



Local Government Association Tasmania

# General Meeting

## Agenda

**12 March 2021**

**10.00am**

**(Coffee on arrival from 9.30am)**

**paranaple convention centre  
Devonport**

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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>1030 approx</b>	<b>Council Round Up Central Coast Council</b>
<b>11.00 – 11.30</b>	<b>The Hon Roger Jaensch Minister for Housing, Environment &amp; Parks, Human Services, Aboriginal Affairs and Planning</b>
<b>11.30 – 12.00</b>	<b>Morning Tea</b>
<b>1.30 approx</b>	<b>Meeting concludes</b>

# 1. GOVERNANCE

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## **Acknowledgement of Country**

The President will acknowledge and pay respect to the Tasmanian Aboriginal community as the traditional and original owners and continuing custodians of this land.

## **Welcome and Apologies**

### **1.1 CONFIRMATION OF MINUTES \***

#### **Decision Sought**

**That the Minutes of the meeting held on 3 December 2020, as circulated, be confirmed.**

#### **Background:**

The Minutes of the General Meeting held on 3 December 2020, as circulated, are submitted for confirmation and are at **Attachment to Item 1.1.**

### **1.2 BUSINESS ARISING \***

#### **Decision Sought**

**That Members note the information.**

#### **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

#### Decision Sought

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

#### Background:

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

### 1.4 FOLLOW UP OF MOTIONS \*

#### Decision Sought

**That Members note the following report.**

#### 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

#### Decision Sought

**That Members note the report on the Presidents activity from 3 December 2020 to 26 February 2021.**

#### Meetings and Events

- Charitable rates Steering Committee meetings
- General Management Committee meetings
- ALGA Board and strategic planning
- Regular discussions CEO
- Elected Representative Weekend, Launceston

#### Media and Correspondence

- One Day Conference thank you Media Release
- Pulse articles
- Letter to Premier and Minister for Local Government re Charitable Rates
- Letters to Premier, Ministers Ferguson and Shelton on sector motions
- Container Refund Scheme (CRS) design launch with Minister for Environment
- Media release on CRS and waste levy announcement

## 1.6 CHIEF EXECUTIVE OFFICERS REPORT

### Decision Sought

**That Members note the report on the CEO's activity from 3 December 2020 to 26 February 2021.**

### Advocacy

- Red Tape and Regional Land Use Strategies Opinion Editorial
- Container Refund Scheme Opinion Editorial
- Linked In post (679 Impression, 4 shares, 2 comments, 31 Click, 18 reactions)
- Media Release: LG Welcome State Government Announcement for Container Refund Scheme, released 4/2/21, Referenced in the Mercury, Examiner, Advocate and Kingborough Chronicle
- Three media queries
- Charitable rates and ILUs negotiations
- Submission on the *Tasmanian Civil and Administrative Tribunal Amendment Bill 2020*
- Submission on draft *Land Use Planning and Approvals Act* Amendments
- Submission on CBOS's No Permit Required Options Paper
- Submission on the *Child Safe Organisation Bill*
- DPAC Secretary meeting
- Planning Matters Alliance meeting
- Waste and Resource Recovery Ministerial Advisory Meetings
- Container Refund Scheme Expert Reference Group meeting
- Tasmanian Audit Office
- TasWater Government Business Scrutiny Hearing
- Director of the Planning Policy Unit
- Chief of Staff for Minister Jaensch
- TasPlan CEO (outgoing and incoming)
- Local Government Legislative Review Steering Committee
- TasCOSS CEO meeting
- TasNetworks meeting
- ALGA strategic planning

### Sector Services

- Remote meetings advice
- COVID-19 Vaccine rollout advice to councils
- Land Use Planning Training Session – Derwent Valley Council
- International Women's Day judging panel
- Whole of sector media monitoring
- Elected Representative Weekend, Launceston
- Major update to the LGAT Delegations Register

- Council buying group for small sites electricity saved 12 councils \$1.8 million over three years
- Negotiated upgraded Vendor Panel license
- Refreshing two LGAT Procurement panels (hardware and civil works)

## **Governance**

- PLGC Meeting
- GMC Meetings
- LGAT operations review
- Policy Director recruitment and induction

## **1.7 COUNCIL ROUND UPS**

### **Decision Sought**

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

### **Background comment:**

Central Coast 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 INDEPENDENT LIVING UNITS Contact Officer – Dion Lester

#### Decision Sought

**That Members note a late paper will be provided once a formal response has been received from the State Government.**

#### Background

Since the December General Meeting a number of discussions have occurred with the Government on resolving a position. At the time of writing the LGAT GMC had provided feedback to the Government on a draft proposal. We expect this position to be formalised by the Government prior to the March General Meeting. Once this proposal is received it will form the basis of a late item for the meeting.

#### Budget Impact

Being undertaken within current resources.

#### Current Policy

Strategic Plan

- Promoting financial sustainability

2020 – 21 Annual Priority

- Support the sector through the next stages of Local Government reform;

## 2.2 MOTION - COUNCIL AS A PLANNING AUTHORITY

### Burnie City Council

That LGAT investigate the level of support among Tasmanian councils and identify the relevant considerations and options to propose an amendment of the *Land Use Planning and Approvals Act 1993* to -

- a) Delete the mandatory requirement for a council to act as a planning authority for purposes of determining an application for a permit to use or develop land within its municipal area; and
- b) Provide as an alternative, the establishment of an independent development assessment panel to determine a permit application.

#### Background

The Parliament of Tasmania has legislated in the *Land Use Planning and Approvals Act 1993* that the council elected under the *Local Government Act 1993* must also serve as the planning authority for its municipal area.

The requirement is a continuation of a similar arrangement dating from the early 1960's under which a local council had responsibility for how the land within a municipal area is to be used and developed.

The key responsibilities of a planning authority under the Act are to –

- a) Prepare and maintain a planning scheme for the municipal area; and
- b) Take all reasonable steps within the ambit of its power to enforce the observance of that planning scheme in respect of all use or development undertaken within the municipal area, including to determine an application to use and develop land if a permit is required.

The planning authority role is mandatory and is entirely separate from the function of a council under the *Local Government Act 1993*.

While a Council may exercise its authority as a planning authority through a committee of the council and may delegate powers and functions to an employee, it cannot ignore, abandon or surrender the role, or devolve responsibility in whole or part to any person or body external to the Council.

The powers and functions of a planning authority require actions and decisions with potential to materially affect the rights and interests of others and which may generate an intersection of conflicting views and opinion.

The requirement on a council to act as a planning authority has long caused conflict and confusion.

There is a general and long-standing disquiet within Tasmanian councils over the confusion, conflict and complexity of the “two hats” requirement inherent dual statutory functions.

There is an almost irresolvable tension between the general responsibilities of a council as the representatives of community and its role as a planning authority.

The former requires a council to provide for peace, order and good governance, and to promote and represent the health, safety, welfare and best interests of the community.

The latter imposes considerable limitations on the ability to act as a council because of the duty on a planning authority to remain neutral and, to set aside matters of importance to the community if irrelevant to the considerations and decision instructed by the planning scheme.

As a planning authority, a council is required to –

- a) Understand complex issues and to consider the validity of detailed planning applications within the 5-day period following provision of an agenda and a Council meeting;
- b) Make the decision directed by the planning scheme and explained in the qualified advice provide by Council officers unless there are valid reasons to move for an alternate decision; and
- c) Set aside and have no regard to views and opinions of the community that are not directly relevant to the applicable requirements of the planning scheme.

It is appropriate to test the desire of Local Government to continue in the role of a planning authority with a responsibility to make decisions on permit applications and to explore use of independent assessment panels to assess and decide permit applications.

Other Australian jurisdictions have recognised the struggle experienced by Local Government when required to separate the role as people’s representative from that of an independent arbitrator of compliance to a strict set of planning rules.

Several State jurisdictions currently operate a form of independent assessment panel which act as an alternative to the local council for decisions on land use permits.

There are also many overseas models, including some systems where the local council has no involvement in assessment or determination of a permit application.

While there are variations in administrative arrangements and scope of practice for assessment panels, underlying objectives typically include to increase probity and

accountability, safeguard against corruption or misconduct and to lead to better planning outcomes.

Significantly, the use of an independent panel can free a council to focus on planning strategy and will provide a freedom to make representations and to advocate for its community on any aspect of a proposal.

Most States where independent panels are available have prescribed the matters that must come before a panel are to include significant or technically complex permit applications, projects that may have a high economic, environmental and social value or impact, proposals within a specific locality or of a particular kind; public housing and State agency proposals, applications made by the council and matters likely to attract significant public interest, opposing views and opinions, or controversy.

Some systems allow a council discretion to refer other kinds of application for decision by a panel.

Panels generally comprise a chair with a legal or public administration background and two or more specialist members and may include a Local Government and/or community representative to provide local knowledge and perspective.

The use of an assessment panel does not deprive or change a council's responsibility and involvement in land use planning strategy and policy, or in the preparation of a local planning scheme.

The proposed investigation would examine the various models currently used in other jurisdictions, consider the scope of permit matters that must or may be referred and the necessary membership and administrative arrangements.

A decision by LGAT member councils to support the introduction of system of independent assessment and decision panels requires amendment to the *Land Use Planning and Approvals Act 1993*.

A persuasive argument to State Government will require support from the Local Government sector to forego or modify what is currently an almost exclusive power and to devolve that power in whole or part to an external body of experts.

The ultimate decision required in this Motion is who do we represent as elected members of a council?

It is relatively easy to appreciate the "2-hat" analogy but in reality we only wear one, the hat that represents the residents of our municipal area and requires we look after their well-being and to support their right to question, challenge and be championed by their representatives.

This is not always easy or possible when acting as a planning authority.

It is appropriate for the LGAT to investigate the level of support, and to examine options for how a panel would be structured and operate.

The matter should be further considered by LGAT members on completion of the investigation and before any decision to make a formal approach to government.

### **LGAT Comment**

LGAT has received a number of historical motions relating to the powers of planning authorities (2005, 2008 and July 2016 in particular) and many more to do with planning in general however, none of these are similar to the subject motion.

The current role of a planning authority under the *Land Use Planning and Approvals Act 1993* (LUPAA) generally involves three component roles:

1. Strategic Planning – Councils are the creators of local planning strategies and also instruments (Local Provision Schedules) and the community representative and liaison in their development. While this has always included being community representative in the development by the Tasmanian Government of state-level planning statutes and legislative frameworks, this role has shifted somewhat with the introduction of the Tasmanian Planning Scheme.
2. Development Assessment – Councils are assessors of planning applications under the planning instruments. LUPAA sets out how a planning authority is to undertake its assessment (s51(2)), which includes consideration of public representations made under s57. This inclusion challenges a council's role as both elected community representative for planning matters and independent legal adjudicator and assessor of planning applications against legal instruments.
3. Enforcement – Councils are defenders of the planning instruments that they and the Tasmanian Government have developed, through compliance and enforcement activities. This role is not the subject of this motion.

LGAT has long been aware of the tension created by the dual role imposed on councils by the current configuration of LUPAA in combining community representation and legal adjudication roles into council's development assessment task.

The community representation component of the strategic planning role aligns very well with councils' core functions under section 20(1)(b) of the *Local Government Act 1993* (LG Act) to "*represent and promote the interests of the community*", and with a councillor's elected roles under section 28: (a) *to represent the community*; (b) *to act in the best interests of the community*; and (c) *to facilitate communication by the council with the community*. However, including a legal arbitration role on councillors in addition to this consistently creates challenges and conflict for councils with a clearly legislated community representation role.

Indeed, some councillors have at times expressed frustration in feeling that they cannot properly perform the community representation role they feel they were elected for when acting as planning authority, at least for development assessment.

On the flipside, as members of their local community, councillors have a precise understanding of local circumstances and context and are in a good place to utilise this understanding when determining discretionary application under the planning scheme. It should also be noted that while there are examples of successful development assessment panels in other jurisdictions, equally there are situations where it has resulted in a significant increase in the costs to the community and adverse planning outcomes at the local level.

In relation to determining whether to support this motion or not, Members should note that it only seeks that LGAT investigate this area and provide options for the sector to consider. It is not suggesting adopting any particular policy position.

### **Budget Impact**

If this motion is supported then it would consume currently finite resources, meaning that one of the following would need to occur:

1. Some existing work areas would be delayed;
2. Completion of the investigation would take a reasonable length of time; or
3. Additional investment from Members would be required to facilitate external resources being utilised.

### **Current Policy**

#### Strategic Plan

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

#### 2020 – 21 Annual Priority

- Support the sector through the next stages of Local Government reform
- Influence the planning and red tape reduction reform agendas

## 2.3 MOTION - FUTURE GAMING LEGISLATION EXPOSURE DRAFT

### Council Glenorchy City

#### Decision Sought

**That Local Government calls on the Tasmanian Government to honour the commitment (given at the Premier's Local Government Council on 6 November 2019) for a five-week consultation period on the draft legislation to amend the *Gaming Control Act 1993* to give effect to the Future Gaming Market Policy, when released.**

#### Background Comments

In 2018, the Tasmanian Government announced its policy for the future of the Tasmanian gaming market, providing an overview of how the Tasmanian gaming industry will be restructured.

In 2020, the Department of Treasury and Finance released a public consultation paper, the Future of Gaming in Tasmania, which provided detail of the Future Gaming Market regulatory model that will implement this policy from 1 July 2023.

The original timeline was for the exposure draft of the *Gaming Control Amendment (Future Gaming Market) Bill 2020 (draft future gaming bill)* to be released on 27 April 2020 with the closing date for comment on the draft on 8 May 2020. The review was deferred due to the impacts of the COVID-19 pandemic. It anticipated that the draft future gaming bill will now be released for comment in 2021.

Under the new regulatory model, licences for casinos, keno and hotels and clubs would be distributed for up to 20 years, with further changes to the regulatory model unlikely until 2043.

While Glenorchy City Council and other councils and stakeholders have had an opportunity to comment on the public consultation paper, it will be very important for councillors and council officers to have time to fully review the draft future gaming bill when it is released and have enough time to respond.

As noted, the original timetable set for the consultation period for the bill was 10 working days. It is anticipated that this will also be the case when the draft bill is released in 2021.

LGAT previously had a Statewide Partnership Agreement with the Tasmanian Government in relation to timeframes for consultation on issues relevant to Local Government.

Although the agreement has expired, the issue was discussed at the Premier's Local Government Council meeting on 6 September 2019, with the minutes recording the following:

*"The Premier noted that, although the Statewide Partnership Agreement between the State Government and the local government sector has expired, the Government continues, as a matter of protocol, to observe the five-week consultation period contained in that Agreement. This was welcomed by LGAT. The Premier noted he would be asking the Secretary of DPAC to write to other agency heads reminding them of the minimum five-week period."*<sup>1</sup>

The motion therefore seeks LGAT's support in calling for the State Government to honour the agreement in relation to the consultation period of the draft bill to allow an appropriate time for a detailed review and preparation of submissions.

The proposed changes to the legislation will have an impact on any Local Government area which has electronic gaming machines, particularly for single operators of hotels and clubs. Regardless of whether councils support or oppose the legislation, it is important to understand the changes and the possible effects on their communities.

### **LGAT Comment**

An absolute minimum of a five week consultation period is vital in enabling Local Government and LGAT to provide the State Government with valuable feedback on its legislation and regulations.

LGAT's submissions provide the State Government with reliable, informed and evidence based information often not available from other sources. An adequate consultation period encourages and enables higher levels of council engagement in issues that ultimately improves legislation.

### **Budget Impact**

Could be undertaken within current resources.

### **Current Policy**

Strategic Plan

- Building Local Government's reputation
- Fostering collaboration

2020 – 21 Annual Priority

- Support councils' role in community health and wellbeing

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<sup>1</sup> [Premier's Local Government Council minutes from 6 September 2019, Department of Premier and Cabinet website](#)



## 2.4 DEFERRAL OF DRAFT FUTURE GAMING BILL

### Council – Glenorchy City

#### Decision Sought

That the Tasmanian Government defers the release of the legislation to amend the *Gaming Control Act 1993* to give effect to the Future Gaming Market Policy for consultation until the latest information relating to gambling in Tasmania is made available, including:

- a) The release of the fifth Social and Economic Impact Study; and
- b) Social and economic modelling used to develop the Future of Gaming in Tasmania policy.

#### Background Comments

The Future Gaming Market regulatory model proposed by the State Government is a major restructure of the gaming industry. Given its significance, it is important that information used to develop the model, as well as up-to-date information on the sector, is made available to all stakeholders.

The *Gaming Control Act 1993* requires that an independent review of the social and economic impact of gaming in Tasmania be conducted every three years. The Social and Economic Impact Study of Gambling in Tasmania (**SEIS**) provides an analysis of key trends in gambling and a gambling prevalence study. This is a key study that is tabled in each House of Parliament after completion.

The fifth SEIS is currently underway (submissions closed in October 2020) and is expected to be completed by the second quarter of 2021. It is possible that the draft future gaming bill will be released, and a decision made in Parliament, prior to the results of the SEIS being made available.

Given the importance of the SEIS and the fact that the Future Gaming legislation exposure draft was postponed due to the impacts of the COVID-19 pandemic, being able to review the SEIS and any recommendations made in that report prior to commenting on the Future Gaming legislation exposure draft is critical.

Submissions to the Future of Gaming in Tasmania could be made based on the information publicly available at the time in the Tasmanian Government's Future Gaming consultation paper. The consultation paper provided details of the proposed changes to the regulatory model but did not provide any social or economic modelling used by the State Government to develop its proposal.

It is essential for councils and other stakeholders to have access to this modelling information if they are to add value to the next stage of the consultation process and gain a clearer picture of how changes will impact individual municipalities.

The request to defer the Future Gaming legislation until the release of the SEIS and the provision of the social or economic modelling would not impact the Tasmanian Government's proposed legislation commencement date of July 2023.

### **LGAT Comment**

Motions expressing concerns about the social and economic impact on communities of electronic gaming machines were passed in 2008 and 2016. The 2016 motion led to LGAT making a submission to the Joint Select Committee on the Future Gaming Markets on the importance of a community interest test. LGAT also provided a submission in 2017 to the Tasmanian Liquor and Gaming Commission on the Gaming Control Act Community Interest Test Discussion Paper. That submission noted that the Local Government sector was supportive of a Community Interest Test.

LGAT also made a submission on the implementation of The Future of Gaming in Tasmania Policy 2020. It noted the importance given to harm minimization by the State Government. That importance is consistent with the view that the findings of the 2021 Social and Economic Impact Study of Gambling in Tasmania should be available to inform council responses to the Future Gaming legislation.

### **Budget Impact**

Could be undertaken within current resources.

### **Current Policy**

Strategic Plan

- Building Local Government's reputation
- Fostering collaboration

2020 – 21 Annual Priority

- Support councils' role in community health and wellbeing

### 3. ITEMS FOR DISCUSSION

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**There are No Items For Discussion**

### 4. ITEMS FOR NOTING

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#### 4.1 WASTE AND RESOURCE RECOVERY

**Contact Officer – Dion Lester**

##### **Decision Sought**

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

##### **Background**

Since the latter part of last year, the State Government's focus has been on investigating potential governance arrangements for the Container Refund Scheme (CRS) and the development of draft legislation and a discussion paper for a Statewide waste levy.

During this time, LGATs CEO participated on the Minister for Environment's Waste and Resource Recovery Advisory Group, with a focus on providing advice on the most appropriate governance arrangements for a CRS in Tasmania and ensuring the sectors interests were best represented in the development of the waste levy.

On the 4 February LGATs President was invited to participate in a media event with the Minister for the Environment announcing the Government's decision to adopt a split governance model for the CRS (the NSW model), and also the release of the draft waste levy legislation and discussion paper.

The CRS governance decision is a fantastic result for LGAT, Local Government and the broader community and the invitation to participate in the announcement is strong recognition by the State Government of our role in leading the discussion on the CRS governance model and waste management more generally.

There has been some misinformation distributed by TASRecycle both prior to and since the announcement. TASRecycle is a not-for-profit entity formed by the beverage industry, with the aim of securing the alternative less effective model for implementing a CRS. LGAT has been actively ensuring council elected members have the best information available to them.

At the time of writing the State Government was also consulting on the *Draft Waste and Resource Recovery Bill 2021* and related discussion paper. This Bill outlines the introduction of a statewide waste levy and the associated governance arrangements. While much of the detail will be developed and implemented via regulations, the general approach and key components available at this stage have been warmly welcomed by the majority of the sector. LGAT is currently pulling together a whole of sector submission on those aspects of the Bill and related material that require some refinement.

### **Budget Impact**

Being undertaken within current resources.

