auditing.

The course is an efficient two-hour webinar specific to Tasmanian Local Government requirements aimed at roles that will be involved in preparing their council's SAMP, including executive managers, finance managers, asset accountants, asset managers and engineers. The training will use LGAT's SAMP template and IPWEA's recently updated Asset Management Toolkit NAMS+. The course is scheduled for **10am-12pm on Tuesday 22 September**.

Developing a SAMP is a collaborative endeavour within councils, requiring input from several operational areas and roles – financial and asset management roles as a minimum. Because of this, the training cost is heavily discounted for councils attending with more than one person to support capacity building across roles. In addition, Continuing Professional Development points are available not only for IPWEA members, but for CPA Australia members as well. To register and for more information, please go to the LGAT website [here](#).

If this training is well received and furthers Local Government performance, LGAT will explore with council professionals further need-based training opportunities specific to this area.

#### **Budget Implications**

The base cost is being funded from residual Financial and Asset Management grant funding with ticket sales for cost recovery.

#### **Current Policy**

Strategic Plan

- Promoting financial sustainability
- Developing capacity and capability to deliver

2020 – 21 Annual Priority

- Support councils' infrastructure planning and financial arrangements
- Continue to support Members' professional development

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<sup>2</sup> Section 70B: <https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095#GS70B@EN>

**4.9 HEALTH AND WELLBEING PROJECT**  
**Contact Officer – Lynden Leppard**

**Southern Midlands Council/Circular Head Council**

**That Members note the commencement of the 2020-22 funding of a continued LGAT Community Health and Wellbeing Project.**

**Carried**

**Background**

The funding period for the current Local Government Community Health and Wellbeing Project concluded at the end of June 2020. Supporting councils to further develop their capacity to support health and wellbeing initiatives has been a major focus of the 2017 – 20 Project.

LGAT has developed a new 2020-22 Health and Wellbeing Project Plan in consultation with Public Health Service (PHS). Identifying and building on the good practice evident across councils will continue as a priority. Understanding and decreasing the barriers to council supporting community health and wellbeing will also be a focus of the work.

Research conducted by the School of Public Health at UTAS into the nature of the Local Government community development and health and wellbeing workforce will inform much of the 2020-22 Project. Practical actions based on the research will be developed through collaboration with council officers.

Funding will also be available to continue support for individual council projects and professional learning support.

**Budget Implications**

The Health and Wellbeing Project is funded by the PHS, Department of Health, although LGAT is also providing significant in-kind support.

**Current Policy**

**Strategic Plan**

- Facilitating Change
- Fostering collaboration
- Promoting financial capacity
- Developing capacity and capability to deliver

**2020 – 21 Annual Priority**

- Support councils' role in community health and wellbeing



#### 4.10 ENVIRONMENTAL HEALTH OFFICER WORKFORCE STRATEGY PROJECT

Contact Officer – Lynden Leppard

**Southern Midlands Council/Circular Head Council**

**That Members note progress of the Environmental Health Officer (EHO) Workforce Development Strategy Project.**

**Carried**

##### **Background**

The EHO Workforce Development Project is a response to the difficulties that Tasmanian councils are experiencing in attracting and retaining appropriately skilled EHOs. Local Government is the largest employer of EHOs in Tasmania and they play a critical role in protecting the community, the environment and the economy. Profiling the workforce, analysing current barriers and enablers of EHO workforce capacity, and developing an evidence base to inform a strategic response are key elements of the project.

The scope and methodology have been developed by a collaborative inter-sectoral project management team comprising members from LGAT, UTAS, Environmental Health Australia, the Environmental Protection Authority, Environmental Health Officers and the Department of Health. Included in the approach are a literature review, online surveys, interviews, and consultation with key industry stakeholders.

The final Report will be finalised in the coming weeks. The project management team has discussed drafts and provided feedback. The final Report will identify 17 strategic priorities, with recommendations and rationales for each one.

A significant finding of the Report is that the EHO workforce does not have the capacity to properly undertake the work required to address environmental health risks as required by various Acts. There is also inadequate capacity to respond to new or novel health protection challenges.

##### **Budget Implications**

Being undertaken within current resources.

##### **Current Policy**

Strategic Plan

Facilitating Change

Fostering collaboration

Promoting financial capacity

#### 4.11 POLICY UPDATE

Contact Officer – Dion Lester

**Southern Midlands Council/Circular Head Council**

**That Members note the following report.**

**Carried**

##### **Bushfire Mitigation Bill**

In March 2020, the Premier announced that new legislation would be introduced into Parliament in 2020 to streamline processes for fuel reduction and provide the Tasmania Fire Service with clearer powers to ensure landholders are undertaking fuel reduction activities. It is understood that this legislation is currently being drafted. The key issues included in the legislation are understood to include a new process for the development, approval and implementation of Bushfire Hazard Management Plans. This is likely to include increased powers for the Tasmania Fire Service (TFS).

LGAT will liaise with the State to ensure appropriate timelines are provided to the sector to review and comment on the legislation.

##### **Stormwater**

The incoming Tasmanian Planning Scheme (TPS) does not include a stormwater management code, meaning provisions for regulating stormwater management in development applications will be limited to applying conditions. In lacking a code, the ability to inform development applications (DA) and proposal design before a DA is submitted is absent from the TPS. This is also a problem for development proponents as it can mean that the first time they learn about their stormwater management obligations can be after a proposal is designed and a development application is lodged or, even later through conditions on a planning permit. This is a particular issue for councils who currently have a stormwater code in their interim planning scheme.

As previously reported at the July 2020 LGAT General Meeting, a number of councils are collaborating to develop a policy document that will help fill the gap by informing proponents of good stormwater management design and requirements prior to lodging a DA, as well as assisting councils in establishing a sound and robust regime for applying stormwater conditions on planning permits. The collaboration is the initiative of (and led by) the Derwent Estuary Program and includes personnel from NRM North, northern councils and IPWEA Tasmania members. The group has begun statewide engagement, with a well attended webinar introducing the project, and is in the process of recruiting a technical representative from northwest councils.

LGAT contributes by supporting statewide engagement and providing advice to ensure that the product produced will meet the needs of a wide range of councils.

## **Heavy Vehicles – National Policy Update**

Two national-level processes are underway in the heavy vehicle policy area. These are:

1. The National Transport Commission's (NTC) Heavy Vehicle National Law (HVNL) Review - <https://www.infrastructure.gov.au/roads/heavy/>
2. The Australian Government's Heavy Vehicle Road Reform (HVRR) - <https://www.infrastructure.gov.au/roads/heavy/>

As road managers and providers of access for heavy vehicle traffic, both issues are of interest to Local Government.

The HVNL Review has the potential to impact heavy vehicle access arrangements in Tasmania. The NTC has released its Consultation Regulatory Impact Statement (RIS) which is open for comment until December 2020. LGAT has previously made a submission to the review and intends to provide a second submission in the RIS phase.

The HVRR project will look at heavy vehicle road user charging and road funding arrangements so may have the potential to significantly improve funding arrangements for Local Government. Heavy vehicles have a disproportionate impact on local roads and create a management issue, yet their access on local roads is vital to local, state and national economic activity. The HVRR has the potential to address or even resolve the significant disparities between providing vital access and maintaining network infrastructure that is impacted by heavy vehicle access.

LGAT encourages any council or its technical staff with views on these important heavy vehicle issues to get in direct contact with LGAT to inform our engagement in them. Please contact Michael Edrich at [michael.edrich@lgat.tas.gov.au](mailto:michael.edrich@lgat.tas.gov.au).

### **Budget Impact**

Being undertaken within current resources.

### **Current Policy**

Strategic Plan

- Facilitating change
- Fostering collaboration
- Promoting financial sustainability
- Developing capacity and capability to deliver

## 4.12 LGAT EVENTS AND TRAINING UPDATE

Contact Officer – Kate Hiscock

**Southern Midlands Council/Circular Head Council**

**That Members note the following information and update on LGAT Events.**

**Members are encouraged to attend LGAT Events and training as appropriate.**

**Carried**

### **Events**

Although the LGAT Conference was cancelled in July 2020 due to COVID-19, LGAT's events and training calendar continues. In response to changing external environments, LGAT has augmented the variety and breadth of events to include online and more recently a careful return to face to face events where appropriate.

### **Face to face events**

#### **Life Member Event**

LGAT hosted an intimate awards event for the winners of the LGAT Life Member Awards at the Hobart Town Hall on 20 July. This replaced the presentation usually held at the LGAT Conference Dinner which was unable to take place due to COVID-19 restrictions. LGAT congratulates Councillor Tony Bisdee from the Southern Midlands Council and City of Hobart's General Manager, Mr Nick Heath on being awarded Life Membership of LGAT. The awards were presented by LGAT President Mayor Christina Holmdahl and the Hon Mark Shelton MP, Minister for Local Government. A videographer recorded the event for members who were unable to attend. This is now available on the LGAT extranet.

The LGAT Life Member awards recognise long and outstanding service to the whole of Local Government in Tasmania. Award nominations are made by councils, Elected Members and General Managers and are determined by the LGAT General Management Committee. Recipients must show a demonstrable contribution to our sector and have reached the level of LGAT President or a General Manager with national and state contributions.

#### **The Mayors' Professional Development Day**

The Mayors' Professional Development Day Workshop will be held on Thursday 10 September at the Windsor Community Precinct, the day before the September General Meeting. LGAT is pleased to have secured the following speakers for the program:

<b>Tourism Tasmania</b>	Anne Greentree Director Visitor Economy Strategy, Tourism Tasmania
<b>Centacare Evolve</b>	Ben Wilson CEO of Centacare Evolve & Belinda Clarke, Executive Manager Social Impact

**Leadership and Change** Michelle Swallow & Susan Fahey  
Leadership Consultants.

A flyer and registration form has been sent to Mayors with information also available on the events section of the LGAT website [here](#). This Workshop will also replace the December Mayors' Professional Development Day.

### **The General Managers' Workshop**

LGAT is currently undertaking event preparations for the General Managers' Workshop. This will be held on 5 and 6 November at White Sands, near Bicheno. General Managers will be sent information and registration details once finalised.

### **LGAT December General Meeting Event**

LGAT is currently considering expanding the LGAT General meeting on Friday 4 December to include some conference style elements and activities to host the day as a mini conference for Members. LGAT will be update Members as details progress.

### **Online Events**

#### **Webinar - Leading in a time of a pandemic**

LGAT hosted its first multi-speaker webinar in July. This was designed to support Councils with guidance, inspiration and takeaway learnings in response to the unprecedented COVID-19. Hosted by CEO Dr Katrena Stephenson and President Mayor Christina Holmdahl, the guest speakers included:

- An address from **The Hon Peter Gutwein**, Premier of Tasmania;
- **Mathew Healey**, Director, Policy and Sector Performance, State Government;
- **Jacqueline De Vries**, The University of Tasmania, The Tasmanian Project; and
- **Mayor Bec Enders & Sarah Wilcox**, Huon Valley and Kingborough Councils

The webinar was supported by Edge Legal and also included speaker **David Dilger**, a specialist employment and safety lawyer and co-founder at Edge Legal, on work re-integration and legalities. The webinar was a successful first event with 114 registrants and 74 attendees.

#### **LGAT Monthly Lunchtime Webinar Series**

Following the success of the first webinar, LGAT launched a Lunchtime monthly webinar series in July. The webinars, which are being supported by JLT Public Sector, are designed to provide inspiration and advice for members on topics of relevance to the Local Government sector. The first webinar guest speaker was Mathew Healey, Director, Policy and Sector Performance, State Government Tasmania on the topic 'Creating a Contemporary Regulatory Environment'. Mathew provided an absorbing presentation on how the Local Government Division engages

with Local Government on both legislative and non-legislative reforms with a focus on continuous sector improvement.

A question and answer session followed the presentation, allowing members to engage with the Local Government division across a range of matters. Overall, there were 42 registrants with 28 attending.

In August Mr Graeme Lynch AM, CEO of the Heart Foundation, presented on the current and future priorities of the Heart Foundation & the Premiers Health and Wellbeing Advisory Council. This was attended by approximately 30 people. The remaining webinars for 2020 are scheduled to have the following speakers subject to confirmation.

16 September	JLT Public Sector, Matthew Davis from AXA XL and Hubert Wajszel from Barry Nilsson will be speaking on Councillors and Officers Insurance.
21 October	Minister Roger Jaensch MP, Minister for Human Services, Environment and Parks, Housing, Planning and Aboriginal Affairs and Liberal Member for Braddon. <i>The State Government's forward</i> program for planning reform
18 November	Confirming speakers
December	Confirming potential speaker Minister Mark Shelton

For further details on these and previous webinars, please click [here](#).

### **Webinar Feedback**

Following the webinars, LGAT supplies a short survey to registrants to gauge relevancy, enjoyment and ease of access. The responses thus far have ranged from good to excellent with a small number of averages. Most have enjoyed the ease of access, quality of speaker, relevancy of topic and hearing from Tasmanians. LGAT has also supplied recordings of the webinar on the LGAT extranet following the event enabling access to those who were unable to attend.

### **Webinar Costs**

LGAT wishes to foreshadow that we are looking at charging a small fee for online webinars in the order of \$20 in 2021. This is to encourage greater attendance from registrants as well as reduce workload in providing ongoing resources from the webinar on the extranet. Any resources will be provided directly to those who have registered.

### **Completing your Council's Strategic Asset Management Plan (SAMP) training with IPWEA**

In September LGAT is facilitating training with the Institute of Public Works Engineering Australasia (IPWEA) to provide best practice strategic financial and asset management online training to support councils to manage the lifecycle of their infrastructure assets. The training will use LGAT's SAMP template and IPWEA's Asset Management Toolkit NAMS+.

IPWEA experts will demonstrate how councils can maximise service delivery potential using a lifecycle approach to guide the planning, acquisition, operation and maintenance, renewal and disposal of assets while managing risks and costs in accordance with the *Local Government Act 1993*.

This webinar is suitable for anyone involved in managing and delivering services and infrastructure assets including Executive Managers, Engineers, Asset & Finance Managers, Asset Accountants, staff new to the asset management discipline and officers responsible for writing the strategic planning documents.

The cost is \$120 for individuals and discounted to \$80 for group bookings. For further information [please click here](#)

### **Peer Networking Event**

LGAT hosted an informal online networking event for younger elected members (under 45). This was in recognition that this age cohort represents a minority of those elected to council and that over the last 12 months or so a number of younger Elected Members have expressed difficulties in the media. The online event was facilitated by Mayor Ben Shaw with the first event seeing ten Elected Members register. LGAT will schedule another online catch up for late September/Early October

### **Budget Impact**

**LGAT Mini Conference** - LGAT is currently evaluating options and costs for an expanded General Meeting in December. This includes the potential for sponsors, however it needs to be noted it is a repressed market for businesses and this may not eventuate. The intention for this is to implement a cost recovery model for registrants where possible.

**Lunchtime Webinars** - LGAT has negotiated an arrangement with JLT Public Sector to help cover any costs.

**The Mayors Workshop** – None as the event is run on a cost recovery basis.

**The General Managers Workshop** – None as the event is run on a cost recovery basis

### **Current Policy**

The implementation of an LGAT mini conference, Monthly Webinar Series the General Manager Workshop, Mayors Workshop, Online Peer Networking and SAMP training supports the following components in the Strategic Plan

- Facilitating change
- Building Local Government's reputation
- Fostering collaboration
- Developing capacity and capability to deliver

In addition, this supports the 2020 – 21 Annual Priorities

- Continue to support Members' professional development

Support the sector through the next stages of Local Government reform  
Support councils' infrastructure planning and financial arrangements  
Support councils' recovery efforts from COVID-19

**4.13 LGAT ANNUAL PLAN \***  
**Contact Officer – Katrena Stephenson**

**Southern Midlands Council/Circular Head Council**

**That Members note the report against the Annual Plan.**

**Carried**

At **Attachment to Item 4.12** is a copy of the LGAT Annual Plan and progress to date.

## **5. OTHER BUSINESS & CLOSE**

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There being no further business the President declared the Meeting closed at 1.07pm.



