



Local Government Association Tasmania

General Meeting

Agenda

30 June 2023

Commencing at 12.00pm

Lunch from 11.30am

Crowne Plaza, Hobart

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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

11.30am	Lunch
12.00pm	Meeting Commences
1.45pm	Meeting concludes



1. GOVERNANCE

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 17 March 2023, as circulated, be confirmed.

Background:

The Minutes of the General Meeting held on 17 March 2023, 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 President's activity from 28 February 2023 until 9 June 2023.

Meetings and events

- March General Meeting and GMC meeting
- Mayor's workshop March
- Elected Reps Planning Authority Training April; and May
- May GMC Meeting
- ALGA Board Meetings
- Presentation to the LGA South Australia on compulsory voting and reform
- Minister Street on Elected Representative behaviour

Media and correspondence

- LGAT News – April

- Local government review
 - Radio interviews
 - LAFM – Tasmania Talks, 2 March
 - ABC Hobart – Breakfast, 15 March
 - 7HOFM – News, 29 March
 - ABC Hobart – Mornings, 17 April
 - ABC Hobart – Drive, 20 April
 - ABC Hobart – News, 20 May
 - ABC Hobart – Breakfast, 31 May
 - TV interview (WIN TV)
 - Media release (20 April)
 - Article (The Mercury)
 - Media release – Timeframe extension (19 May)
 - Articles - Timeframe extension (The Mercury, The Examiner, King Island Courier, Kingborough Chronicle, Kentish Voice, Kingston Classified, Circular Head Chronicle, Derwent Valley Gazette and Southern Midlands Regional News)

LGAT President nominations

- Article (The Mercury)

Visa processing delays

- Newspaper articles (Tasman Gazette)
- Newspaper articles (Derwent Valley Gazette, Tasman Gazette)

LRCI Federal Funding Announcement

- Media release

Resignation of Danny Gibson as Mayor

- Radio interview (LAFM)

Dorothies Awards

- Media release

1.6 CHIEF EXECUTIVE OFFICER'S REPORT

Contact officer: Dion Lester

Decision Sought

That Members note the report on the CEO's activity from 27 February 2023 until 9 June 2023.

Advocacy

In the period since my last report our advocacy activity remained high across our key priorities of planning and housing, elected member workplace health and safety, climate change and the Future of Local Government Review.

Some of the activities included:

- Submissions on the Tasmania's Population Strategy and Regional Planning Framework Consultation Papers - full copies of our submissions can be viewed on the LGAT website at: <https://www.lgat.tas.gov.au/lgat-advocacy/reports-and-submissions>
- A meeting with Central Coast Council and Minister Barnett on housing.
- A meeting with the new CEO of Homes Tasmania, Eleri Morgan-Thomas, who also recently presented at the May General Manager's Workshop.
- Discussions have commenced with the Minister's Office on the MOU for housing.
- Ongoing work with the Office of Local Government on managing interests, GM recruitment and performance management, the Code of Conduct.
- A meeting with Minister Street on Elected Representative behaviour.
- A meeting with Minister Jaensch, with regional groups, to discuss climate change funding for local government. This work subsequently resulted in \$500,000 funding for local government climate change activities.
- Participation in the first meeting of the Climate Change Reference Group, tasked with providing the Tasmanian Government with advice and feedback on strategic priorities and emerging opportunities in climate change mitigation and adaptation.
- Negotiating a six-week extension to the Future of Local Government Review consultation period and also funding for independent facilitators to gather sector feedback on the scenarios presented by the Board.

Sector Services

LGAT Procurement's support for the sector continues to grow, with work on the key initiatives in our business plan all progressing better than our expectations. The procurement update in this agenda provides further details.

In April we delivered two workshops on councillors role as a Planning Authority and Managing Growth. Both sessions received positive feedback, with the format (morning capability session and afternoon policy session) likely to be repeated in future professional development activities.

There has been significant resource efforts in pulling together 36 Future of Local Government Review engagement sessions with the sector – all occurring in June. These constitute 21 face to face sessions and 15 online sessions.

Governance and operations

LGAT operations have focussed on the introduction of the Customer Relationship Management software, office upgrades (new furniture, heating, and lighting) and supporting the induction of new staff members.

Media

Integrity Commission recruitment investigation

- Media query (The Mercury)
- Newspaper article (The Mercury)

Shopping trolleys

- Media query (News Corp)

Conflict of interest register

- Media query (The Examiner, ABC)
- Articles (The Examiner, ABC)

The Voice

- Media query (ABC)

Development applications

- Media query (The Examiner)

Local government review

- Media query (The Examiner)
- Articles (The Examiner, The Advocate, The Mercury)

Skills shortages in local government

- Media query (The Mercury)
- Article (The Mercury)

Tiny Homes

- Media query (ABC)

Population growth

- Article (The Advocate)

Elected Representative mental health support

- Media query (The Examiner)
- Article (The Examiner)

1.7 COUNCIL ROUND UPS

Decision Sought

That Members note there will not be a council round up this meeting.