### **Current Policy**

Strategic Plan

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

2020 – 21 Annual Priority

- Lead the waste management reform agenda

## **4.2 REVIEW OF THE LOCAL GOVERNMENT ACT**

**Contact Officer – Dion Lester**

### **Decision Sought**

**That Members note the update on the review of the Local Government Act.**

### **Background**

After a hiatus towards the end of last year, the Review of the Local Government Act Steering Committee met in late January and then again in late February to provide some feedback on early reform directions.

The Office of Parliamentary Council has provided Version 1 of the draft Bill for internal review by the Division. However, Version 1 of the Bill is not a complete draft because drafting instructions for some elements of the Bill are still being finalised and there remain a number of policy issues that need to be resolved.

The receipt of Version 1 of the Bill is a significant step in the drafting process, with the Division now undertaking a detailed review. As discrete parts of the Bill are further developed and refined, the Division will commence engagement with the sector via the relevant technical working groups and where appropriate, through informal consultation and testing with a sample of council general managers and/or elected members. This process is likely to commence in March.

The Division has advised that an April-May 2021 release of the exposure draft is likely to be more achievable than the previously indicated period of February-March given the size, scope and complexity of the Bill, and the continued flow-through effects of delays caused early in 2020 as a result of COVID-19. The State Government allocated \$300,000 in the 2020-21 Budget to finalise the Review and the Division has recently recruited additional project resources which are necessary to support the delivery of, and broader implementation planning for, the new legislative framework. A further recruitment process is also in-train.

#### **Budget Impact**

Being undertaken within current resources.

#### **Current Policy**

Strategic Plan

- Facilitating change;
- Promoting financial sustainability; and
- Developing capacity and capability to deliver.

2020 – 21 Annual Priority

- Support the sector through the next stages of Local Government reform;
- Support councils' infrastructure planning and financial arrangements;

### **4.3 STATE BUDGET SUBMISSION**

**Contact Officer – Dion Lester**

#### **Decision Sought**

**That Members note the key priorities proposed for the LGAT State Budget submission.**

#### **Background**

The 2021/22 State Budget will be delivered on the 26 August, with community and key stakeholder submissions due on the 19 March, 2021.

LGATs 2020/21 State Budget submission can be found [here](#). However, as Members would be aware, the State budget was delayed and submissions called again later in the year as a result of COVID-19. As a result we subsequently provided our Premier's Economic and Social Recovery Advisory Council (PESRAC) submission - "[A plan to recover, build resilience and reinvent](#)".

Historically, the LGAT State Budget submission has focussed on whole of sector issues and resourcing of State Government priorities (planning reform as an example). For this year's budget submission, it is proposed that it be themed under the two broad areas of "supporting communities" and "supporting business", with the following specific initiatives being considered under each:

## **Supporting communities**

- Funding for a Project Officer position in LGAT to support council implementation of the Our Watch Local Government Toolkit. Our Watch is the national leader in the primary prevention of violence against women and their children and has a State Government officer responsible for implementation in Tasmania who is supporting our proposal.
- Ongoing funding for the successful [LGAT community health and wellbeing project](#).

## **Supporting business**

- Establishment of a buy local procurement program to increase Local Government's local purchasing. Broadly this would consist of a model buy local policy for councils, specific industry and council support to increase local purchasing in the form of industry engagement and a procurement spend analysis to develop and implement tailored procurement improvement plans for individual councils.
- A Local Government funding package for stormwater infrastructure. A number of councils and regional groups have indicated the need for stormwater infrastructure upgrades as a result of the stormwater management plans developed in recent years. It is proposed to seek a post COVID stormwater infrastructure stimulus funding package, with the projects expected to stimulate small to medium enterprises in the construction industry.
- Funding of the Planning Hub concept as outlined in our PESRAC submission.

The Premier has indicated he is particularly interested in suggestions as to how the Government can best address recommendations resulting from PESRACs work. Each of the above initiatives either directly responds to or can be linked to interim recommendations from PESRAC.

## **Budget Impact**

Being undertaken within current resources

## **Current Policy**

### **Strategic Plan**

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

### **2020 – 21 Annual Priority**

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

#### 4.4 EMERGENCY MANAGEMENT UPDATE

Contact Officer – Georgia Palmer

##### Decision Sought

**That Members not the update on Emergency Management.**

##### Background

This paper provides an update to members on the status of a number of legislative reviews currently occurring within emergency management.

##### Bushfire Mitigation Measures Bill

Late last year the State Government released a draft Bushfire Mitigation Measure Bill for consultation. The aim of the Bill is to enhance Tasmania's bushfire preparedness and to mitigate bushfire risk.

LGAT engaged with the sector on the Bill and provided a submission along with 109 other stakeholders. The LGAT submission can be found [here](#).

On 10 December 2020, the Department of Premier and Cabinet and the State Fire Management Council hosted a workshop with key stakeholders on the Bill.

There was general agreement at the workshop on the object of the act *to facilitate the mitigation of the risk or bushfires whilst balancing natural and cultural heritage value*.

However, the view from stakeholders was that the draft Bill is unlikely to achieve this. Feedback from stakeholders included:

- The Bill should not be developed in isolation and should be considered as part of a broader strategic approach to bushfire risk reduction. This should include strengthening existing legislation, the completion of the *Fire Services Act 1979* review, implementation of the recommendations from fire permit review, reflect the principles of the Tasmanian Fire Management Policy, align with Fire Management Area Committees and the Bushfire Risk Management Framework;
- Outcomes of the Royal Commission into National Natural Disaster Arrangements should be considered and addressed in the Bill;
- The cost and liability to landowners of undertaking mitigation works is concerning and financial support needs to be provided; and
- Government must resource agencies to implement obligations under the bill.

It is understood that feedback on the draft Bill and stakeholder workshop has been provided to the Minister for Police, Fire and Emergency Management. The Minister is yet to provide advice on the next steps for the Bill.

## **Fire Service Act Review**

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.

On 30 January 2019, Mr Michael Blake was appointed to undertake the review following the resignation of Mr Michael Harris. Mr Blake provided his report with a significant number of recommendations to the Minister on 30 October 2020.

LGAT's submission to the review was informed by significant feedback from the sector on the draft recommendations. The draft proposals included significant recommendations relating to the governance arrangements of emergency services, the funding arrangements for a new entity and the centralisation of SES volunteer units.

LGAT has raised the review with the Minister on several occasions since October and is yet to receive advice in relation to next steps with the Review.

## **Disaster Recovery Funding Arrangements Reform Program**

COAG agreed to review the National Disaster Recovery Funding Arrangements (DFRA) at a meeting in March 2020. The intention being to update how the government applies the DRFA in order to:

- Ensure equitable access to support so that Australians affected by disaster are treated more consistently and fairly;
- Streamline processes where possible; and
- Encourage jurisdictions to 'build back better'.

The review has been slow to the progress with COVID-19, however the Federal Government is working with States on a number of key components. Of particular interest to Local government are:

- New national guidance on Category B restoration works and Category D betterment - States/Territories have provided feedback about their experiences and concerns with restoration and betterment. There appears to be a recognition from the Federal Government that betterment funding arrangements need to be tailored to individual States/Territories. The Australian Government is currently preparing the guidance.
- Audit and Assurance changes - States/territories have raised a number of concerns about audit processes. Tasmania has proposed changes to the engineering sign-off requirements for Local Government infrastructure projects to make it easier for Tasmanian local governments to comply. The Federal Government is currently considering its responses to feedback.

LGAT will continue to liaise with the state in relation to the reform and will keep members updated. It is understood that once changes occur at the Federal Level the Tasmanian Relief and Recovery arrangements will need to be updated. This process will include engagement with Local Government.



## **Budget Impact**

Being undertaken within current resources.

## **Current Policy**

Strategic Plan

- Facilitating change.

## **4.5 LOCAL GOVERNMENT CLIMATE CHANGE SURVEY**

**Contact Officer – Ben Morris**

### **Decision Sought**

**That Members note the results of the Local Government Climate Change Survey and next steps in planning to support the sector in responding to climate change.**

### **Background**

Tasmanian Local Government has been increasingly focussed on climate action. Members resolved at the September 2019 General Meeting that the LGAT call upon the Federal and Tasmanian State Governments urging them to take emergency action on the climate crisis, which we have actioned<sup>2</sup>.

Building on this, LGAT developed the Local Government Climate Change Survey 2020. The aim of the survey was to gather information on past work by councils in addressing climate change and where more work could be done. The survey ran between 14 December 2020 and 10 February 2021 and was completed by 55 respondents (a mix of Councillors, General and Senior Managers and officers) from 18 of Tasmania's 29 councils. The key findings are:

#### **Interest and Impacts**

- Most respondents reported that, overall, climate change mitigation and adaptation are medium priorities for their council.
- Respondents were most concerned about the potential impact of flooding, bushfire, storms, sea level rise and coastal erosion in their Local Government Area.

#### **Drivers and Barriers to Action**

- The most significant barriers to councils being able to respond to climate change were lack of federal level leadership, limited staff capacity, assigned funding and lack of state level leadership.
- The most important enablers of action were General Manager/Senior Manager support, active/engaged communities, external funding, understanding of costs/benefits, Mayor/Councillor leadership and assigned staff responsibilities.

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<sup>2</sup> FOM report, including motion [https://www.lgat.tas.gov.au/\\_data/assets/pdf\\_file/0024/391524/6-Dec-19-All-Attachments-Final.pdf](https://www.lgat.tas.gov.au/_data/assets/pdf_file/0024/391524/6-Dec-19-All-Attachments-Final.pdf)

### **Achievements and Priorities**

- Tasmanian councils are undertaking a wide range of actions to mitigate climate change and also to support adaptation to climate change.
- Several councils would like to do more in mitigating climate change and reducing carbon emissions.
- Coastal hazards and community education/preparedness were most frequently cited as the biggest priority in climate change for councils.

### **State Action Plan**

- The outcomes that respondents would most like to see in the next Climate Action Plan were improving how the State Planning Provisions manage natural hazard risk, support for councils to integrate climate change impacts into asset management, support for more circular economy and sustainable procurement initiatives, and support for councils to reduce council-generated emissions.

### **Next Steps**

The key themes from the survey will be used as a platform to advocate and will inform our plan for supporting the sector. The details of our plan will be finalised in coming months through engagement with the sector.

LGAT has already begun using data collected from the sector in the survey to advocate to the State on the Review of Tasmania's Climate Change Act and encourages councils to attend one of three online community workshops to provide feedback into the review and process for developing Tasmania's next climate action plan<sup>3</sup>.

### **Budget Impact**

Being undertaken within current resources.

### **Current Policy**

Strategic Plan

- Facilitating change;
- Building Local Government's reputation; and
- Fostering collaboration.

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<sup>3</sup> See: [http://www.dpac.tas.gov.au/divisions/climatechange/Climate\\_Change\\_Priorities/review\\_of\\_the\\_climate\\_change\\_act](http://www.dpac.tas.gov.au/divisions/climatechange/Climate_Change_Priorities/review_of_the_climate_change_act)

#### 4.6 COMMUNITY HEALTH AND WELLBEING PROJECT

Contact Officer – Lynden Leppard

##### Decision Sought

**That Members note the report on the Local Government Health and Wellbeing Project.**

##### Background

The Local Government Health and Wellbeing Project is funded by the Public Health Service for a two-year period 1 July 2020 to 30 June 2022. It builds on the first three-year Project that concluded in June 2020.

The Project continues to support council community development and wellbeing officers to improve health and wellbeing outcomes in their local areas. Current work is concentrated in two areas:

1. Collaboration with government and non-government agencies to develop effective partnerships with councils. Council officers are highly skilled in implementing community-based programs through partnerships and our work is advocating for the current effective practices to be better recognised and supported; and
2. Collecting data as the foundation for planning and informed action.

The Health and Wellbeing Workforce Project, led by UTAS, is currently in the interview stage. Findings from the research will be shared at regional workshops in March 2021. In addition, a Health Intelligence (HI) Project recently commenced. Five councils are participating in developing and trialing a software tool that will provide individual councils with up-to-date health and wellbeing data. This work seeks to combine local community-based information on wellbeing with large government datasets refined for council use. More information about the trial will be available in late March.

In addition, LGAT is working on a number of project proposals with a range of organisations. These include:

- The Rural Walkability Project with the Menzies Centre;
- Working with Relationships Tasmania and the Department of Health to manage increased resources allocated to the Community Action Plan approach to suicide prevention; and
- Collaboration with the Mental Health Council of Tasmania in preparation of a PESRAC submission for improving mental health support in rural and regional areas.

Feedback from councils, including impacts from the COVID-19 pandemic last year, has shaped this more recent work on advocating for increased support of rural and regional mental health services and council officers.

## **Budget Impact**

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

## **Current Policy**

### **Strategic Plan**

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

### **2020 – 21 Annual Priority**

- Continue to support Members' professional development; and
- Support councils' recovery efforts from COVID-19.

## **4.7 LGAT PROCUREMENT**

**Contact Officer – Deborah Leisser**

### **Decision Sought**

**That Members note the update on procurement opportunities for councils.**

## **Background**

LGAT Procurement is continuing to work with councils to encourage and assist general take up of the panel arrangements and to expand the number of local suppliers on the panels. LGAT Procurement is working on additional projects including development of a procurement training program, collaborative procurement arrangements and one off grouped buying opportunities such as the small sites electricity buying group.

### **Small Sites Electricity Buying Group.**

Late last year LGAT Procurement identified an opportunity for councils to make significant savings by participating in a buying group to undertake a competitive tender for their small electricity connections.

As a result, LGAT undertook an expression of interest process to select a supplier who could undertake this tender process for councils.

Twelve councils participated in the process with over 600 electricity connections signed up to long-term contracts. This is expected to deliver an estimated \$1.8M over three years in savings when compared to the standing offer.

A second round buying group has been offered to the remaining councils. The market conditions for energy contracting remains very good with pricing sitting at a 5-year low.

### **Collaboration**

Currently, LGAT is working with the Cradle Coast Authority (CCA) to identify and promote the grouped buying of goods and services under the LGAT Procurement contracts. Other councils interested in exploring collaborative procurement opportunities are encouraged to contact the LGAT Procurement Team.

### **Training**

LGAT has delivered procurement training sessions to a number of councils including Clarence, Circular Head, Waratah-Wynyard and more recently, Derwent Valley. These sessions cover an introduction to LGAT Procurement and the services we provide which allow councils to save time, save money and reduce risk whilst buying locally. To learn more, or to register your interest, please contact Katelyn Cragg (6146 3753).

We are also investigating our options for delivering procurement essentials training to councils. This is to address the Auditor General's recommendation to some councils regarding training on compliance with procurement and reporting obligations, noting that our procurement contracts greatly assist councils in meeting these requirements.

### **Budget Impact**

LGAT Procurement operates within existing staffing arrangements.

### **Current Policy**

#### **Strategic Plan**

- Fostering collaboration;
- Promoting financial sustainability; and
- Developing capacity and capability to deliver.

#### **2020 – 21 Annual Priority**

- Continue to expand the procurement program.

## 4.8 LGAT COMMUNICATIONS UPDATE

Contact Officer – Kate Hiscock

### Decision Sought

**That Members note the update on changes to LGAT Member communications and the proposal regarding a shared cost model for media monitoring.**

### Background

LGAT has been maintaining many communications channels, requiring significant resourcing, while at the same time experiencing a decline in readership across some channels. This, in combination with changes in technology and a continual growth in social media, has resulted in the need to re-configure our communication channels with a more strategic focus on key channels and greater use of social media.

LGAT will also direct more focus into Opinion Editorials across the three state-wide newspapers as well as community papers as the reach of these publications far exceeds that of LGATs channels.

Current LGAT communications channels include:

- The Pulse Monthly Newsletter (Target is members and stakeholders);
- Linked In (members and stakeholders);
- Twitter (stakeholders, political and media);
- LGAT website (members, stakeholders and community);
- Media releases and opinion editorials (media, political, stakeholders and community);
- LG Noticeboard (members);
- LGTas, a twice yearly online publication featuring council achievements (stakeholders, community and media);
- LGAT Year in Review Annual Report (members, stakeholders, community and media);
- Teams (members); and
- Direct emails (members).

### Planned approach for communications

LGAT will be re-aligning communications to keep members abreast of key issues more strategically, improve the effectiveness of content production and broaden our reach on key sectoral issues. The improvements will include:

- A revision of the LGAT newsletter (The Pulse) to a re-named bi-monthly publication (six per year). The general volume of email newsletters has increased significantly in recent years and alongside this we have seen a decline in opening rates for our current monthly newsletter schedule.

- An increase in Linked In content, particularly during the month the newsletter is not issued. This aligns with growth of the readership of Linked In within the sector, government and industry and the platforms ability to reach a much broader audience than the monthly Pulse.
- Consideration of the establishment of a LGAT Facebook page to enable community facing promotion of Local Government as well as sharing of council activities and achievements.
- An increased focus on the LGAT website and [LGAT Advocacy Webpages](#) in particular as the key source of content to be concurrently promoted to members and stakeholders via other channels including the newsletter, Linked In and Twitter.
- Increased development of Opinion Editorials (for the three major newspapers, but also key regional/community papers). While these platforms have a much broader reach than LGATs, it also allows the “re-purposing” of the content for LGAT channels.
- Increased utilization of the Teams environment for promoting LGAT content.
- Removal of the LG Tas Noticeboard, with current content to be better distributed via other identified channels; and
- Cease production of LG Tas as a result of its decreasing readership.

In addition, LGAT will review the current [Better Councils Better Communities webpage](#) to determine the most effective way to promote the role of Local Government and council achievements.

### **Media Monitoring**

Previously, LGAT had been undertaking manual media monitoring of sector issues and achievements and providing daily updates to GMC members as requested. Media monitoring is useful to stay abreast of current and emerging issues and community concern, as well as being an indicator of our advocacy voice. LGAT found manual media monitoring to be inefficient, as well as presenting challenges for our organisation in terms of resourcing and timely delivery. Potential copyright issues were also raised regarding sharing of articles.

LGAT is aware that most councils appreciate the benefits of media monitoring, however, the cost on an individual council basis has been prohibitive for most.

We have identified a shared cost model for media monitoring as a viable LGAT member service offering and, have recently undertaken trial media monitoring through Gerathy & Madison Media Monitoring, a local Tasmanian provider.

The trial brief included monitoring of the Mercury, Examiner and Advocate, Tas Business Reporter, Tas Country, Glenorchy Gazette, Eastern Shore Sun, Hobart Observer, Kingborough Chronicle and Brighton Community News. Both LGAT staff and the GMC were very happy with the results of the trialled service.

LGAT has negotiated a proposal with Gerathy & Madison Media for delivery of a sectoral media monitoring service, based on a heavily discounted monthly retainer. The monthly retainer cost will be shared across all participating councils, providing a substantial saving on what those councils previously using the service were paying. Councils would then only pay additionally for the content they receive based on individual print, radio and tv clips, as defined by their individually set search terms.

Immediate savings have been made by councils already undertaking professional media monitoring by switching to the LGAT shared model.

Councils that currently undertake manual media monitoring, would see realised savings through a reduction in the staff costs currently committed to the task. LGAT has presented the proposal to General Managers and we are currently collating interest.

### **Budget Impact**

Being undertaken within current resources

### **Current Policy**

Strategic Plan

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

## **4.9 LGAT PERFORMANCE AND IMPROVEMENT SURVEY**

**Contact Officer – Dion Lester**

### **Decision Sought**

**That Members participate in the LGAT Performance and Improvement Survey.**

### **Background**

LGAT invites you to participate in our Performance and Improvement Survey to guide how LGAT undertakes its work on behalf of all Tasmanian councils – see link [here](#).

We appreciate how tedious online surveys can be, so our survey has been refined to focus on getting your feedback on only 2 key things - our performance and the key areas we should be focussing on over the next 12 months. In addition to the online survey, we plan to undertake targeted discussions with a selection of Elected Representatives and staff from the sector over the coming months. If you would like to talk to us, please provide your contact details [here](#) – we would love to hear from you!



LGAT is taking this new approach to assessing its performance and improvement for a variety of reasons, including:

- **Sample** – Councils’ response rate and engagement with our performance and improvement surveys has declined in recent years. LGAT anticipates that a mixed method approach will improve sampling (size and representation).
- **Data** – The survey questions are exclusively qualitative to bring depth of understanding to our assessment. The targeted discussions in particular, will allow LGAT to delve into Member’s interests.
- **Continuity** – The approach being taken has been designed as an ongoing process enabling LGAT to gather performance feedback throughout the year to track how we are going and the key interests of Members.
- **Simplification** – The questions have been stripped back to focus Members on how LGAT has done (performance) and where they think LGAT should be heading in the next year (strategy/direction).

The process of assessing LGAT’s performance and improvement has commenced to inform our existing activities/operations but also our strategic planning process later this year.