Items 1.1 -1.6		Governance Items			
Vote ID	Council	Response	For	Against	Abstain
1	Break O'Day Council		1		
2	Brighton Council		2		
3	Burnie City Council		2		
4	Central Coast Council				3
5	Central Highlands Council				1
6	Circular Head Council		1		
7	Clarence City Council		4		
8	Derwent Valley Council		2		
9	Devonport City Council		3		
10	Dorset Council		1		
11	Flinders Council				1
12	George Town Council				1
13	Glamorgan/Spring Bay Council		1		
14	Glenorchy City Council		4		
15	Hobart City Council		4		
16	Huon Valley Council		2		
17	Kentish Council		1		
18	Kingborough Council		3		
19	King Island Council		1		
20	Latrobe Council				2
21	Launceston City Council		4		
22	Meander Valley Council		2		
23	Northern Midlands Council		2		
24	Sorell Council		2		
25	Southern Midlands Council		1		
26	Tasman Council		1		
27	Waratah - Wynyard Council		2		
28	West Coast Council				1
29	West Tamar Council				3
			<b>46</b>	<b>0</b>	<b>12</b>

Items 2.1		Review of Local Government Legislation			
Vote ID	Council	Response	For	Against	Abstain
1	Break O'Day Council	For	1		
2	Brighton Council	For	2		
3	Burnie City Council	For	2		
4	Central Coast Council	For	3		
5	Central Highlands Council	[No Response]			1
6	Circular Head Council	For	1		
7	Clarence City Council	For	4		
8	Derwent Valley Council	For	2		
9	Devonport City Council	For	3		
10	Dorset Council	For	1		
11	Flinders Council	[No Response]			1
12	George Town Council	For	1		
13	Glamorgan/Spring Bay Council	For	1		
14	Glenorchy City Council	For	4		
15	Hobart City Council	For	4		

16	Huon Valley Council	For	2		
17	Kentish Council	For	1		
18	Kingborough Council	For	3		
19	King Island Council	For	1		
20	Latrobe Council	[No Response]			2
21	Launceston City Council	For	4		
22	Meander Valley Council	For	2		
23	Northern Midlands Council	For	2		
24	Sorell Council	For	2		
25	Southern Midlands Council	For	1		
26	Tasman Council	For	1		
27	Waratah - Wynyard Council	For	2		
28	West Coast Council	[No Response]			1
29	West Tamar Council	For	3		
			<b>53</b>	<b>0</b>	<b>5</b>

<b>Items 2.1 B</b>		<b>Charitable Rates</b>			
<b>Vote ID</b>	<b>Council</b>	<b>Response</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
1	Break O'Day Council	For	1		
2	Brighton Council	For	2		
3	Burnie City Council	For	2		
4	Central Coast Council	For	3		
5	Central Highlands Council	[No Response]			1
6	Circular Head Council	For	1		
7	Clarence City Council	For	4		
8	Derwent Valley Council	For	2		
9	Devonport City Council	For	3		
10	Dorset Council	For	1		
11	Flinders Council	[No Response]			1
12	George Town Council	For	1		
13	Glamorgan/Spring Bay Council	For	1		
14	Glenorchy City Council	For	4		
15	Hobart City Council	For	4		
16	Huon Valley Council	For	2		
17	Kentish Council	For	1		
18	Kingborough Council	For	3		
19	King Island Council	For	1		
20	Latrobe Council	For	2		
21	Launceston City Council	For	4		
22	Meander Valley Council	For	2		
23	Northern Midlands Council	For	2		
24	Sorell Council	For	2		
25	Southern Midlands Council	For	1		
26	Tasman Council	For	1		
27	Waratah - Wynyard Council	For	2		
28	West Coast Council	[No Response]			1
29	West Tamar Council	For	3		
			<b>55</b>	<b>0</b>	<b>3</b>

Items 2.1 C		Review of Local Government Legislation - Code of Conduct			
Vote ID	Council	Response	For	Against	Abstain
1	Break O'Day Council	For	1		
2	Brighton Council	For	2		
3	Burnie City Council	Against		2	
4	Central Coast Council	For	3		
5	Central Highlands Council	[No Response]			1
6	Circular Head Council	For	1		
7	Clarence City Council	For	4		
8	Derwent Valley Council	For	2		
9	Devonport City Council	For	3		
10	Dorset Council	For	1		
11	Flinders Council	[No Response]			1
12	George Town Council	For	1		
13	Glamorgan/Spring Bay Council	For	1		
14	Glenorchy City Council	For	4		
15	Hobart City Council	For	4		
16	Huon Valley Council	For	2		
17	Kentish Council	For	1		
18	Kingborough Council	For	3		
19	King Island Council	For	1		
20	Latrobe Council	[No Response]			2
21	Launceston City Council	For	4		
22	Meander Valley Council	For	2		
23	Northern Midlands Council	For	2		
24	Sorell Council	For	2		
25	Southern Midlands Council	For	1		
26	Tasman Council	For	1		
27	Waratah - Wynyard Council	For	2		
28	West Coast Council	[No Response]			1
29	West Tamar Council	For	3		
			<b>51</b>	<b>2</b>	<b>5</b>

Items 2.2		LGAT Procurement			
Vote ID	Council	Response	For	Against	Abstain
1	Break O'Day Council	For	1		
2	Brighton Council	For	2		
3	Burnie City Council	For	2		
4	Central Coast Council	For	3		
5	Central Highlands Council	[No Response]			1
6	Circular Head Council	For	1		
7	Clarence City Council	[No Response]			4
8	Derwent Valley Council	For	2		
9	Devonport City Council	For	3		
10	Dorset Council	For	1		
11	Flinders Council	[No Response]			1
12	George Town Council	For	1		
13	Glamorgan/Spring Bay Council	For	1		
14	Glenorchy City Council	For	4		
15	Hobart City Council	For	4		

16	Huon Valley Council	For	2		
17	Kentish Council	[No Response]			1
18	Kingborough Council	For	3		
19	King Island Council	For	1		
20	Latrobe Council	For	2		
21	Launceston City Council	Against		4	
22	Meander Valley Council	Against		2	
23	Northern Midlands Council	For	2		
24	Sorell Council	For	2		
25	Southern Midlands Council	For	1		
26	Tasman Council	For	1		
27	Waratah - Wynyard Council	For	2		
28	West Coast Council	[No Response]			1
29	West Tamar Council	For	3		
			<b>44</b>	<b>6</b>	<b>8</b>

Items 2.3 Check No		Parliamentary Inquiries - TasWater			
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Vote ID	Council	Response	For	Against	Abstain
1	Break O'Day Council	For	1		
2	Brighton Council	For	2		
3	Burnie City Council	[No Response]			2
4	Central Coast Council	For	3		
5	Central Highlands Council	[No Response]			1
6	Circular Head Council	For	1		
7	Clarence City Council	For	4		
8	Derwent Valley Council	For	2		
9	Devonport City Council	For	3		
10	Dorset Council	[No Response]			1
11	Flinders Council	[No Response]			1
12	George Town Council	[No Response]			1
13	Glamorgan/Spring Bay Council	For	1		
14	Glenorchy City Council	For	4		
15	Hobart City Council	For	4		
16	Huon Valley Council	For	2		
17	Kentish Council	For	1		
18	Kingborough Council	For	3		
19	King Island Council	For	1		
20	Latrobe Council	For	2		
21	Launceston City Council	For	4		
22	Meander Valley Council	For	2		
23	Northern Midlands Council	For	2		
24	Sorell Council	For	2		
25	Southern Midlands Council	For	1		
26	Tasman Council	For	1		
27	Waratah - Wynyard Council	For	2		
28	West Coast Council	[No Response]			1
29	West Tamar Council	For	3		
			<b>51</b>	<b>0</b>	<b>7</b>

Items 4-1 to 4-13	Items for Noting
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<b>Vote ID</b>	<b>Council</b>	<b>Response</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
1	Break O'Day Council	For	1		
2	Brighton Council	For	2		
3	Burnie City Council	[No Response]			2
4	Central Coast Council	For	3		
5	Central Highlands Council	[No Response]			1
6	Circular Head Council	For	1		
7	Clarence City Council	For	4		
8	Derwent Valley Council	For	2		
9	Devonport City Council	For	3		
10	Dorset Council	For	1		
11	Flinders Council	[No Response]			1
12	George Town Council	(No Response)			1
13	Glamorgan/Spring Bay Council	For	1		
14	Glenorchy City Council	For	4		
15	Hobart City Council	For	4		
16	Huon Valley Council	For	2		
17	Kentish Council	For	1		
18	Kingborough Council	For	3		
19	King Island Council	For	1		
20	Latrobe Council	For	2		
21	Launceston City Council	For	4		
22	Meander Valley Council	For	2		
23	Northern Midlands Council	For	2		
24	Sorell Council	For	2		
25	Southern Midlands Council	For	1		
26	Tasman Council	For	1		
27	Waratah - Wynyard Council	For	2		
28	West Coast Council	[No Response]			1
29	West Tamar Council	For	3		
			<b>52</b>	<b>0</b>	<b>6</b>

**Attachment to Item 5**

<b>General Meeting 11 September 2020</b>		
<b>Item No</b>		
<b>2</b>	<b>Items for Decision</b>	
2.1	Reivew of Local Government Legislation	Refer Item 8.13
2.1B	Caritable Rates	Refer Item 8.2
2.1C	Reivew of Local Government Legislation - Code of Conduct	Refer Item 8.13 Policy Update
2.2	LGAT Procurement	Ongoing
2.3	TasWater	Refer Item 8.3
<b>4</b>	<b>Items for Noting</b>	
4.1	Parliamentary Inquiries	Refer Item 8.3
4.2	Premer's Economic & Social Recovery Advisory Council Submission	Refer Item 8.1
4.3	Planning Reform	Refer Item 8.5
4.4	Waste and Resource Recovery	Refer Item 8.6
4.5	Emergency Management	Refer Item 8.9
4.6	Procurement Update	Refer Item 8.11
4.7	Climate Change Projects	Ongoing
4.8	LGAT Strategic Asset Management Plan Training	Refer Item 8.12
4.9	Health and Wellbeing Project	Refer Item 8.15
4.10	Environmental Health Officer (EHO) Workforce Strategy Project	Refer Item 8.14
4.11	Policy Update	Refer Item 8.13
4.12	LGAT Events and Training Update	Refer Item 8.16
4.13	LGAT Annual Plan	No Further Action

## Follow Up of Motions Report

### Report to the General Meeting

This report details motions where LGAT is actively pursuing an outcome.

#### Local Government Legislation

<p><b>Rating</b> That LGAT establish a working group and seek legal advice if necessary, to develop a proposed amendment to section 87 of the Local Government Act, and specifically in regard to the definition charitable purpose, with a view to providing certainty and social equity in the application of rating exemptions.</p> <p>That LGAT seek a firm commitment from the State Government to commence a review of the rating exemption provisions in the Local Government Act, with amendment to proceed as soon as practicable and ahead of the broader legislative review timeframes</p>	<p><b>Passed:</b> March 2019</p> <p><b>Notes:</b> This motion has been superseded by the September 2020 motion.</p> <p><b>This motion will be removed following the December General Meeting.</b></p>
<p><b>Rating</b> That this Meeting endorse the Steering Committee to commence a media campaign against the State Government’s position on Charitable Rates Exemptions on Independent Living Units, if an amicable solution is not reached.</p>	<p><b>Passed:</b> September 2020</p> <p><b>Notes:</b> In 2019, LGAT has established a Steering Committee and sought legal advice on amendments to the Local Government Act. Despite considerable engagement with the Government and other stakeholders, traction was limited and it was intended to seek support from Members in March to enter into a campaign. This was put on hold at the commencement of COVID-19.</p> <p>The President wrote to the Minister seeking that this matter be considered as either part of the review of the Local Government Act (or before), however the Government would not commit to this action, noting the stressors on the Aged Care sector. The Minister has written</p>

	<p>to the TasCOSS and Aged and Community Services Australia (ACSA) asking them to reengage on the issue. No subsequent contact has been made by these organisations.</p> <p>At the September 2020 General Meeting a motion to commence a media campaign, if an amicable solution was not able to be reached, was passed.</p> <p><b>See Agenda Item this meeting for more detail.</b></p>
<p><b>Code of Conduct</b> That LGAT call on the State Government to conduct a full review of the entire Code of Conduct process, including the Code.</p>	<p><b>Passed:</b> September 2020</p> <p><b>Notes:</b> The President has written to the Minister on this issue and LGAT has assisted the Local Government Division to progress regional forums during October to provide advice on process changes and to seek feedback on issues.</p> <p><b>See Agenda Item this meeting for more detail.</b></p>
<b>Environment</b>	
No current motions	



## Planning and Building

### Building Act

That LGAT request that the State Government provide the necessary resources and undertake an urgent review of the Building Act 2016 to address the shortcomings being experienced by Local Government in relation to the operation of this Act.

**Passed:** July 2018

**Notes:** LGAT has raised this issue with the Director of Building Control and while a root and branch review was not supported, he did accept there was an opportunity for continual improvement to the Building Act. Prior to COVID-19, LGAT had commenced planning for regular meetings with permit authorities, which will be used both as a direct engagement forum to inform LGAT's advocacy for changes to the Building Act and also for permit authorities to accrue CPD points. Planning for these meetings has now recommenced following a hiatus during COVID - 19, with the first forums expected to be rolled out prior to the end of this year.

## Roads and Infrastructure

### Infrastructure Contributions

That LGAT advocate to the State Government and TasWater for the ceasing of the 'headworks holiday' for sewer and water infrastructure.

**Passed:** July 2020

**Notes:** LGAT intends to (1) write to the Minister for Local Government regarding this issue; (2) make a submission to TasWater regarding its developer charges regime, and (3) develop a sector position on infrastructure contributions to inform Tasmanian Government policy on the topic.

LGAT has begun consultation with the sector to inform the actions above. An infrastructure contributions survey has been developed and released and LGAT encourages members to provide their feedback:

<https://www.surveymonkey.com/r/92NPPK3>

### Emergency Management

#### Fire Services Levy

Advocate on behalf of all Councils the deep concern at the level of the Fire Service Contribution that councils are expected to collect from ratepayers each year on behalf of the State Fire Commission; and

Seek justification for the excessive level of financial burden that has been imposed over the last five years.

**Passed:** July 2018

**Notes:** The Fire Services Act is currently under review. The Act is the key piece of legislation which dictates the Fire Service Contribution and how increases to the contribution are decided. LGAT provided a submission to the issues paper as part of the review, advocating concern and the need for more transparency and justification in relation to increase to the contribution. LGAT also met with Mike Blake as part of his consultation on the Bill in which we discussed the LGAT submission and the issues raised as part of this motion.

LGAT again met with Mike Blake on 17 August to discuss his draft report and the likely recommendations. LGAT consulted with the sector and provided feedback to Mike Blake. Issues in relation to the levy, centralisation of SES volunteer units and the proposed governance structure were all raised in the LGAT feedback.

It is not known if the Minister will release Mr Blakes report which is due on 30 October.

**See Agenda Item this meeting for more detail.**

### Local Government Business and Finance

#### Procurement

Members agree that all eligible purchases from supplies on the following four LGAT Procurement contracts be deemed to be through the contract unless councils specifically opt out –

1. Tyres, Tubes, Automotive and Marine Batteries (NPN 1.14-2);
2. Office Supplies, Products, Equipment and Accessories (OS4400-2020);
3. Corporate Clothing, Workwear and PPE (BUS271; and

**Passed:** September 2020

**Notes:** LGAT has sent a letter to each of the suppliers on the four contracts notifying them of the motion and to update their processes as a result of this change. LGAT will be in touch with each of the suppliers in the next few weeks to follow up regarding implementation and to answer any queries they may have.

**This motion will be removed following the December General Meeting.**

<p>4. Hardware (NPN 1.16).</p>	
<p><b>TasWater</b></p> <p>That the TasWater Owners agree to provide support to the Chief Owner Representative (COR) through an expert Steering Committee and/or engagement of a consultant as required with the first task being to review the Shareholders Letter of Expectations (SLE) and financials from an Owner Perspective.</p> <p>The Owner Representative Group (ORF) is to engage the Board on a range of issues including infrastructure renewals and upgrades, capacity to support new development, provisioning around COVID-19 and their approach to scoping the standard of new infrastructure.</p> <p>That LGAT support the COR by facilitating council only engagement prior to the ORG Meetings.</p> <p>That LGAT work with the COR to for a submission to the Legislative Council focusing on depoliticization of pricing, headworks, the fluidity of dividends and the broad benefits of Local Government ownership</p>	<p><b>Passed:</b> September 2020</p> <p><b>Notes:</b> LGAT is now hosting online meetings of Local Government Owners prior to each TasWater meeting.</p> <p>Nominations were sought for Members of an Expert Advisory Group to the Chief Owner Rep with a first meeting on the 19 October (and draft TOR developed).</p> <p>A submission was made to the Legislative Council:</p> <p><a href="https://www.lgat.tas.gov.au/_data/assets/pdf_file/0034/762793/TasWater-Submission-240920.pdf">https://www.lgat.tas.gov.au/_data/assets/pdf_file/0034/762793/TasWater-Submission-240920.pdf</a></p>

## Social Policy

### Growing Health Crisis

A. Council requests the State Government to:

1. Acknowledge that Tasmania is facing a growing health crisis caused by chronic and preventable disease.
2. Acknowledge that one of the statutory functions of councils is to provide for the health, safety and welfare of the community.
3. Recognise that a continued costly focus on hospitals and traditional medical treatment cannot improve community health and health outcomes in the same way that a strategic focus on healthy behaviours and physical activity can.
4. Create adequate funding mechanisms through new and existing budget allocations for Local Government - to allow for the adequate provision of sportsgrounds, playgrounds, outdoor walking, cycling and jogging trails and other infrastructure that will increase the exercise and activity options for all Tasmanians, with a key focus on children.
5. Facilitate and fund appropriate public health awareness campaigns focused on the need to increase the uptake of healthy exercise behaviours by the wider Tasmanian community.
6. That Council requests LGAT support recommendations 1-5 above and advocate to the State Government on behalf of the Local Government sector accordingly.

**Passed:** December 2019

**Notes:** The Local Government Community Health and Wellbeing Project is focussed on supporting councils to improve community health and wellbeing outcomes. The Project has been extended for 2 more years from 2020-22.

LGAT has been discussing the motion and the issues raised with the Department of Communities. Specific actions have been delayed by the Department's significant engagement in planning immediate and longer recovery from COVID-19. The Department noted that the context has significantly changed in recent months. For example, there has been a \$200M Local Government Loans Program available for councils to support infrastructure projects, including sport and recreation facilities. While the Department's immediate focus is around return to play and supporting sport organisations and facility owners/operators to put in place appropriate mechanisms to respond to and recovery from COVID-19, LGAT will continue discussing how both levels of government can strategically address the health crisis.

PESRAC is conducting Phase 2 workshops during November and the final report will be available in March. LGAT is engaging with government and non-government stakeholders to promote the unique strengths that Local Government can bring to both economic and social recovery, including those identified in the motion. That engagement includes an emphasis on due acknowledgement of the importance of that role, adequate resourcing, and long term funding models.

**Women's Shelter**

That LGAT advocate for the State Government to investigate the need for a Women's Shelter/s to be located in and to service regional Tasmania and other rural areas, to service the population across the greater part of rural Tasmania.

**Passed:** December 2019

**Notes:** LGAT has received a reply from the Hon. Roger Jaensch, Minister for Housing. The letter affirmed "that safe and secure housing is a fundamental need and is a top priority for the Government." The letter said that new units have been provided in the Hobart area and an increase in the number of properties in the Rapid Rehousing program and an expansion of Housing Connects capacity to provide accommodation.

The Minister noted that he had met with key stakeholders, including Northern Midlands Council representatives (where the motion originated) about this matter in December last year and that Campbell Town as a suitable location for housing was discussed. The Minister also indicated that the Northern Midlands working group was going to further develop and refine a proposed model and bring it to the Government in due course.

LGAT will facilitate, where appropriate, further communication with the Government on implementation of such a model.

**This motion will be removed following the December General Meeting.**

## Other matters

### Government Services Decentralisation

Member Councils of LGAT recommend that the State Government provides a strategic commitment and resources funding program for the implementation of a state and federal government services decentralisation action plan to leverage and ensure the dispersal of employment opportunities across the state.