Background

The session also allows time for questions and provides an opportunity to briefly share and highlight problems or opportunities facing councils and is better suited to a face-to-face meeting.

2. ITEMS FOR DECISION

2.1 MOTION - RESTRICTIVE COVENANTS ON USE OF LAND AND PROPERTY

Council – Clarence City Council

Decision Sought

That LGAT lobby the State Government urging legislative change to outlaw the creation of covenants which place restrictions on the use of land and property for:

- a. public, social or affordable housing; or**
- b. tenants or occupants based on their source of income, or social or financial circumstances.**

Background

It was reported on ABC News Tasmania and ABC Radio's PM Program on Monday 20 February 2023 that restrictive covenants were being applied to housing estates in Tasmania disallowing the use of properties for public housing or to lease to tenants in receipt of government payments.

Some people including welfare agencies have expressed concern that allowing such covenants makes it more difficult for Tasmanians who are homeless or at risk of homelessness to secure affordable accommodation.

While the regulation of covenants is a matter for the Tasmanian Government and Parliament, it is appropriate for local government to adopt a position on this issue as advocates for the rights of people to access affordable housing. Such restrictive covenants also have the potential to curtail efforts by local government to improve the supply of affordable housing through the instruments available to us.

There appears to be little, if any, legislative restriction on using covenants in this way in either the *Land Titles Act 1980* or other legislation relevant to the administration of land rights. There is also no restriction on covenants being in this way in the *Anti Discrimination Act 1998* because economic circumstances are not a prescribed attribute. It would be prudent of the Attorney-General to consider whether amendments to both legislative instruments are required.

LGAT comment

LGAT does not have an existing resolution similar to the motion proposed.

The two primary tools for local government to manage the use of land within its municipality is the *Local Government Act 1993* and the *Land Use Planning and Approvals Act 1993*. These establish the primary role of councils to plan their municipalities now and into the future to provide for the health, safety, and welfare (amongst other things) for their communities. There is a range of other legislation that operates outside this framework that constrains or encourages different land uses.

2.2 MOTION – COUNCIL LEAVE OF ABSENCE PROVISIONS

Council – Clarence City Council

Decision Sought

That LGAT and Member Councils support Clarence City Council's position which:

- A. Recognises that the current process for requests for leave of absence by councillors is inappropriate as it does not reflect the rights and responsibilities applicable in contemporary work environments.**
- B. Authorises the Chief Executive Officer to write to the Minister for Local Government on behalf of Council to request the Tasmanian Government to introduce updated regulations as soon as practicable to provide for the following:**
 - i. That a councillor be able to advise the relevant council of a leave of absence 'as of right', subject to conditions being met (as set out below).**

- ii. **A councillor’s request for leave may be for a cumulative period of up to three months in any 12-month period in ordinary circumstances or up to six months in any 12-month period should a councillor or their spouse or domestic partner—**
 - (a) **become the natural parent of a child (including any period during pregnancy); or**
 - (B) **adopt a child under the age of 16 years— and the councillor has responsibilities for the care of the child during that period.**
- iii. **Any application for extended leave that is greater than three or six months, whichever is applicable, must be supported by evidence that would satisfy a reasonable person that the absence is reasonable in the circumstances, and be approved by the relevant council.**
- iv. **Should a council have concerns regarding a councillor leave of absence, (other than for parental leave), by an absolute majority decision, a council may refer any request for leave of absence to the Minister for Local Government / Director of Local Government for review and determination”.**

Background

The current arrangements for the requesting, granting or refusal of leave for councillors serving on Tasmanian local councils does not reflect the appropriate balance of rights and responsibilities expected in contemporary work environments. For example, The Fair Work Act provides that an employee’s request for annual leave can only be refused by an employer if the refusal is reasonable. There is no such consideration or protection for councillors under the current regulations covering local government in Tasmania. With the exception of Victoria, where a Council must approve all reasonable requests for leave, all other jurisdictions in Australia also fail to adequately address the issue of requests for leave (see Attachment 1). A councillor should be able to expect reasonable requests for leave are granted as a matter of right. In an environment where those assessing leave applications are also elected members of the Council, it is even more important the application process for leave is built upon clearly demonstrated rights and responsibilities that are consistent with the provisions that apply to all other contemporary workplaces.

LGAT comment

LGAT does not have an existing resolution similar to the motion proposed.

The 2020 review of the local government legislation did not consider this issue.

2.3 MOTION – SHORT STAY

Local Government Association

Decision Sought

That LGAT convene an expert reference group from member councils to develop recommendations for the sector to consider on:

- What further data and support is required to assist local government in responding to the housing crisis.
- What changes are required to manage short stay accommodation's contribution to housing availability, local amenity, economic development and equitable rating.
- What tools are available to encourage owners of unoccupied dwellings to make their properties available as long term rentals.