Please promote the opportunity to provide feedback to both Elected Representatives and other relevant staff so that we can continue to improve and adjust our service to our Members.

### **Budget Impact**

Being undertaken within current resources.

### **Current Policy**

Strategic Plan

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

#### 4.10 LGAT EVENTS UPDATE

Contact Officer – Miriam Rule

##### Decision Sought

**That Members note the report on LGAT events.**

##### Background

LGAT continues to provide professional development, training and events offerings within the boundaries of COVID-19 restrictions.

In December 2020 LGAT expanded the General Meeting to incorporate conference elements in response to cancelling the Annual LGAT Conference due to COVID-19 impacts. This one-day event provided opportunities for professional development, member engagement and importantly, in person networking following a challenging year.

The one day program included:

- Keynote speakers: Mitch McPherson, founder of SPEAK UP! Stay ChatTY! And Katy Cooper from Disruptive Co;
- A council symposium; and
- Social and networking opportunities including the Commonwealth Bank Conference dinner.

Although a smaller program with limited sponsorship opportunities, LGAT was pleased to fill all openings. The proceeds from the Coffee Corner raised over \$1100 for the nominated charity - SPEAK UP! Stay ChatTY!

The smaller Conference program provided the opportunity to seek feedback on a reduced Conference format going forward. LGAT is currently evaluating the possibilities of offering a 1.5 day program for the Annual LGAT Conference scheduled in August this year at Wrest Point Convention Centre in Hobart.

##### **Elected Members Weekend Professional Development Weekend 2021**

This event was held in Launceston on Saturday 20 and Sunday 21 February. The weekend provided a valuable networking and professional development opportunity for Elected Members and was well attended.

Feedback from attendees was extremely positive, noting the relevant and interesting agenda and quality speakers including:

- Mathew Healey, Local Government Division update;
- Richard Gerathy, Community Engagement;
- Gerald Monson, Latrobe/Kentish Councils - The benefits of shared services;

- Peter Carr, City of Hobart – Digital Innovation opportunities for Local Government;
- Professor Roger Hughes, University of Tasmania – Councils’ role in health and wellbeing now and into the future;
- Mike Lollback, LGAQ – The importance of councils increasing their role in supporting community resilience; and
- Sophie Calic and John Fisher, City of Hobart – City of Hobart’s bush fire preparation and Resilient Hobart.

### **International Women’s Day 2021**

LGAT, TasCOSS and the Tasmanian State Service are hosting the International Women’s Day cross sector awards program. This year we were pleased to have Local Government Professionals Australia Tasmania join the event committee.

Our sector is well represented in the awards, with 11 nominations received. Tasplan have committed \$6000 of sponsorship to the award recipient winners (\$1,000 per recipient) and provided trophies.

Our 2021 event Scheduled for 4 March, will be online to ensure maximum attendance for this traditionally well attended event, noting COVID-19 restrictions on venue capacity. An additional benefit of an online event is that it enables state-wide access. We are pleased to advise that our guest speaker is 2021 Australian of the Year Grace Tame. The event will also include the announcement of the awards winner and the awards categories include:

- Tasmanian State Service: Inspirational Leader
- Tasmanian State Service: Aspiring Leader
- Community Services Industry: Inspirational Leader
- Community Services Industry: Aspiring Leader
- Local Government: Inspirational Leader (Elected Representative)
- Local Government: Inspirational Leader (Officer)

### **Mayors’ Professional Development Day - 11 March**

The Mayors’ Professional Development day is scheduled for Thursday 11 March at the paranapple convention centre in Devonport. Key presentations include The Hon. Mark Shelton MP, Minister for Local Government and Dr Kathy Alexander, a stakeholder engagement and Local Government specialist.

## **Upcoming Events – First Quarter 2021**

### **LGAT Emergency Management Forum – 27 April**

LGAT is in the process of organising an Emergency Management Forum for Municipal Emergency Management Coordinators and Recovery Coordinators. This is scheduled to be held in Campbell Town on the 27 April. The event is in the planning stage with details being finalised in the coming weeks. Information will be sent to councils.

### **The Health and Wellbeing Project One Day Workshops – April (North and South)**

As part of LGATs Local Government Community Health and Wellbeing Project we are currently in the process of organising two one day Health and Wellbeing workshops, to be delivered in Devonport on 20 April and in Hobart on 22 April.

The workshop agenda will include Professor Roger Hughes (UTAS) reporting on the Health and Wellbeing Workforce Project and John Kirwan CEO of Royal Flying Doctors Service who will also be speaking at dinner following the workshops. Further information will be sent to council officers in the coming weeks.

### **General Managers Workshop – April 29 and 30**

Planning is being finalised with information to be released in the coming weeks.

## **Events on the Horizon**

### **Local Government Act Review**

LGAT is working with the Local Government Division on a program to provide information on the new Local Government Act.

### **Budget Impact**

Being undertaken within current resources.

### **Current Policy**

#### **Strategic Plan**

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

#### **2020 – 21 Annual Priority**

- Support the sector through the next stages of Local Government reform;
- Support councils' role in community health and wellbeing;
- Continue to support Members' professional development; and
- Support councils' recovery efforts from COVID-19.

## 4.11 POLICY UPDATES

Contact Officer - Ben Morris

### Decision Sought

**That Members note the policy updates which provide a brief overview on a range of matters.**

### Planners Meeting

At the request of two councils, LGAT organised and facilitated a statewide, online meeting on 11 February of council planners to reflect on the Local Provisions Schedules (LPS) process so far and to learn from the experience of councils who have been through the panel hearings process.

The meeting was attended by 15 council planners or consultant planners engaged by councils preparing LPSs. As a peer-learning experience, attendees were able to claim CPD point recognition from the Planning Institute of Australia. The session was recorded and is available on the LGAT Planning & Development collaboration forum<sup>4</sup>.

LGAT will continue to support the sector by creating opportunities for council professionals to connect with and learn from the experiences of their peers at other councils.

### LGAT Permit Authority Meetings

Consumer, Building and Occupational Services (CBOS) stopped running their Permit Authority Forums in mid-2019 and have had limited or no provision of training opportunities specific to Permit Authorities. This has left Permit Authorities with very limited opportunities for earning the mandatory 12 Continuing Professional Development (CPD) points per annum. This has also reduced the opportunity for group learning and interaction with peers, or with CBOS.

To address these issues, LGAT has initiated LGAT Permit Authority Meetings to provide a forum for learning from peers in other councils and an avenue to inform LGAT's ongoing advocacy to the Tasmanian Government on building matters experienced by councils and Permit Authorities.

The first LGAT Permit Authority Meeting was delivered online on 3 February and was well attended by 56 people from Permit Authorities across the state. The meeting included guest speaker Mr Peter Graham, Director of Building Control who presented on building matters. The meeting was recorded and is available on the LGAT Permit Authorities collaboration forum<sup>5</sup>.

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<sup>4</sup> To join the forum, council planners can submit their details using a valid council email address here: <https://forms.office.com/Pages/ResponsePage.aspx?id=sZtNWRPDKGXP7MTS5RjD62ufiZJVCxLmIUuQWkPP1UMkE1UkRDSzU0TlNLNktVSzcyMk9RVU9XS4u>

The two-hour meeting delivered the opportunity for attendees to earn two CPD points. It is intended that LGAT will run statewide, online Permit Authority Meetings, twice a year. We also support contributors from councils to initiate similar regional, in-person meetings, also twice per year. This approach, collaboratively delivered, should support opportunities to earn up to eight CPD points per year and substantially alleviating the dearth of relevant training opportunities for Permit Authorities since CBOS's cessation of their Forums. In addition to the sector support LGAT will provide, we will also use these forums to keep abreast of sector-wide issues and as a basis for advocacy to the Tasmanian Government.

### **Recreational Camping and Fishing Infrastructure**

LGAT engaged with the Local Government Division on the Guidelines for the Recreational Camping and Fishing Infrastructure grants. Our feedback has helped shape the guidelines to ensure the sector is able to access as much as possible of the available funding. The grants are federally funded with \$800,000 to be allocated by the end of April 2021.

## **4.12 LGAT ANNUAL PLAN \***

**Contact Officer – Dion Lester**

### **Decision Sought**

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

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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<sup>5</sup> To join the forum, council Permit Authorities can submit their details using a valid council email address here: <https://forms.office.com/Pages/ResponsePage.aspx?id=sZtNWrEPDkGXP7MTS5RjD62ufiZVCxLmIUuQWKkPP1URTJWSjc5UjJWUVYzTVc1ODRFSk5NSIE0Vy4u>



Local Government Association Tasmania

**GENERAL MEETING**

# **MINUTES**

**Wrest Point  
Hobart**

**Thursday 3 December 2020**

**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 Representative	Colour placard to be raised by the Voting Representative 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.



## **Schedule**

9.15am	Coffee on arrival
9.30 am	General Meeting Commences
12.30pm approx.	Lunch - Sponsored by JLT Public Sector
1.30	Mini Conference Commences

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\* DENOTES ATTACHMENT

The President, Mayor Christina Holmdahl welcomed Members and declared the Meeting open at 9.00am.

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

Apologies were received from –

Mayor Albert van Zetten	City of Launceston
Mr Michael Stretton	City of Launceston
Mrs Lyn Eyles	Central Highlands Council
Lord Mayor Anna Reynolds	City of Hobart
Mr John Jordan	Meander Valley Council
Mr Tim Watson	Dorset Council
Mr Greg Ingham	Glamorgan Spring Bay Council
Mr Tony McMullen	Glenorchy City Council
Mayor Tim Wilson	Kentish Council
Mr Paul West	Kentish/Latrobe Councils
Mayor Julie Arnold	King Island Council
Mr Greg Alomes	King Island Council
Mayor Annie Revie	Flinders Council
Mr Warren Groves	Flinders Council

## **1 MINUTES \***

**Circular Head Council/Tasman Council**

**That the Minutes of the General Meeting held on 11 September 2020, as circulated, be confirmed.**

**Carried**

The Minutes of the Meeting held on 11 September, 2020, as circulated, are submitted for confirmation and are at **Attachment to Item 1.**

## **2 CONFIRMATION OF AGENDA & ORDER OF BUSINESS**

**Circular Head Council/Tasman Council**

**That the agenda and order of business be confirmed.**

**Carried**

Members are invited to confirm the agenda and order of business as presented.

## **3 PRESIDENTS REPORT**

**Circular Head Council/Tasman Council**

**That the Meeting note the report on the President's activity from 22 August to 30 October, 2020.**

**Carried**

### **Media and Events**

- Media Release - CEO Departure
- Media Release - CEO Appointment
- Letter to editor (Mercury) – Asset Management and COVID response.
- Pulse articles
- Annual Report
- LG Tas
- Letter to Minister re Charitable Rates

## **Meetings**

- LGAT General Meeting
- Mayors Professional Development
- Minister Shelton (re rating and Code of Conduct)
- Charitable Rating Exemptions Steering Committee meetings
- General Management Committee zoom meetings
- Performance Review Committee re CEO Appointment
- Devonport, Central Coast, Break O Day and Sorell Council visits.
- ALGA Board
- Regular discussions CEO

## **Upcoming Meetings**

- ALGA Board and AGM
- Premier's Local Government Council
- General Management Committee
- General Meeting and mini conference

## **4 CEO'S REPORT**

### **Circular Head Council/Tasman Council**

**That the Meeting note the report on the CEO's activity from 22 August to 30 October 2020.**

**Carried**

## **Policy, Projects and Presentations**

- Elected Member inquiries
- New role for LGAT supporting councils in relation to TasWater ownership including pre ORG zoom meetings and establishment of Expert Advisory Group
- Submission to the Legislative Council Select Committee Inquiry into the operations of Taswater
- Work on Long Service Leave provisions to input into Act Review
- Secured nominations for PESRAC consultation groups

## **Media**

- Resignation
- Shared Statement on Recovery
- TasWater submission
- Dog Control
- Pulse
- LG Tas
- Annual Report including video

- TasWater Owner Representative Meetings, Pre Meetings and Expert Advisory Group Meeting

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

- General Meeting
- General Management Committee (meetings plus two out of session items)
- Mayor's Workshop
- Preparation for GM's workshop
- Monthly webinars
- Input to State Service Review
- Devonport, Central Coast, Meander Valley, Break O Day and Sorrell Council visits
- Minister Jaensch re PESRAC/Budget submission esp Planning Hub
- ALGA CEO Meeting
- Local Government Legislative Review Steering Committee
- Local Government Division/Director LG regular catch ups.
- Local Government Division re Code of Conduct
- Code of Conduct Hobart forum
- Briefing on bushfire mitigation Bill
- Charitable Rates Steering Committee
- Communities Tas re Child and Youth Wellbeing Strategy
- MAV Insurance Board
- MAV Insurance Online Best Practice Forum
- LG Professionals Tasmania Board Meeting and AGM

#### **Operations**

- Event Planning and preparation
- Regular staff meetings
- Completion of LGAT annual audit
- Support to GMC re recruitment of new CEO.

## **5 BUSINESS ARISING \***

### **Circular Head Council/Tasman Council**

**That Members note the following information on business arising.**

**Carried**

At **Attachment to Item 5** is a schedule of business considered at the meetings held on 11 September 2020 and the status thereof.

**6 FOLLOW UP OF MOTIONS \***  
**Contact Officer: Dion Lester**

**Circular Head Council/Tasman Council**

**That the Meeting note the report detailing progress of motions passed at previous meetings and not covered in Business Arising.**

**Carried**

**Follow up on outstanding motions**

A matrix indicating progress to date on motions passed at General Meetings, which remained outstanding at the last General Meeting, is at **Attachment to Item 6.**



## **7 ITEMS FOR DECISION**

### **7.1 LGAT Future Role in Emergency Management Contact Officer – Georgia Palmer**

#### **Central Coast Council/Devonport City Council**

**That Member Councils agree to LGAT having an emergency response role when there is a significant state-wide impact as a result of an emergency event and the State Control Centre (SCC) is activated by the State Emergency Management Controller.**

**In these circumstances, LGAT's principal function will be as a Local Government Liaison Officer embedded in the SCC.**

**Carried**

#### **Background**

LGAT's role in emergency management has traditionally focused on advocacy. This has included providing advice and coordinating input into State Government emergency management policies and legislative reviews as well as advocating for funding to support Local Government capability and capacity building.

Local Government is recognised as a key partner in emergency management. This is recognised in the legislation, management, administrative and governance structures in Tasmanian emergency management doctrine. Each council has a Municipal Emergency Management Coordinator (and Deputy) who play a significant role at both the municipal and regional level.

The CEO of LGAT is a standing member of the State Emergency Management Committee and LGAT and Local Government representatives have formal positions on many state level committees, advisory and working groups. This includes the State Fire Commission and the State Fire Management Council.

Due to the state-wide nature of the COVID-19 pandemic and the significant impact on Local Government, LGAT was invited to provide a representative as a Liaison Officer, to work within the SCC.

This position, along with other LGAT staff, provided the following services to Local Government.

## **Advocacy**

- Advocated to the Federal Government regarding JobKeeper and impact on regional airports;
- Advocated on Local Government matters to be covered in the *COVID-19 Disease Emergency Act 2020* and subsequent notices;
- Met with the Tasmanian Audit Office to discuss the pandemic impact on councils' future financial performance;
- Met with the Premier and Minister for Local Government and ensured regular Ministerial engagement with Members;
- Direct advocacy to SCC Policy and Public Health on the practicality of potential directions, where they impacted council activities; and
- Advocacy on the role of Environmental Health Officers in compliance of COVID-safe plans.

## **Council Support**

- Provided templates and council support in preparing Pandemic Plans and Business Continuity Plans, including one on one work with a number of councils to support them in preparing plans;
- Distributed information including updates from the Public Information Unit (PIU) and Premier's daily update;
- Responded to numerous council specific requests on interpreting Public Health notices at the local level;
- Presence in the SCC as Liaison Officer and coordinated council specific queries to SCC policy;
- Collected and collated information on relief measures, financial and staffing impacts for a regularly updated publication of relief measures by council;
- Developed a COVID webpage, a central point of information on our website for members and for others seeking information about how councils were responding to COVID-19 by implementing a range of relief measures;
- Developed tools such as a model hardship policy, commercial ratepayer hardship policy, template hardship application, remote meeting and returning to face to face meetings guidelines;
- Provided regular advice on a range of matters to Mayors, General Managers, Communication Officers, Environmental Health Officers and Municipal Coordinators;
- Support in development of and sharing Safe Business Plans;
- Advocated to the Federal and State Governments around funding, policy, legislation and recovery;
- Supported state-wide advertising around rates payments to councils.

- Sought to build recognition of the support councils are providing through our publications, op eds, letters etc; and
- Contributed to the development of state-wide messaging through PIU engagement based on Local Government community knowledge and insight.

Feedback from the sector on LGAT's support for the sector during COVID has been overwhelmingly positive. The position in the SCC, the connections at the state level and the ability to get sector-specific advice in a timely manner was valued. The resourcing implications of this support on LGAT was significant, however, given the substantial impact of this emergency on the sector it was deemed to be an important role for the organisation.

In recognition of the success of the approach, it is proposed that the role of a Local Government Liaison Officer in the management and coordination of future state-level emergency events should be formalised. This proposal has been informally discussed with several Tasmanian Government emergency management stakeholders and initial indications are supportive of the proposal, should members agree to the motion.

Formalisation of the role of LGAT in the SCC would need to be through an update to State Control Centre Guidelines, which will be reviewed following COVID. These guidelines will be endorsed by the State Emergency Management Committee. It is essential that this role complements and supports the role of Municipal Emergency Management Coordinators and that overlap and duplication is avoided. It should be noted that there may be other situations where the sector requests LGAT support in response to significant emergencies where LGAT's state level networks can support the sector from an operational or response perspective.

#### **Budget Implications**

Does not apply.

#### **Current Policy**

Strategic plan

Facilitating Change

## 8 ITEMS FOR NOTING

### 8.1 PESRAC Update Contact Officer – Dion Lester

**Break O'Day Council/West Tamar Council**

**That Members note the update on the Premiers Economic and Social Recovery Advisory Council (PESRAC) Activities.**

**Carried**

#### **Background**

The Premier's Economic and Social Recovery Advisory Council (PESRAC) is set to start collecting further information from Tasmanians for its Final Report due early next year. This will involve a series of scenario-based workshops with selected stakeholders. The aim of the sessions is to identify new ideas from a diverse group of people on the impacts and opportunities that different possible COVID-related paths might provide for Tasmania's recovery.

LGAT was invited to nominate six Local Government officers/elected members to participate in two groups, one looking at Community Development and one at the Circular and Blue Economies and Energy. At time of writing we had been advised that one of our nominees had been appointed to the Community Development group.

There will also be regional workshops to run through the feedback from the scenario workshops to ensure a regional perspective is captured. A number of Local Government representatives will be invited to these workshops.

The other key engagement platform being used by PESRAC, is an online public consultation survey, which LGAT has distributed to council communication managers and has promoted through the Pulse.

Here's how you can take part:

- Fill in The Tasmania Project survey at: <https://www.utas.edu.au/tasmania-project>
- Or get help to complete the survey by phoning 6226 7542
- Contribute to the PESRAC Ideas Box at [www.pesrac.tas.gov.au/recovery\\_ideas](http://www.pesrac.tas.gov.au/recovery_ideas)

Submissions close 22 November, 2020.

#### **Budget Impact**

Being undertaken within current resources.

## **Current Policy**

### **Strategic Plan**

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

## **2020 – 21 Annual Priority**

Support councils' recovery efforts from COVID-19.

## **8.2 Charitable Rates**

**Contact Officer – Katrena Stephenson**

### **Break O'Day Council/West Tamar Council**

**That the Meeting note a verbal update will be provided to the Meeting.**

**Carried**

## **Background**

At the September General Meeting Members agreed:

*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.*

The Steering Committee have put a transition proposal to Government and at the time of writing, are awaiting feedback.

## **Budget Implication**

Allowance is made to progress this within the budget.

## **Current Policy**

### **Strategic Plan**

- Promoting financial sustainability

## **2020 – 21 Annual Priority**

Priority 2: Support the sector through the next stages of Local Government Reform

### 8.3 Parliamentary Inquiries – TasWater \* Contact Officer – Katrena Stephenson

#### Break O'Day Council/West Tamar Council

**That Members note the report on activity related to TasWater.**

**Carried**

#### **Background**

At the September 2020 General Meeting, 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.

The following resolutions were made:

1. 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.
2. 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.
3. That LGAT support the COR by facilitating council only engagement prior to the ORG Meetings.
4. 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.

Since September, LGAT has facilitated two zoom meetings of Local Government owners prior to the TasWater Owner Meeting, called for nominations and established an Expert Advisory Group.