**Passed:** July 2018

**Notes:** In its 2018 election platform, the Tasmanian Government made some statements and commitments of relevance to this motion but after reaching out to State Government partners to determine what actions have been taken to date there was no indication that a Decentralisation Action Plan was under development or intended.

In the post-COVID-19 environment of economic recovery, LGAT advocated directly to the Premier's Economic and Social Recovery Advisory Council (PESRAC), highlighting regional economic recovery the vital importance of maintaining councils' financial capacity as key component to recovery across the state.

The PESRAC Interim Report specifically referenced the LGAT submission and took a very strong focus on regional economic development throughout its analysis and recommendations. While decentralisation specifically is hindered by the absence of a state settlement strategy, regional economic development is a major focus of both the PESRAC's work and the interrelated T21 Visitor Economy Action Plan 2020-2022.

Finally, LGAT will review the upcoming [2020-21 Tasmanian Budget](#) (delayed until 12 November due to COVID-19) for further evidence of the Tasmanian Government's commitments to decentralisation and regional economic development.

**Tourism Signage**

That LGAT seek that the State Government provides a strategic commitment of a 4 year resources funding program for the implementation of international (Non English) visitor interpretive signage to ensure the dispersal of the increased international tourism economic benefits across the state.

**Passed:** July 2018

**Notes:** LGAT has written to Tourism Tasmania and the Department of State Growth (DSG) and have received a response from Tourism Tasmania. Tourism Tasmania CEO provided a detailed and constructive response that noted that while he considered an interpretive signage program would not achieve improved regional tourism economic activity, that Tourism Tasmania is motivated and has programs and measurable targets to increase visitation outside Hobart and the gateway cities into regional Tasmania.

In early August the Government released the T21 Visitor Economy Action Plan 2020-2022. This new plan connects directly to the broader economic recovery planning through PESRAC and has a dominant theme throughout of regional dispersal of visitors.

The T21 plan sets out an array of strong and clear intentions for the regions throughout the document, including (among others) a specific drive/touring marketing program, investing in the road network to support the touring market and launching a new online platform, Tasmanac, that connects Tasmania's cultural collections and encourages dispersal to our regional towns.

**This motion will be removed following the December General Meeting.**



# TasWater Owner Representative Group(ORG) Local Government Expert Advisory Group Terms of Reference

This document contains the terms of reference for the Local Government Expert Advisory Group supporting the Chief Owner Representative it,

## 1. Context

TasWater was formed as part of water and sewerage reforms initiated by the Government in 2007. It commenced operations in 2013 and is owned by 29 councils and State Government. The Owners' Representatives Group (ORG) comprises one representative from each of the 30 members.

The Board of TasWater is accountable to the Owners' Representatives' Group. The functions, duties and responsibilities for the Owners' Representatives' Group are outlined in the Corporation's Constitution and the Shareholders' Letter of Expectations (SLE).

It has become evident through the emergency period that Local Government owners collectively are keen to lift their capacity to engage with the Board. At the LGAT General Meeting on 11 September councils authorised LGAT to establish a secretariat for the LG Owners Representative Group and provide support to the Chief Owner Representative (COR).

It is clearly understood that there is no provision or opportunity for council owners or their advisers to direct or instruct the Board in its duties. However, TasWater's Constitution does require the directors to manage the business having regard to the SLE – and it is the SLE that provides appropriate opportunities for owners to engage with the Board.

According to the Constitution [(11.8.(a)(i)], the Board is to 'manage' the corporation having regard to the Shareholder Letter of Expectations (SLE).

The SLE requires the Board to present annually to the Shareholders a draft Corporate Plan; and the Shareholders have 28 days to provide feedback to the Board.

Under the SLE the Shareholders expect the Corporation to annually review and report to the Selection Committee on the performance of the Board and its committees.

On an irregular basis, the Board seeks advice from the Owner Representative Group (ORG) on other matters such as draft policies the drafts of Price and Service Plan being prepared for The Economic Regulator

Under Clause 9.5 of the Constitution "the Owners' Representatives may engage secretariat and executive support to assist it in performing its functions as required by this constitution."

## 2. Composition

The Local Government Expert Advisory Group comprises

- a Chair – the Chief Owner Representative





- members as nominated and determined by council owners, ensuring that combined the group has a sound understanding of the regulatory environment which TasWater works within, the ability to scrutinise financials and the capital plan, and understanding of engineering/construction and project management (see Attachment 1 for current Membership).
- a secretariat comprising LGAT CEO or their proxy
- external consultants as determined by the Advisory Group.
- Speakers by invitation.

Members of, or consultants to, the Local Government Expert Advisory Group must not be delivering or likely to bid for TasWater projects.

### 3. Functions

The function of the Local Government Expert Advisory Group is to undertake detailed analysis of key aspects of TasWater on behalf of Local Government owners, with a view to improving their capability to have oversight and ensure Board accountability as outlined in the Shareholder's Letter of Expectation.

In particular, the Local Government Expert Advisory Group to:

General:

- Annual Review of the Shareholder Letter of Expectations (SLE)
- Review of the draft Corporate Plan and Annual Report.
- Respond to occasional Board requests for comment on policy and regulatory documents.
- Prepare submissions on behalf of the Owner Representative Group, for example to the Parliamentary Inquiries, Auditor General etc.

The Advisory Group will develop an annual plan of work.

### 4. Term of appointment

The Expert Advisory Group was established in September 2020, and membership will be reviewed on an annual basis.

### 5. Expert Advisory Group meetings

The initial meeting is to be held face-to-face with a combination of face-to-face, online meetings and correspondence via Teams going forward, as determined by the Group.

### 6. Remuneration and allowances

Membership is on a voluntary basis with the support of representative's Council.

### 7. Resourcing

LGAT will cover the secretariate costs from within annual budget. Following consideration of tasks and resourcing requirements, the Expert Advisory Group will determine whether there needs to be a specific call on council Owners.



## Attachment 1: Membership as at 20 October 2020

- Mayor Doug Chipman (Chief Owner Representative and Chair)
- *Gary Arnold- General Manager Kingborough Council*
- *John Jordan- General Manager Meander Valley Council*
- *Ald Leon Perry- Devonport City Council*
- *Miriam Coleman- CFO Clarence City Council*
- *Greg Davoren – Deputy General Manager Brighton Council*

24 September 2020

The Secretary  
Legislative Council Select Committee – TasWater Operations  
Legislative Council  
Parliament House  
HOBART 7000

Email: [twt@parliament.tas.gov.au](mailto:twt@parliament.tas.gov.au)

Dear Sir/Madam

**Legislative Council Select Committee - TasWater Operations**

Thank you for the opportunity to provide a submission to the Legislative Council Select Committee. This submission has been prepared by the Local Government Association of Tasmania (LGAT), with the Chief Owner Representative, on behalf of the Local Government Sector in collaboration with our Members.

LGAT is incorporated under the *Local Government Act 1993* and is the representative body and advocate for Local Government in Tasmania. Where a Council has made a direct submission to this process, any omission of specific comments made by that Council in this submission should not be viewed as lack of support by the LGAT for that specific issue.

If you have any questions or would like further information, please do not hesitate to contact me at [Katrena.Stephenson@lgat.tas.gov.au](mailto:Katrena.Stephenson@lgat.tas.gov.au) or (03) 6146 3743.

Yours sincerely



Katrena Stephenson  
**Chief Executive Officer**



Mayor Doug Chipman  
**Chief Owner Representative**

## LGAT Submission

### *Legislative Council Select Committee TasWater Operations*

#### Introduction

To inform this submission, LGAT has discussed the Select Committee Inquiry with Members through our General Meeting process and through direct engagement with Council Owner Representatives of TasWater.

Four key themes were identified:

1. Local Government as owners of Taswater;
2. The effect of dividend policy on council revenue;
3. The need to depoliticize pricing for TasWater services; and
4. The constraints on development and infrastructure expansion.

#### 1. Local Government as Owners of TasWater

Local Government ownership of TasWater provides a number of advantages. These include -

- A direct line of sight from TasWater to communities through councils and conversely; strong access through, and advocacy by, owners to TasWater, for communities.
- An absolute commitment to merit-based project prioritization without political interference and/or pork barrelling; and
- Equal consideration of the needs of smaller and larger communities.

TasWater was established as an independent company, incorporated under the Commonwealth Corporation Act (2001). While owned by the 29 Tasmanian councils (90%) and State Government (10%), it has a skill-based and independent Chairman and Board of Directors. The TasWater Constitution requires the Board Selection Committee, members of the Owner Representative Group, to appoint to the Board individuals who have “the experience and skills necessary to assist the Corporation to achieve its principal objectives”.

The Board and TasWater are required to deliver on the following objectives:

- The efficient provision of water and sewerage functions in Tasmania;
- Activities which encourage water conservation, demand management and re-use on an economic and commercial basis;
- A successful business operating in accordance with good commercial practice and delivering sustainable returns to its members; and
- Cost efficient service delivery.

Through the Shareholder Letter of Expectations (SLE) the Local Government owners of TasWater have clearly established a commitment to customer and community engagement. Specifically:

*The Corporation shall develop and implement open and transparent processes to engage its customers and the community in its planning processes to ensure, amongst other matters, that the standards of services it provides meet regulatory requirements and the needs and expectations of customers and the requirements of the Industry's regulators; and*

*The Corporation shall make:*

- *Information about the services it provides available to the public;*
- *Information about water conservation and the responsible use of water and waste water available to the public; and*
- *Educational material about the water industry available to schools and communities.*

Under the SLE, TasWater has significant formal accountability to its Owners including through annual planning meetings, annual reporting meetings, quarterly performance reporting meetings and general meetings. The level of scrutiny of TasWater is high, undertaken by the Owners, the independent Regulators and the Parliament.

The Local Government sector remains committed to ensuring that, as majority owners, using the powers provided within the TasWater Constitution, Shareholder Letter of Expectation and Owner Representatives Charter; we monitor performance, raise issues and concerns and influence the development of the capital plan, all with the goal of driving strong economic and service outcomes.

This commitment has recently led to the convening of owner only meetings to determine key issues and questions to be raised with TasWater, and the establishment of an expert advisory group to support the Chief Owner Representative. This group will develop and deliver on a targeted workplan commencing with a periodic review of the Shareholder Letter of Expectations. LGAT will provide secretariat support including engagement of external expertise as required.

## 2. The Effect of Dividend Policy on Council Revenue

In LGAT's first submission to the Premier's Economic and Social Recovery Advisory Council (PESRAC), we noted that in the context of COVID 19:

*It has not taken long for councils to start experiencing significant financial impacts from:*

- *Lost fees and charges revenue e.g. parking, sports centres and child care;*
- *Relief measures as outlined above, including deferral of payments, remissions, waivers and grants;*
- *Lost revenue from TasWater dividends - with no dividends to be paid for the second half of this financial year (having an immediate cash flow impact) and the likelihood of no dividends next year; and*
- *Increased cleaning costs.*

The impact of COVID-19 on TasWater's earnings, as illustrated by the immediate non-payment of dividends, has councils deeply concerned about their ability to rely upon a consistent dividend stream from TasWater into the future. This in turn makes it extremely difficult for Councils to have confidence in the accuracy and reliability of their long-term financial plans as many councils rely on the dividends for their budgets.

While acknowledging that the current legislative framework in which TasWater operates makes it very difficult for TasWater to pay dividends from a loss making position, there is a strong feeling amongst councils that they have already provided significant community relief in response to COVID 19 through a range of measures and should not have to provide further relief through dividend hits as well.

While the COVID 19 circumstances were exceptional and the response by TasWater understandable, this is the second significant change to dividends to councils. In 2016 the council owners of TasWater agreed to a significant reduction in dividends in order to provide sufficient funding for the strategic 10-year capital plan, which will deliver significant improvements to both drinking water quality and sewerage treatment.

During engagement with councils for our PESRAC submission it was clear that councils would like more certainty around dividends and at the very minimum a mechanism to smooth dividend shocks should be contemplated.

The dividends are used in meaningful ways for communities and have been increasingly important as we have seen a decline in relative funding through the Commonwealth's Financial Assistance Grants, erosion of the rates base (for example through changes to business models by the University and charities) and political and community demand for limited rate rises. Councils have a range of infrastructure which must be provided and

maintained for communities and have been trying to balance the competing needs as well as increasing demands for services for many years.

Ultimately if there are to be no TasWater dividends for councils there needs to be a broad understanding that there will need to be reconsideration of current rates policies. The TasWater dividend can represent between 3.5% and 8% of rates income, dependent on the council.

In summary:

- Most councils have not received the level of dividends agreed as part of the initial reform agenda or when they complied with National Competition Policy as asset owners.
- There is no certainty around payment of dividends which makes long-term financial planning difficult, leaving councils exposed.
- One of the significant drivers of the lack of certainty/guarantees around the dividend stream is the politicization of key matters, such as pricing and headworks (to be addressed later in this submission).
- In addition to dividend losses councils now pay significant water and sewerage charges on public assets.
- For some councils, the TasWater dividend represents a significant proportion of revenue (e.g. up to 8%).
- Solutions to dividends shortfall for councils include increased rates or borrowings or service reductions.

### **3. The Need to Depoliticize Pricing for Taswater Services**

TasWater pricing is currently set by the independent regulator to ensure the corporation operates efficiently as a water and sewerage service provider. Furthermore, TasWater is required by legislation to move towards full cost recovery. However, under the MOU with State Government related to their investment in TasWater, prices have been capped below that set by the Regulator. An event of the scale and impact of the COVID- 19 pandemic was not anticipated at the time the MOU was developed and as such the price capping agreement needs to be revisited. Further, LGAT believes that future hardship relief should be based on individual customer need rather than a broad approach which results in winners and losers.

Any move away from independent pricing regulation is at odds with the national water initiative and further escalates the risk to TasWater's viability. Compared to like utilities, TasWater charges per customer are amongst the lowest in the country, despite having the highest level of capital investment per customer.

The politicisation of pricing has meant there is enormous pressure on TasWater to hold pricing at an unsustainable level. This political cap on revenue has led to an increased debt and will negatively impact on TasWater's ability to invest in infrastructure. Hence, the artificial capping will act as a handbrake on Tasmania's growing economy. Over time such an approach can lead to poor infrastructure provision, ironically, the very justification the State Government gave for water and sewer reform in the first place.

The economic consequence of dividend reduction to councils is that they have less to spend on infrastructure themselves or are forced to adopt higher rates, which offsets the reduction in water and sewerage pricing and ultimately doesn't lead to any easing of cost of living pressures (see comments on dividend policy above).

In their submission, TasWater have suggested there be legislative allowance for a re-opening of a price determination in certain circumstances: As regulatory pricing periods increase (e.g. from 3 to 4 or more years) this will provide appropriate flexibility to respond to unforeseen circumstances. For example, where there is a material adverse impact as a result of an event outside TasWater's control and which could not have been contemplated at the time the price determination was made. This would allow for increased flexibility and responsiveness to significant changes in the broader environment. It is suggested that some of the benefits that may be derived from such a change include greater equity (e.g. reduction in cross subsidisation) for customers, or more sustainable cost recovery for TasWater, and minimization of compliance costs and delays.

Additionally, TasWater has suggested there should be a legislative obligation for the Economic Regulator to undertake a "financeability" test of its pricing determination. This would provide the ability for TasWater to recover the costs of providing services and reduce cross-subsidisation across the customer base, leading to improved consideration of TasWater's long term plans and associated outcomes.

#### **4. The Constraints on Development and Infrastructure Expansion**

There is currently a 'headworks holiday' in relation to TasWater's infrastructure contribution charges, initially imposed by the State Government in late 2014 with the intent to assist development and developers. Initially put in place for a period of two years, at the completion of this period the TasWater Board determined that it would continue the headworks holiday, and it remains today because there is no suitable headwork mechanism available. This policy position has resulted in some perverse outcomes. Councils have noted that it can stifle development in critical growth areas (including those identified as key development sites within Regional Land Use Strategies).



The current system means that there can be an untenable ‘first mover’ cost, whereby the costs of the necessary sewer and water infrastructure to develop an area are too high for the first mover where there are multiple land owners in an area, which there generally are. All subsequent developers would effectively be subsidised by the ‘first mover’.

TasWater requires that the infrastructure be suitable to service the area. An expectation that developers fully fund any water and/or sewerage infrastructure upgrades where infrastructure is at or near capacity appears to be holding development back.

Most other states have a system for infrastructure contributions or headworks, as Tasmania used to. Each system varies in its scope and characteristics, but all are intended to ensure that all development (especially urban growth) pays for its demand and impacts on public infrastructure and not just the first movers. Further, most seek to achieve, or at least improve, harmonisation in charging across infrastructure management authorities, be they councils or public utility providers. The methodology is robust and transparent and provides for equitable outcomes. Importantly, it also ensures that the cost of basic infrastructure is not a handbrake on orderly development and growth planning.

As TasWater note in their submission, where there is no available system capacity, or capacity constraints within systems, developers have the choice of paying to bring forward TasWater’s scheduled capital works (if any), waiting for TasWater to undertake the capital works or undertaking the capital works themselves. Developers are responsible for the installations and costs associated with water and sewerage assets, which are then transferred to TasWater. This includes reticulation assets within the development, external extensions to connect to TasWater’s network, and external expansions where existing capacity is insufficient to support the development.

LGAT is currently undertaking background research and engagement with councils on the issue of infrastructure contributions more broadly and will also contemplate in more detail the models proposed by TasWater in their positions paper a part of the development of their Pricing and Service Plan 4.

Reintroduction of headworks may not be the only mechanisms for encouraging first movers. Careful consideration by all parties including the State Government to ensure there is a sustainable way forward that balances growth, risk, timing, and capacity to pay for developments; along with the robustness of business cases. Revisiting headworks provides the potential catalyst for a comprehensive discussion and broader economic policy development.

## 5. Summary

- Councils are responsible owners, adding value to TasWater and are investing, with the support of LGAT, in more focused oversight by the Owners Representatives.
- However, they would like better recognition of the significant transfer of assets from their balance sheets in 2009 with the promise of equity in a new company which would as a priority ensure true service cost recovery and a fair return on their investment.
- Councils appreciate the legislation establishes TasWater as a commercial entity which requires them to operate sustainably and profitably. As a result of COVID-19 councils believe there is an urgent need to revisit the cap on prices so that the corporation can return to profitability and dividends can be paid.