Background

LGAT received this motion from Clarence City Council and a request from the City of Launceston to *“investigate and report on the implementation of a vacant residential land tax for unoccupied homes within the State.”*

It is further noted that the City of Hobart has unsuccessfully sought amendments to their Local Provision Schedule to limit the number of entire home short stay listings in some parts of the city. A number of councils are also investigating the introduction of a differential rate for short stay accommodation, consistent with the information provided by LGAT at the September 2022 General Meeting ([Item 8.1](#)):

Given the breadth of activity occurring across our sector it is proposed to set up an overarching reference group to develop recommendations for how councils respond in a consistent and constructive way.

Clarence City Council has agreed to withdraw its motion, however the contents of this and also the request from the City of Launceston will form the basis for the reference groups initial considerations.

3. ITEMS FOR DISCUSSION

There are no Items for Discussion

4. ITEMS FOR NOTING

4.1 FUTURE OF LOCAL GOVERNMENT REVIEW

Contact officer: Dion Lester

Decision Sought

That Members note the update on the Future of Local Government Review.

Background

On the 19th of April the Government released the Stage 2 Interim Report from the Local Government Board. The report proposed a reform approach that would result in “boundary changes to deliver larger, more capable councils, supported by mandated shared service arrangements where there is a clear need or benefit”. The details of the proposed changes were not outlined, instead a series of ‘community catchments’ were presented within which future reform scenarios would be based.

On release of the Interim Report local government (and the broader community) was provided until the 21st June to provide feedback, with no process outlined for how local government would work through the forthcoming scenarios. LGAT subsequently developed a proposed engagement plan to accompany a request for additional time and funding for independent facilitators. This advocacy was successful, with an additional six weeks being provided by the Government for submissions. In addition, LGAT received funding sufficient to conduct 21 face-to-face sessions and 12 online sessions across the nine ‘community catchments’.

On the 29th of May the Board then released a series of scenarios for each ‘community catchment’ outlined in the Interim Report. There were also three supporting discussion documents covering shared service models, State and Local Government partnership opportunities, and supporting strong and empowered local communities.

At the time of writing nine of the face-to-face sessions had been conducted, with good levels of engagement across staff in particular.

On conclusion of the engagement, LGAT will be providing the feedback to each council to support local decision making.

Budget Impact

The engagement program has been supported with State Government funding.

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Local government reform

4.2 WORKPLACE HEALTH AND SAFETY REVIEW *

Contact officer: Dion Lester

Decision Sought

That Members note the progress on the implementation of the Workplace Health and Safety Review of Elected Representatives (WH&S Review).

Background

At the March 2023 General Meeting members resolved:

That Members discuss and confirm the proposed high level implementation plan for the workplace health and safety review of elected representatives and communicate the key components to their councils.

That Members request that the more detailed project implementation plan be reported to the next General Meeting, including any new resources that may be required.

That Members request that a summary of the findings and links to the in-depth documents of the review be sent to all Mayors with a request that they table this and report back to their elected members.

A detailed implementation plan is included as an **Attachment 4.2** to this item. Since the March General Meeting, Members will note that in addition to the summary of findings being sent to all Mayors as sought by the resolution, a number of the other recommendations have been completed.

Budget Impact

The original review was undertaken with State Government funding. At this stage implementation is being undertaken with LGATs existing resources.

Current Policy

Strategic Plan

- Advocate
- Sector Services

2023 Annual Priority

- Local government reform
- Workplace health and safety for elected representatives

4.3 CLIMATE CHANGE

Contact Officer – Ben Morris

Decision Sought

That Members note the update on climate change.

Background

In recent months LGAT has been working with council regional groups (Southern Tasmanian Councils Authority, Cradle Coast Authority and northern General Managers group) to develop a proposal for a structured local government climate change program. Thanks to this initiative and direct advocacy to the Minister for Climate Change, Roger Jaensch, the Tasmanian Government's Climate Change Action Plan¹, has committed \$500,000 over two years to build climate change action capability in local government. The commitment is for the State Government to work with local government to co-design and implement a program of state-wide climate change action in local government that builds the sector's capacity to respond to the impacts of a changing climate and reduce greenhouse gas emissions.

In addition, the LGAT CEO is participating in a new State Government-led Climate Change Reference Group. The group is tasked with providing the Tasmanian Government with advice and feedback on strategic priorities and emerging opportunities in climate change mitigation and adaptation. Our seat at this senior table enables local government to have a better voice in climate risk and adaptation and with greenhouse gas emissions.

Budget Impact

Being undertaken within current resources.

¹ Available at: https://recfit.tas.gov.au/climate/climate_change_action_plan

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Climate change

4.4 LGAT LOCAL GOVERNMENT SERVICE AWARDS ***Contact Officer – Ben Morris****Decision Sought****That Members note the updated LGAT Local Government Service Awards.****Background**

The LGAT General Management Committee (GMC) requested that the secretariat review the current suite of awards under our Local Government Service Awards, which are awarded at our Annual Conference.

We reviewed the awards provided by our peer local government associations and considered the key requirements for a set of contemporary awards. These key requirements include that they must:

- encourage and recognise the service of elected representatives and officers to local government
- have distinct eligibility and assessment criteria
- provide proportionate criteria for elected representatives and officers.