That Group has had one meeting and agreed Terms of Reference (refer **Attachment to Item 8.3**) and additionally commissioned a review of the TasWater Annual Report against the Shareholder Letter of Expectations. This report, which has been circulated to Owners, found that there were no significant omissions from the Annual Report, identified some areas where there may be a value add to the Report and clarified that the Annual Report is not the sole document that would identify compliance with the SLE. A number of questions for TasWater were identified which will be progressed at the next Owner Meeting. LGAT also facilitated a

meeting between the Civil Contractors Federation and Local Government TasWater Owners.

Finally LGAT, with the Chief Owner Representative, made a submission to the Legislative Council (refer **Attachment to Item 8.3**) and will be appearing on that in early November.

#### **Budget Impact**

Not currently budgeted for.

Will be included in next year's budget as a special project.

#### **Current Policy**

Strategic Plan

Fostering collaboration

Promoting financial sustainability

Developing capacity and capability to deliver

### **8.4 21<sup>st</sup> Century Councils**

**Contact Officer – Dion Lester**

**Break O'Day Council/West Tamar Council**

**That Members note the progress on the 21<sup>st</sup> Century Councils Project.**

**Carried**

#### **Background**

The 21<sup>st</sup> Century Councils Project looks at whether Tasmanian councils are best orientated to service the needs of modern Tasmanian communities. The Project started with a qualitative session ("kitchen table") at the December 2018 General Meeting, which focussed on three key questions:

1. What are the current issues/weaknesses in how we deliver Local Government services?
2. How could we address these?
3. How should we progress the conversation about the future with the sector more broadly?

Several key themes (e.g. resources, services/facilities, standards, and identity) were identified as a result of this session. As a means of progressing the analysis the following framework was endorsed:

1. Summary Paper – Review of the issues, pressures, and challenges facing Local Government.
2. Member Engagement – To reveal a shared understanding of sectoral values and beliefs.

3. Stakeholder Engagement – To build on member engagement and inform a reform agenda.
4. Pilot Projects – To test change ideas that align with findings from the above.

The summary paper, member and key stakeholder engagement are now complete and will be available for viewing on the 21<sup>st</sup> Century Councils page on the LGAT website soon.

The last of these, the stakeholder engagement was delayed as a result of COVID – 19 but was recently completed, with some very valuable feedback for this project and more generally received from 11 different stakeholder groups. The information and insights provided are extremely valuable and point to some easy wins for the sector in terms of more active engagement with particular stakeholders.

A summary of the key stakeholder group consultation findings is presented below:

- Planning was of particular concern to stakeholders specifically, the inherent conflict between council's role as a Planning Authority and community advocate/representative and difficulty in navigating the planning process.
- Financial sustainability, including the issue of rating equity and the need for strong local advocacy were also of concern.
- Another perceived weakness related to both shortages of skilled staff in some areas and the issue of elected members needing to undertake relevant skills training.
- Service levels and infrastructure needs, both new and renewal, were also identified in terms of outcomes that stakeholders felt councils need to provide greater attention to.
- The issue of advocacy was a common thread in the stakeholder responses. Many saw the capacity of councils to advocate on behalf of their communities as a great strength of the sector.
- Many also noted the strong links councils have to their communities, including a sound understanding of their community's needs.

Of the stakeholder groups represented, nearly all were appreciative of the sectoral links they have and were keen to continue to be consulted by both LGAT and individual councils.

The degree of commonality between stakeholder responses was quite high given the diversity of the groups participating.

It is expected that the key themes and opportunities emerging from this work will inform LGATs next strategic and annual plans (due for updates in 2021) and also a series of discrete activities and advice to the sector. A summary paper capturing the findings will be complete



in coming weeks and distributed to the sector as a means of stimulating discussions on next steps.

Importantly, the effort and feedback provided by the key stakeholders was invaluable and as such LGAT will continue to engage these groups as our resulting work program takes shape to ensure it is understood that we are taking the feedback received seriously and to foster a culture of direct and open engagement between the sector and these groups.

### **Budget Impact**

Currently being undertaken within current resources, however dedicated further investment may be required depending on next steps.

### **Current Policy**

#### Strategic Plan

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

#### 2020 – 21 Annual Priority

- Support the sector through the next stages of Local Government reform

## **8.5 Planning**

**Contact Officer – Dion Lester**

### **Break O'Day Council/West Tamar Council**

**That Members note the report on planning reform and the red tape reduction agenda and proposed advocacy priorities for the next two years.**

**Carried**

### **Background**

The focus of the State Government's planning reform agenda has primarily been on delivering the Tasmanian Planning Scheme (TPS) and more recently, led by Minister Ferguson, on "Red Tape Reduction". With 27 councils having submitted their Local Provision Schedules to the Tasmanian Planning Commission, the State Government is ready to move to the next, and all important, stage of planning reform. This will involve development of the Tasmanian Planning Policies (TPPs), some minor improvements to how the Regional Land Use Strategies (RLUSs) are interpreted (as a short-term fix to some highlighted bottle necks). Then, when resources

allow, a comprehensive review of the RLUSs will be undertaken. This is likely to commence in late 2021 or early 2022.

LGAT has been consistently advocating for work to commence on the strategic end of our planning system and it appears we are finally about to realise this. However, the main pressure point for Local Government is associated with the RLUSs and although it is appropriate that substantial progress is made on the TPPs first, it is frustrating that a full review is still some time off,

The State Government's second tranche in the 'red tape reduction' agenda was tabled in Parliament in early October with LGAT successful in effecting a number of significant changes to the Bill in response to Member concerns. Key advocacy outcomes achieved to the benefit of Local Government included:

- Removing invoicing restrictions for councils with Strata Titles and subdivisions;
- Streamlining the council process for signing off permit conditions imposed by third party regulators;
- Extending a number of the proposed timeframes within the Bill across areas of Strata Titles and subdivision title sign off;
- Increasing the assessment timeframe for councils determining if an application requires referral to the EPA; and
- Amendment to increase the evidence requirements for Sealing of Plans for Strata titles and subdivisions.

The State Government is considering a third tranche of reforms to be progressed in 2021, with a commitment made to continue to work with LGAT and the sector on ensuring the proposed reforms are both fit for purpose and cognisant of Local Government views.

### **Priorities for 2021 / 22**

Given the likely shift in focus of the State Government next year to the development of the TPPs and RLUSs, it is timely for LGAT to revisit our planning reform priorities with members.

Our proposed advocacy focus for next year and into 2022 includes:

1. Timely commencement and progress on the TPPs;
2. Appropriate engagement, and strong collaboration, with Local Government on the development of the TPPs;
3. Commencement of the background investigations necessary to inform a review of the RLUSs;
4. A comprehensive review of subdivision legislation (*Local Government Building and Miscellaneous Provisions Act*);
5. Active support for the implementation, and where necessary amending, of the Tasmanian Planning Scheme; and

6. Scrutiny of the Resource Management and Planning Appeal Tribunal process and decision making, particularly as it relates to the awarding of costs and instances where the Tribunal may be deviating into policy setting.

Members are invited to discuss these priorities and raise other areas of concern for LGAT to address related to planning reform.

#### **Budget Impact**

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

#### **8.6 Waste and Resource Recovery Contact Officer – Dion Lester**

**Break O'Day Council/West Tamar Council**

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

**Carried**

#### **Background**

Since the September General Meeting the State Government's focus has been on 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. The investigation includes:

- An assessment of the impact on various sectors of the economy of a landfill levy;
- Consideration of levy rate options and options for stepping up; and
- Suggesting a target rate that would achieve an optimal balance between the policy objectives and the cost impacts on the community as a whole.

We understand that the Government is currently considering the draft study, with it likely to be released as part of a broader consultation package later this year in advance of the Government preparing legislation on the levy and statewide governance arrangements.

In recent weeks, LGAT's Policy Director has been participating on the Minister for Environment's Waste and Resource Recovery Advisory Group, with a focus on providing advice on the most appropriate Governance arrangements for a CRS in Tasmania. In essence the choice for Tasmania boils down to following the NSW or QLD/WA adopted models.

The final Waste Action Plan may not be released until the 2021/22 State Budget. However, there is a high probability that it will contain a number of initiatives/projects that LGAT/Councils can begin preparing for now. On our assessment these will include:

- A Waste and Resource Recovery Infrastructure Plan;
- A Statewide Organics Strategy;
- Consideration of single use plastics; and
- Increased support or coordination of education activities.

LGAT has commenced background work on a number of these items, with a particular focus on how Local Government can best be positioned to influence the policy outcomes. We have recently sought feedback on a number of these areas from the LGAT Statewide Waste Action Plan Reference Group. Once this feedback is received, we will commence broader consultation with the sector.

### **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

## 8.7 Infrastructure Contributions Survey

Contact Officer – Michael Edrich

### Break O'Day Council/West Tamar Council

**That Members note the investigations underway on infrastructure contributions and the current survey seeking council feedback to inform the development of a sector position.**

**Carried**

### Background

Further to the report on infrastructure contributions (a.k.a. developer charges or headworks charges) for the July 2020 General Meeting in relation to a motion on TasWater's position on headworks, LGAT anticipates future interest and policy work from the Tasmanian Government into infrastructure contributions, so we have begun work investigating legislated infrastructure contributions regimes around Australia. LGAT has also released a survey seeking member council feedback on infrastructure contributions; please follow this link to contribute -<https://www.surveymonkey.com/r/92NPPK3>.

Prior to the COVID-19 pandemic border restrictions, Tasmania experienced a string of years of high population growth and urban development, and some indications suggest this growth may resume again once travel restrictions are lifted. However, each development, subdivision and land use intensification incrementally contributes demand and pressure on the infrastructure networks it relies upon, from roads and water supply, to stormwater networks and water quality, as well as community facilities, parks and public open space. To keep pace with development, infrastructure management authorities such as councils must not only plan their infrastructure ahead of time but also find the finances to resource its delivery.

Good development practice requires that developers connect their new developments to existing infrastructure networks and pay to extend any infrastructure networks required to service it, but the cumulative demand will eventually mean that more substantial infrastructure upgrades will be needed at some point to provide sufficient capacity. Without a well-thought out financing mechanism, this can mean that development is held up until the major upgrade can be financed, or the developer must pay for the upgrade to facilitate the development. It can also mean that councils are left to lean on general revenue (i.e. rates) to subsidise local growth, which can impact financial sustainability and cut into local services.

Infrastructure contributions are a key mechanism for supporting local growth and development, which is why every other Australian jurisdiction has some form of state-legislated contributions system. Infrastructure contributions schemes allow infrastructure managers to levy the infrastructure costs of development at the time and place of infrastructure demand, rather than facing pressure to raise rates and slowly recoup these

costs over the long term. Indeed, many jurisdictions continue to review and improve their contributions schemes and legislation, there are no known attempts or movements to roll back infrastructure contributions regimes due to their ability to mobilise infrastructure that supports development and growth.

However, Tasmania lacks a comprehensive and consistent infrastructure contributions policy. Because of this, LGAT is seeking member views on infrastructure contributions in the survey above, with a view to informing a sector position on a statewide infrastructure contributions regime early next year.

Members will be aware that TasWater has also been reviewing its approach to developer charges as part of its fourth Price and Service Plan (PSP4, 2021-2025). TasWater has commissioned Marsden Jacob Associates to prepare an assessment of options, undertaken detailed stakeholder engagement, and is considering three main options for infrastructure financing:

- 1) The status quo, which lacks contributions for major capacity upgrades;
- 2) 'Shared external costs', where developers would not be charged, but the infrastructure costs of supporting development would be collected from water customers who would be charged more on regular water bills to finance major upgrades; or
- 3) 'Enhanced status quo', where a standardised contribution would be levied on development.

These options and their implications for infrastructure management and delivery are worth reviewing as examples to inform Local Government's position on infrastructure contributions.

### **Budget Impact**

Being undertaken within current resources.

### **Current Policy**

#### **Strategic Plan**

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

#### **2020 – 21 Annual Priority**

- Influence the planning and red tape reduction reform agendas
- Support councils' infrastructure planning and financial arrangements

**Break O'Day Council/West Tamar Council**

**That Members note the report in relation to Energy and the potential for savings through LGAT services.**

**Carried**

**Background**

LGAT continues to actively identify opportunities for councils to save money on energy with a few opportunities recently being provided to councils for consideration.

**Council Small Sites Grouped Tender**

The wholesale energy market is currently at an all-time low. This presents a potential opportunity for councils to form a buying group to undertake a competitive tender for small electricity connections (NMIs) to examine the saving opportunities of moving to a market contract over the standing offer tariff, which most councils are operating on at the moment.

LGAT undertook an expression of interest process to select a supplier who could undertake this tender process for councils. Tasmanian Energy Brokers were identified as the preferred supplier and will provide the service to councils through a broker arrangement.

Councils can opt to participate in the process. There will be no obligation or cost of the service if a council does not opt to enter a contract. Councils will shortly receive correspondence outlining further details and key dates.

**LGAQ Energy Detective**

The Local Government Association of Queensland (LGAQ) have developed an energy detective product for councils which consolidates and corrects council energy consumption into a single interactive dashboard. The product enables councils to quickly identify actionable opportunities to make energy savings. In particular it:

- Identifies where there are opportunities to move to a different tariff to save money;
- Identifies problem assets and legacy assets where power is still connected but not being used;
- Compares energy use of assets within the council and across councils;
- Provides an NMI metric list to enable individual assets to be examined to a granular level; and
- Explores solar opportunities on each asset by examining KWH and average solar radiance.

The cost of this product is based on the council's energy consumption at \$0.00035 per kWh. This equates to about \$313 a year for a small council.

A briefing has been set up to provide councils with an overview of the product and consideration of investing in the product.

#### **Budget Implications**

Does not apply.

#### **Current Policy**

Strategic Plan

Promoting financial sustainability

2020-21 Annual Priority

Continue to expand the procurement program

### **8.9 Emergency Management** **Contact Officer – Georgia Palmer**

**Break O'Day Council/West Tamar Council**

**That Members note the report on Emergency Management.**

**Carried**

#### **Fire Service Act Review**

The State Government announced the review of the *Fire Services Act* and all subordinate legislation in 2018. An issues paper was released in June 2018, to which several councils and LGAT provided a submission. 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 Michael Blake has been working on the review since this time and was to provide an independent report to the Minister by 30 October, 2020.

Mr Blake met with several councils and LGAT as part of his consultation. He also convened targeted meetings with volunteers, the State Fire Management Council, the Minister, and steering committee members who represent various state agencies. Mr Blake met with LGAT to discuss his draft recommendations to the Minister. He did not provide a copy of his report.

It is not known whether the Minister will release the final report.



LGAT received significant commentary from the sector on the draft recommendations, which informed LGATs feedback to Mr Blake. The draft proposals made significant recommendations relating to the governance arrangements of emergency services, the funding arrangements for a new entity and the centralisation of SES volunteer units, amongst other things.

The key issue for the sector related to funding and the proposed increase to the fire services levy to fund the new entity. Of particular concern was that the levy should not constitute the majority of the base funding for emergency services and that the State Government needs to commit to this essential service through appropriation. The importance of ring fencing the levy through legislation was also key. The sector was generally supportive of centralisation of funding for SES volunteer units, contingent on agreement with councils regarding the transfer of assets prior to it being enshrined in legislation.

LGAT will continue to advocate for appropriate consultation on the next stage of the review.

### **Bushfire Mitigation Measures Bill**

The State Government recently released a draft Bushfire Mitigation Measure Bill for consultation. The aim of the bill is to enhance Tasmania's bushfire preparedness and to mitigate bushfire risk.

The key components of the bill include:

- To reinforce the duty of public and private landowners and occupiers to proactively manage bushfire risk on land they own and control;
- To streamline the bushfire mitigation plan approval process by creating a one stop approval process through the establishment of a bushfire mitigation measures panel; and
- To consolidate the framework for bushfire hazard reduction notices.

LGAT engaged with the sector on the Bill and at the time of writing we are drafting the sectoral response to the Bill.

Key issues raised by the sector included:

- The difficulty associated with commenting on the bill without the guidelines, standards and sub regulations which will provide much of the detail;
- The potential for the Bushfire Mitigation Plans to be misused for other purposes given the plans override other legislation;
- The lack of recognition of existing structures and activities such as the Fire Management Area Committees and the state vegetation fire management policy;
- The potential increased cost to councils in managing risk and in administration and enforcement of the Bill, particularly Bushfire Hazard Notices;

- The lack of protections offered to councils and its officers for work undertaken in enforcing the Bill;
- The lack of provisions to enable a council to cost recover as a result of actions under the Bill; and
- The membership and resourcing to support the new Bushfire Mitigation Measure Panel.

As part of the consultation councils were offered a briefing from the Department of Premier and Cabinet. A number of council officers took up this opportunity.

The next stage in the consultation on this Bill is the development of the guidelines. This is likely to be in December with public consultation in January.

The Bill is likely to be considered at an early sitting of Parliament next year.

#### **Budget Implications**

Does not apply.

#### **Current Policy**

Strategic plan:

Facilitating Change

#### **8.10 Road Safety \***

**Contact Officer – Katrena Stephenson**

##### **Break O'Day Council/West Tamar Council**

**That Members note the draft Safe System Guiding Principles for Local Government and provide any feedback by the end of January 2021.**

**Carried**

#### **Background**

The LGAT CEO is a member of the State Government's Road Safety Advisory Council (RSAC). LGAT, in looking at how to better engage Local Government on road safety, has adapted the *Safe System Guiding Principles for Local Government* for use in Tasmania with consent from Western Australian Local Government Association (WALGA), refer **Attachment to Item 8.10**.

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

Internationally, the safe system is recognised as current best practice in road safety. Safe system thinking is underpinned by the belief that all road related serious injuries and deaths are preventable and therefore no loss of life is acceptable.

Councils 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, and learn from past experience and experience of others.

**Table 1: Safe System Guiding Principles**

Local Government Managers and Elected Members demonstrate leadership by valuing and progressing the safe system approach.	Local Government builds capacity at all levels of the organisation to effectively implement the safe system approach.
Local Government integrates the safe system approach into corporate and strategic plans.	Local Government utilises and examines relevant data to monitor and evaluate road safety performance.
Local Government ensures that safe system policies and practices are proactive, and evidence based.	Local Government fosters shared responsibility, internally and in external partnerships, for the implementation of the safe system approach.

### **National Alignment**

The Australian Government will be launching a new 10-year Road Safety Strategy very early in the new year. It is very likely to have a strong focus on Local Government. The Australian Local Government Association has been strongly advocating issues facing Local Government and has also been part of the consultation process.

It has been suggested that it may be appropriate to launch the LG Guide alongside the National Road Safety Strategy after first ensuring the LG Guide is forward looking by incorporating the renewed focus on Local Government as reflected in the national strategy.

### **Next Steps**

1. To be presented to the November meeting of RSAC.
2. RSAC and State Growth to provide any feedback on the draft document.
3. LGAT to seek any feedback from councils, feedback is due by **end of January 2021**.
4. Consider any changes related to Australian Government Road Safety Strategy.
5. Finalise the document and launch in conjunction with the Australian Government's 10-year Road Safety Strategy being launched early in the New Year.

**Budget Implication**

Does not apply

**Current Policy****Strategic Plan**

Building Local Government's reputation

Fostering collaboration

Developing capacity and capability to deliver

**2020 – 21 Annual Priority**

Support councils' role in community health and wellbeing.

**8.11 LGAT Procurement**

**Contact Officer – Deborah Leisser**

**Break O'Day Council/West Tamar Council**

**That Members note the following update on procurement support for councils.**

**Carried**

**Background**

LGAT Procurement activities are going from strength to strength, with a focus on promoting the contracts to councils and connecting with suppliers who have agreed to provide goods and services to councils under the LGAT arrangements.

For example, LGAT recently delivered training sessions to the Waratah-Wynyard and Circular Head councils. These councils were provided with an introduction to LGAT Procurement's prequalified suppliers and panel arrangements and a demonstration of the request for quotation process using LGAT's e-procurement system, Vendor Panel. A similar session was delivered to TasWater procurement staff who are able to access the panels as a council owned entity. TasWater is now investigating the possible benefits of purchasing through some of the LGAT Procurement panels.

Further training was held for officers with an interest in civil works in October. This training looked specifically at the Roads, Water, Sewerage and Civil Works (BUS 270) contract including the contract documentation, how the contract has been working in other states, what the benefits are for councils, and how to use Vendor Panel to create a civil works request. A recording of the training is available on the LGAT Extranet - Procurement Page [here](#).

If your council would like to organise LGAT Procurement training, please contact either Deborah Leisser (6146 3741), Georgia Palmer (6146 3745), or Katelyn Cragg (6146 3753).