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Local Government Association of Tasmania

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# Safe System Guiding Principles for Local Government

October 2020

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## Acknowledgements

*“...adapted from the Safe System Guiding Principles for Local Government produced by the WA Local Government Association’s RoadWise Program with funding from the WA Government and the support of Local Governments in Western Australia.”*

Draft

## Foreword by the LGAT President



Road safety is a significant issue in communities across Tasmania. While road safety efforts in the past have seen a downward trend in the annual number of serious casualties, this reduction has clearly plateaued, with around 300 people each year continuing to be seriously injured or killed as a result of crashes on Tasmanian roads.

At a State and Local Government level, we have moved to a new approach in road safety. *Towards Zero*, Tasmania's Road Safety Strategy 2017-2026, was formed after extensive consultation with road safety experts, partners, Local Governments, and the community. *Towards Zero* reflects the long-term vision of the Road Safety Advisory Council – a Tasmania where no one is seriously injured or killed as a result of a crash on our roads. To achieve this goal, a fundamental change is needed in the way road safety is approached by the community and stakeholders.

LGAT, as a member of the Road Safety Advisory Council, has realigned its role in road safety to reflect the adoption of the safe system approach. LGAT works with the Road Safety Advisory Council to make recommendations to Government about road safety policy, public education programs, and expenditure of the Road Safety Levy, and to provide guidance in collaboration with councils to support road safety measures.

I would like to thank WALGA for making this resource available to councils in Tasmania and welcome the opportunity to continue to work with the sector to prevent road trauma in our communities.

**INSERT SIGNATURE**

Christina Holmdahl  
LGAT President

## Foreword by the LGAT Chief Executive Officer



Every year numerous families, friends and communities are affected by road trauma. Each and every fatality affects our communities both directly and indirectly, because behind every road death remains an untold story of what that person would have contributed to their community throughout their life.

**LG WORK TO DATE** Tasmania, through *Towards Zero*, has moved to a holistic approach to road safety, involving safe drivers, in safe cars, on safe roads, travelling at safe speeds.

The Safe System Guiding Principles for Local Government were developed by WALGA exclusively for Local Governments and have been made available to councils in Tasmania. The Principles are a unique resource offering guidance for the implementation of a safe system approach to road safety – each of the Principles presents a statement for individual Local Governments to interpret for their organisation, and ultimately for their communities.

I would like to thank all who contributed to developing the Safe System Guiding Principles for Local Government and to acknowledge WALGA for sharing this resource with the Local Government sector in Tasmania.

**INSERT SIGNATURE**

Katrena Stephenson  
Chief Executive Officer

# 1 Background

## 1.1 Road Safety in Tasmania

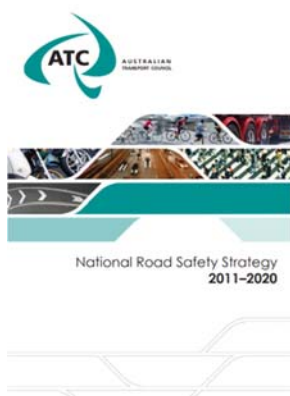
The *Towards Zero* vision is to eliminate death and serious injury within the road network by creating a safe system that accommodates human error and the vulnerability of the human body. This is achievable through a shared responsibility approach involving governments, non-government organisations, the private sector, and the community to implement evidence-based measures that address safe road users, safe roads and roadsides, safe speeds, and safe vehicles.

Local Governments are key partners in the shared responsibility of road safety in Tasmania. Local Governments manage a total road length of 14,470 kilometres, which represents roughly 40 per cent of the Tasmanian road network. As designers and operators of this extensive road network, and as influential leaders in local communities, Local Governments are well placed to have a positive impact on road safety outcomes.

The safe system approach is a holistic view of road safety, which has resulted in a major shift from the road users to those who design, build, and maintain the transport system. For road authorities, including Local Governments, planning and developing a safe transport system means looking beyond set standards and moving past the traditional role of constructing and maintaining roads; it means using safe system treatments and countermeasures so that when people do make mistakes on the road network the outcome is less likely to result in death or serious injury. Along with the construction and maintenance of roads, Local Governments can influence road safety outcomes across each of the safe system cornerstones through their responsibilities as a road authority, planning authority, employer, and fleet operator.

The development of the Safe System Guiding Principles for Local Government was undertaken to provide guidance and assistance to Local Governments as they work towards the safe system approach, which will support the implementation of *Towards Zero* at a local level.

## 1.2 National and State Road Safety Strategies



To understand the basis of the Safe System Guiding Principles, it is important to recognise the National and State road safety strategies. These two strategies underpin and guide the successful implementation of the safe system approach in Australia and Tasmania.

### National Road Safety Strategy 2011-2020

This strategy is firmly based on safe system principles and is framed by the guiding vision that no person should be killed or seriously injured on Australia's roads. As a step towards this long-term vision, the strategy presents a ten-year plan to reduce the annual numbers of both deaths and serious injuries on Australian roads.



For further information or a copy of the *National Road Safety Strategy 2011 – 2020*, see: [https://www.roadsafety.gov.au/sites/default/files/2019-11/nrss\\_2011\\_2020.pdf](https://www.roadsafety.gov.au/sites/default/files/2019-11/nrss_2011_2020.pdf)

## Towards Zero – Tasmanian Road Safety Strategy 2017-2026



*Towards Zero* has the long-term vision of a Tasmania where no one is seriously injured or killed as a result of a crash on our roads. The key target, in working towards this vision, is to reduce the number of annual serious injuries and deaths on Tasmanian roads to fewer than 200 by 2026. Action Plans support the implementation of initiatives under the key directions of the Strategy, being safe road users, safe roads and roadsides, safe vehicles, and safe speeds.

For further information or a copy of *Towards Zero*, see:

[https://www.towardszero.tas.gov.au/data/assets/pdf\\_file/0005/142619/TOWARDS\\_ZERO\\_-\\_TASMANIAN\\_ROAD\\_SAFETY\\_STRATEGY\\_2017-2026.pdf](https://www.towardszero.tas.gov.au/data/assets/pdf_file/0005/142619/TOWARDS_ZERO_-_TASMANIAN_ROAD_SAFETY_STRATEGY_2017-2026.pdf)

### What Links the Road Safety Strategies?

Both the National and State road safety strategies are firmly based in the Safe System Approach to Road Safety. Internationally, the safe system is recognised as current best practice in road safety. Essentially, the common link in Australian road safety is the intention to implement the safe system approach.

## 2 The Process

LGAT would like to acknowledge WALGA for developing the Safe System Guiding Principles through consensus with the Local Government sector in Western Australia and making them available to councils in Tasmania. **We will do a consultative process with sector and SG here too an update to reflect that.**

### 2.1 Why Do We Need Safe System Guiding Principles?

The guiding principles were developed to support Local Governments in adopting a Safe System Approach to Road Safety and contributing to the *Towards Zero* vision.

The Safe System Guiding Principles for Local Governments present a framework based on achieving organisational objectives, recognised as consistent with international best practice. They build on past experience, work to add value to future activities and allow organisations to be innovative, efficient, and effective in the way they carry out their work.

Local Governments can utilise the guiding principles to:

- Focus on clear targets.
- Go above standards and work towards best practice.
- Incorporate evaluation into all policies, plans and activities.

- Achieve value for money.
- Learn from past experience and experience of others.

## 2.2 Who Can Use The Guiding Principles?

The guiding principles have been developed to be used by the whole of Local Government, which includes both operational and political perspectives.

At an operational level, Local Government officers benefit from adopting the principles to provide a clear framework and direction for sustainable improvements to road safety in their communities.

At a political level, Elected Members benefit from the adoption of the principles as they facilitate strategic decision making based on safety benefits for their community.

## 2.3 How Were The Guiding Principles Developed? (To update to reflect Tas work as appropriate)

The development process involved creating a set of agreed evidence-based principles to assist Local Governments in the adoption and implementation of an effective approach to improving road safety outcomes in their communities. The process to develop the Safe System Guiding Principles for Local Governments is shown in the diagram below:



### 2.3.1 Literature Search and Review

A comprehensive literature search was undertaken to review documents relating to the safe system approach, national and international road safety strategies, research conducted on the safe system principles and cornerstones, along with reports on community-based road safety programs.

While this literature search was comprehensive and systematic, it was not exhaustive. A total of thirty documents provided supporting evidence for the draft principles (Appendix 1). As with any research process a number of limitations were identified, including:

- A lack of evidence specific to Local Governments and the safe system approach.
- Few examples of guiding principles that had been validated by an expert panel.
- An absence of peer reviewed sources in the literature search.

### 2.3.2 Draft Principles Prepared

A set of forty-four draft principles were developed based on the literature review and worded to ensure suitability and relevance for Local Governments.

The draft principles provided a starting point for the panellists and meant they could consider and rank the principles in comparison to each other. The draft principles also allowed the panellists to mix-and-match aspects of the statements, through the comments section of the online questionnaire.

### 2.3.3 Consultation with Expert Panel

A total of sixty-five panellists provided comment on the draft principles. The panellists included representatives from Local Government, State Government agencies in Western Australia and interstate, and international road safety specialists (Appendix 2).

A consensus process resulted in seven principles that were strongly supported by the panel, one of which became the overarching principle due to the strong support from the panellists and the Advisory Group (Appendix 3).

### 2.3.4 Guiding Principles Finalised

Throughout the entire development process of the Safe System Guiding Principles for Local Government, significant consultation occurred with an Advisory Group which allowed for greater transparency, reduced bias, and increased expert guidance.

The guiding principles were endorsed by the Advisory Group on the 24<sup>th</sup> of December 2010 but continue to be of use to councils today.

## 3 Safe System Foundations

The following are foundations of a safe system.

### 3.1 Research, Data, and Setting Targets

Research, data and setting targets informs the development of goals and objectives to establish agreed actions for the initial, intermediate, and final road safety outcomes, this includes:

- ✓ Use of research results to identify potential interventions.
- ✓ Research projects that inform best practice.
- ✓ Use of research and data to set targets.
- ✓ Provision of evidence and data to underpin policies, strategies and identify knowledge gaps.

### 3.2 Capacity Building

Capacity building is the continuous and dynamic process of strengthening knowledge, skills and abilities within an organisation or individual to enhance their ability to adapt to change, examples include:

- ✓ Informal, incidental, and reflective learning.
- ✓ Formal professional development.
- ✓ Supportive social and organisational structures.

### 3.3 Leadership, Commitment, and Community Support

Leadership, commitment, and community support is the guidance, support, and engagement of the community in effective road safety, this includes:

- ✓ Creating a positive political environment.
- ✓ Understanding the road safety vision.
- ✓ Role models within the community.
- ✓ Facilitation of community engagement in road safety activities.
- ✓ Influencing public opinion.

### 3.4 Partnerships and Alliances

Partnerships and alliances are the formation of formal and informal groups to advance a common interest, as well as the active progression of mutual objectives between relevant organisations, through activities such as:

- ✓ Formation of networks to communicate information and knowledge.
- ✓ Progression of the 'shared responsibility' for road safety.

### 3.5 Coordination

Coordination is the alignment of interventions and management functions at all levels, including:

- ✓ Synchronised delivery between National, State and Local Governments.
- ✓ Synchronised delivery of activities between metropolitan, regional and remote areas
- ✓ Development of internal organisational strategies, policies, and communications.

### 3.6 Monitoring and Reporting

Monitoring and reporting is the systematic and continual measurement of outcomes, the prioritisation of issues, and the identification of countermeasures, as well as any assistance to better identify successes or barriers, examples include:

- ✓ Communication of results and trends with road safety partners.
- ✓ Increased accountability and creating support for road safety.
- ✓ Reporting effective results for continuous improvement.

## 4 Safe System Guiding Principles

### Overarching principle

Local Government commits to working towards a future of zero road fatalities and serious injuries.

### Guiding principles

Local Government managers and Elected Members demonstrate leadership by valuing and progressing the safe system approach.

Local Government integrates the safe system approach into corporate and strategic plans.

Local Government ensures that safe system policies and practices are proactive, and evidence based.

Local Government builds capacity at all levels of the organisation to effectively implement the safe system approach.

Local Government utilises and examines relevant data to monitor and evaluate road safety performance.

Local Government fosters shared responsibility, internally and in external partnerships, for the implementation of the safe system approach.

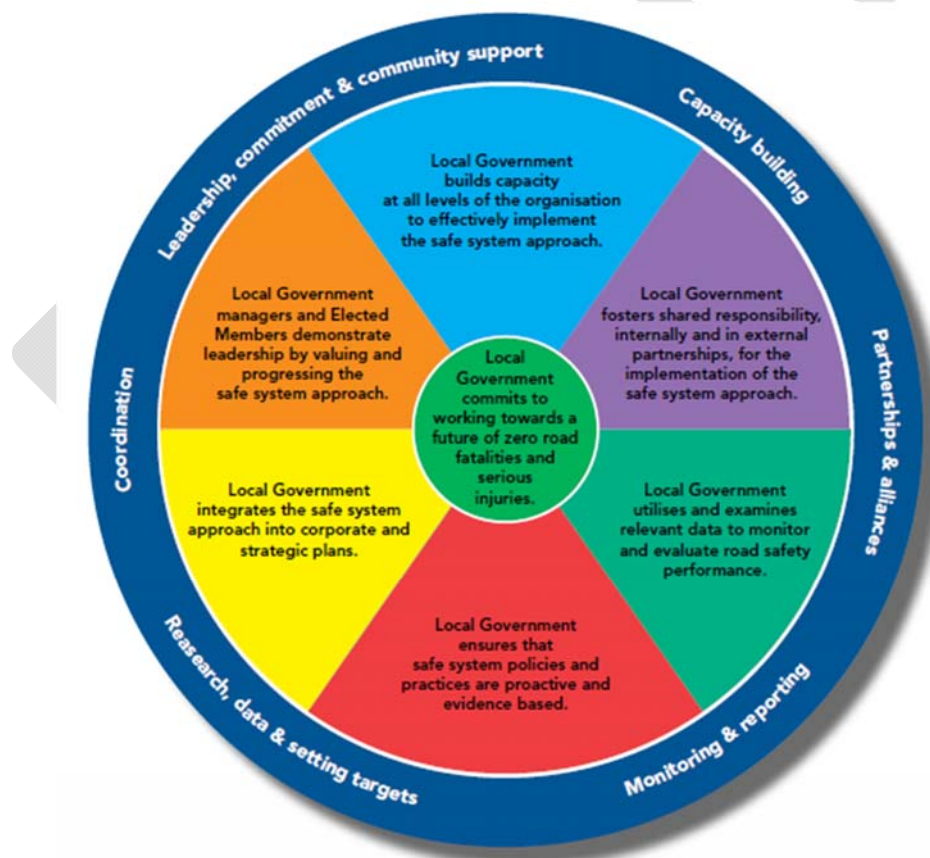


Figure 1. *Safe System Guiding Principles for Local Government*

As seen in the diagram above, central to the guiding principles, is the overarching principle *Local Government commits to working towards a future of zero road fatalities and serious*

*injuries*, which encompasses the aspirational vision of *Towards Zero* and the safe system approach.

The diagram shows the six guiding principles supporting the overarching principle. These principles acknowledge the various initiatives to consider when implementing a safe system, which include all relevant areas of road safety.

The outer circle shows the safe system foundation initiatives overlapping the six principles. While each principle primarily relates to one initiative this is an integrated approach, therefore, each principle addresses more than one foundation.

#### 4.1 Local Government Commits to Working Towards a Future of Zero Road Fatalities and Serious Injuries

The overarching principle highlights the importance of a clear and ambitious vision for road safety among Local Governments.

##### Key Points

- ✓ The ultimate road safety vision is of zero road fatalities and serious injuries.
- ✓ While it is recognised that it is probably not possible to prevent all crashes, road trauma which results in death or serious injury should not be considered inevitable. Working towards this vision means understanding the Safe System Approach to Road Safety.
- ✓ This commitment does not ignore Tasmania's vast road infrastructure needs but works towards international best practice.

##### What Does the Evidence Say?

Adopting a vision or target is a critical element of effective road safety programs. International best practice recognises the setting of targets or aspirational visions because it assists in communicating the importance of roads safety; it encourages and motivates the organisation and stakeholders to act; and holds the managers of road networks accountable for achieving positive results. Recent research has found that countries and jurisdictions that set aspirational goals and targets perform better in reducing road trauma than those that did not set targets.

*Towards Zero* aims for a long-term vision of a road transport system where crashes resulting in death or serious injury are virtually eliminated. This vision means we do not accept that any human being should be killed or seriously injured on our roads. While it may be unrealistic to achieve zero crashes on the road network, the vision does not accept any death or serious injury as inevitable.

As key partners of the *Towards Zero* strategy, Local Governments can join in the adoption of this highly ambitious vision for road safety in their communities. By committing to a future of zero road fatalities and serious injuries, Local Governments can reinforce this important moral and ethical standpoint and position themselves to have a positive impact on road safety outcomes.



## How Does the Overarching Principle Relate to the Safe System Foundations?

The overarching principle is central to all the guiding principles and the safe system foundation initiatives. The overarching principle closely links with the ethos of *Towards Zero* and the safe system approach, which is of a road transport system where death and serious injury are virtually eliminated.



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## 4.2 Local Government Managers and Elected Members Demonstrate Leadership by Valuing and Progressing the Safe System Approach

This guiding principle outlines the important role that Local Governments play as leaders and champions of road safety in their communities.

### Key Points

- ✓ Sustainable commitment is essential for improving road safety.
- ✓ Strong political and management support is critical to implementing effective safe system strategies and achieving ambitious road safety targets.
- ✓ Local Governments are leaders in their local communities and as the closest sphere of government to the community are well placed to positively influence road safety.