The review of our awards found that there was significant overlap and there was not a clear delineation between recognition of service versus excellence.

This resulted in the LGAT GMC endorsing some amendments to our current award structure. The following are the awards endorsed by the GMC:

- Recognition of service – for elected members, recognising service more than ten years in five-year increments.
- Mayor Emeritus – recognition for retiring Mayors who have served two or more terms.

- Outstanding commitment and service to local government – for elected members and officers that have demonstrated outstanding service and contribution to advance Tasmanian local government.
- Life member – for elected members (more than ten years services) and senior officers (more than 15 years' service). Those awarded are recognised leaders and champions of Tasmanian local government and have demonstrated excellence in service and contribution to advance the local government sector – within and beyond Tasmania.

The full details of the awards, eligibility, assessment criteria and nature of recognition are included as an **Attachment to this item 4.2**.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Governance and operations

2023 Annual Priority

- Sector development

4.5 PLANNING REFORM

Contact Officer – Michael Edrich

Decision Sought

That Members note the update on the progress of planning reforms.

Background

The Tasmanian Government's planning reforms continue to progress. There are four major areas of work:

1. preparation of the Tasmanian Planning Policies (TPPs)²
2. review of the Regional Planning Framework³

² TPPs progress: <https://planningreform.tas.gov.au/planning-reforms-and-reviews/tasmanian-planning-policies>

³ Regional Planning Framework progress: <https://planningreform.tas.gov.au/planning-reforms-and-reviews/regional-planning-framework>

3. review of the Regional Land Use Strategies (RLUSs)
4. review of the State Planning Provisions (SPPs)⁴.

There are several updates since the March 2023 General Meeting update.

The Minister has submitted the Draft Tasmanian Planning Policies (TPPs) to the Tasmanian Planning Commission (TPC) for public exhibition and review. Submissions on the Draft TPPs are due 26 June.

LGAT made a [submission](#) on the Regional Planning Framework Discussion Paper and draft Structure Plan Guidelines. Our key points were the need to:

1. resolve the lack of maintenance of the RLUSs and responsiveness to emerging local issues (e.g., housing and meeting development demand)
2. resolve the lack of clear ownership of the RLUSs and the lack of ability for planning authorities to act decisively and responsively on local planning matters bound to the RLUSs
3. clarify the role and involvement of different state government agencies within the RLUSs, and how these agencies should interface with the RLUSs when they are in operation.

Our submission supported improving consistency between regions, with the framework allowing flexibility for councils to express their region's development narrative and to address local and regional challenges and opportunities.

The State Planning Office (SPO) has met with council planners regarding the State Planning Provisions (SPPs) Review. The SPO has triaged the issues received through consultation and are now inviting local government planning experts to work with them on reviewing and progressing these issues in logical groups. The SPO's detailed work and close collaboration with local government planners has been very well received by councils.

The Local Provisions Schedules of Waratah-Wynyard and Latrobe Councils' have now taken effect. This brings the total to 21 councils having fully transitioned to the Tasmanian Planning Scheme⁵.

Budget Impact

Being undertaken within current resources

⁴ SPP Review progress: <https://planningreform.tas.gov.au/planning-reforms-and-reviews/review-of-the-state-planning-provisions>

⁵ TPS progress: https://planningreform.tas.gov.au/planning/scheme/local_provisions_schedules

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Ready for growth communities
- Climate change

4.6 TASMANIAN DEVELOPMENT MANUAL PROJECT

Contact Officer – Michael Edrich

Decision Sought

That Members note the work LGAT is undertaking to overhaul the Tasmanian Municipal Standards and inform Tasmania’s planning system with the Tasmanian Development Manual Project.

Background

LGAT maintains the Tasmanian Municipal Standards (TMS) documents in collaboration with the Institute of Public Works Engineers Australasia Tasmania (IPWEA Tas) and councils. The TMS is hosted on the LGAT website^[1] and consists of three documents:

- TMS – Specifications
- TMS – Drawings
- Subdivision Guidelines.

LGAT and IPWEA Tas have recognised the need for these documents to be substantially updated and consolidated. The Tasmanian Planning Scheme (TPS) provides only for the regulation of use and development and doesn’t set out any detailed design guidelines to inform and support development. Addressing these gaps would benefit proponent understanding and councils as planning authorities under the TPS.

LGAT has been successful in advocating to the Tasmanian government to co-fund work to address these gaps. The work will combine all components of the existing TMS and create a comprehensive Development Manual. The manual would include a range of both pre-application design guidelines and post-approval construction standards. Its aim will be a convenient single reference point for developers, and councils, in informing development proposals submitted and compliance requirements for construction.

^[1] See: <https://www.lgat.tas.gov.au/member-services/engineering-local-government-standards-and-guidelines>

Project Concept

The manual will be modular, allowing councils to adopt or apply the components they choose and allowing the manual to be developed over time, component-by-component, in a prioritised form.