LGAT has also recently negotiated a new Plant Machinery Equipment (20091) arrangement in partnership with the Municipal Association of Victoria and LGA Procurement SA. The contract features the following categories of small plant and machinery:

- Compressors and generators;
- Elevated work platforms;
- Lawn mowers;
- Material handling equipment;
- Small engine equipment;
- All terrain and work utility vehicles;
- Tractors; and
- Other equipment and accessories

This contract can be found on Vendor Panel, alongside the National Procurement Network (NPN) Plant Machinery Equipment contract (which deals with large and heavy plant and machinery).

For more details on other arrangements which councils can purchase through and Vendor Panel access please contact our Procurement Team (details above).

#### **Budget Impact**

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

## 8.12 Strategic Asset Management Plan Training

Contact Officer – Michael Edrich

### Break O'Day Council/West Tamar Council

That Members note the success of the recent Strategic Asset Management Plan (SAMP) training.

Carried

### Background

To support councils in maturing their asset management practice and performance, LGAT developed and delivered, in partnership with the Institute of Public Works Engineers Australasia (IPWEA; national body), training for professionals in *Completing your Council's Strategic Asset Management Plan (SAMP)*.

The SAMP is a critical document for councils' financial and operational performance in managing infrastructure. It is a mandatory requirement of the *Local Government Act 1993* (Section 70B<sup>1</sup>), alongside a suite of documents that include the long-term financial plan (LTFP), financial management strategy, asset management policy, and asset management strategy. In fact, the SAMP connects to all these other documents, giving effect to the asset management policy, establishing the asset management objectives and how they will be achieved, and providing direction for asset management priorities and program development. Perhaps the most important functions of the SAMP are to inform the long-term financial plan and to explain the consequences of current budget allocations to decision makers. It is because of this central role between high-level/long-term strategy and immediate operational practice that the SAMP was selected as a primary focus for training and support.

The two-hour online training session was hosted on 22 September by LGAT and delivered by technical experts Allen Mapstone and Steve Verity at IPWEA. LGAT arranged for continuing professional development (CPD) recognition for both IPWEA and CPA Australia members. LGAT recorded 48 registrations and at least that number attending (several online participants were grouped in rooms of several people) from 19 councils, as well as from the Department of State Growth and the Tasmanian Audit Office.

Feedback from the session indicated that it was overwhelmingly well received with 93% in the 'good' (50%) to 'excellent' (43%) range and, 79% feeling that the training will help in the development of their council's SAMP (21% remained unsure, 0% disagreement). Statements of what was enjoyed about the training were more than double suggestions for improvements, reinforcing that the training hit the mark much more often than it missed.

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<sup>1</sup> See: <https://www.legislation.tas.gov.au/view/html/inforce/current/act-1993-095#HP7@HD2@EN>

Further engagement with member councils at a recent Tasmanian Asset Management Group meeting shows an appetite for future training sessions and short talks from experts, particularly around the LTFP, more on SAMP preparation, and asset management requirements of the *Local Government Act 1993*. LGAT is keen to explore further training opportunities that support Local Government performance in this area.

### **Budget Impact**

Training cost subsidised by LGAT from residual Tasmanian Local Government Reform Project funds with minimal registration fee.

### **Current Policy**

#### **Strategic Plan**

- Building Local Government's reputation
- 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

### **8.13 Policy Updates**

**Contact Officer – Dion Lester**

#### **Break O'Day Council/West Tamar Council**

**That Members note the following updates on various matters.**

**Carried**

### **Federal Infrastructure Funding**

Within the recent Federal Budget, a further \$1billion has been allocated for investment in local roads and community infrastructure, as part of targeted, short-term stimulus activity. This is on top of \$500 million announced in May this year.

The Local Roads and Community Infrastructure Program (LRCI) will be provided to councils in the calendar year 2021 and will be coupled with councils' ability to access the \$1.2 billion wage subsidy program for trainees and apprentices.

The funding is pre allocated based on a formula comprising 1/3 Roads to Recovery formula and 2/3 population based.

Councils will be able to access funding under the extension to the LRCI Program Extension from 1 January 2021.

More information is available [here](#).

#### **Legislative Review \***

At the time of writing, the Steering Committee had not convened since 13 September. Some technical working groups have been meeting and LGAT has facilitated regional forums on Code of Conduct matters with the Local Government Division. It is anticipated the Steering Committee will meet in early November and a verbal update can be provided at the General Meeting.

LGAT has written to Minister Shelton twice on matters for the Review. The first letter in September sought that Code of Conduct and Charitable Rates Exemption be considered as part of the review or before.

Following the September meeting there has been further correspondence on both these matters. While we are waiting for further advice on charitable rates (see earlier report) a reply regarding Code of Conduct has been received (refer **Attachment to Item 8.13**).

LGAT has developed a paper regarding long desired changes to the Long Service Leave provisions within the Local Government (Building and Miscellaneous) Regulations. Following consultation with HR Managers, suggested areas for legislative change have been provided to the Local Government Division (refer **Attachment to Item 8.13**).

#### **8.14 Environmental Health Officer Workforce Development Project** **Contact Officer – Lynden Leppard**

**Break O'Day Council/West Tamar Council**

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

**Carried**

#### **Background**

The EHO Workforce Development Project is a response to the difficulties that Tasmania's 29 Councils are experiencing in attracting and retaining an appropriately skilled EHO workforce. Local Government is the largest employer of EHO's 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 shared strategic response are key elements of the project.

The scope and methodology have been developed by a collaborative project management



team consisting of 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 research indicates that there are significant gaps in the EHO workforce, with the workforce numbers being inadequate to properly address the demands of health protection and environmental management needs. The work has also concluded that there is an unequal distribution of EHO services in regional and remote communities.

The final report is nearing completion and is expected to be available later this year. The report will include a workforce development strategic plan to address the key challenges for EHO workforce development identified through the research. The strategic plan identifies 18 strategy priorities including training and professional support, credentialling, career pathways, improved remuneration, role clarity, and ongoing collaborative workforce planning and development. Perhaps the most significant recommendation is to move towards greater co-ordination of services to get more consistency across the state. The priority is to increase efficiency from a statewide workforce management point of view.

### **Budget Impact**

LGAT contributed \$10,000 to the research alongside substantial in-kind support through our role on the steering committee and supporting engagement with the Local Government sector.

### **Current Policy**

#### **Strategic Plan**

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

#### **2020 – 21 Annual Priority**

- Support councils' role in community health and wellbeing

**8.15 Community Health and Well Being Project**  
**Contact Officer – Lynden Leppard**

**Break O'Day Council/West Tamar Council**

**That Members note the progress on the LGAT Health and Wellbeing Project 2020-2022.**

**Carried**

**Background**

The extension to the LGAT Health and Wellbeing Project commenced in July 2020. The funder of the Project, Public Health Service (PHS) in the Department of Health, committed to continuing the original Project for a further two years. This will enable LGAT to build on the learning and momentum developed so far.

A key component of this stage of the overarching Project is a Workforce Development Project, which will provide new knowledge about the nature of the Local Government community development and health and wellbeing workforce. The research is being conducted by Professor Roger Hughes, School of Public Health UTAS, with the support of an Advisory Group made up of council officers and State Government stakeholders.

Collaboration with council stakeholders will be an important element of the research methodology, with practical actions to be developed through co-construction with council officers. To date, General Managers, health and wellbeing officers and other key council officers have been provided with information about the research process, with an online survey to be conducted throughout November, followed by face to face interviews.

Another key aspect that work has commenced on is the Health Intelligence (HI) pilot study. Council officers have firsthand knowledge about community wellbeing that is not fully represented in the data that governments and other agencies use to inform their work. This was particularly evident during the pandemic lockdown and the recovery phase. Turning that local information into valuable data is a purpose of the Project.

The HI pilot study will involve a selection of councils in the data collection and analysis of community members' views about their health and wellbeing. This collection of local data will give individual councils highly relevant information about their communities that can be used to inform policy at all levels of government. The Project will also explore how up to date and localized data about a range of matters can be used by councils in ways that are of practical use to them. This work will be finalised late this year and a report will be available to all councils early next year.

## **Budget Impact**

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

## **Current Policy**

### **Strategic Plan**

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

### **2020 – 21 Annual Priority**

- Support councils' role in community health and wellbeing
- Support councils' recovery efforts from COVID-19

## **8.16 Events Update**

### **Contact Officer – Miriam Rule**

#### **Break O'Day Council/West Tamar Council**

**That Members note the report and update on LGAT events.**

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

**Carried**

## **LGAT One Day Conference – 3 December 2020**

The December General Meeting will combine with a [One Day Conference](#) themed "Reconnection" to deliver an inspiring program for Members following this difficult year. This event replaces the traditional LGAT Annual Conference, cancelled due to COVID-19 restrictions, and provides an opportunity for the sector to come together and reconnect under one roof. Due to COVID-19 restrictions, tickets are limited to ensure adherence with public health requirements for events.

The One Day Conference Program includes the following activities and events:

- The LGAT General Meeting;
- Keynote speakers – Mitch MacPherson and Katy Cooper;
- Welcome Morning Tea;
- Networking Lunch/Afternoon Tea/Happy Hour;
- Council Symposiums;
- Small Exhibition; and
- One Day Conference Dinner.

Registrations for the One Day Conference have been priced using a cost recovery model to ensure budget is not impacted due to a reduced number of registrations. Although the sponsorship market declined considerably during the pandemic, LGAT has worked hard to maintain relationships with stalwart sponsors, who have continued to show support for the sector and this event. At the time of writing, those sponsors already on board include JLT Public Sector, Commonwealth Bank, MAV Insurance, RDA Tasmania and Simmons Wolfhagen Lawyers.

Members can register online for the One Day Conference [here](#)

### **LGAT Lunch Time Webinars**

LGAT's monthly lunchtime monthly webinar series continued in the latter part of 2020 with the support of JLT Public Sector. The webinars are designed to provide inspiration and advice for members on topics of relevance to the Local Government sector. In most cases webinar recordings have been made available to Members and, registrations for the live events and to access the recordings have been well subscribed.

In October, Minister Roger Jaensch MP, Minister for Human Services, Environment and Parks, Housing, Planning and Aboriginal Affairs and Liberal Member for Braddon, joined us for a well-attended webinar on the *State Government's forward* program for planning reform.

In November, Brand Tasmania's Jess Radford, joined us to discuss how Brand Tasmania can work with Councils and an overview of our priority activities for 2021.

At the time of writing LGAT is confirming potential speaker Minister Mark Shelton for the December event.

LGAT is currently looking at further webinars as part of the for 2021 events program.

### **Code of Conduct Sessions**

LGAT and the Local Government Division hosted information and consultation sessions, both regionally and via Zoom, to support improving the effectiveness of Local Government Code of Conduct procedures.

Each session included the same content with three parts:

1. The Local Government Division presented potential changes and changes underway, to support the Code of Conduct processes and provisions;
2. Opportunity to provide Local Government feedback on experiences of the Code of Conduct to inform both LGAT and Division policy; and
3. A discussion on how local level informal dispute resolution could be improved.

Mathew Healey, Director, Policy and Sector Performance and Mike Mogridge, Assistant Director Regulator Services from the Local Government Division, Department of Premier and Cabinet facilitated all sessions, with either the LGAT CEO or Policy Director attending.

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

The General Managers Workshop was held 5 - 6 November at White Sands, near Bicheno with a large number of General Managers in attendance. The packed program included the following speakers:

- Andrew Harris                                      PlanBuild Tasmania
- Lia Morris    CEO of Marine Infrastructure Tasmania
- Virginia Bashford                                   Relationships Australia
- Ric De Santi & Rob Whitehead                Tasmanian Audit Office
- Tasmanian Community Fund                   Chairperson, Sally Darke &  
Senior Executive Officer, Lola Cowle
- Mathew Healey                                      Local Government Division

### **Strategic Asset Management Plan Training (SAMP)**

LGAT developed and delivered, in partnership with the Institute of Public Works Engineers Australasia (IPWEA; national body), training for professionals in *Completing your Council's Strategic Asset Management Plan (SAMP)*.

A comprehensive update is provided at **Item 8.12**.

### **The 2021 LGAT Events and Training Calendar**

At the time of writing, LGAT is currently reviewing the 2021 Event Training and Professional Development Calendar. Members will be advised as details are finalised.

### **Budget Impact**

- **LGAT One Day Conference**  
LGAT is applying a cost recovery model for registrations, supported by income from Sponsorship.
- **Lunchtime Webinars**  
LGAT has negotiated an arrangement with JLT Public Sector, until the end of 2020, to cover any costs.
- **The General Managers Workshop**  
The event is run on a cost recovery basis

### **Current Policy**

#### **Strategic Plan**

Fostering collaboration

Developing capacity and capability to deliver

2020 – 21 Annual Priority

Continue to support Members' professional development

Support councils' recovery efforts from COVID-19

#### **8.17 Communications Update**

**Contact Officer – Kate Hiscock**

##### **Break O'Day Council/West Tamar Council**

**That Members note the following report, particularly the 2019-2020 LGAT Year in Review that strategically links to the new LGAT advocacy pages on the LGAT Website.**

**Carried**

##### **LGAT Year in Review and Website Advocacy Pages**

Work has been underway to update the "Policy and Projects" pages on the LGAT website with new "Advocacy and Policy" pages. The series of advocacy and policy pages highlight the current issues that LGAT is progressing on behalf of the sector including identifying advocacy achievements and key advocacy activities such as submissions.

The 2019-2020 LGAT Year in Review (YIR) has also been streamlined, strategically referencing the new advocacy and policy webpages in the YIR as part of a shorter, more succinct document. This project directly links to, and leverages, the work being undertaken by the LGAT Policy team to establish advocacy and engagement plans for key policy and project activities. It also leverages the recent transition to a new web platform delivering a new look and feel to the LGAT website. The YIR will also be presented in web format including welcome videos from the President and CEO.

At the time of writing LGAT's 2019-2020 Financial Statements have been approved by the Tasmanian Audit Office and it is expected the LGAT 2019-2020 year in Review and new advocacy webpages will be jointly released in early November 2020.

##### **Pulse – LGAT Monthly Newsletter**

The LGAT monthly newsletter "The Pulse" continues to highlight LGAT news and activities on a monthly basis and is distributed to over 900 subscribers. In an increasingly busy 'information environment' the challenge to reach members with an online newsletter is increasing, given the significant competition for "inbox attention". In the next couple of months LGAT will be looking at options to refresh and potentially re-brand the Pulse, to make it more meaningful to Members. This is likely to include a name change, noting there is now a publication called 'the Pulse of Tasmania' in the corporate sector.

## **Media**

Since the last General Meeting, LGAT has responded to numerous media enquiries and issued two Media Releases, one letter to the editor and an opinion editorial (published). Our presence on social media continues to attract followers on both Twitter and Linked In.

## **Budget Impact**

Being undertaken within current budget.

## **Current Policy**

Strategic Plan:

Facilitating Change

Building Local Government's reputation

In addition, this helps communicate and provide information on and in support of the 2020 – 21 Annual Priorities.

### **8.18 Operations Update \***

**Contact Officer – Katrena Stephenson**

**Break O'Day Council/West Tamar Council**

**That Members note the report on LGAT operational matters.**

**Carried**

## **Background**

On 13 October 2020, LGAT CEO Dr Katrena Stephenson handed in her notice to the General Management Committee(GMC), signaling intent to start as Director Environment, Development and Community with Kingborough Council from the beginning of next year, refer copy of media release at **Attachment to Item 8.18**.

On 30 October Members were advised that the GMC had determined to directly appoint Mr Dion Lester to the role, commencing 6 January 2021. A copy of the media release is also at **Attachment to Item 8.18**.

## **Budget Impact**

Does not apply.

## **Current Policy**

Does not apply.

**8.19 LGAT Annual Plan \***  
**Contact Officer – Katrena Stephenson**

**Break O’Day Council/West Tamar Council**

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

**Carried**

At **Attachment to Item 9** is a copy of the LGAT Annual Plan and progress to date.



## Motions For Which Notice Has Been Received

### 9 ROADS AND INFRASTRUCTURE

There are no Motions in this category

### 10 SECTOR PROFILE AND REFORM

#### 10.1 Elected Member Election Nomination Requirements

##### Devonport City Council/Burnie City Council

That LGAT determine as a policy position and lobby the State Government to require all future candidates nominating for Local Government elections in Tasmania undertake a National Police check in current name and any previous names.

The requirements to be a mandatory part of the nomination form which must be completed by all candidates and be available for public scrutiny.

Lost

##### Background Comment

National Police checks are now a requirement for most employment applications and for volunteer positions however, have never been a mandatory requirement for candidates nominating at the Local Government level.

Councillors are seen as leaders of the local community when elected and are invited to many different events and functions, which often involve vulnerable members of our community.

It is logical that when nominating all should be willing to allow for this common style of check if putting their hand up to run for such an important role.

Candidates should have nothing to hide if standing for public office and wish to lead the community and should agree to appropriate checks and balances.

##### LGAT Comment

This matter was subject to similar motions in 2012, 2013 and 2014 and each time they were LOST.

##### **2012**

*That there be a requirement for all current and future candidates for Local Government to undertake National Police Checks in their current name and any previous names.*

##### **2013**

*That there be a requirement for all current and future candidates for Local Government to undertake National Police Checks in their current name and any previous names as well as whether any candidate has been discharged or bankrupt.*

#### **2014**

*That Government to undertake National Police Checks in current name and any previous names. That this requirement form part of the nomination form which must be completed by all candidates.*

Generally, police checks are reserved for those working with vulnerable people or direct operational roles (eg Finance). Neither of those apply to candidates or councillors. Police checks are not required for candidates or councillors in other jurisdictions.

Currently under the Local Government Act, you are ineligible to be a councillor if you have been:

- Barred by a court under section 48(6), 223A, 338A, 339 or 339A from nominating as a candidate at any election;
- Are bankrupt;
- Are serving a term of imprisonment; or
- Have been sentenced for a crime but the sentence has not been executed.

#### **Tasmanian Government Comment**

Candidacy requirements for Local Government electoral nominees are contained in the *Local Government Act 1993* (the Act). Section 270 of the *Local Government Act 1993* provides that a person is not eligible to nominate as a candidate if the person:

- Has been barred by court order from nominating in respect to various offences under the Act;
- Is bankrupt;
- Has been removed from office because of inadequacy or incompetency;
- Is subject to an assessment order or treatment order under the *Mental Health Act 2013* or an order under the *Guardianship and Administration Act 1995*;
- Is undergoing a term of imprisonment; and
- Has been sentenced for a crime but the sentence has not been executed.

It is not a current requirement that a Local Government nominee complete a police check. Within the limits set out in the Act, it is a matter for the electors to determine as they see fit whether a candidate is a suitable representative.

The electoral provisions of the Act are within the scope of the ongoing Review of the Local Government legislative framework. The Government intends to progress approved electoral

reforms through a stand-alone Local Government (Elections) Bill. This approach will streamline provisions only used during elections and ensure that a new Local Government Act will be as concise and user-friendly as possible.

The response to the COVID-19 pandemic emergency has impacted timelines for the Review. Consultation on a draft Local Government Bill will occur in early 2021, with a new Local Government Bill expected to be introduced to Parliament before the end of 2021. To ensure adequate time for consultation with stakeholders and implementation of reforms, a draft Local Government (Elections) Bill will be released for consultation following passage of the Local Government Bill.

In addition to the consultation opportunities in Phases 1 and 2 of the Review, there will be an opportunity for councils to provide comment on the candidacy provision of the Bill at that time. The Review will also consider any outcomes of the State Government's Electoral Act Review.

## **10.2 Code of Conduct and Arbitration Requirements**

### **George Town Council/Burnie City Council**

**That LGAT call on the State Government to include mandatory arbitration in the first instance of the Code of Conduct Process.**

## **AMENDMENT MOTION**

### **Huon Valley Council/Burnie City Council**

**That LGAT call on the State Government to include mandatory conciliation or mediation by an appropriately qualified arbitrator to be funded by the Local Government Division in the first instance of the Code of Conduct Process.**

**Carried**

### **George Town Council/Burnie City Council**

**That LGAT call on the State Government to include mandatory conciliation or mediation by an appropriately qualified arbitrator to be funded by the Local Government Division in the first instance of the Code of Conduct Process.**

**The Amended Motion was Carried**

**Background Comment**

There are currently a diversity of policies across Councils relating to the Code of Conduct process. For example, the City of Hobart includes an arbitration process in its policies when lodging a Code of Conduct complaint, whereas others do not. This creates disparity in the sector in how Code of Complaints are dealt with and leads to disparity in the public discourse regarding the frequency of complaints and findings. It also results in a great burden of time and costs for those Councils that do not have such policies.