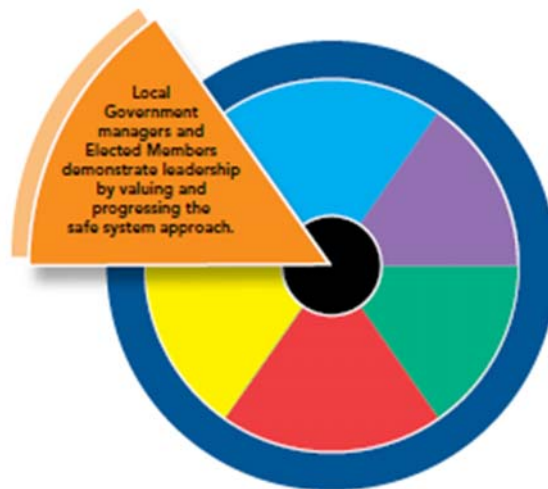
### What Does the Evidence Say?

As the closest sphere of government to the community, Local Governments are leaders and influencers in their region and are well placed to have positive impacts on road safety outcomes. Local Government managers and Elected Members who are well informed and supportive of the safe system approach are positioned to create a receptive road safety environment within their organisations. Therefore, positively influencing the development and delivery of safe system strategies. Through the adoption of ambitious road safety targets and commitment to a road safety vision, Local Governments can alter the current perception of road trauma being an inevitable occurrence.

The sustained commitment of key players is crucial to the successful implementation of road safety best practice, such as the safe system approach. Within Local Governments, political support provides ongoing advocacy for higher prioritisation of road safety among all stakeholders, while the operational side provides assistance to build community support and acceptance for safe system strategies. These forms of leadership also benefit the community, who would ultimately receive a safer road transport system.

#### How Does this Principle Relate to the Safe System Foundations?

This principle closely relates to the safe system foundation initiative of leadership, commitment and community support. There are aspects of this principle that also fit with the safe system foundation initiatives of coordination and capacity building.



#### Declaration for Road Safety

One initiative to demonstrate leadership to the community and across the state is to make a declaration to road safety at an individual Local Government level. This can be done through political channels or endorsed at an executive level.

A declaration for road safety provides an opportunity for Local Governments to pledge their commitment to the Tasmanian vision of road safety. There is a strong evidence-base from international leaders in road safety which shows political will and support from all levels of government provide greater reductions in road trauma.

Essentially, a declaration for road safety provides an opportunity for local leaders to declare to future generations that every road death is one too many, and to make a commitment to a future where road deaths and serious injuries are no longer accepted as a fact of life.



### 4.3 Local Government Integrates the Safe System Approach into Corporate and Strategic Plans

This guiding principle provides a framework for Local Governments in order to provide road safety benefits through their corporate and strategic plans.

#### Key Points

- ✓ Local Governments are road safety leaders across Tasmania.
- ✓ Effective corporate and strategic plans implemented across business units provide direction and sustainable outcomes for road safety.
- ✓ Local Governments have numerous business areas that influence safety on the local road network.

#### What Does the Evidence Say?

Recognition of road safety and the safe system approach in strategic and corporate plans is crucial in efforts to reduce death and serious injuries. For Local Governments, the benefits of developing a road safety strategy includes creating a comprehensive understanding of local road safety issues; gaining the commitment of stakeholders to a coordinated set of actions; prioritisation of effort; efficient allocation of resources; and accountability for investments and actions to improve road safety.

Incorporating the Safe System Approach to Road Safety into corporate or strategic plans results in an across organisation approach, assisting Local Governments to integrate road safety and the safe system approach as aspects of their core business. Essentially, a whole of organisation approach enables the safe system approach to be addressed in all relevant areas, including traffic, assets, planning, vegetation management, fleet management, transport planning, health, and community services.

#### How Does this Principle Relate to the Safe System Foundations?

This principle closely relates to the safe system foundation initiative of coordination. There are aspects of this principle that also fit with the safe system foundation initiatives of research, data and setting targets and leadership, commitment, and community support.

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NSW IPWEA. (2019). *A Guide to Developing Council Road Safety Strategic Plans*. Available at: [https://www.roadsdirector.org.au/sites/default/files/uploaded-content/website-content/ipwea\\_rssp\\_guide.pdf](https://www.roadsdirector.org.au/sites/default/files/uploaded-content/website-content/ipwea_rssp_guide.pdf)

#### 4.4 Local Government Ensures that Safe System Policies and Practices are Proactive and Evidence Based

This guiding principle describes the link between implementing effective policies and ensuring they are followed in practice.

##### Key Points

- ✓ By introducing proactive and evidence-based solutions, Local Governments build understanding and contribute to the existing knowledge base.
- ✓ Accountability assists in the creation of proactive measures, such as the clarification of duties, particularly those stated in policies and followed in practice.
- ✓ Incorporating road safety into policies and practices ensures the safe system is routinely considered during decision-making processes, and ultimately adds to the evidence-base.

##### What Does the Evidence Say?

Through clearly defined responsibilities and processes, organisations can ensure coordinated delivery and accountability for the implementation of the safe system approach. The facilitation of an effective approach, incorporates all relevant information into policies and operational plans. This ensures road safety is routinely considered in planning and decision making and provides continuity and sustainability in the progression towards a safe system.

Policy makers, such as Local Governments, require a comprehensive level of safe system knowledge, to ensure policies reflect an evidence-based approach and realistic targets. The publication of results allows the promotion of successes or can highlight where future efforts would be directed. Developing and reviewing policies allows for the setting of road safety objectives and targets and assists in the prioritisation and allocation of resources. Therefore, by utilising evidence-based information, Local Governments build on what has already been learned, and provide further evidence to support the continued expansion of effective programs and policies.

##### Case Studies – Policy and Advocacy Statements

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<https://walga.asn.au/getattachment/Policy-Advice-and-Advocacy/WALGA-Advocacy-Position-Statements/WALGA-Advocacy-Positions-Manual.pdf?lang=en-AU>

### How Does this Principle Relate to the Safe System Foundations?

This principle closely relates to the safe system foundation initiative of research, data and setting targets. There are aspects of this principle that also fit with the safe system foundation initiatives of coordination and monitoring and reporting.

### Types of Evidence

Evidence is defined by its ability to establish or support conclusions. In order to support or establish conclusions evidence should be multidimensional, incorporating both scientific and non-scientific knowledge. Evidence can be classified into a number of broad categories, including:



- *Anecdotal evidence*: results from personal accounts, case study reports or random investigations, often requires further research to support the observations.
- *Ethics-based evidence*: is the use of moral knowledge to answer questions of what 'ought' to be permissible or done.
- *Expert evidence*: is based on the pronouncements of individuals or groups whose authority as 'experts' is vested in public acknowledgement of their knowledge, experience and reputation, and often integrates other forms of evidence.
- *Judicial evidence*: is any material that tends to persuade the court of the truth or probability of some fact asserted before the court.
- *Practical evidence*: is based on an individual's interpretation of an experience, and offers a situational understanding, context and perspective on the environment.
- *Real world evidence*: occurs through implementing and evaluating 'professional wisdom' for safety, effectiveness, and positive outcomes.
- *Scientific evidence*: results from the accumulation of factual knowledge through 'objective' measurements or methods that can be repeated and publicly verified.
- *Theoretical evidence*: is usually a 'text' linking a theory to what can be observed, experienced, or assumed in a plausible and coherent manner.

An evidence-base is an unbiased approach integrating many forms of evidence, as well as utilising the most current knowledge and research from industry recognised sources for the best outcomes. By applying an evidence-base, organisations save the expense of starting from scratch, and also uses what is already known to move forward.

## 4.5 Local Government Builds Capacity at All Levels of the Organisation to Effectively Implement the Safe System Approach

This guiding principle focuses on ensuring sufficient capacity is built for the implementation of the safe system approach across key road safety partners in Tasmania.

### Key Points

- ✓ The success of road safety in Tasmania rests with the skills of those implementing the safe system approach.
- ✓ A prerequisite for successful implementation of the safe system approach are appropriate levels of knowledge.
- ✓ Local Governments can take advantage of safe system and road safety resources, information, and professional development opportunities to build capacity in their organisation.

### What Does the Evidence Say?

Building an organisation's ability to deliver desired road safety outcomes is an essential element of the safe system approach and will play a pivotal role in achieving sustainable road safety improvements. The successful implementation of a safe system approach requires skilled, knowledgeable and competent stakeholders who are able to identify and respond to safe system requirements.

Achieving a safe system requires a greater level of awareness and understanding of road safety problems and solutions. Improved road safety educational and professional development opportunities assist relevant stakeholders to gain the required knowledge and understanding of a safe system approach. The more informed Local Governments are about local road safety issues and the safe system approach, the more likely it is that evidence-based and sustainable solutions are identified and implemented across the Tasmanian road network.

For Local Governments seeking to adopt a safe system approach, increasing skills, knowledge, and evidence-based research about best practice road safety across all levels of their organisation is an important task. Building safe system capacity is facilitated through professional development opportunities, including those leading to recognised qualifications; participation in safe system knowledge transfer; and involvement in research and pilot projects.

### What Does Capacity Building Mean?

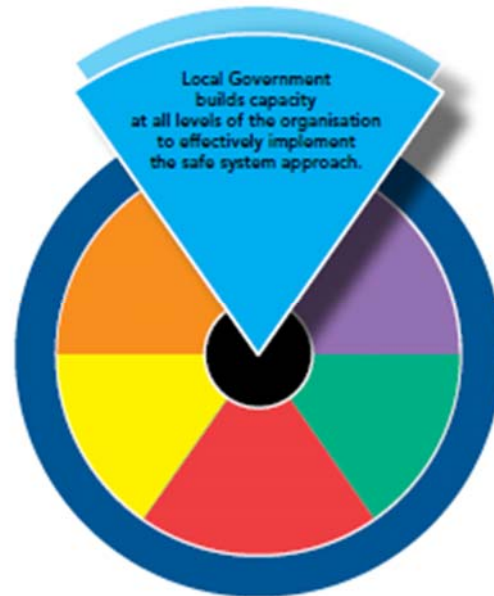
Building capacity is achieved by improving individual skills, strengthening community action and empowering organisations to take responsibility for road safety, this occurs through:

- Activities that strengthen individual knowledge, skills and abilities, via informal, incidental and reflective learning, along with formal professional development, at all organisational levels.

- Actions such as engaging with community members, key groups and local partners or stakeholders.
- The empowerment of organisations by placing road safety on the agenda and providing resources to contribute to better road safety outcomes.

#### How Does this Principle Relate to the Safe System Foundations?

This principle closely relates to the safe system foundation initiative of capacity building. There are aspects of this principle that also fit with the safe system foundation initiatives of leadership, commitment and community support, as well as partnerships and alliances.



#### Community Road Safety Grants

The Road Safety Advisory Council offers funding to community groups for community initiatives that work to address road safety issues.

This funding is provided through the Community Road Safety Grants Program and aims to support the vision of the *Towards Zero* Strategy. This is done by:

- Providing opportunities for communities to develop and implement small scale projects that align with the *Towards Zero* Strategy.
- Raising awareness of road safety using a Safe System approach.
- Encouraging links and networks within the community and Local Government to work together to promote road safety.

For further details about the Community Road Safety Grants Program, visit:

[https://www.transport.tas.gov.au/road\\_safety\\_and\\_rules/grants\\_programs/community\\_road\\_safety\\_grants\\_program](https://www.transport.tas.gov.au/road_safety_and_rules/grants_programs/community_road_safety_grants_program)

#### 4.6 Local Government Utilises and Examines Relevant Data to Monitor and Evaluate Road Safety Performance

This guiding principle provides information about how the use of relevant data can add value to local road safety performance.

#### Key Points

- ✓ Data collection and analysis assists in greater understanding of crash risks and current performance on the road network.
- ✓ Conducting data analysis of local crash trends improves the selection of interventions.
- ✓ Regular access to relevant crash data allows trend analysis for the evaluation of current road safety treatments, as well as assisting the development of future interventions.

### What Does the Evidence Say?

Fundamental to the safe system approach is the collection and analysis of accurate road crash data and risk factors across the road network. Information is required in order to prioritise road safety issues for action and set achievable targets. The development and implementation of appropriate countermeasures is dependent on data and information. It is also important to use data to evaluate the outcomes of road safety interventions and countermeasures to gain a better understanding of what works and what does not for future reference.

The use of current crash data and risk factors inform Tasmanian safe system strategies. It is well recognised that safe system best practice results from evidence-based information and proactive research, such as pilot or demonstration projects. Essentially, participating in research projects provides greater evidence for future projects and assists in the identification of barriers to successful implementation.

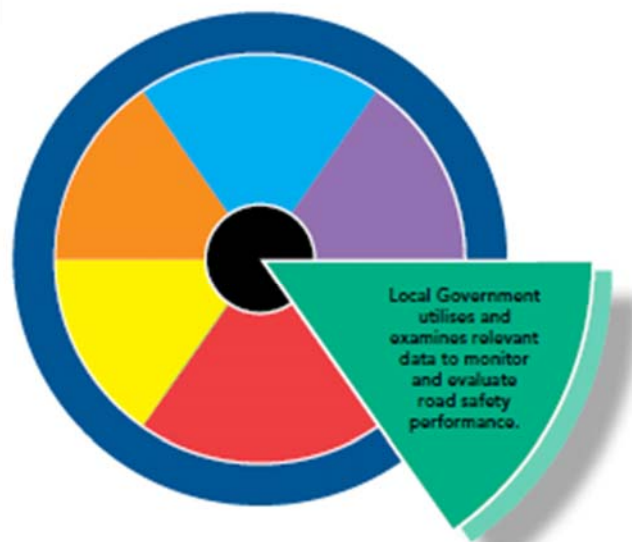
Evidence-based safe system practices among stakeholders are also proactively supported through policies and strategies. For example, Local Governments use relevant data to monitor performance and assist with the prioritisation of interventions. The state-wide monitoring of all road safety outputs and outcomes serves the delivery of best practice to achieve the desired results stated in *Towards Zero*.

### How Does this Principle Relate to the Safe System Foundations?

This principle closely relates to the safe system foundation initiative of monitoring and reporting. There are aspects of this principle that also fit with the safe system foundation initiatives of partnerships and alliances and research, data and setting targets.

### Road Crash Statistics

The Department of State Growth publishes statistics regarding road crashes in Tasmania. Detailed are the number of serious injuries





and fatalities for the previous calendar year (and five year trend) by gender, road user and age group. See here:

[https://www.transport.tas.gov.au/road\\_safety\\_and\\_rules/crash\\_statistics?SQ\\_VARIATION\\_200016=0](https://www.transport.tas.gov.au/road_safety_and_rules/crash_statistics?SQ_VARIATION_200016=0)

#### Recommended Reading

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### 4.7 Local Government Fosters Shared Responsibility for the Implementation of the Safe System Approach

This guiding principle highlights the concept of shared responsibility and how it can be applied in a local context.

#### Key Points

- ✓ Stakeholders relevant to road safety share the responsibility of the safe system approach.
- ✓ Strong and sustained cooperation for road safety mobilises resources.
- ✓ Shared responsibility is essential among stakeholders to continue an exchange of knowledge and expertise.

#### What Does the Evidence Say?

A key feature of the safe system approach is the shared responsibility ethos, which can be explained as every individual taking a shared role and personal responsibility for road safety. Local Governments have critical responsibilities in the safe system as a road authority, a planning authority, an employer and fleet operator, and as a community leader. Acknowledging this shared role and promoting it within organisations is an important initial step in adopting and implementing a sustainable safe system approach.

Local Governments can work collaboratively with other stakeholders to achieve the best possible road safety outcomes. Working with road safety partners at a local level can include consulting and collaborating with other Local Governments, community leaders, government agencies, public and private organisations, professional bodies, user-groups, and the local community. Local Governments also play a role in emphasising to other organisations, and the community, the importance of shared responsibility for delivering interventions that achieve desirable road safety results.

#### What Does Shared Responsibility Mean?

Within a safe system everyone takes an individual and shared role in road safety. Road users remain responsible for complying with all road rules, such as speed limits and wearing seat belts. System designers, including Local Governments, are responsible for planning, designing, and influencing the operation of a safe system.

## Who are Local Governments' External Partners?

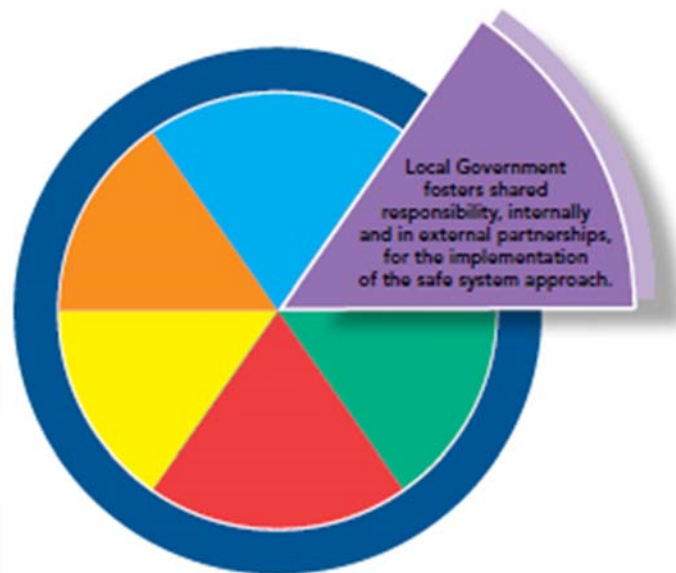
- Tasmania Police
- Ambulance Tasmania
- Department of Police, Fire, and Emergency Management
- Department of Health
- Department of State Growth
- Motoring Organisations
- Bicycle User Groups
- Motorcycle Associations
- Public Transport Associations
- Driver Training Associations
- Road Trauma Support Services
- Road Accident Insurers
- Road Safety Advisory Council
- Child Safety Associations

## How Does this Principle Relate to the Safe System Foundations?

This principle closely relates to the safe system foundation initiative of partnerships and alliances. There are aspects of this principle that also fit with the safe system foundation initiatives of capacity building and monitoring and reporting.