The aim is to provide guidelines, resources and tools that reduce uncertainty and support voluntary uptake of consistent development regulatory approaches, supporting proponents, approvers, and regulators. The manual must be flexible to support widespread uptake and appropriate local application from our major cities to our islands and remote areas.

The scope for the first modules will be confirmed through a local government steering committee, formed by LGAT. Some of the items that may be in the Development Manual include:

- Design guidelines and standards for:
 - urban design
 - footpath and cycleways design
 - transport, access, and parking design
 - water sensitive urban design
 - hazards planning and design – bushfire, coastal, flood
 - stormwater drainage
 - standard drawings and material requirements.
- Administrative and procedural matters, such as:
 - application checklists
 - compliance procedures and checklists
 - plan sealing procedures
 - flexible template conditions.

Legal Effect

The Development Manual and its requirements will be non-statutory, until called up by councils under their existing legal authority. This will include:

1. under conditions of planning permit approval – [section 51](#) (3A and 4) of the *Land Use Planning and Approvals Act 1993* (LUPAA)
2. requests for additional information – [section 54](#) of LUPAA
3. agreements relating to development and infrastructure – [Part 5](#) of LUPAA.

The Tasmanian Development Manual will sit alongside the Tasmanian Planning Scheme (TPS) in regulating and setting the standards for development. The TPS generally covers which development is regulated and the objective or outcome to be achieved. The Development Manual will provide more detail on how to achieve the objectives or outcomes.

Budget Impact

The project is being co-funded by the Tasmanian Government (State Planning Office), all councils (through existing contributions to the TMS), and LGAT. LGAT is contributing in-kind resources for project management and stakeholder engagement support.

Current Policy

Strategic Plan

- Advocate
- Sector services

2023 Annual Priority

- Ready for growth communities
- Sector development

4.7 BUS STOP OWNERSHIP AND UPGRADE GRANT PROGRAM

Contact Officer – Michael Edrich

Decision Sought

That Members note the update on the Department of State Growth’s All-Access All-Weather Bus Stop Upgrade Grant Program and the issue of bus stop ownership.

Background

Bus stops are an important part of the public transport system across rural and urban areas. In the past, ownership has not been a prominent issue with councils and State Government agencies maintaining and repairing infrastructure as needed. However, the requirement for bus stop infrastructure to be compliant with the Commonwealth *Disability Discrimination Act 1992* (DDA) has meant that an entity must be responsible. The Department of State Growth (DSG) has initiated the All-Access All-Weather Bus Stop Upgrade Program to fund upgrade of bus stops to DDA compliance⁶ with costs shared between councils and the State Government.

Today, the ownership, and responsibility that comes with that to upgrade, maintain and renew is a very contested issue. The State Government position has been that bus stop infrastructure on local roads and on state roads within urban areas is owned by and an obligation of local government, irrespective of who constructed it, who manages the transport provider service levels, and who controls the bus route and stop location.

⁶ See: https://www.transport.tas.gov.au/public_transport/bus_stop_upgrade_program

The position of local government has been overall, that the ownership of assets within the road reserve remain owned by the public transport operator and/or the constructor of the asset. Responsibility can be transferred through voluntary agreement to another party for ongoing ownership and/or maintenance, much like any other utility, such as electricity, water supply, wastewater reticulation, and telecommunications.

The All-Access All-Weather Bus Stop Upgrade Program has been welcomed by councils who have wanted to improve the accessibility of bus stops. However, they are very wary of attempts to use the grant to pass ownership and responsibility of bus stops on to councils. DSG was cautioned by councils and LGAT not to attempt this.

However, in March, DSG wrote to councils declaring their intention to have their position on bus stop ownership and maintenance reflected in the program deeds. Several councils immediately reacted against this and alerted LGAT.

As a result, LGAT has written to and met with DSG to separate the bus stop ownership and maintenance issue from the program, to allow the upgrade of bus stops for the benefit of the community. Our advice to DSG is to use a separate negotiated process to work towards resolving the ownership issue, such as through the concurrent Road Management Legislation Review⁷. At the time of writing, it appears that DSG is taking this recommendation and is amending the Grant Program draft deeds.

The local government sector, supported by LGAT, will need to work through a negotiated process for how the public transport stop infrastructure is maintained. It may be that there are certain tasks that councils are better placed to deliver than the State – but only by agreement and with appropriate cost recovery. Councils are critical to the success of a substantially improved public transport delivery and operation system that meets the aspirations of our communities.

Budget Impact

Being undertaken within current resources

Current Policy

Strategic Plan

- Advocate

⁷ See:

https://www.transport.tas.gov.au/projectsplanning/plans,_strategies_and_policies/road_management_legislation_review

4.8 REGIONAL TOWNS CCTV PROJECT

Contact Officer – Wade Berry

Decision Sought

That Members note the update on the Regional Towns CCTV project.

Background

As noted in the December General Meeting Agenda¹, LGAT has commenced a \$4 million program, funded by the Tasmanian Government, to increase community safety in regional towns with closed circuit security cameras (CCTV).