A mandatory arbitration period in the first instance of Code of Conduct complaints would allow for commonality across the sector, potentially reduce the number of Code of Conduct complaints going to investigation and a full panel hearing, and as such reduce the burden of time and cost. It would allow for the resolution of minor issues or misunderstandings without instigating an investigatory and hearing process.

This would be an appropriate first step in reforming the Code of Conduct process through standardisation and improving communication and conflict resolution among elected members.

**LGAT Comment**

The issue of mediation/arbitration as a first step in resolving Code of Conduct complaints has been raised in a number of forums, including the recent regional forums with the Local Government Division. The principle is widely supported but the format and logistics will need more detailed work.

**Tasmanian Government Comment**

The current legislative framework provides that complaints should only proceed to investigation where there have first been reasonable efforts made to resolve the issue that is the subject of the complaint.

When the statewide framework was introduced in 2016, there was an expectation that councils would develop Dispute Policies to support informal resolution of disputes between councillors. However, the large majority of complaints lodged are by non-councillors.

With this in mind it is also considered appropriate for the sector to develop Dispute Policies which provide for the informal resolution of complaints lodged by any complainant. It is important that the sector drives this development to ensure that the Dispute Policies can be tailored to individual councils, but are underpinned by a consistent framework and approach.

### 10.3 Code of Conduct Panel

**Kingborough Council/Burnie City Council**

**That the Local Government Association Tasmania declares it has no confidence in the Local Government Code of Conduct Panel and calls on the Minister for Local Government to take a more active role in resolving the issues.**

**Amendment Motion****Latrobe Council/Break O'Day Council**

**That the Local Government Association Tasmania declares it has no confidence in the Local Government Code of Conduct process and calls on the Minister for Local Government to urgently take a more active role in resolving the issues.**

**Carried**

**Kingborough Council/Burnie City Council**

**That the Local Government Association Tasmania declares it has no confidence in the Local Government Code of Conduct process and calls on the Minister for Local Government to urgently take a more active role in resolving the issues.**

**The Amended Motion was Put and Carried**

**Background Comment**

Members will be familiar with media coverage of recent decisions of the Code of Conduct Panel, but can also review recent decisions [here](#).

While the Code of a Conduct itself and process for assessing alleged breaches of it are flawed, it is apparent that the Panel itself is consistently making poor decisions. It is unclear what, if any, commitment the Tasmanian Government is making to resolve these issues. A no confidence motion may accelerate the disbanding of the Panel, at least in its current form, putting a stop to what is now a discredited Kangaroo Court.

There is a long-running list of poor decisions, which are highlighted by decisions such as:

- The Chairperson of the Panel elected to undertake an investigation into whether a defendant in a previous Code of Conduct case (Cr Mike Wilson, Huon Valley) had lied about mints being handed out at Council meetings [\(link\)](#).
- The Panel found a Councillor (Cr Mike Wilson, Huon Valley) to have breached Part 7.1a of the Code of Conduct in a Facebook post, despite having not named the complainant. Further, the Panel found that "...a Councillor must avoid making public comment that can be seen to take a particular side in debate on an issue that may be an item of Council business..." Such a finding is inconsistent with the Code of Conduct and if broadly enforced, would preclude elected members from commenting on almost any matter in their communities. [\(link\)](#).
- The Panel found a Councillor to have breached Part 1.1 of the Code of Conduct (bringing an open mind to Council meetings) because the Councillor (Cr Annette Rockliff, Devonport City) had closed the Annual General Meeting early. The Panel had no way of knowing whether the Councillor brought an open mind to the meeting and no evidence was presented that she did not. The Code says a member must bring an open mind to meetings, not that they cannot form a view during it. Such an appalling misunderstanding of the Code of Conduct by the Panel should not be tolerated [\(link\)](#).
- Found a Councillor (Cr De Williams, Sorell) to have caused offence, even though there was only the complainant's disputed word for it, by allegedly saying 'I need to get out of here away from a certain person' to a resident in a Council tea room [\(link\)](#).

Every single Local Government Representative is at risk under the Code of Conduct Panel's current makeup. It has demonstrated an inability to sensibly deal with complaints and should be dismissed. Kingborough urges members to support their elected members by voting in favour of the motion.

#### **LGAT Comment**

At the last meeting Members carried the following motion: That LGAT call on the State Government to conduct a full review of the entire Code of Conduct process, including the Code.

As reported earlier in the Agenda, the Minister has replied and does not support a holistic review. However as also noted in the Agenda, the Local Government division, facilitated by LGAT, have undertaken a series of forums around Code of Conduct to capture issues and discuss proposed improvements.

The final forum, held by zoom, can be accessed on the LGAT extranet.

### **Tasmanian Government Comment**

The Code of Conduct framework, involving the appointment of an independent panel made up of members with Local Government experience and legal expertise, was established in 2016 at the request of the Local Government sector.

In relation to decisions made by individual Code of Conduct Panels, it is important to note that the Panel operates independently from the Government and that Panel members are appointed by the Minister following nominations by the sector. It is also worth noting that a Panel is not a court of law, and the decisions of one Panel are not binding on another.

Decisions on whether a complaint should be investigated or dismissed on initial assessment are a matter for the Chairperson of the relevant Panel to determine, having regard to the relevant provisions of the Act and the evidence presented to them.

Where a person considers they have not been treated fairly by the Panel, a right of review is available to the Magistrates Court (Administrative Appeals) Division on the basis of a failure by the Panel to comply with the rules of natural justice.

The Tasmanian Government is currently engaging with LGAT and the Local Government sector through a series of information and consultation sessions focused on improving the effectiveness of Local Government Code of Conduct procedures.

The Government is committed to working closely with the sector to ensure that councils have in place appropriate complaints handling and dispute resolution mechanisms at the local level to better prevent the escalation of issues that do not warrant referral to the Code of Conduct Panel.

## **11 SECTOR CAPACITY**

**There are no Motions in this category**

## 12 FINANCIAL SUSTAINABILITY

### 12.1 Grant Timing and Harmonisation

#### George Town Council/ Burnie City Council

**LGAT calls on the State Government to harmonise the timing requirements of its Local Government grant schemes with other grant funding agencies (such as the Federal Government) in order to reduce contradictory and conflicting expenditure and benchmark requirements.**

**Carried**

#### **Background Comment**

Federal and State Government grant initiatives are often linked in their purpose and eligibility, but just as often aren't linked in their timing and benchmark requirements.

This leads to situations where a Local Government may be in receipt of or eligible for a grant from the State and Federal Government, but the federal requirements of the grant will be in conflict of the state requirements of the grant, such as time of completion or milestones.

Despite the intended purpose being they both are used. Grants may also be released simultaneously with different purpose, putting great demand on limited resources within the state, meaning timelines and benchmarks are unlikely to be met again. Deeper co-ordination of the grant process between State and Federal agencies would harmonise the process, reduce red tape, ensure benchmarks are aligned, and if timed appropriately, ensure the resources are available to perform the tasks required of the grants.

#### **LGAT Comment**

There have been no previous motions on this matter.

#### **Tasmanian Government Comment**

The Tasmanian Government supports, in principle, alignment and harmonisation of grant arrangements to Local Government to the extent that this is practically achievable, is within its control, and does not impact on the delivery of grant objectives.

The Tasmanian Government runs Local Government grant programs with regard to its own initiatives and on behalf of the Australian Government.

The Australian Government often prescribes the timing, performance criteria, and milestone reporting of the grant programs that the States run on its behalf. Therefore, the Tasmanian Government does not have the flexibility to significantly harmonise its timing and performance criteria with those of other grant programs.



## 13 LAND USE PLANNING & ENVIRONMENT

### 13.1 Dog Control & Wildlife Conservation

#### Break O'Day Council/Huon Valley Council

That LGAT ask the Tasmanian Government to improve and increase its education and enforcement programs for the conservation of shorebirds and other coastal wildlife values, in particular to underpin the efforts Councils make, through their Dog Management Policies, to support the Government's responsibilities for wildlife conservation and Reserve management.

Carried

#### Background Comment

The Dog Management Policies of Councils can support state legislation and outcomes for conservation of significant wildlife values. In particular significant public demand exists for access with dogs to beaches which are frequented by significant shorebirds and migratory birds. These are typically Reserved Lands managed by the Parks and Wildlife Service (PWS).

Local cooperation between Council's and PWS field staff can provide significant benefits with the policy making and subsequent education and enforcement needs. However, there is a need for leadership at the state level to provide greater consistency and effort with conservation advice and education, resources and cooperation with Councils.

Improvement will help the Tasmanian community to appreciate beach values and how to enjoy and protect them, and Council's to support the Government's objectives by making and implementing good local policies.

#### LGAT Comment

There are no previous motions specific to this matter, although a variety of motions (2005, 2006, 2007, 2012, July 2015, July 2016) address dog related issues including microchipping, banning certain breeds, attacks on people and animals, dogs at large, unregistered dogs, power to prohibit on council land, and management of dangerous dogs.

In November 2019, the State Government made amendments to the *Dog Control Act 2000* to protect sensitive wildlife from dog attacks and off leash exercise areas for greyhounds. Councils' responses to the amendments included concerns about dog management in relation to wildlife conservation, particularly penguins, and Parks and Wildlife responsibility for management of terrestrial areas declared as Reserves.

Council officer feedback to LGAT on dog control and wildlife management since the *Dog Control Act 2000* amendments were introduced has indicated that councils will be better

able to develop and implement good local policies when the three issues of management of reserved lands, wildlife conservation and dog management are considered together.

LGAT has had constructive informal conversations with DPIPWE officers about developing a collaborative approach to addressing the matters raised by the motion.

#### **Tasmanian Government Agency Comment**

The Tasmanian Government's 2019 amendments to the *Dog Control Act 2000* relating to wildlife and dog interactions were specifically designed to support Local Government in achieving a balance between wildlife conservation and appropriate beach access for dogs and their owners. The amendments include increasing penalties for dog attacks on wildlife and allowing State authorised officers to undertake investigations more efficiently, without the need to obtain Local Government approval first.

In addition to these legislative changes, the Department of Primary Industries, Parks, Water and Environment (DPIPWE)'s Natural and Cultural Heritage Division has dedicated staff resources to provide greater support to Councils in the application of the *Dog Control Act 2000*. This has included providing ongoing advice to all coastal Councils that have Sensitive Areas (penguin habitat).

The Parks and Wildlife Service (PWS) has been working closely with BirdLife Tasmania, North East Bioregional Network, Break O'Day Council and Glamorgan Spring Bay Council to pilot pre-nesting season messaging and communications that alert dog owners to appropriate behaviours and compliance.

In tandem with this communications initiative, the PWS and Councils undertook targeted education patrols of key nesting sites on the weekend of 3 and 4 October.

This successful campaign resulted in local visitors and residents being informed of Council's local policy arrangements and has translated to increased community awareness of the importance of appropriate recreational dog walking.

### 13.2 Dog Control and Wildlife Management \*

#### **Burnie City Council/George Town Council**

**That LGAT coordinate arrangements for a more collaborative arrangement between Local Government and State Government and all compliance agencies with responsibilities that include dog control and wildlife management and protection.**

**Carried**

#### **Background Comment**

Recently a suspected dog attack on little Penguins in the Burnie Municipality was a cause for much community concern, with a call for Council to address various matters raised by stakeholders. The community discussion reflected those in other locations when similar instances have occurred.

A Motion on Notice to the Burnie City Council's August 2020 meeting, refer copy at **Attachment to Item 13.2**, has precipitated this motion to the 3 December 2020 LGAT General Meeting.

The Department of Primary Industry, Parks, Water and Environment wrote to Councils in early March 2020 to advise of changes to the *Dog Control Act 2000*. Amendments were introduced to 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, and to indicate a senior wildlife biologist had been appointed to facilitate implementation of the Little Penguin protection program under the Act.

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

Dr David Pemberton, a senior wildlife biologist with DPIPWE, manages the implementation program and met with Burnie Council staff on Tuesday, 11 August 2020.

The meeting was of a preliminary nature, during which it was indicated the DPIPWE 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 Penguins, 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.

While Councils have a role to play in regard to enforcing the *Dog Control Act 2000*, there are a number of government agencies that similarly have a role to play in protecting Little Penguins and have resources that can be deployed to support a coordinated response.

In that regard it is suggested there is opportunity for greater collaboration between compliance agencies with wildlife management responsibilities to share resources and provide improved monitoring and compliance response capabilities.

#### **LGAT Comment**

There are no previous motions specific to this matter, although a variety of motions (2005, 2006, 2007, 2012, July 2015, July 2016) address issues including microchipping, banning certain breeds, attacks on people and animals, dogs at large, unregistered dogs, power to prohibit on council land and management of dangerous dogs.

In November 2019, the State Government made amendments to the Dog Control Act 2000 to protect sensitive wildlife from dog attacks and for off leash exercise areas for greyhounds.

Councils' responses to the amendments included concerns about dog management in relation to wildlife conservation, particularly penguins, and Parks and Wildlife responsibility for management of terrestrial areas declared as Reserves. The importance of local cooperation between councils and State Government on dog control and wildlife management has been raised with LGAT by council officers across several councils and LGAT has discussed this with staff from DPIWWE. The discussions to date have acknowledged the importance of councils' contribution to wildlife conservation through their dog management policies.

#### **Tasmanian Government Agency Comment**

The Tasmanian Government is developing internal Standard Operating Procedures to ensure consistent and effective compliance (investigation and enforcement) activities across the Agency, and to enhance collaboration with Local Government.

The Tasmanian Government is also working directly with LGAT to engage effectively with Local Government on these matters. As noted in the 'Background Comments', this work was delayed due to the necessary travel restrictions required by the response to the COVID-19 pandemic but has recently been a focus of the Department of Primary Industries, Parks, Water and Environment.

### 13.3 EPA Resourcing and Delegation

#### George Town Council/Burnie City Council

**That LGAT calls on the State Government to increase or share resourcing to Local Governments to meet the increasing EPA regulatory and compliance functions required to be provided by Local Governments.**

**This should include the resourcing and authorisation of Council Officers to facilitate illegal dumping enforcement on crown land.**

**Carried**

#### **Background Comment**

Increasing State compliance and enforcement requirements and tasks of Council regulatory officers are stretching municipal resources. For every increase of requirement upon municipal government to assist or perform a state function there should be a corresponding increase in resources from State to enable municipal government to perform that function.

There are also increasing community demands placed upon Council's to deal with illegal dumping on Crown Lands. Deeper co-operation and funding support would enable Council's to fulfil some of the functions being expected of it by the EPA and other agencies and meet community expectations of combating the illegal dumping scourge.

A uniform arrangement between State and Municipal Government would also reduce the red tape involved in current multi-agency arrangements in this regard.

#### **LGAT Comment**

In July 2016 the following motion was passed:

*That the State Government be requested to develop an agreed set of clear protocols with Local Government clarifying the split in responsibilities between the two levels of government in regard to enforcement under the Environmental Management and Pollution Control Act 1994.*

This motion resulted in the development of an MOU and annual workplan between LGAT and the EPA to address sector issues and inform the support provided by the EPA. EPA resourcing challenges and staff changes has impacted on the delivery of some aspects of the most recent workplan. However, development of the 2021 / 22 workplan has commenced with a renewed focus from the EPA. Consultation with the sector on priorities for inclusion is expected to commence in November.

This motion above would reinforce our recent advocacy and project work. In LGATs October 2019 [submission on the Draft Waste Action Plan](#) we note that effective compliance and

enforcement are fundamental to the success of the waste action plan and the introduction of a statewide waste levy in particular. The submission goes on to note:

*The first line of defence is the enforcement capability of the regulators (EPA and Local Government). Appropriate resourcing is required to be both responsive and proactive in engaging with industry and the community. In addition, there needs to be a suite of monitoring and compliance controls and instruments developed or applied to support the effectiveness of regulation and compliance.*

The recently completed Environmental Health Officer Workforce Strategy Project also supports the establishment of improved resource sharing and funding arrangements for the Environmental Health Officer (EHO) workforce in Tasmania. This comprehensive analysis has found that there is an estimated deficit of at least 25 full-time equivalent EHOs in Tasmania relative to servicing existing environmental and health risk items and regulatory responsibilities. As a result, EHO practice is prioritised to reactive investigation and enforcement of legislated responsibilities, rather than more sustainable upstream prevention practices. Principal amongst the final report's recommendations is to seek to increase efficiency from a statewide workforce management point of view via greater co-ordination of services.

Refer **Item 8.14** on the Environmental Health Officer Work Force Development Project for further details.

#### **Tasmanian Government Agency Comment**

The recent amendments to the *Litter Act 2007* and Litter Regulations enable all Councils to issue infringement notices and collect revenue from offences, in the same way they can under *Environmental Management and Pollution Control Act 1994* (EMPCA). EPA Tasmania officers have collaboratively worked with Local Government officers to assist with litter and related waste management activities and will continue to do so.

Community expectations regarding litter and waste management practices have been increasing in recent years. The Tasmanian Waste Action Plan and specific tools such as Report Rubbish and the Litter and Dumping Management System (LaDMS) provide for continued collaboration, and for the specific management of instances of dumping. LaDMS also provides to Local Government the opportunity to seek the assistance of people with Community Corrections Orders to help clean up litter in parks and reserves around the State. Further information on Report Rubbish and LaDNS can be provided to specific Councils by EPA Tasmania should that be of assistance.

The Government is aware and has openly acknowledged that introduction in late 2021 of a levy on waste being disposed of in landfill may have an additional impact on litter and dumping over and above the current rates of dumping. DPIPWE looks forward to working with Local Government and other stakeholders during the establishment and implementation of the levy

to ensure these issues are addressed by deploying appropriate resources in a manner agreeable to State and Local Government.

### 13.4 Shipping Containers

#### Northern Midlands Council/Burnie City Council

**That LGAT lobby for amendment to the State Planning Provisions to further regulate the placement of shipping containers to reduce their visual impact on the streetscape within township areas.**

**Carried**

#### Background Comment

The Northern Midlands Council is experiencing an ongoing issue of shipping containers being placed on private property within its towns and villages, negatively impacting the visual amenity of our towns.

Council has explored the option of implementing a by-law; however, is not confident that a by-law would not conflict with current planning legislation.

The *Northern Midlands Interim Planning Scheme 2013* addresses the placement of shipping containers; however, Council is concerned that the provisions are not stringent enough, resulting in containers being placed in locations which detract from the aesthetics of our municipality.

Council would like to see regulation that includes:

- Time limits on the placement of containers,
- A requirement for all containers to require a planning permit from Council,
- A requirement that containers be located behind the building line of an existing building or appropriately screened, unless used as the primary structure (ie. Food services), and
- A requirement for containers to be freshly painted or clad.

Council's participating in the General Manager's meeting on the 31 July 2020 *"agreed that there was support for more prescriptive controls and parameters and that Councils in the region would support NMC efforts in lobbying for improved controls."*

#### LGAT Comment

There have been no previous motions on this matter.



The State Government's planning focus remains the introduction of the Tasmanian Planning Scheme, via assessment and approval of each council's Local Provisions Schedule (LPS). Given this there is a reluctance to entertain review of or amendments to the State Planning Provisions. It should further be noted that while the State Government notes the *"mechanism for planning authorities to raise issues with the SPPs through the Local Provisions Schedules assessment process, a report prepared under s.35G of the Land Use Planning and Approvals Act 1993"*, this has only been attempted on one occasion (by Meander Valley Council, supported by LGAT and a number of other councils) and as yet the outcome is unknown. It may also be too late for Northern Midlands to use this mechanism if council has completed its report to the Tasmanian Planning Commission on the representations on your draft LPS.

#### **Tasmanian Government Comment**

The motion appears to be based on the placement of shipping containers on land under the provisions of the Northern Midlands Interim Planning Scheme 2013 and not the State Planning Provisions (SPPs) as these are not yet operating in the municipal area. Consequently, the application of the SPPs to shipping containers has not yet been tested.

The planning legislation provides a mechanism for planning authorities to raise issues with the SPPs through the Local Provisions Schedules assessment process, a report prepared under s.35G of the *Land Use Planning and Approvals Act 1993* (the Act), and if the Tasmanian Planning Commission considers the issue has merit it can advise the Minister accordingly. This will provide for the orderly provision of concerns to the Government along with the advice from the Commission. As only two of the 29 LPSs have been finalised it would be premature to embark on a review of the SPP controls relating to containers, or any other matter, until and if the Commission determines that such an issue requires the Government's consideration.

Notwithstanding this, it is not clear why the Council is in doubt as to the capacity to control the placement of these under current or proposed planning schemes. The placement of shipping containers appears to be 'development' under the definition in the Act (development includes – (e) the placing or relocation of a building or works on land).