### Local Governments' Internal Partners

- **Engineering, Works & Services:** maintain, upgrade, and install safe roads and roadsides; undertake road safety audits; apply for Black Spot funding; establish a safe system implementation committee.
- **Executive:** champion the adoption of the safe system into corporate and strategic plans; provide an overview of road safety throughout the organisation.
- **Elected Members:** endorse plans, policies and practices that encourage the implementation of the safe system; act on behalf of the community by expressing concern on local road safety issues.
- **Planning & Development:** incorporate the safe system into planning and development processes; ensure the safe system has been considered at the design phase.
- **Purchasing:** adopt ANCAP four or five star safety rated vehicles within the purchasing policy for all fleet vehicles.
- **Council Rangers:** identify road environment hazards, pedestrian issues and unsafe parking practices.
- **Occupational Health & Safety:** integrate fleet safety policies and incorporate safe driving policies into the Local Government OH&S framework.





- **Community Development:** establish a road safety committee; promote local media coverage; address local road safety issues; engage the community.
- **Human Resources:** develop road safety induction for employees.
- **Risk & Insurance:** develop risk management systems to investigate crashes involving fleet vehicles; include compliance requirements of a fleet safety policy as a condition of contract for all contractors.
- **Parks & Gardens:** ensure street plantings do not impede on driver sight lines, or safe roadsides.

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## Appendix 1

### Literature Review Documents

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## Appendix 2

### Expert Panellists

**Ms Jenna Andrews**  
Road Safety Project Officer  
WALGA RoadWise WA

**Ms Esme Bowen**  
Committee Member  
Local Government &  
Community Road Safety  
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**Mr Colin Brodie**  
Chief Advisor, Safety  
New Zealand Transport  
Agency NZ

**Mr Andrew Bruce**  
Executive Director,  
Technical Services  
City of Armadale WA

**Mr Glenn Bunting**  
Network Manager  
New Zealand Transport  
Agency NZ

**Dr Peter Cairney**  
Principal Research Scientist  
ARRB Group VIC

**Mr Iain Cameron**  
Executive Director  
Office of Road Safety WA

**Mr John Cameron**  
Executive Engineer Design  
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**Cr Graeme Campbell**  
President  
Shire of Broome WA

**Ms Marianne Carey**  
Road Safety Coordinator  
Royal Automobile Club  
(RAC) WA

**Dr Rina Corcaroli**  
Committee Member  
Local Government &  
Community Road Safety  
Grants Committee

**Mr Allan Claydon**  
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City of Mandurah WA

**Ms Helen Climo**  
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New Zealand Transport  
Agency NZ

**Ms Botina Cruise**  
Principal Advisor, Road  
Safety Strategy  
Department of Transport  
and Main Roads QLD

**Mr Jason Dellar**  
Principal, Strategic  
Transport Planning  
Sunshine Coast Regional  
Council QLD

**Mr Neil Edgar**  
Principal Manager, Safer  
Roads  
Department of Transport  
and Main Roads QLD

**Prof Judd Epstein**  
Professor of Law  
Monash University VIC

**Mr Chris Fitzhardinge**  
Past President 2009  
WA Division  
Engineers Australia (EA)  
WA

**Dr Catherine Ferguson**  
Researcher  
Edith Cowan University WA

**Mr Ryan Gibson**  
Road Safety Officer  
Metro South  
WALGA RoadWise WA

**Mr John Gottler**  
Principal Traffic Engineer  
Aurecon Group  
New Zealand NZ

**Ms Kendra Green**  
Road Safety Officer  
Great Southern  
WALGA RoadWise WA

**Mr Bill Greenwood**  
Principal Engineer  
New Zealand Transport  
Agency NZ

**Prof Raphael Grzobieta**  
Chair of Road Safety  
Injury Risk Management  
Research Centre NSW

**Cr Len Handasyde**  
Councillor  
Shire of Plantagenet WA

**Prof D'Arcy Holman**  
Independent Chair  
Road Safety Council WA

**Mr Mark Hook**  
Chief Executive Officer  
Shire of Coorow WA

**Mr Andy Hrast**  
Director, Transport Policy  
Australian Local  
Government Association  
(ALGA) NSW

**Mr Jim Langford**  
Senior Research Fellow  
Curtin Monash Accident  
Research Centre (C-MARC)  
WA

**Mr Graham Lanzke**  
ROMAN Project Manager  
WA Local Government  
Association (WALGA) WA

**Mr Neville Lavoy**  
Director of Engineering  
Services  
Shire of Broome WA

**Ms Marissa MacDonald**  
Road Safety Officer  
City of Joondalup WA

**Ms Susan MacDonald**  
Road Safety Policy Officer  
WA Local Government  
Association (WALGA) WA

**Ms Leo Mackin**  
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Goldfields - Esperance  
WALGA RoadWise WA

**Mr Greg Martin**  
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Planning and Transport  
Research Centre (PATREC)  
WA

**Ms Kathryn Martin**  
Assets Program Manager  
Austroads WA

**Mr Scott McKenzie**  
Manager Engineering  
Admin  
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**Mr David McTiernan**  
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WALGA RoadWise WA

**Cr Nino Messina**  
Chair  
Mid-West Regional Road  
Group; &  
President  
Shire of Mullewa WA

**Mr David Quinlan**  
Manager, Road Safety  
Territory and Municipal  
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**Mr Chris Paino**  
Committee Member  
Local Government &  
Community Road Safety  
Grants Committee

**Ms Linda Parsons**  
Consultant—Road Safety  
School Drug Aware & Road  
Safety (SDERA) WA

**Mr Bob Peters**  
Chairperson and Technical  
Program Coordinator  
Engineers Australia  
Transport Panel WA

**Mr Shane Pope**  
Road Safety Officer  
City of Stirling WA

**Mr Jeff Potter**  
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Agency NZ

**Ms Engal Prondargast**  
Regional Team Leader  
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**Dr Paul Roberts**  
Senior Consultant  
ARRB Group WA

**Cr Wayne Rodgers**  
Councillor  
Shire of Esperance WA

**Ms Kirsten Rosato**  
Road Safety Project Officer  
WALGA RoadWise WA

**Cr Linton Rumble**  
Chair  
Pilbara Regional Road  
Group; &  
Deputy President  
Shire of Ashburton WA

**Cr Janet Savage**  
Chair  
Great Southern Regional  
Road Group; &  
Councillor  
Shire of Gnowangerup WA

**Dr Shayne Silcox**  
Vice President  
Local Government  
Managers Association  
(LGMA) WA Division; &  
Chief Executive Officer  
City of Melville WA

**Mr Cliff Simpson**  
Road Safety Officer  
Wheatbelt North  
WALGA RoadWise WA

**Mr Martin Small**  
Director, Road Safety &  
Environment  
Department of  
Planning, Transport and  
Infrastructure SA

**Mr Tony Smith**  
Road Safety Officer  
Wheatbelt South  
WALGA RoadWise WA

**Mr Rob Stewart**  
Chief Executive Officer  
Shire of Plantagenet WA

**Ms Trish Strickland**  
Administration Assistant  
WALGA RoadWise WA

**Ms Claire Thompson**  
Senior Research Officer  
Office of Road Safety WA

**Mr Claes Tingvall**  
Director of Traffic Safety  
Swedish Road  
Administration

**Mr Blair Turner**  
Principal Research Scientist  
ARRB Group VIC

**Mr Kumar Vadivale**  
Manager Infrastructure  
Services  
City of Subiaco WA

**Mr Darren Wallace**  
Manager Engineering  
Services  
City of Kalgoorlie-Boulder  
WA

**Ms Sharon Wishart**  
Community Programs  
Coordinator  
VicRoads VIC

**Cr Charles Wroth**  
Chair  
Wheatbelt North Regional  
Road Group; &  
Councillor  
Shire of Toodyay WA

## Appendix 3

### Advisory Group Representatives

**Mr Sarkis Petrossian**  
Engineers Australia (EA)  
WA Division; &  
Institute of Public Works  
Engineers Australia (IPWEA)  
WA Division

**Mr Anthony Vuleta**  
Institute of Public Works  
Engineers Australia (IPWEA)  
WA Division

**Mr Scott Lambie**  
Local Government  
City of Rockingham

**Ms Gay Thornton**  
Local Government Managers  
Association (LGMA)  
WA Branch

**Mr Maurice Cammack**  
Safe Systems Manager  
Main Roads WA

**Mr David Moyses**  
Road Safety Investigator  
Main Roads WA

**Ms Wendy Burger**  
Communication Manager  
Office of Road Safety

**Ms Cindy Chandler**  
Engagement Manager  
Office of Road Safety

**Mr John Gibson**  
Deputy Executive Director  
Office of Road Safety

**Ms Michelle Mackenzie**  
Advisory Group Chair  
Executive Manager  
Infrastructure  
WA Local Government  
Association (WALGA)

**Ms Terri-Anne Pettet**  
RoadWise Program Manager  
WALGA's RoadWise Program

**Ms Trish Strickland**  
minutes  
RoadWise Support Officer  
WALGA's RoadWise Program

#### Local Government Safe System Project team:

**Ms Andrea Smithson**  
Safe System Coordinator

**Ms Louise Russell-Weisz**  
Safe System Coordinator

**Ms Ruth Wernham**  
Safe System Coordinator



**Minister for Police, Fire and Emergency Management  
Minister for Local Government**

Level 5, 4 Salamanca Place, Parliament Square Building HOBART TAS 7000 Australia  
GPO Box 123 HOBART TAS 7001 Australia  
Ph: +61 3 6165 7770  
Email: [Mark.Shelton@dpact.tas.gov.au](mailto:Mark.Shelton@dpact.tas.gov.au)



27/10/2020

Mayor Christina Holmdahl  
President  
Local Government Association of Tasmania  
Email: [admin@lgat.tas.gov.au](mailto:admin@lgat.tas.gov.au)

Dear Mayor Holmdahl

Thank you for your recent letter regarding the Code of Conduct framework.

Firstly, I would like to thank the Local Government Association of Tasmania (LGAT) for its willingness to engage constructively with the Local Government Division on this matter. I am aware that LGAT and the Division have come together to organise three regional Code of Conduct information and consultation sessions over the course of October and I trust that LGAT's members find these sessions useful.

The consultation sessions will give members the chance to provide direct feedback to the Division on the operation of the Code of Conduct framework, several proposed administrative changes, and also to discuss ideas for legislative changes. The Division will also seek to emphasise and discuss the important role that informal dispute resolution mechanisms play in supporting the Code of Conduct process at a local level.

Regarding the request for a holistic review, I do not intend to conduct such a process at this time, especially given the Government is already working on improvements to the framework and there are significant priority projects underway for the Division. However, I remain open to considering any practical ideas the sector puts forward to improve the framework. After I have considered feedback from the consultation sessions I intend to seek formal input from LGAT on options for legislative change.

Yours sincerely

A handwritten signature in black ink, appearing to read "Mark Shelton".

Hon Mark Shelton MP  
**Minister for Local Government**

Copy to: LGAT CEO, Dr Katrena Stephenson



8 October 2020

Mr Mathew Healey  
Director Policy and Sector Performance  
Local Government Division  
Level 5  
15 Murray Street  
HOBART 7000

Email: [Mathew.Healey@dpac.tas.gov.au](mailto:Mathew.Healey@dpac.tas.gov.au)

Dear Mat

### **Legislative Review – Long Service Leave Provisions**

Further to our discussions on the matter of Long Service Leave provisions, LGAT is seeking support to update the Long Service Leave provisions that currently sit within the Local Government (Building and Miscellaneous Provisions) Regulations as part of the Legislative Review process.

Currently Part 7 of the Local Government (Building and Miscellaneous Provisions) Act deals with Long Service Leave, Subdivision, Preservation Orders, Advertising Hoardings and Irrigation Undertakings. All of these matters would be better sited in other pieces of legislation including the Local Government Act for Long Service Leave (LSL) and LUPPA for subdivisions. LGBMP should be reviewed as part of the broader Local Government Legislation Review.

The Long Service Leave Provisions have needed renewal for many years and were last subject to significant discussion with the Local Government Division in 2010.

A simple approach could be taken to lift current provisions into the Local Government Act and add provisions to clarify portability between councils. Portability between the City of Hobart, City of Launceston and other councils and LGAT is currently provided for under an MOU signed by all councils and LGAT (2004).

A more robust approach might be to modernise the provisions so that they apply to all councils (currently City of Hobart and City of Launceston excluded on basis of previous, now defunct Awards).

LGAT believes the following principles should drive any reform of these provisions:

- Capture all councils inclusive of Hobart and Launceston;
- Capture portability for councils and council funded entities and LGAT;
- If it is a matter that involves negotiation between parties should be in EA not legislation; and
- No detriment/same quantum as current.

With reference to a decade of feedback from Councils and more recent inputs from council HR Managers, LGAT proposes the following Legislative approaches (noting that some aspects may be better suited in Regulations as opposed to the Act).

- Pro rata entitlement for any service over 10 years;
- Pro rata entitlement after 7 years if due to ill health, resignation because of any domestic or pressing necessity, redundant, contract not renewed, dismissed for reasons other than wilful misconduct, dies (benefit paid to dependents);
- Confirm sick and annual leave accrue while on LSL, as per previous advice of the Solicitor General;
- Provide the ability to recredit LSL if sick with provision of a certificate,
- Remove prohibition on taking Annual Leave in same year,
- Clarify the treatment of unpaid leave in calculating LSL entitlements so that unpaid leave does not count as service but does not break continuity of employment (see next item);
- Continuous employment is not interrupted by any period of LSL, recreation or sick leave, any other period of approved leave paid or unpaid, employment with another council within three months. Ceases on day an employee is dismissed, resigns or retires;
- Length of employment to include all leave including personal and long service leave, sick/carer's leave, maternity/paternity leave, bereavement and rostered days off;
- Length of employment to include defence leave;
- Clarify treatment of casuals - under the *Long Service Leave Act 1976 Tas* casual and part time employees are entitled to long service leave if they have been regularly working for 32 hours or more in each consecutive period of four weeks. There should be alignment;
- Clarify the methodology for calculating LSL entitlements so it is applied consistently and can accommodate changing work patterns during an employee's service; and
- Include portability provisions as per the MOU between the City of Hobart, City of Launceston and other councils and LGAT.



There should also be clarity around what happens to LSL when someone moves between councils. This may need some further consultation but the aim is to:

- Formalise that if long service leave has been paid out pro-rata by a previous council, an employee cannot then claim that period as an entitlement. That is, they cannot claim the full long service leave payment on 10 years;
- Have a formal process to confirm what LSL has accrued and the ordinary rate of pay of the employee at time of departure. Additionally, a formal agreement is needed under which the 'departing' council agrees to pay the 'receiving' council when LSL falls due. This is important to deal with the issue of previous councils incurring significant costs because employee salary is much higher at the time leave becomes due, as well as problems with record keeping. Where an employee has served sufficient time in Local Government the leave could be paid out but it would not be reasonable to make the 'departing' council pay for service under 10 years as the employee might never become entitled to leave and payment has been made.

Should you be amenable to considering these matters, LGAT would be happy to engage with the key unions on the proposed changes, but noting the no net detriment policy do not anticipate significant issues, especially as matters above and beyond can be negotiated through the Enterprise Bargaining processes.

I look forward to your reply.

Yours sincerely



Dr Katrena Stephenson  
Chief Executive Officer

cc Craig Limkin

# Media Release

For immediate release

Tuesday 13 October 2020

## Association CEO Moving On

The President of the Local Government Association of Tasmania (the Association), Mayor Christina Holmdahl, announced today the departure of CEO Dr Katrena Stephenson, who is leaving the organisation to take up the role of Director Environment, Development and Community at Kingborough Council.

“Dr Stephenson will be greatly missed having been pivotal to LGAT’s strong record of delivery for 13 years, including five years as CEO. Kingborough Council are very fortunate to have Katrena joining them”.

"Dr Stephenson has provided dedicated and strong leadership to the Tasmanian Local Government sector and delivered significant outcomes for councils. This includes securing over \$2.5M in grant funding for LGAT, helping Tasmania lead the nation in moving to a new National Local Government Industry Award, ensuring ongoing Local Government ownership of TasWater, implementing a range of new member services, leading collaboration and joint advocacy with other peak bodies for the benefit of our members and growing LGAT Procurement so that over \$2million in savings were delivered to councils in the last year alone”.

“Dr Stephenson has provided a strong advocacy voice for Local Government and is respected by her peers within our sector, as well as those she deals with in State Government, other peak bodies, industry groups, other state Associations and the wider community.

"I wish Katrena well in her new endeavours and advise that the General Management Committee of the Association will be implementing a recruitment process for the appointment of a new CEO in the near future," Mayor Holmdahl said.

Dr Stephenson will formally commence her role at Kingborough Council on 6 January 2021. LGAT’s Policy Director Mr Dion Lester will act as CEO while recruitment is undertaken.

### Contact:

**LGAT President, Mayor Christina Holmdahl is available for comment on 0417 804 210**

# Media Release

For immediate release

30 October 2020

## **New LGAT CEO Appointed**

The President of the Local Government Association of Tasmania (LGAT), Mayor Christina Holmdahl, announced today that following careful deliberation the General Management Committee of LGAT has determined to directly appoint Mr Dion Lester, LGAT's Policy Director to the role of CEO. He will commence in the role on the 6<sup>th</sup> January 2021.

The role of LGAT CEO is a unique one requiring a complex set of skills and knowledge. With that in mind, the matter of succession planning had been discussed early this year with current CEO, Dr Katrena Stephenson.

“Dr Stephenson advised the LGAT General Management Committee that Dion Lester would easily be able to take up the CEO mantle”, said LGAT President, Mayor Christina Holmdahl.

“As demonstrated in his role as Policy Director and while acting as CEO on previous occasions for the past five years Dion Lester has strong corporate knowledge, an understanding of GMC's desired style for LGAT; an excellent reputation in relation to skills, experience and stakeholder relationships; and is highly respected by Government and LGAT's Members”. In addition, Dion brings significant experience in private industry as a senior manager in a major Australian consultancy firm prior to joining LGAT.

Mayor Holmdahl said “GMC was sure that a formal process would be unlikely to deliver a candidate of a similar high calibre, and that running an expensive recruitment process that was unlikely to deliver a better outcome, did not represent value for money for LGAT or the sector”.

There is no requirement for LGAT to advertise the position of CEO, as is similar for councils. While not done frequently, there is precedent in the right circumstances, including the appointment of General Manager of Brighton Council (James Dryburgh) earlier this year.