Invitations to participate have been sent to all councils with 21 councils expressing an interest in being part of the project. We have directly engaged all interested councils, including commencing the review of existing CCTV and server infrastructure, and holding meetings and briefings with key infrastructure and IT staff.

Tasmania Police have expressed their full commitment to supporting the project. We have met with District Commanders and Inspectors to discuss the key requirements of this project. Tasmania Police will assist with project guidance at a state-wide level, as well as provide local input into the identification of key CCTV sites. Tasmania Police are also investigating opportunities to link this project into their future automatic number plate recognition projects.

To test the project approach, understand costs and timelines, the project has determined four municipalities as ‘proof of concept sites’, before rolling the project out to a broader set of municipalities. In each of the four council areas, four contractors have been selected to get the design and installation under way. A kick-off meeting with proof-of-concept councils and Tasmania Police was held on 30 May 2023.

The design is aiming for a consistent state-wide CCTV hardware and software delivery method. The design emphasises existing assets, where councils have invested in suitable infrastructure.

Budget Impact

Being undertaken with external grant funds from the Tasmanian Government, via the Department of State Growth.

2023 Annual Priority

- Sector development

4.9 EMERGENCY MANAGEMENT UPDATE

Contact Officer – Bec Stevenson

Decision Sought

That Members note the update on emergency management.

Background

LGAT continues to engage with the State Government on emergency management issues of importance for local government, including several reviews underway.

Tasmanian Emergency Management Arrangements Review

In June 2022, the Tasmanian Emergency Management Arrangements (TEMA) Review Project commenced. The *Emergency Management Act 2006* requires that the State Emergency Management Committee (SEMC) review the TEMA and State Special Emergency Management Plans at least once every two years. The TEMA is the guiding document outlining the emergency management arrangements in Tasmania.

We have made two submissions on behalf of the sector; [Issue 2](#) and [Issue 3](#). The draft TEMA was approved by the State Emergency Management Committee (SEMC) at their March 2023 meeting for endorsement by the Minister for Police and Emergency Management. SEMC noted our concerns raised in relation to the level of detail in the recovery section of the TEMA recognising the State Recovery Plan is under review. The TEMA is currently with the Minister for endorsement.

State Special Emergency Management Plan – State Recovery Plan

The Department of Premier and Cabinet have commenced a comprehensive review of the State Recovery Plan, with the aim of delivering a Plan to the State Emergency Management Committee in December 2023 for endorsement.

An Issues Paper, endorsed by the State Recovery Committee, has been released that consolidates known issues and gaps in the current recovery arrangements. The paper poses a set of questions to draw further insights and experiences from recovery partners at the local and State Government level, as well as within the NGO sector. The paper was distributed to councils on 27 April 2023 for feedback.

We are preparing a submission on behalf of the local government sector and will provide a link to our final submission at a future meeting.

Fire Services Act Review

After six years of comprehensive reviews and public consultation the Tasmanian Government [announced](#) on 24 January 2023 that it would:

- Merge the Tasmania Fire Service and the State Emergency Services to become Tasmania Fire and Emergency Service (TFES).
- The State Fire Commission will become the State Fire and Emergency Services Committee, allowing the membership to grow and include representatives from SES and other key stakeholders.

These changes will be effected through new legislation - the Fire and Emergency Services Act, that will replace the *Fire Services Act 1979*.

We understand a reform project team is being established to implement the recommendations endorsed by Government and work with key stakeholders to inform the development of a draft Bill.

Local government has been confirmed as a key stakeholder in the project and appropriate engagement has been assured as the reform progresses. To date however, no engagement has occurred. We have been and will continue to seek information and sector participation in the review.

Disaster Ready Fund

The Australian Government [announced](#) on 10 January 2023 the establishment of the [Disaster Ready Fund](#) (DRF). A number of councils nominated projects for consideration during round one. These applications have been assessed by the Tasmanian evaluation panel and referred to the Australian Government for assessment. We are currently waiting on an announcement of the successful projects by the Australian Government, which we understand is imminent.

A review of feedback received following round one will be undertaken prior to the release of round two. The short timeframes that hampered local government participation have been raised by the Australian Local Government Association with the Federal Minister for Emergency Management, Senator the Hon. Murray Watt.

Review of the State Tsunami Plan

The State Emergency Service has been coordinating a review of the State Tsunami Plan. This has involved the LGAT contact officer participating in an exercise working group delivering a multi-agency exercise event to test the draft Plan. We have also provided a sector response to the review. The revised Plan is expected to be presented to the SEMC meeting scheduled for June for final endorsement.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Emergency management

4.10 WASTE AND RESOURCE RECOVERY

Contact Officer – Bec Stevenson

Decision Sought

That Members note the report on waste and resource recovery.

Background

LGAT continues to engage with the State Government, Waste and Resource Recovery Board and the three Regional Waste Authorities on waste and resource issues of importance for local government. We have also been supporting ReThink Waste⁸ to increase their social media reach through our media channels.