Shipping containers are 2.44 m wide and 2.59 m high. They come in a range of lengths but they all have the same width and height (except for the high cube containers that are 2.89 m high). It is important to note that shipping containers are not lesser in height than 2.59 m.

A resident may choose to make use of a shipping container on their land as a permanent shed or outbuilding. In this case, the interim planning scheme or SPPs would apply to the land.

The SPPs exempt 'outbuildings' through clause 4.0, where it is limited in size. An outbuilding is classified as class 10a of the Building Code of Australia.



Clause 4.3.7 of the SPPs provides for outbuildings to be exempt from needing a permit if –

- (a) there are not more than 2 on a lot with:*
  - i. a gross floor area not more than 10 m<sup>2</sup>;*
  - ii. no side is more than 3.2 m; and*
  - iii. building height is not more than 2.4 m;*
- (b) there are not more than 1 on a lot with:*
  - i. a gross floor area not more than 18 m<sup>2</sup>;*
  - ii. a roof span not more than 3 m;*
  - iii. building height is not more than 2.4 m;*
  - iv. a distance of not less than 0.9 m from a building;*
  - v. a setback of not less than 0.9 m;*
  - vi. no change in existing ground level as a result of cut or fill of more than 0.5 m;*  
*and*
- (c) not between a frontage and the building line or on a lot with no buildings, not less than the relevant setback from a frontage, unless the Local Historic Heritage Code applies and requires a permit for the use or development.*

The SPPs would require the placement of shipping containers to be assessed under the relevant planning scheme as they would be categorized as an outbuilding (if they are more than transitory) and do not meet the limitations that deem them exempt (because the standard dimensions of containers means they are too tall to comply with the exemptions for buildings).

Most of the settlements in the Northern Midlands Council area are zoned General Residential, Low Density Residential or Village and most of these towns are developed with single dwellings on the lots. This would mean that in most cases, if the relevant standards are met (such as setback), the placement of a shipping container would be 'No Permit Required', however, where the standards are not met a discretionary application would need to be submitted to Council and conditions could be applied to the permit or the application could be refused.

If the container is transitory and not being used (even for relatively short periods) as a shed, then the planning scheme arguably does not apply and a by-law may be appropriate. The wording of the motion does seem to indicate that it is the semi-permanent placement that is at issue.

The SPPs do not set requirements for the appearance of buildings in the residential zones, except for the Rural Living Zone where the Scenic Protection Code may apply. This means a shed could be clad in second hand materials and also forward of a house on the lot if the front

setback provision can still be complied with. The SPPs also do not distinguish between construction forms for sheds, which includes shipping containers.

Imposing an appearance provision on shipping containers would in itself, be singling them out. If the SPPs were to be amended to include appearance provisions for containers being used as sheds, then to be fair those provisions should apply to all types of sheds in residential areas because a shed could (in theory) be built to look similar to a shipping container or have similar impacts.

### **By-Law legal context**

Section 150(1)(d) of the *Local Government Act 1993* provides that a by-law cannot be contrary to law or be in conflict with a relevant planning scheme for the municipal area where the by-law is intended to apply.

It follows that a by-law that seeks to add to planning controls on development of land that is controlled by a planning scheme is likely to be in conflict with the planning scheme. However, a by-law that seeks to control matters that are outside the ambit of a planning scheme would not. In this case, the control of temporary shipping containers placed on land is outside the control of planning schemes and could well be an appropriate response to solving part of the problem mentioned above.

It is also acknowledged that from a planning compliance enforcement point of view, it may be difficult to easily distinguish whether a shipping container is placed on land with a temporary intent as opposed to a permanent intent. Meaning that any by-law would have to be carefully crafted.

## **14 COMMUNITY AND HEALTH**

### **14.1 Family and Sexual Violence Strategies**

**George Town Council/Burnie City Council**

**That LGAT Members support in principal the development of Family and Sexual Violence Strategies by Local Governments across the state.**

**Lost**

### **Background Comment**

At the June Ordinary Meeting of the George Town Council, the Council adopted a motion to develop a Family and Sexual Violence Strategy.

In accordance with the requirements of the Local Government Act, Council's play a key role in the health and wellbeing of the communities they represent, bringing together different organisations of common purpose to achieve united community health and wellbeing outcomes.

The scourge of Family and Sexual Violence continues to plague Tasmanian communities. By developing a strategy to address this issue, Local Governments can assist in bringing together multiple stakeholders in the Family and Sexual Violence prevention fields to harmonise their efforts and be a voice of advocacy in their communities. This motion seeks to encourage Council's across the state to bring this matter to the forefront of their planning in the health and wellbeing space.

#### **LGAT Comment**

There are no previous motions specific to family and domestic violence.

Northern Midland's *Women's Shelter* motion was passed in December 2019. It raised the broader issue of Family and Sexual Violence addressed in this motion and noted the need to investigate the related matter of a lack of women's shelters in regional and rural areas. The Minister for Housing, Hon. Roger Jaensch, replied to LGAT's letter raising the matter. He noted that safe and secure housing is a top priority for the State Government and outlined actions taken this year.

The Government response describes the role and work of Tasmanian *Our Watch* Senior Adviser, Ms Trish Males. LGAT is collaborating with Ms Males on how best to support councils. Approximately 13 Councils are currently working with her on their approaches to family and domestic violence. This motion provides an opportunity to facilitate those, and other interested councils, to identify the approaches considered most suitable in Tasmanian contexts.

#### **Tasmanian Government Agency Comment**

The Tasmanian Government remains strongly committed to eliminating family and sexual violence in Tasmania.

On 1 July 2019, the Tasmanian Government launched *Safe Homes, Families, Communities: Tasmania's action plan for family and sexual violence 2019-2022* (Safe Homes, Families, Communities), outlining a vision for our State where all Tasmanians are safe, equal and respected and our homes, families and communities are free from all forms of family and sexual violence. The Government is investing an additional \$26 million into this Action Plan.

A key priority of Safe Homes, Families, Communities is to strengthen primary prevention responses to drive the long-term change needed to end violence against women. We know

that preventing violence from happening in the first place is the single most effective way to eliminate family and sexual violence.

In August 2020, the Premier and Minister for the Prevention of Family Violence, the Hon Peter Gutwein MP, wrote to all Mayors in Tasmania in acknowledgement that Local Governments are uniquely placed to lead community approaches to primary prevention of violence against women and their children, especially as they are in touch with people across their life span, from early years to senior years and interact with a diverse range of community groups including Aboriginal, multicultural and LGBTIQ+.

As part of Safe Homes, Families, Communities, the Tasmanian Government has partnered with Our Watch, the national primary prevention organisation established to drive nationwide change in the culture, behaviours and power imbalances that lead to violence against women and their children.

Our Watch has recently released the Local Government Toolkit resource (the Toolkit) to support and guide prevention of violence against women and their children in communities. It was designed in collaboration with Local Governments and includes information on family and domestic violence and the role of prevention in achieving culture change. The Toolkit also provides evidence-based and practical resources, tools and templates to help local governments plan and implement activities in their communities.

Action 2 of Safe Homes, Families, Communities established a Tasmanian Our Watch Senior Adviser, Ms Trish Males, a national first. The Premier formally introduced Ms Males to Local Governments in his August 2020 letter and noted her role as a resource to assist Local Governments in implementing the Toolkit. Ms Males has already made contact with several Local Governments to introduce the Toolkit and explore how Our Watch can support Local Governments to build capacity for primary prevention work in their communities. Ms Males plans to meet with more Local Governments in the coming months.

Noting that many Local Governments have various levels of capacity, Ms Males has also proposed alternatives to the Toolkit in her meetings, for example, conducting high-level mapping and creating a community of practice between Local Governments in efforts to prevent violence against women and their children.

The Tasmanian Government is supportive of this work and encourages all Local Governments to use the Toolkit or alternative methods to either continue their journey towards preventing violence against women and their children or importantly, begin violence against women and their children prevention work in the community.

The Department of Justice Safe at Home Coordination Unit (and Safe at Home more broadly), as well as the Department of Communities Safe Homes, Families, Communities and Ms Males

from Our Watch could provide relevant information if required. It is also suggested that local councils engage with the relevant regional Domestic Violence Coordinating Committees as a mechanism for engaging with relevant services in their area.

## **15 PUBLIC POLICY GENERAL**

### **15.1 Date of Australia Day \***

**Burnie City Council/George Town Council**

**That LGAT approach the State Government to initiate a community conversation to discuss the date of Australia Day.**

**Carried**

#### **Background Comment**

At the Burnie City Council Australia Day ceremony Robyn Moore spoke and her words resonated "Every Day is Australia Day".

The Chairperson of the Burnie City Council Australia Day Committee presented a position to Council that Australia Day was a divisive issue and a day of celebration. In many ways reading quotes on social media it was becoming a date of hate and ignorance while it should be a day that we all come together to celebrate being Australian and everything that entails.

The idea that leading politicians, cities, and towns across Australia have voted to not celebrate the day should be as offensive to the populace as the day itself is to the Indigenous population.

The idea that the Federal Government needs to mandate that citizenship ceremonies be held on 26 January is concerning. This is a day we should cherish, honour and be proud to celebrate.

The Advocate January 26, 2020:

*"At midday on Sunday, thousands of protesters gathered in Hobart and held a minute's silence to remember atrocities perpetuated against Aboriginal people. Protesters marched through Hobart to Parliament Lawns for the annual Invasion Day rally which calls for the date of Australia Day to be changed."*

The Burnie City Council acknowledges the concerns of the Aboriginal Community and commend this motion to the meeting on the basis that "we" is the operative word when celebrating Australia Day. This includes our first peoples.

### **LGAT Comment**

At the March 2019 General Meeting the following motion was debated and lost (15 for, 32 against and 4 abstaining):

*That LGAT lobby the Australian Government to change the date of Australia Day.*

At the July 2017 General Meeting a similar motion, included below, also narrowly lost (26 for, 27 against and 5 abstaining):

*That LGAT, the 29 Councils and any individual Elected Members be requested to lobby the Federal Government to commence a conversation with the Australian public regarding the date of recognition of Australia Day.*

At the Australian Local Government Association National General Assembly (NGA) June 2017, a resolution was passed calling on the Assembly to encourage Australian councils to consider efforts they could take to lobby the Federal Government to change the date of recognition of Australia Day.

The Board of ALGA met subsequently to the NGA to consider this and other Assembly resolutions and determine the resultant Board actions. While the ALGA Board noted the level of debate and the closeness of the result of the debate it was determined that it was not a priority for ALGA at that time.

In more recent times ALGA has responded to the Federal Government's commentary around Australia Day and Citizenship ceremonies. For example, see the ALGA submission on Citizenship Ceremonies at **Attachment to Item 15.1**.

That submission notes:

*"it is the responsibility of councils to be responsive to the views of their local communities. It appears that a 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 desires 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 to accommodate 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".*

### **Tasmanian Government Agency Comment**

The Tasmanian Government acknowledges that the date on which Australia's national day is celebrated is contentious, particularly for Aboriginal people. However, the Government's view is that Australia Day is a time for all Tasmanians to celebrate the things that unite us, in the spirit of reconciliation.

The Government is deeply committed to reconciliation as one of the foundation principles for the process of resetting the relationship with Tasmanian Aboriginal communities; and has consistently argued that changing the date of Australia Day is less important than implementing practical measures to deliver better outcomes for Aboriginal people in Tasmania. As such, the Tasmanian Government has no plans or policies that support changing the date of Australia Day celebrations.

The Government's primary focus is closing the gap in outcomes between Aboriginal and non-Aboriginal Tasmanians and it will continue to dedicate effort and resources to this task.

### **15.2 Indigenous Sites of Significance Signage**

#### **George Town Council/Burnie City Council**

**That LGAT call on the State Government to, where appropriate, support the identification, preservation and celebration of Indigenous places of importance across the municipalities of Tasmania.**

**Carried**

### **Background Comment**

George Town Council has recently embarked on the journey of reconciliation and is partnering with Reconciliation Tasmania and the local Indigenous Community in that effort.

Through this effort it has become apparent that there are rich and significant indigenous cultural assets being looked over due to the lack of signage and investment from the State Government in these areas.

Our communities would greatly benefit from, and take a step further along the reconciliation path if these cultural assets were adequately signed and made visible to the general public. This would help bring the story of the first Tasmanians to the community and visitors to our state. As many of these locations and sites are on State owned assets it is appropriate that State Government takes the lead in this effort, supporting municipal governments as appropriate.



Adequate identification and signage would also help improve the tourist trails for those seeking out the Tasmanian Indigenous story.

#### **LGAT Comment**

There are no previous motions related to this matter.

The State Government has a *policy for the naming of Tasmanian geographical places and features*. The policy states that -

“the Government is committed to working with Tasmanian Aboriginal people and the wider community to encourage more Aboriginal place names in Tasmania. Part of this commitment is the establishment and use of the Aboriginal and Dual Naming Policy”.

LGAT is represented on the Place Names Advisory Panel as required by the *Place Names Act 2020*.

#### **Tasmanian Government Agency Comment**

The Tasmanian Government does not support the public dissemination of the location of Aboriginal sites on the Aboriginal Heritage Register.

The Tasmanian Government notes that signage for Aboriginal sites is best developed on a project or case-by-case basis in collaboration with Aboriginal community organisations.

Councils should be aware of the many public and private instances of interpretation of Aboriginal heritage in the State, including for instance, the *Needwonnee* walk at Melaleuca, the *lamairremener tabelti* walk at Lake St Clair and the *loontitetermairrehoiner* walk in Swansea.

The Tasmanian Government supports Aboriginal and dual naming of places under the Aboriginal and Dual Naming Policy. This applies to naming Tasmanian features and places in accordance with the *Place Names Act 2020*. To date, 13 places around the state contain Aboriginal or dual names.



## 16 ITEMS FOR DISCUSSION

### 16.1 Elected Member Professional Development

#### George Town Council/Burnie City Council

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

#### Background

At the February 2020 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.

Consultation with Members on State Government 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

**17            CLOSE**

There being no further business, the President declared the Meeting closed at 12.30pm.


## Governance Items 1.1 to 1.6

Total Responses: 52

### Governance Items

Circular Head Council/Tasman Council

That Members note the Governance Items 1.1 to 1.6.

1. For  52  
2. Against 0  
3. Abstain 0



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	[No Response]	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	For	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	[No Response]	4
Meander Valley Council	For	2
Northern Midlands Council	For	2

Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	For	1
West Tamar Council	For	3

## 7.1 LGAT Future Role in Emergency Management

Total Responses: 51

### 7.1: LGAT Future Role in Emergency Management

Central Coast Council/Devonport City Council

That Member Councils agree to LGAT having an emergency response role when there is a significant state-wide impact as a result of an emergency event and the State Control Centre (SCC) is activated by the State Emergency Management Controller.

In these circumstances, LGAT's principal function will be as a Local Government Liaison Officer embedded in the SCC.

1. For  49  
 2. Against  0  
 3. Abstain  2



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	[No Response]	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	[No Response]	1
George Town Council	For	1
Glamorgan/Spring Bay Council	Abstain	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	For	2

Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	[No Response]	4
Meander Valley Council	For	2
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	Abstain	1
West Tamar Council	For	3

### Items for Noting 8.1 – 8.19

**Total Responses: 50**

#### Items for Noting

Break O'Day Council/West Tamar Council

That Members note Items 8.1 - 8.19.

1. For  49  
 2. Against  0  
 3. Abstain  1



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	[No Response]	1

Flinders Council	[No Response]	1
George Town Council	For	1
Glamorgan/Spring Bay Council	Abstain	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	For	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	[No Response]	4
Meander Valley Council	For	2
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	[No Response]	1
West Tamar Council	For	3

## 10.1 Elected Member Election Nomination Requirements

Total Responses: 52

### 10.1 Elected Member Election Nomination Requirements

Devonport City Council/Burnie City Council

That LGAT determine as a policy position and lobby the State Government to require all future candidates nominating for Local Government elections in Tasmania undertake a National Police check in current name and any previous names.

The requirements to be a mandatory part of the nomination form which must be completed by all candidates and be available for public scrutiny.

1. For 15  
2. Against 34  
3. Abstain 3



Participant	Response	Weight
Break O'Day Council	Against	1
Brighton Council	Against	2
Burnie City Council	Abstain	2
Central Coast Council	Against	3

Central Highlands Council	For	1
Circular Head Council	Against	1
Clarence City Council	Against	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	Against	1
Flinders Council	[No Response]	1
George Town Council	Against	1
Glamorgan/Spring Bay Council	Against	1
Glenorchy City Council	Against	4
Hobart City Council	Against	4
Huon Valley Council	Against	2
Kentish Council	Against	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	Against	2
Launceston City Council	[No Response]	4
Meander Valley Council	For	2
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	Against	1
Tasman Council	Abstain	1
Waratah - Wynyard Council	Against	2
West Coast Council	Against	1
West Tamar Council	Against	3



## 10.2 Code of Conduct and Arbitration Requirements

Total Responses: 56

Amendment Motion

### 10.2 Code of Conduct and Arbitration Requirements

#### Amendment Motion

Huon Valley Council/Burnie City Council

That LGAT call on the State Government to include mandatory conciliation or mediation by an appropriately qualified arbitrator to be funded by the Local Government Division in the first instance of the code of conduct process.

1. For  37  
2. Against  19  
3. Abstain 0

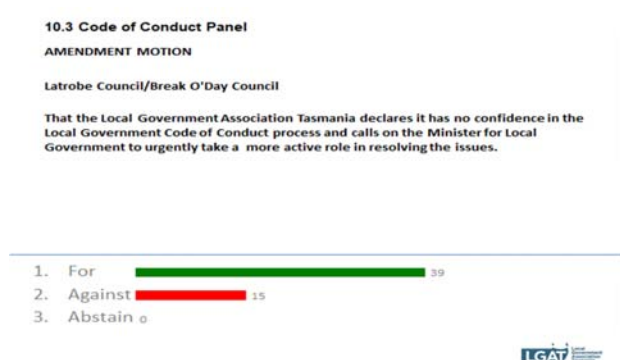


Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	Against	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	Against	2
Devonport City Council	Against	3
Dorset Council	Against	1
Flinders Council	[No Response]	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	Against	4
Hobart City Council	For	4
Huon Valley Council	For	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	Against	2
Launceston City Council	For	4
Meander Valley Council	Against	2
Northern Midlands Council	For	2

Sorell Council	Against	2
Southern Midlands Council	Against	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	Against	1
West Tamar Council	For	3

### 10.3 Code of Conduct Panel

**Total Responses: 54**

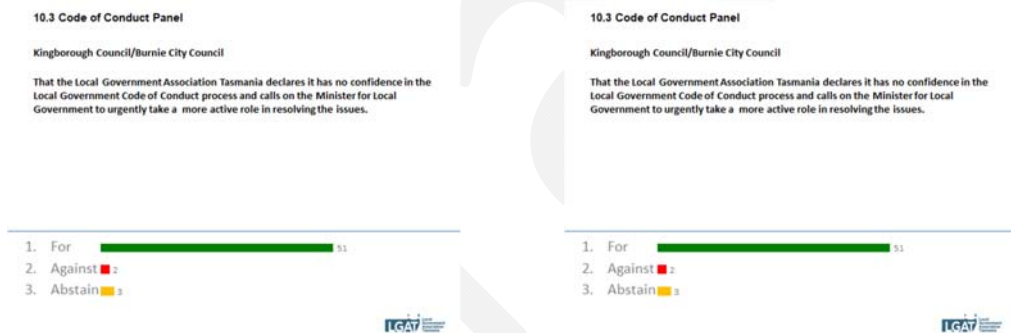


Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	[No Response]	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	Against	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	[No Response]	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	Against	4
Hobart City Council	For	4
Huon Valley Council	For	2
Kentish Council	For	1

Kingborough Council	Against	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	Against	4
Meander Valley Council	For	2
Northern Midlands Council	Against	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	Against	1
West Tamar Council	For	3

### 10.3 Code of Conduct Panel

**Total Responses: 56**



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	Against	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	[No Response]	1

George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	For	2
Kentish Council	For	1
Kingborough Council	Abstain	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	2
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	For	1
West Tamar Council	For	3

## 12.1 Grant Timing and Harmonisation

Total Responses: 52

### 12.1 Grant Timing and Harmonisation

George Town Council/Burnie City Council

LGAT calls on the State Government to harmonise the timing requirements of its Local Government grant schemes with other grant funding agencies (such as the Federal Government) in order to reduce contradictory and conflicting expenditure and benchmark requirements.