Mayor Tony Foster of Brighton Council has said “it made sense to utilise our succession plan and with James we have had a smooth transition and strong hands with results already becoming evident”.

“I congratulate the LGAT General Management Committee on this decision. Dion Lester is well respected, has strong relationships and broad experience and it just makes sense” said Mayor Foster.





To examine GMC's view that Mr Lester was the preferred appointment to the role of LGAT CEO, the Performance Review Committee of the GMC conducted a rigorous interview with Dion to be assured that he would confidently take LGAT forward and ensure a seamless transition

"We congratulate Dion Lester on his appointment to the role and thank the outgoing CEO Dr Stephenson for her outstanding contributions to the Local Government sector and we wish her every success for the next chapter of her career".

**Contact: LGAT President, Mayor Christina Holmdahl is available for comment on 0417 804 210**

**LGAT Work Plan 2020 – 21 Progress Report**

 Not yet commenced

 Unable to progress due to others

 Ongoing

 Completed

No.	Priorities	Outcome/Output Measures	Progress	Comment
1.	<b>Lead the waste management reform agenda</b>	<p>State Government support of the State-wide waste arrangements.</p> <p>Final Waste Action Plan adopts sector suggestions.</p>		<p>LGAT has continued to advocate for the sectors priorities across a variety of channels. Most recently this has been via the Minister for Environment’s Waste and Resource Recovery Advisory Group (the MAG), of which LGATs Policy Director is a member. The MAG has most recently been considering the governance arrangements for a container refund scheme in Tasmania and will next consider the governance to support the introduction of a statewide waste levy and resource recovery more generally.</p> <p>Please see item in this General Meeting Agenda for more details.</p>
2.	<b>Support the sector through the next stages of Local Government reform</b>	<p><u>Review of the Local Government Act</u>            LGAT’s recommendations accepted by the State Government.</p> <p><u>Local Government Sustainability Determination of the best structure/alignment for councils so they can service the needs of modern Tasmanian Communities.</u></p>		<p>Please refer to the General Meeting Agenda item for an update.</p> <p>The key stakeholder interviews for the 21<sup>st</sup> Century Councils Project are now complete, yielding some very useful information. Work is now occurring on scoping the next steps.</p> <p>Please see item in this General Meeting Agenda for more details.</p>
3.	<b>Influence the planning and red tape reduction reform agendas</b>	<p>LGAT’s recommendations for Tasmanian Planning Policies (TPPs) and red tape reduction priorities accepted by the State Government</p>		<p>Please refer to the General Meeting Agenda item for an update.</p>

No.	Priorities	Outcome/Output Measures	Progress	Comment
4.	<b>Continue to expand the procurement program</b>	Growth in sectoral procurement savings		<p>LGAT Procurement activities continue to go from strength to strength. In the last quarter LGAT has continued to see an increase in engagement from councils and suppliers. Council uptake of online training opportunities recently offered by LGAT has been significant, and we look forward to providing more training into the future</p> <p>Please refer to the General Meeting Agenda for an update.</p>
5.	<b>Support councils' role in community health and wellbeing</b>	Informed local strategic planning and actions for health and wellbeing.		Please refer to the General Meeting Agenda item for an update.

No.	Priorities	Outcome/Output Measures	Progress	Comment
6.	<p><b>Support councils' infrastructure planning and financing arrangements</b></p>	<p>Establish an appropriate infrastructure contributions policy position for the sector to reduce rate subsidisation of development establishment costs.</p> <p>Improve current challenges with the stormwater planning and regulatory environment.</p>		<p>LGAT has begun research and investigation work on infrastructure contributions (IC) to understand the local state of play, current member council positions and regimes of other Australian jurisdictions. Recent TasWater investigations into IC (or 'developer charges') are understood and any future work in this area will be monitored. A survey of councils is underway, which will inform the preparation of a discussion paper and development of a sector position.</p> <p>Issues to do with stormwater are complex and commonly revolve around the private-public ownership interface. LGAT is working with member councils to address each issue specifically. As a critical first step, LGAT is supporting council initiatives to develop resources on managing stormwater quality, prime among these being a model policy to support regulation of stormwater through the planning system. LGAT is also investigating issues that council stormwater professionals have reported with the legislation (primarily, the <i>Urban Drainage Act 2013</i>) to see if a practical set of amendments can be proposed to resolve them.</p>
7.	<p><b>Continue to support Member's professional development</b></p>	<p>Deliver key professional development opportunities including the Annual Conference, Elected Member Weekend, Mayors' and General Manager's Workshops.</p>		<p>LGAT's events and training calendar continues to expand as COVID-19 restrictions ease. The offering includes both online and face to face professional development events including:</p> <ul style="list-style-type: none"> <li>• The monthly lunchtime webinar series, which recently has included councillor and officer insurance with JLT (September) and planning reforms with Minister Roger Jaensch (October);</li> <li>• Regional Code of Conduct Sessions with the Local Government Division in Hobart, Riverside and Devonport (October); and</li> <li>• Strategic Asst Management Plans training.</li> </ul> <p>Face to face events in planning include:</p> <ul style="list-style-type: none"> <li>• Peer Networking event (planning underway for a second event later 2020);</li> <li>• General Managers Workshop (November); and</li> <li>• LGAT One Day Conference with the General Meeting.</li> </ul>



No.	Priorities	Outcome/Output Measures	Progress	Comment
8.	<b>Support councils' recovery efforts from COVID-19</b>	Acknowledgement of the important role councils play in recovery		<p>LGAT has formally written to the State Recovery Adviser requesting local government representation on the State Recovery Committee and we continue to raise the issue of long-term recovery with the State Government through the recovery working group. The State Government is currently finalising the approach to regional recovery in response to Premier's Economic and Social Recovery Advisory Council recommendation 63, which states "<i>The State Government should implement a regionally-based model for coordinating the recovery journey</i>". It is hoped that this approach will be agreed and communicated with stakeholders by the time of the General Meeting.</p> <p>LGAT has also worked with the Tasmanian Audit Office and Local Government Division to develop a notice under the <i>COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020</i> to extend the Annual General Meeting deadline.</p>

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**MOTIONS ON NOTICE****AO195-20 MOTION ON NOTICE - FAIRY PENGUIN SAFE HAVEN**

**FILE NO:** 15/5/2; 20/1226  
**PREVIOUS MIN:**

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Councillor Ken Dorsey has given notice that he would move the following motion at this meeting:-

***“THAT Council resolve to declare Burnie a “Fairy Penguin Safe Haven”.***

**COUNCILLOR’S COMMENTS**

The idea that dogs continue to ravage penguin rookeries through-out the state has to come to an end. The idea that people do not control their dogs and that there is little regard for native habitat is disappointing. We also have the issue with people killing penguins, where does the madness end.

We want to declare Burnie the Fairy Penguin capital of Tasmania by guaranteeing their safety, ensuring that the populace is with us to end the needless killing of Fairy Penguins that do not have the ability to defend themselves on land.

We are acutely aware that dogs have no concept of time but have memories. They will return to their hunting grounds repetitively seeking prey. The idea that an individual failed to control their dog now has long term implications as the dog will return to the site of the kill at every opportunity.

To create this “safe haven” for Fairy Penguins takes resolve and minimal funding. It starts with a very explicit information sent out to all ratepayers and people registering their dogs regarding the following:

- Where the dog exercise areas are, with a map.
- Where the dog exclusion zones are, and the reasons for these areas.
- Interpretative information on sensitive coastal habitat, our local shorebirds and penguins.
- What the consequences are for disobeying the regulations.
- Increased signage, including simple "no dogs allowed"
- detailed signs explaining why dogs are not allowed in certain areas and showing the locations of the dog exercise areas.

In addition, Burnie should in its campaign to be the Tasmanian (World) “Safe Haven” for Fairy Penguins complete the following:

- Constant reminders via social media and radio about Burnie being a “Safe Haven” for Penguins

- Chastising other Councils that fail to protect the penguins and inviting them to send their Fairy Penguins to Burnie for protection
- Better fencing of areas of concern – guaranteeing Fairy Penguin Safety
- Naming and shaming any dog owner that allows their dogs the freedom to kill Fairy Penguins

The Burnie City Council should also consult/collaborate with both DPIPW and Marine Conservation in developing and implementing strategies that will protect our populations of Little Penguins and various shorebirds. We need to ensure that DPIPW allocates significant resources to respond appropriately to dog attacks on little penguins, including:

- Naming Burnie as a “sensitive wildlife zone”
- Swift deployment of officers to investigate reports of penguin deaths
- Undertaking associated compliance and surveillance programs where required
- Work with Council to schedule proactive patrols at key penguin sites to deter inappropriate behaviour and educate the community
- Work with the BCC enhance penguin protection through council dog management policies, including the management of dog-related activities on reserved land.
- Increased penalties for dog attacks, the current Dog Control Act states: “If your dog attacks sensitive wildlife in a sensitive area you are guilty of an offence and a penalty of up to 30 penalty units applies if charged. (Currently 1 penalty unit = \$168.)” Maximum \$5040.

Becoming a protectorate for the Fairy Penguins provides another reason to come to Burnie. Burnie is rich with culture and quality attractions; adding the Fairy Penguin “safe haven” is another example of making Burnie a more desirable place.

Little Penguins are a tourist drawcard for our region and it would be "several feathers in Council's cap", for us to be able to say in future that we are leading the way in protecting our local penguin and shorebird populations.

The next breeding season for Little Penguins will be on us by September (if not before), with chicks in burrows by October. We need to start implementing decisive strategies prior to this. I dread the thought of another mass attack, particularly with chicks orphaned.

### **GENERAL MANAGER’S COMMENTS**

The following information is relevant to consideration of the Motion; and identifies that many of the measures suggested are already in place.

#### **Legislation**

The State Government responded to increased reports of dog attacks on native wildlife in late 2019 by amending the *Dog Control Act 2000*.

The amendments introduced section 19AB to make it a specific offence for a dog to injure or kill any wildlife declared under the *Nature Conservation Act 2002* to be a sensitive wildlife species within an area of land declared to be a sensitive wildlife area.

The owner of a dog that is proven to have injured or killed sensitive wildlife within a sensitive wildlife area is liable for a monetary penalty not exceeding 30 penalty units.

The Act does not expressly prohibit a person from bringing a dog into a sensitive wildlife area.

The declaration of areas within which a dog is prohibited is a matter for the municipal council.

The owner may also be required on conviction by a court to pay the cost of any investigation into the alleged offence, the costs of any medical treatment and rehabilitation of wildlife injured by the dog, and compensation for any damage caused by the conduct of the dog in relation to the offence.

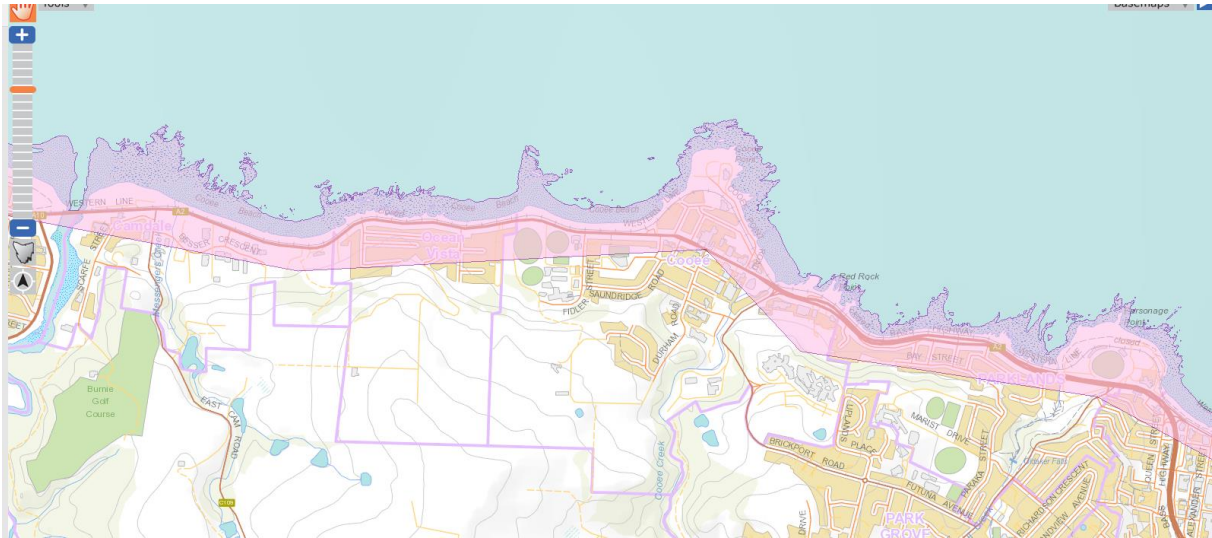
A court may order the dog be destroyed if the owner is convicted on the offence under section 19AB.

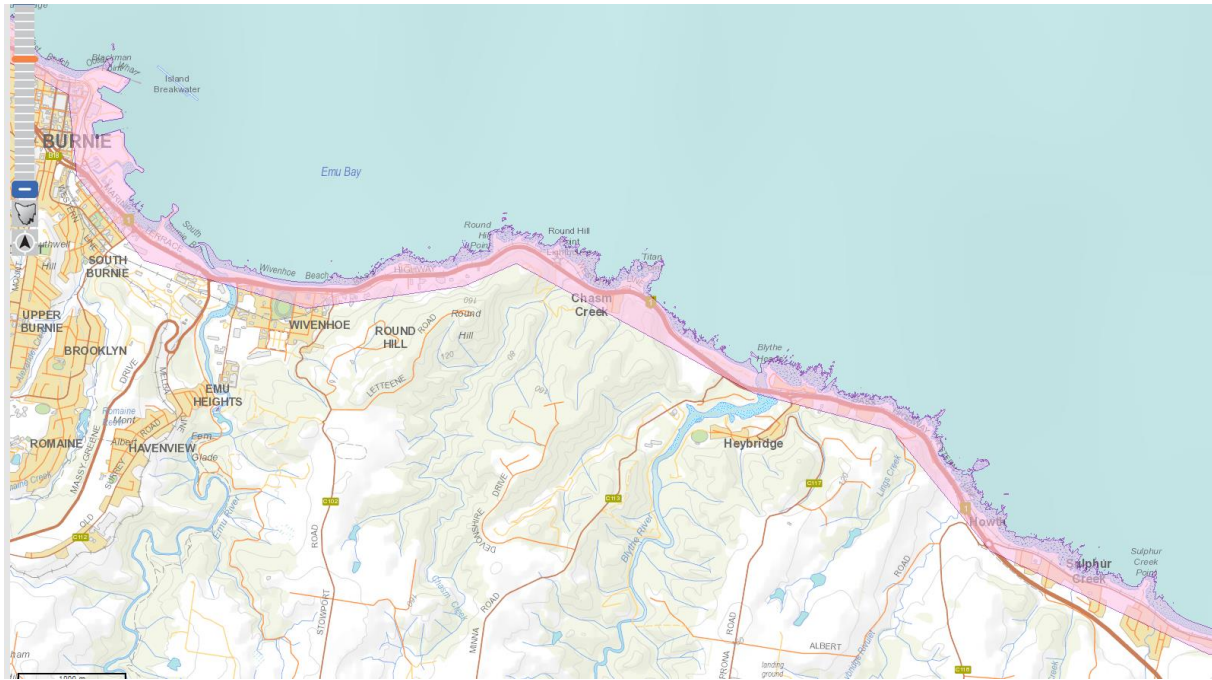
The amendment has increased the penalties on an owner who brings a dog into a prohibited area containing a sensitive habitat for native wildlife.

The *Dog Control (Sensitive Wildlife and Areas) Order 2019* was issued on 25 December 2019, and declares –

- i. sensitive wildlife to include the species *Eudyptula minor*, commonly known as the Little Penguin; and
- ii. a sensitive area in relation to sensitive wildlife includes the uninterrupted foreshore area from Don Heads to the eastern side of Lillico then west to Burntwood Point at Wynyard, and including the foreshore to the Burnie municipal area, consisting of –
  - a. the area of land bounded on its seaward side by the mean low water mark and on its landward side by an imaginary line extending between the points, of latitude and longitude, specified in Part 1 of Schedule 4 of the Order; and
  - b. each area of land bounded by an imaginary line encircling, at the mean low water mark, an island that is situated within 0.5 nautical miles seawards of any part of the area of land referred to in [paragraph \(a\)](#); and
  - c. all rocky outcrops, above the mean low water mark, situated within 0.5 nautical miles seawards of any part of the area of land referred to in [paragraph \(a\)](#)

The declared sensitive wildlife area within the Burnie municipal area extends without interruption for the full length of the coastline between the Cam River and the Blyth River, and south of the Bass Highway inland for a variable distance as shown shaded pink on the following maps.





The Council cannot act to implement controls and penalties that differ to the arrangements set out in the Act.

Council must also be careful for procedural fairness and personal information protection reasons not to “name and shame” a person identified to have taken a dog into a wildlife sensitive area.

### **State Government action to facilitate awareness and compliance to sensitive wildlife requirements**

The Department of Primary Industry, Parks, Water and Environment wrote to Council in Early March 2020 to advise of the changes to the Act; and to indicate a senior wildlife biologist had been appointed to facilitate implementation of the Little Penguin protection program under the Act.

It was advised the facilitator would contact councils to arrange a discussion on management issues.

Advent of the COVID-19 emergency meant it was not possible for the DPIPW representative to travel and engage with Councils. The program has only recently recommenced.

Dr David Pemberton, a senior wildlife biologist with DPIPW manages of the implementation program, and met with the Acting General Manager and other Council staff on Tuesday 11 August 2020.

The meeting was of a preliminary nature, during which it was indicated the DPIPW representative is available to meet with Councillors to provide a briefing on Little Penguin behaviour and wildlife management measures, including requirements under the Act.

The discussion identified that while it is assumed dogs, particularly dogs at large, are the main threat to Little Penguin, it is known that cats, and in some locations carnivorous wildlife, also present risk to colonies.

It was advised the northwest coast from Wynyard to Devonport is the priority area for Little Penguin management given the extent and intensity of colonies and their proximity to threat from human activity. No single municipal area is considered more important than the others given the habitat of Little Penguin is not determined by administrative boundaries.