Draft Container Refund Scheme Regulations

Consultation commenced on 11 May 2023 on the draft *Container Refund Scheme Regulations 2023*. The draft regulations have been developed to provide operational detail around the *Container Refund Scheme Act 2022* including:

- exclusion of the beverage containers from the scheme when it commences (such as unflavoured milk, wine, and spirits)
- the 10 cents per container refund amount
- technical details for barcodes and refund messages to be included on beverage labels
- circumstances where a refund is not payable (such as where a container is broken or contaminated).

The draft regulations are consistent with national efforts to harmonise container types, refund amounts, labelling, and education, providing consistency for beverage producers and simplifying schemes for consumers.

⁸ A Tasmanian initiative to support communities to reduce, reuse and recycle. It is a joint initiative of the Cradle Coast Waste Management Group, Northern Tasmanian Waste Management Group, and Southern Tasmanian Regional Waste Authority in partnership with the Tasmanian Government. See: <https://rethinkwaste.com.au>

A copy of the draft regulations was provided to the Regional Waste Authorities to review and provide a submission if required.

Landfill Levy Support Program

We have been advised that consultation on the Waste and Resource Recovery Board (WRRB) Landfill Levy Support Program will commence shortly. The WRRB will engage directly with Councils.

Waste and Resource Recovery Board (WRRB)

LGAT has continued to engage and support the WRRB, including with the recruitment of their CEO, with the LGAT CEO a member of this recruitment panel.

Engagement on the Draft Waste and Resource Recovery Strategy closed in late February 2023, with submissions currently being considered and the final strategy due to be released soon. A number of councils provided submissions on the draft strategy with a full list available on the Natural Resources and Environment [website](#). LGAT provided a submission on behalf of the sector, available on our [website](#).

Garage Sale Trail

Since the last update, we have met with, and supported the Garage Sale Trail General Manager to increase their engagement with the local government sector. A case study has been published on our website promoting the Trail and information distributed to councils on joining the Garage Sale Trail.

Regional Waste Authority Support

We continue to work with the Regional Waste Authorities. In particular, we have supported the formation of the Southern Tasmanian Regional Waste Authority (STRWA), representing the southern councils. This has included foundation governance rules and supporting the board and CEO appointment process. The STRWA is now operating with its own CEO, Paul Jackson, who is leasing office space from LGAT, and we are providing administrative support under a formal fee-for-service arrangement.

We anticipate that with the foundation policy measures, such as the state-wide waste levy and container refund scheme, now in place Tasmania is well positioned to improve our resource recovery rates.

Budget Impact

Being undertaken within current resources

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Waste and resource recovery

4.11 ENVIRONMENTAL PROTECTION AUTHORITY MEMORANDUM OF UNDERSTANDING**Contact Officer – Bec Stevenson****Decision Sought****That Members note the report on LGAT’s refreshed Memorandum of Understanding with EPA Tasmania****Background**

Since 2017, LGAT and the Environmental Protection Authority Tasmania (EPA) have had a Memorandum of Understanding (MoU) to establish and implement a framework for LGAT, councils and the EPA to work together on environmental protection. In particular, so that the parties work more cooperatively in assessing and regulating environmentally relevant activities and responding to events that may cause environmental harm or nuisance.

A new five-year MOU has recently been established that builds on from the previous MoU. The refreshed MoU reflects on the strong relationship between the LGAT and EPA and an ongoing, shared desire to show leadership and engage in a structured, cooperative, and productive way to support councils.

The Strategic Priorities have been informed by engagement with the local government sector and areas that EPA has identified in their work alongside councils. The priorities outlined in the MoU are:

- environmental complaints, incident preparedness and response
- illegal dumping
- environmental investigations and prosecutions
- capability building
- capacity
- national standard implementation
- collaboration on more complex development applications and regulation.

An annual action plan will be produced each year and tabled at the first LGAT General Meeting in the new financial year. This plan will become the workplan for the EPA's Local Government Engagement Program.

A working group will be established comprising of Senior LGAT and EPA officers to develop, oversee and review progress with the annual action plan and address any issues that arise, including new matters that may require consideration as Strategic Priorities.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

4.12 CHILD AND YOUTH SAFE ORGANISATIONS

Contact Officer – Lynden Leppard

Decision Sought

That Members note the update on Child and Youth Safe Organisation Bill and Recommendation 6.12 from the Royal Commission into Institutional Responses to Child Sexual Abuse Report.

Background

The Child and Youth Safe Organisation Bill establishes a legislative framework for the regulation of Child and Youth Safe Standards and the establishment of a Reportable Conduct Scheme, including information sharing provisions, aligning with the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. The Bill has now passed the Legislative Council and awaits Royal Assent.

The bill identifies all councils as entities that are required to comply with the Child and Youth Safe Standards (the Standards). Council compliance with the standards will be monitored and enforced by the Independent Regulator. Councils will also be required to comply with the Reportable Conduct Scheme from 1 January 2024.

The Independent Regulator and their office will provide education and advice to councils to support their compliance with the Standards and to undertake their responsibilities under the Reportable Conduct Scheme.