1. For  38
2. Against  13
3. Abstain  1



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	For	1

Circular Head Council	For	1
Clarence City Council	Against	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	[No Response]	1
George Town Council	For	1
Glamorgan/Spring Bay Council	Abstain	1
Glenorchy City Council	Against	4
Hobart City Council	[No Response]	4
Huon Valley Council	Against	2
Kentish Council	Against	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	2
Northern Midlands Council	For	2
Sorell Council	Against	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	For	1
West Tamar Council	For	3

### 13.1 Dog Control & Wildlife Conservation

Total Responses: 52

#### 13.1 Dog Control & Wildlife Conservation

Break O'Day Council/Huon Valley Council

That LGAT ask the Tasmanian Government to improve and increase its education and enforcement programs for the conservation of shorebirds and other coastal wildlife values, in particular to underpin the efforts Councils make, through their Dog Management Policies, to support the Government's responsibilities for wildlife conservation and Reserve management.

1. For  52  
2. Against   
3. Abstain 



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	[No Response]	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	[No Response]	4
Huon Valley Council	For	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	2
Northern Midlands Council	For	2
Sorell Council	For	2

Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	For	1
West Tamar Council	For	3

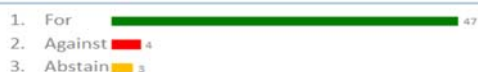
### 13.2 Dog Control and Wildlife Management

Total Responses: 54

#### 13.2 Dog Control and Wildlife Management

Burnie City Council/George Town Council

That LGAT coordinate arrangements for a more collaborative arrangement between Local Government and State Government and all compliance agencies with responsibilities that include dog control and wildlife management and protection.

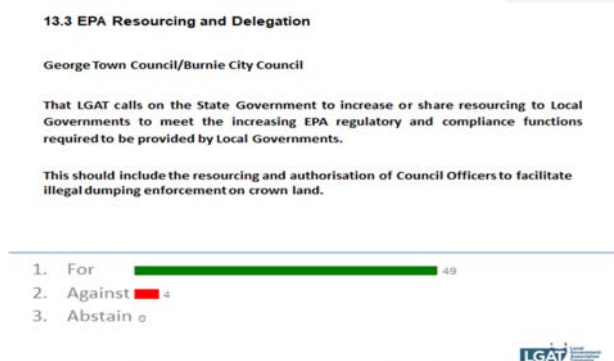


Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	[No Response]	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	Against	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	For	1
Flinders Council	[No Response]	1
George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	For	2
Kentish Council	For	1

Kingborough Council	Abstain	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	2
Northern Midlands Council	For	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	For	1
West Tamar Council	Against	3

### 13.3 EPA Resourcing and Delegation

#### Total Responses: 53



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	For	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	For	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	For	3
Dorset Council	Against	1
Flinders Council	[No Response]	1



George Town Council	For	1
Glamorgan/Spring Bay Council	For	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	For	2
Kentish Council	[No Response]	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	For	2
Launceston City Council	For	4
Meander Valley Council	For	2
Northern Midlands Council	[No Response]	2
Sorell Council	For	2
Southern Midlands Council	For	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	For	1
West Tamar Council	Against	3

### 13.4 Shipping Containers

Total Responses: 52

#### 13.4 Shipping Containers

Northern Midlands Council/Burnie City Council

That LGAT lobby for amendment to the State Planning Provisions to further regulate the placement of shipping containers to reduce their visual impact on the streetscape within township areas.

1. For 33  
2. Against 19  
3. Abstain 0



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	[No Response]	2
Burnie City Council	For	2
Central Coast Council	For	3

Central Highlands Council	For	1
Circular Head Council	Against	1
Clarence City Council	For	4
Derwent Valley Council	For	2
Devonport City Council	Against	3
Dorset Council	Against	1
Flinders Council	[No Response]	1
George Town Council	Against	1
Glamorgan/Spring Bay Council	Against	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	Against	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	Against	2
Launceston City Council	Against	4
Meander Valley Council	For	2
Northern Midlands Council	[No Response]	2
Sorell Council	Against	2
Southern Midlands Council	Against	1
Tasman Council	For	1
Waratah - Wynyard Council	For	2
West Coast Council	Against	1
West Tamar Council	For	3

## 14.1 Family and Sexual Violence Strategies

Total Responses: 56

### 14.1 Family and Sexual Violence Strategies

George Town Council/Burnie City Council

That LGAT Members support in principle the development of Family and Sexual Violence Strategies by Local Governments across the state.



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	Against	2
Burnie City Council	Against	2
Central Coast Council	For	3
Central Highlands Council	For	1
Circular Head Council	Against	1
Clarence City Council	Against	4
Derwent Valley Council	Against	2
Devonport City Council	Against	3
Dorset Council	Against	1
Flinders Council	[No Response]	1
George Town Council	For	1
Glamorgan/Spring Bay Council	Against	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	For	2
Kentish Council	Against	1
Kingborough Council	Abstain	3
King Island Council	[No Response]	1
Latrobe Council	Against	2
Launceston City Council	For	4
Meander Valley Council	Against	2
Northern Midlands Council	For	2
Sorell Council	For	2

Southern Midlands Council	Against	1
Tasman Council	For	1
Waratah - Wynyard Council	Against	2
West Coast Council	Against	1
West Tamar Council	Against	3

### 15.1 Date of Australia Day

**Total Responses: 51**

#### 15.1 Date of Australia Day

Burnie City Council/George Town Council

That LGAT approach the State Government to initiate a community conversation to discuss the date of Australia Day.



Participant	Response	Weight
Break O'Day Council	For	1
Brighton Council	[No Response]	2
Burnie City Council	For	2
Central Coast Council	[No Response]	3
Central Highlands Council	For	1
Circular Head Council	Against	1
Clarence City Council	Abstain	4
Derwent Valley Council	Against	2
Devonport City Council	For	3
Dorset Council	Against	1
Flinders Council	[No Response]	1
George Town Council	For	1
Glamorgan/Spring Bay Council	Against	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	For	2
Kentish Council	For	1
Kingborough Council	Abstain	3

King Island Council	[No Response]	1
Latrobe Council	Against	2
Launceston City Council	For	4
Meander Valley Council	For	2
Northern Midlands Council	For	2
Sorell Council	Against	2
Southern Midlands Council	Against	1
Tasman Council	For	1
Waratah - Wynyard Council	Against	2
West Coast Council	For	1
West Tamar Council	For	3

## 15.2 Indigenous Sites of Significance Signage

**Total Responses: 56**

### 15.2 Indigenous Sites of Significance Signage

George Town Council/Burnie City Council

That LGAT call on the State Government to, where appropriate, support the identification, preservation and celebration of Indigenous places of importance across the municipalities of Tasmania.



Participant	Response	Weight
Break O'Day Council	Against	1
Brighton Council	For	2
Burnie City Council	For	2
Central Coast Council	For	3
Central Highlands Council	Abstain	1
Circular Head Council	Against	1
Clarence City Council	For	4
Derwent Valley Council	Against	2
Devonport City Council	For	3
Dorset Council	Against	1
Flinders Council	[No Response]	1
George Town Council	For	1

Glamorgan/Spring Bay Council	Against	1
Glenorchy City Council	For	4
Hobart City Council	For	4
Huon Valley Council	Against	2
Kentish Council	For	1
Kingborough Council	For	3
King Island Council	[No Response]	1
Latrobe Council	Against	2
Launceston City Council	For	4
Meander Valley Council	Against	2
Northern Midlands Council	Abstain	2
Sorell Council	For	2
Southern Midlands Council	Against	1
Tasman Council	Against	1
Waratah - Wynyard Council	For	2
West Coast Council	Against	1
West Tamar Council	Against	3

Item No		
7	<b>Items for Decision</b>	
7.1	LGAT Future Role in Emergency Management	Refer Item 1.4
8	<b>Items for Noting</b>	
8.1	PESRAC Update	No Further Action
8.2	Charitable Rates	Refer Item 2.1
8.3	Paliamentary Inquiries - TasWater	No Further Action
8.4	21st Century Councils	This will be included as part of the LGAT Strategic Planning Process
8.5	Planning Reform	Refer Item 4.11
8.6	Waste and Resource Recovery	Refer Item 4.1
8.7	Infrastructure Contributions Survey	No Further Action
8.8	Energy	Refer Item 4.7
8.9	Emergency Management	Refer Item 4.4
8.10	Road Safety	No Further Action
8.11	LGAT Procurement	Refer Item 4.7
8.12	Strategic Asset Management Plan Training	No Further Action
8.13	Policy Updates	Refer Item 4.11
8.14	Environmental Health Officer Workforce Development Project	Ongoing
8.15	Community Health and Wellbeing Project	Refer Item 4.6
8.16	Events Update	Refer Item 4.10
8.17	Communications Update	Refer Item 4.8
8.18	Operations Update	No Further Action
8.19	LGAT Annual Plan	Refer Item 4.12
	<b>Motions</b>	<b>Refer Item 1.4 Follow Up of Motions</b>
10.1	Elected Member Nomination Requirements	That LGAT determine as a policy position and lobby the State Government to require all future candidates nominating for Local Government elections in Tasmania undertake a National Police check in current name and any previous names The requirements to be a mandatory part of the nomination form which must be completed by all candidates and be available for public scrutiny
10.2	Code of Conduct and Arbitration Requirements	That LGAT call on the State Government to include mandatory conciliation or mediation by an appropriately qualified arbitrator to be funded by the Local Government Division in the first instance of the Code of Conduct Process.
10.3	Code of Conduct Panel	That the Local Government Association Tasmania declares it has no confidence in the Local Government Code of Conduct process and calls on the Minister for Local Government to urgently take a more active role in resolving the issues.

12.1	Grant Timing and Harmonisation	LGAT calls on the State Government to harmonise the timing requirements of its Local Government grant schemes with other grant funding agencies (such as the Federal Government) in order to reduce contradictory and conflicting expenditure and benchmark requirements
13.1	Dog Control and Wildlife Conservation	That LGAT ask the Tasmanian Government to improve and increase its education and enforcement programs for the conservation of shorebirds and other coastal wildlife values, in particular to underpin the efforts Councils make, through their Dog Management Policies, to support the Government's responsibilities for wildlife conservation and Reserve management.
13.2	Dog Control and Wildlife Management	That LGAT coordinate arrangements for a more collaborative arrangement between Local Government and State Government and all compliance agencies with responsibilities that include dog control and wildlife management and protection
13.3	EPA Resourcing and Delegation	That LGAT calls on the State Government to increase or share resourcing to Local Governments to meet the increasing EPA regulatory and compliance functions required to be provided by Local Governments This should include the resourcing and authorisation of Council Officers to facilitate illegal dumping enforcement on crown land.
13.4	Shipping Containers	That LGAT lobby for amendment to the State Planning Provisions to further regulate the placement of shipping containers to reduce their visual impact on the streetscape within township areas
14.1	Family and Sexual Violence Strategies	That LGAT Members support in principal the development of Family and Sexual Violence Strategies by Local Governments across the state
15.1	Date of Australia Day	That LGAT approach the State Government to initiate a community conversation to discuss the date of Australia Day.
15.2	Indigenous Sites of Significance Signage	That LGAT call on the State Government to, where appropriate, support the identification, preservation and celebration of Indigenous places of importance across the municipalities of Tasmania.
	<b>Items for Discussion</b>	
16.1	Elected Member Professional Development	Ongoing



## Follow Up of Motions Report

### Report to the General Meeting

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

Local Government Legislation	
<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.	<b>Passed:</b> September 2020 <b>Notes:</b> The Local Government Division hosted council regional forums during October to collect feedback on issues and to provide advice to the Minister on potential changes. It is understood feedback has been provided to the Minister, but at the time of writing no formal position had been announced by the Government, although it is understood a response, including sector and community consultation on proposed changes, is imminent. LGAT has engaged with both the Local Government Division and the Minister on progressing this work as a priority.
<b>Mandatory Conciliation</b> That LGAT call on the State Government to include mandatory conciliation or mediation by an appropriately qualified arbitrator to be funded by the Local Government Division in the first instance of the code of conduct process.	<b>Passed:</b> December 2020 <b>Notes:</b> The LGAT President has written to the Minister for Local Government. At the time of writing no response has been received.
<b>Code of Conduct Process</b> That the Local Government Association Tasmania declares it has no confidence in the Local Government Code of Conduct process and calls on the Minister for Local Government to urgently take a more active role in resolving the issues	<b>Passed:</b> December 2020 <b>Notes:</b> As above
<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.	<b>Passed:</b> September 2020 <b>Notes:</b> See Agenda Item this meeting for more detail.

## Environment

<p><b>Shorebirds and Coastal Wildlife Values</b></p> <p>That LGAT ask the Tasmanian Government to improve and increase its education and enforcement programs for the conservation of shorebirds and other coastal wildlife values, in particular to underpin the efforts Councils make, through their Dog Management Policies, to support the Government's responsibilities for wildlife conservation and Reserve management.</p>	<p><b>Passed:</b> December 2020</p> <p><b>Notes:</b> LGAT staff met with DPIPWE officers in early February, who expressed support for improving collaboration and clarifying roles and responsibilities. DPIPWE will provide a draft agenda based on the motions for an April forum and LGAT will consult with council officers on the agenda.</p> <p>DPIPWE is yet to respond to the request for improved education.</p>
<p><b>Dog Control and Wildlife Management</b></p> <p>That LGAT coordinate arrangements for a more collaborative arrangement between Local Government and State Government and all compliance agencies with responsibilities that include dog control and wildlife management and protection.</p>	<p><b>Passed:</b> December 2020</p> <p><b>Notes:</b> As above</p>
<p><b>Illegal Dumping on Crown Land</b></p> <p>That LGAT calls on the State Government to increase or share resourcing to Local Governments to meet the increasing EPA regulatory and compliance functions required to be provided by Local Governments.</p> <p>This should include the resourcing and authorisation of Council Officers to facilitate illegal dumping enforcement on crown land.</p>	<p><b>Passed:</b> December 2020</p> <p><b>Notes:</b> LGAT has raised this issue with the EPA and a discussion is scheduled for late February.</p>

## 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 raised this issue with the former 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. LGAT recently delivered the first of a regular series of Permit Authority meetings, 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. While wholesale review seems unlikely, LGAT intends to bring the embedded issues to the new Director of Building Control to progress improvements to building regulation and its resourcing requirements on an ongoing basis.

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

### Shipping Containers

That LGAT lobby for amendment to the State Planning Provisions to further regulate the placement of shipping containers to reduce their visual impact on the streetscape within township areas.

**Passed:** December 2020

**Notes:** Not yet commenced.

## 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 has met with representatives of TasWater on three occasions and also the State Government twice to progress this motion. Both are supportive of the introduction of an infrastructure charging policy (headworks) for water and sewerage, but also for council stormwater.

In addition, LGAT has surveyed the sector and is developing a discussion paper on infrastructure contributions to inform both State and Local Government policy positions on the topic.

Emergency Management	
<p><b>Fire Services Levy</b></p> <p>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</p> <p>Seek justification for the excessive level of financial burden that has been imposed over the last five years.</p>	<p><b>Passed:</b> July 2018</p> <p><b>Notes:</b> 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.</p> <p>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.</p> <p>It is understood that Mr Blakes report has been provided to the Minister.</p>
<p><b>LGAT Emergency Response Role within the State Control Centre (SCC)</b></p> <p>That Member Councils agree to LGAT having an emergency response role when there is a significant state-wide impact as a result of an emergency event and the State Control Centre (SCC) is activated by the State Emergency Management Controller</p> <p>In these circumstances, LGAT's principal function will be as a Local Government Liaison Officer embedded in the SCC.</p>	<p><b>Passed:</b> December 2020</p> <p><b>Notes:</b> LGAT will discuss the formalisation of an LGAT liaison officer in State Control Centres at the State Emergency Management Committee on 4 March 2021. Once agreed, roles and responsibility of the LGAT liaison officer will be acknowledged in the next issue of the Tasmanian Emergency Management Arrangements.</p> <p><b>This motion will be removed following the March General Meeting.</b></p>

Local Government Business and Finance	
<p><b>Local Government Grant Schemes</b></p> <p>That LGAT calls on the State Government to harmonise the timing requirements of its Local Government grant schemes with other grant funding agencies (such as the Federal Government) in order to reduce contradictory and conflicting expenditure and benchmark requirements.</p>	<p><b>Passed:</b> December 2020</p> <p><b>Notes:</b> LGAT has written to the Minister for State Growth. At the time of writing no response had been received.</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 regular meetings of an Expert Advisory Group (EAG) from Local Government owners.</p> <p>The EAG met a number of times last year and as part of its work provided expert advice and questions on TasWater's Annual Report, which resulted in good discussion at the AGM. The EAG is meeting in mid-March to commence a review of the Shareholder's Letter of Expectations.</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> <p><b>This motion will be removed following the March General Meeting.</b></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 COVID –19 pandemic has significantly altered the State Government’s approach to protecting and improving the health of all Tasmanians. The Premier’s Economic and Social Recovery Advisory Council (PERSAC) is due to present its final report in March 2021. It will inform the State Government’s priorities and approaches to health. That in turn will influence the work of LGAT and Local Government.

The Department of Communities has been implementing a \$200M Local Government Loans Program available for councils to support infrastructure projects, including sport and recreation facilities.

Councils across Tasmania have benefited from the Department’s focus on returning the community 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 has advocated during 2021 for increased and sustained funding to support Local Government’s essential role in improving health outcomes.

Other matters	
<p><b>Government Services Decentralisation</b></p> <p>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.</p>	<p><b>Passed:</b> July 2018</p> <p><b>Notes:</b> 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.</p> <p>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 and the vital importance of maintaining councils' financial capacity as key component to recovery across the state.</p> <p>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, and demonstrated in the recommendations/planned actions of both.</p> <p>Finally, the <a href="#">2020-21 Tasmanian Budget</a> (delayed until 12 November due to COVID-19) includes investments for a number of programs supporting regional jobs, regional businesses, skills and training, and regional health. In addition, the Premier has confirmed that the 2020-21 Tasmanian Budget is progressing all of the recommendations of the PESRAC Interim Report.</p> <p><b>This motion will be removed following the March General Meeting.</b></p>

<p><b>Australia Day</b></p> <p>That LGAT approach the State Government to initiate a community conversation to discuss the date of Australia Day.</p>	<p><b>Passed:</b> December 2020</p> <p><b>Notes:</b> LGAT has written to the Premier. At the time of writing no response had been received.</p>
<p><b>Indigenous Sites of Significance Signage</b></p> <p>That LGAT call on the State Government to, where appropriate, support the identification, preservation, and celebration of Indigenous places of importance across the municipalities of Tasmania.</p>	<p><b>Passed:</b> December 2020</p> <p><b>Notes:</b> LGAT has written to the Minister for Aboriginal Affairs. At the time of writing no response had been received.</p>



## 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>In recent weeks there has been significant progress from the State Government in this area. The Container Refund Scheme announcement and commencement of consultation on the statewide waste levy legislation both strongly align with LGATs advocacy.</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</u> Determination of the best structure/alignment for councils so they can service the needs of modern Tasmanian Communities.</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. The results from this project will be incorporated in the LGAT current work program where appropriate and also in our strategic planning later this year.</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>LGAT continue to advocate for release of the TPPs, with a recent Opinion Editorial in the Mercury and ongoing discussion with the office of the Minister for Planning. It is understood the government is currently scoping the next stage of "red tape reduction".</p>

No.	Priorities	Outcome/Output Measures	Progress	Comment
4.	<b>Continue to expand the procurement program</b>	Growth in sectoral procurement savings		Please refer to the General Meeting Agenda for an update.
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.
6.	<b>Support councils' infrastructure planning and financing arrangements</b>	<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 undertaken research and investigation of infrastructure contributions to understand the local state of play, current member council positions and regimes of other Australian jurisdictions. We are also in discussion with TasWater on their work and the State Government, who has an interest in supporting this agenda. A survey of councils has been undertaken, which is informing 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>

No.	Priorities	Outcome/Output Measures	Progress	Comment
7.	<b>Continue to support Member's professional development</b>	Deliver key professional development opportunities including the Annual Conference, Elected Member Weekend, Mayors' and General Manager's Workshops.		Please refer to the General Meeting Agenda item for an update.
8.	<b>Support councils' recovery efforts from COVID-19</b>	Acknowledgement of the important role councils play in recovery		<p>The State Recovery Adviser advised in November 2020 that the State Government would establish 3 regional recovery committees to provide advice to government to inform ongoing recovery efforts. The committees will be chaired by the State Government and include representatives from Local Government, non-Government organisations, industry, local communities and the Australian Government. The State Government Recovery Unit has just been established and LGAT has organised to meet with their first team member to get a better understanding of timing and process around the establishment of the committees.</p> <p>The PESRAC final report is due to be released in a few weeks. LGAT is hopeful that there will be recommendations which support placed based recovery to address unique needs of various communities.</p>