It was then suggested there is opportunity for –

- a. greater collaboration between compliance agencies with wildlife management responsibilities to share resources and provide improved monitoring and compliance response capabilities.

It is said the LGAT is interested in coordinating an arrangement if requested to do so by local government.

There is opportunity for Burnie City Council to promote a motion to trigger an involvement by LGAT.

- b. provision of additional and more effective fencing around known colonies, including as part of the proposed Coastal Pathway infrastructure; and
- c. use of emerging technologies to detect and provide real time alerts when dogs, cats and other hunting species may be within a wildlife colony

It would be particularly useful for the Council to receive the offered briefing from an experienced wildlife biologist before making any decision in relation to the Motion.

### **Burnie Dog Management Policy**

There is a requirement under the *Dog Control Act 2000* for each Council to adopt a Dog Management Policy.

A Policy may include the identification of areas containing sensitive habitat for native wildlife within which dogs are prohibited.

The Council first introduced a Dog Management Policy in 2004. The Policy was last reviewed and adopted by a decision of Council in September 2019.

The current Policy, and all previous versions, identifies dogs are prohibited in the following parts of the Burnie municipal area-

- a) At all times for protection of Little Penguin and other shore feeding and nesting birds on Camdale Beach, Cooee Beach and Cooee Point from the Cam River to Cooee Creek Beach, extending from low water mark to include that part of the vegetated dune system south to the Little Penguin fence along the Bass Highway alignment and

from low water mark to a distance of 30.0 m above high water mark around the seaward perimeter of Cooee Point to Cooee Creek Beach;

- b) At all times for protection of Little Penguin and other shore feeding and nesting birds in the area from Red Rock Point east to and including Parsonage Point to West Beach and extending south to the alignment of the Bass Highway and North Terrace and northward to low water mark, other than if the dog is on a lead and confined to the paved Burnie Coastal Pathway;
- c) At all times for protection of Little Penguin and other shore feeding and nesting birds on West Beach and Hilder Parade being the entirety of the paved, grassed, and sand area north of and including the rail corridor to low water mark from Parsonage Point east to the boundary of the to Burnie Port and including that part of the West Beach Boardwalk east of the pedestrian access between Alexander Street and King Street; and
- d) At all times for protection of native flora and fauna in accordance with status of the land as a reserve under the Nature Conservation Act 2002 in Fernglade Reserve being the whole of the riverside portion of the reserve incorporating both the upper and lower picnic areas and including the river and any pathway linking between these two areas and extending downstream to the Fernglade Bridge;

The Policy is accessible on the Council web site, and is referenced in information provided at the time of registering a dog.

The Council has installed appropriate identification signs to indicate where dogs are prohibited or restricted; and where dogs may be exercised.

The Policy may require further review of dog prohibited areas given effect of the recent amendment to the *Dog Control Act* is to extend wildlife sensitive areas to include the entire coastline, including the current dog exercise beaches at Cooee, South Burnie, Wivenhoe, and Heybridge.

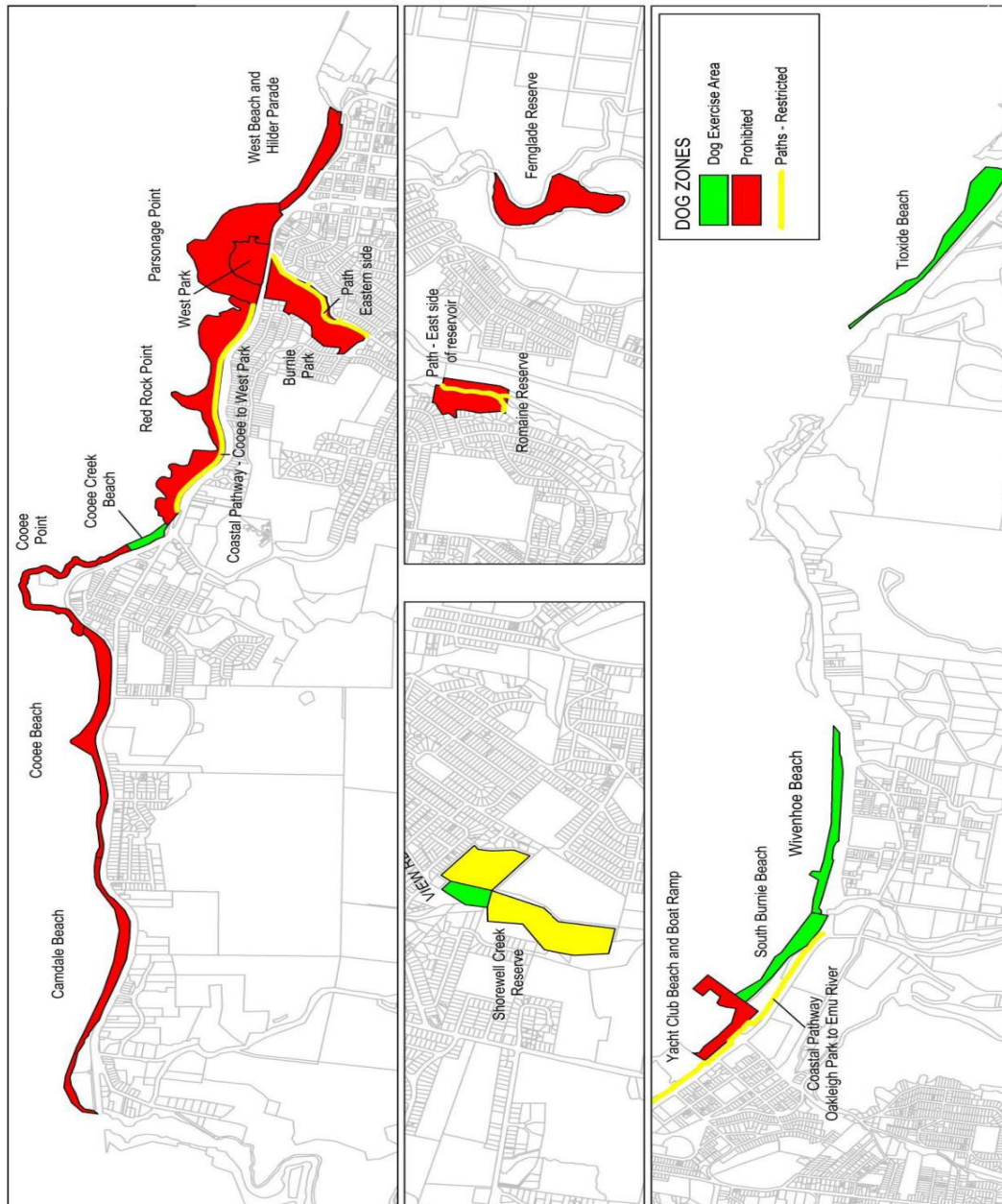
Council's capacity to actively monitor and enforce compliance to dog control regulations is determined by available resource.

Council funds a permanent full time municipal inspector position with duties including, but not limited to, animal control. The position is deployed during Council's standard operating hours, and does not have capacity to conduct patrols and interventions at all times. Council provides a limited capacity to deal with animal control matters at other times.

Greater involvement by Council in monitoring and response to dog control matters within sensitive wildlife areas will require allocation of additional resources.

The Policy contains the following maps –





BURNIE CITY COUNCIL - DOG ZONES

Map Inclusion to Dog Management Policy CP-CBS-SG-02  
Revision 4, Drawn 08/04/2015

**Council’s Operational Actions**

Council has had an active involvement in promotion and protection of Little Penguin for many years.

It has made a capital investment in the Little Penguin Interpretation Centre at West Park; and has included information on Penguin viewing opportunities within tourist promotion material based on the colonies within the Burnie municipal area.

Council has provided financial and in-kind support to local community organisations involved in Little Penguin management, including materials for construction and maintenance of penguin fencing and burrows, and for the removal and disposal of weeds and rubbish removed from Little Penguin habitat areas.

Council programs its capital works and maintenance programs within coastal areas in accordance with the Little Penguin nesting and breeding season.

**Alternate Recommendation**

- 1. Council invite Dr David Pemberton of DPIPWE as State facilitator for protection of Little Penguin to address Councillors at a workshop before the Council makes any decision in relation to the Motion; and***
- 2. Council submit a Motion to the next LGAT meeting seeking the LGAT coordinate arrangements for a more collaborative arrangement between local government and the State compliance agencies with responsibilities that include dog control and wildlife management and protection.***

## INFORMATION SHEET

**DOG CONTROL ACT 2000  
AMENDMENTS**

In response to dog attacks on Little Penguins, the Tasmanian Government has increased penalties for dog owners whose dogs attack little penguins in important areas for Penguins.

**WHAT YOU NEED TO KNOW**

The *Dog Control Act 2000* now provides for additional penalties for dog attacks on Sensitive Wildlife in Sensitive Areas and allows for the Minister responsible for the *Nature Conservation Act 2002* to determine and declare which species are Sensitive Wildlife and which areas are Sensitive Areas.

On 25 December 2019, the Minister declared Little Penguins to be Sensitive Wildlife. The Minister has also declared the following areas to be Sensitive:

- Low Head Promontory from Beach Road
- Bicheno from the northern end of Rice Beach to the Southern end of Denison Beach. Diamond Island and Governor Island are also included.
- Wynyard/Ulverstone from Don Heads to the eastern side of Lillico and continuing west to Burntwood Point.
- Stanley (all land north of the neck of the peninsula roughly half way between the Stanley Hwy intersections with West Inlet Track and East Inlet Track).

**WHAT DOES THIS MEAN FOR YOU AS A DOG OWNER?**

If your dog attacks Sensitive Wildlife in a Sensitive Area you are guilty of an offence and a penalty of up to 30 penalty units applies, if charged. (1 penalty unit = \$168)

**EXISTING PENALTIES STILL APPLY**

Please see the *Dog Control Act 2000* for ALL penalties that apply to dog owners if they are guilty of an offence under the Act. This includes a range of penalties that existed prior to the recent amendments coming into effect.

Some of these offences include and attract the following penalties\*:

- Dog at Large - up to 5 penalty units
  - Dog attacking animals - up to 20 penalty units
  - Dog attacking a person - up to 30 penalty units
- \*increased penalties apply to those dogs declared as dangerous dogs.

**WHERE CAN I FIND MORE INFORMATION**

For more information on Sensitive Wildlife and Sensitive Areas including maps see:

<https://dpijwe.tas.gov.au/wildlife-management/marine-conservation-program/little-penguins-in-tasmania/monitoring-and-protection/dog-control-act>

Department of Primary Industries, Parks, Water and Environment



**COUNCIL RESOLUTION****Resolution number: MO229-20****MOVED:** Cr K Dorsey**SECONDED:** Cr A Keygan**“THAT Council:**

- 1) Resolve to declare Burnie a “Fairy Penguin Sanctuary”; and**
- 2) Council invite Dr David Pemberton of DPIPW as State facilitator for protection of Little Penguins to address Councillors at a workshop before the Council makes any decision in relation to the Motion, and invite a representative from Friends of Burnie Penguins and Burnie CoastCare to this workshop; and**
- 3) Council submit a Motion to the next LGAT meeting seeking the LGAT coordinate arrangements for a more collaborative arrangement between local government and the State compliance agencies with responsibilities that include dog control and wildlife management and protection.”**

**For:** Cr S Kons, Cr A Boyd, Cr T Brumby, Cr K Dorsey, Cr C Lynch, Cr A Keygan, Cr G Simpson, Cr T Bulle, Cr D Pease.**Against:****CARRIED UNANIMOUSLY**

28 February 2019

The Hon David Coleman MP  
Minister for Immigration, Citizenship and Multicultural Affairs  
Via email: [natoceremonies@homeaffairs.gov.au](mailto:natoceremonies@homeaffairs.gov.au)

Dear Minister Coleman

I am writing to provide you with the views of the Australian Local Government Association (ALGA) regarding the review of the Australian Citizenship Ceremonies Code which you announced in the lead up to Australia Day. ALGA is the national voice of local government in Australia, representing 537 councils across the country. In structure, ALGA is a federation of state and territory local government associations. The views ALGA is putting forward do not replace the views of those associations and individual councils, many of which will have made separate submissions during the consultation process. As such, the information contained below should be considered as supplementary information.

At the outset let me assure you that councils throughout Australia treat their role in citizenship ceremonies with the respect such a significant occasion deserves. We fully agree that Australian citizenship is a great privilege which brings with it important responsibilities as well as rights. It is against this context that I provide the following comments.

I understand that you have proposed four key changes to the Australian Citizenship Ceremonies Code. The first proposed change, that Federal members of Parliament, if attending a ceremony, should read the Minister's message at citizenship ceremonies, does not appear to create any problems apart from fact that some local government areas are covered or intersected by two or more federal electorates and if multiple members wish to attend the ceremony there may be some logistical issues which arise from this change. You may wish to provide guidance on this matter.

I note that one of the proposed changes is that ceremonies must be scheduled to avoid parliamentary sitting days and that another proposed change is that local governments must hold citizenship ceremonies on Australian Citizenship Day (17 September). In acknowledging the exemption, the Code states for Citizenship Day taking priority of sitting days. These two changes read together may create unintended problems. In 2019, 17 September is designated a joint sitting day in the Australian Parliament Sitting Calendar. It was also a joint sitting day in 2018 and 2015 and occurred on the weekend of a sitting week in 2016 and 2017. Councils will require further advice to clarify the Government's policy regarding these changes.

You have also introduced the requirement that local governments hold citizenship ceremonies on Australia Day (26 January). Most councils do hold citizenship ceremonies on Australia Day and will no doubt continue to do so but for other local governments the decision not to hold citizenship ceremonies on Australia Day reflects more pragmatic reasons. In some locations it is simply too hot for councils to hold ceremonies during the day so they hold them the evening before, rather than the evening of Australia Day. Holding Citizenship Ceremonies the day before Australia Day mirrors the government's own timing for hosting the Australian of the Year event, notably an event more closely related to Australia Day and arguably epitomising the very best of what it means to be an Australian, yet the event is not held on Australia Day.

Some councils have for many years held the ceremonies during the week leading up to the Australia Day weekend, so everyone on Australia Day already has their Australian citizenship and are free to enjoy their long weekend with family and friends away from home if they wish. Holding the ceremonies in the week prior has the added advantage of enabling Federal members the opportunity to attend a larger range of ceremonies over a period of days as opposed to prioritising which of multiple ceremonies they will attend should they all be on a single day. We have been advised this is particularly advantageous to duty Senators.

Some regional councils would have very few if any residents who have qualified for citizenship and therefore may not be able to hold a ceremony on Australia Day. They are therefore understandably exempt under the proposed Code. In other small regional and metropolitan councils, ceremonies are held the day or days before so that residents can attend substantial Australia Day festivities in neighbouring larger councils. Not every council provides an Australia Day event, usually due to the proximity of a much larger competing event nearby which its residents are understandably more attracted to.

For councils and communities who have chosen to support an adjacent council's Australia Day event, the Code would impose upon them a Citizenship Ceremony as the only event they would hold on Australia Day, ironically whilst not requiring them to host an Australia Day event on Australia Day. Councils may appreciate further clarity around the intentions of the Code in this regard, and the subsequent cost impacts.

For some councils holding the event on a public holiday, or even a weekend, can be cost prohibitive. Forcing councils to hold citizenship ceremonies on the public holiday would create significant additional event and staff costs which local communities should not be expected to cover, particularly for those councils not already hosting an event on the day. I note that your government has made no mention of any financial contribution towards the additional costs involved in running these ceremonies - ceremonies conducted on behalf of the Federal Government – and indeed in the past the Government has responded to councils which have sought financial assistance for citizenship ceremonies that the Government is not requiring councils to incur unnecessary expenditure and that no funding will be provided. This previous advice appears contrary to the intention of the government's proposed code.

To avoid an obvious issue of cost shifting ALGA asks that the Government meet the additional costs for councils if they are forced to reschedule ceremonies to Australia Day or 17 September when it occurs on a weekend, or to also host additional events to celebrate Australia Day in association with the Citizenship Ceremony if that is the intention of the government.

The question of additional costs may not seem significant to the government however we are advised it is of concern to a range of smaller councils who are still struggling with the impact on the government's freeze on Financial Assistance Grants in the 14/15 Federal Budget. By the government's estimates this withheld over \$925m from the sector, a loss of funding which has not yet been reinstated.

I would also like to make the point that it is the responsibility of councils to be responsive to the views of their local communities. It appears the very small number of councils that have moved their Australia Day celebrations and associated ceremonies away from 26 January are, in the spirit of Australian democracy, reflecting the desire of their communities. It may be uncomfortable to acknowledge the fact that some Australians identify 26 January as a day of mourning, but this should not stop councils from trying to find a way of accommodating legitimate community views whilst celebrating everything that is great about our wonderful country. I do note that according to the Australia Day National Council, since Federation in 1901, Australia Day has only been consistently celebrated on 26 January since 1988. It was previously celebrated on 30 July, 28 July and a variety of other dates.

Finally, I note that the Prime Minister announced in January that the Government would ban "board shorts" and "thongs" from citizenships ceremonies. I also note that the proposed changes to the code state that Councils will set the recommended standard of dress for ceremonies, which we acknowledge will permit councils to reflect local climatic conditions. A number of councils hold their citizenship events on beaches, reflecting the ideal Australian lifestyle. Subject to council deliberations, boardshorts and thongs may consequently be entirely appropriate in that context for those attending the ceremonies although it may well be that those persons actually receiving citizenship are not quite as casually dressed.

In closing, while I appreciate the opportunity to comment on the proposed changes to the Code, I feel it necessary to express my concern that the announcement regarding changes to the citizenship code was made without prior consultation with ALGA. I believe that this showed a lack of respect for local government which has an excellent track record of working in partnership with the Australian Government.



The lack of prior consultation also failed to recognise the key role local government plays in bestowing Australian Citizenship on behalf of the government. In addition and perhaps most regrettably, the announcement and subsequent representations by the government failed to acknowledge the terrific work councils already do in funding and hosting Australia Day events across the nation, a commitment that far exceeds the combined effort of every other government in this regard. I hope such occurrences can be avoided in the future.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'David O'Loughlin', with a long horizontal stroke extending to the right.

Mayor David O'Loughlin  
President