Details about the Standards can be found at [Child and Youth Safe Standards](#) on the Department of Justice website.

Recommendation 6.12 from the Royal Commission into Institutional Responses to Child Sexual Abuse Report is that (emphasis added):

With support from governments at the national, state and territory levels, local governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

- a. developing child safe messages in local government venues, grounds and facilities*
- b. assisting local institutions to access online child safe resources*
- c. providing child safety information and support to local institutions on a needs basis*
- d. supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.*

The Tasmanian Government accepted, in principle, recommendation 6.12 in its response to the Commission's Report. The Office of Local Government (OLG) is responsible for monitoring and implementing recommendation 6.12. Councils are encouraged to implement the recommendations. LGAT is advocating to the OLG on the need for adequate resourcing for individual councils and a coordinated approach to implementation.

LGAT continues to represent council interests as the implementation of recommendation 6.12 and pending regulations in the Child and Youth Safe Organisation Bill. Both have significant resourcing, training, organisational, and community engagement implications for councils.

LGAT is advocating the view that, while local government strongly supports the intent and value of both, effective implementation requires resources and support beyond the sector's capability.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Health and wellbeing

4.13 COMMUNITY HEALTH AND WELLBEING LIFT LOCAL PROJECT

Contact Officer – Lynden Leppard

Decision Sought

That Members note the update on the Community Health and Wellbeing Project and Lift Local grants.

Background

LGAT has a funding agreement with the Public Health Service (PHS) in the Department of Health with the core purpose to build a state-wide community health and wellbeing network between all councils, LGAT, and PHS.

The funding agreement's focus is in response to feedback from council officers that they wanted support to share good practice, a direct connection with PHS expertise, and opportunities to collaborate across councils. The importance of local government's role in preventative health and improved community wellbeing is recognised in the state government's Healthy Tasmania Five Year Strategic Plan 2022-2026 and the funding agreement is a practical expression of that.

LGAT is collaborating with PHS on building the network and facilitating the development and implementation of the Lift Local Grants program. Feedback from councils during the previous community health and wellbeing project included the view that the Department of Health's grant funding model had to change. The new model, now underway, has been influenced by LGAT's advocacy of that view. Collaboration with PHS in support of that advocacy has resulted in the new program where \$20,000 is available to every council. This is not competitive, and the purpose of the funding is decided by each council's view of what health and wellbeing priority is most relevant to their community.

Twenty-eight councils have expressed interest in participating and many projects have already been funded. Most of these councils attended regional workshops in March facilitated by LGAT and PHS officers. There is strong council interest in repeating these in September. The non-competitive funding and support for what individual councils judge as important to them was very well received.

The network is being developed through collaboration between councils with similar projects and an advisory group of council officers will guide the purposes and approaches of the network.

Budget Impact

Being undertaken within current grant resources from the Public Health Service in the Department of Health.

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Local government reform
- Health and wellbeing

4.14 EVENTS OVERVIEW

Carly Hay, Events and Training Coordinator

Decision Sought

That the Committee note the report on recent and future events.

Background

During 2022/2023 LGAT has delivered over 26 events for members with an additional 21 face to face and 12 online consultation sessions organised in June to support the sectors engagement as part of stage three Future of Local Government Review.

Annual Conference

The 2023 Annual Conference will be held on Wednesday 1st and Thursday 2nd November 2023 at the paranapple Convention Centre in Devonport. The conference theme has now been finalised and will be “Embracing Change”. LGAT is currently locking in a fantastic line up of speakers and the program will be released as soon as finalised.

The structure of this year’s conference will be slightly different from last year. The first day of the conference will be a full day of conference including the General Meeting. This will be followed by a half day ending at lunch time to allow for travel. This change has been informed by delegate feedback from last year.

Sponsorship opportunities for the conference are available on our website and potential sponsors have been approached.

While the conference is still a few months away, we highly recommend securing accommodation at the Novotel Hotel. This can be done through our [webpage here](#).

GM's Workshop

A General Manager's Workshop was held on 30th and 31st May 2023, at Barnbougle in Bridport.

The session included roundtable discussions with the GM's and discussions with the Office of Local Government, the CEO of Homes Tasmania, and a workshop from Cultural Alchemy on adaptive leadership for evolving organisation.

Planning Workshops

As part of the ongoing professional development of elected representatives, LGAT is delivering regular events to supplement the online training modules available through the Learning and Development Framework. The first topic in the series was Managing Growth. The day was split into two parts, the morning session targeted elected members and focused on learning about their role as a planning authority. The afternoon session targeted both elected members and council officers and covered planning for our current and future population. Two sessions were held, one in the South on 5th May and one in the North on 28th May.

Both sessions were very well attended with 60 delegates at the southern session and 78 at the northern session.

Feedback from the workshops was positive and the format, with learning opportunities for both elected members and officers, was well received. This format will be utilised again as part of the future sessions.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Sector services

2023 Annual Priority

- Sector development

4.15 POLICY UPDATE

Contact Officer – Ben Morris

Decision Sought

That Members note the update on a range of policy matters.

Road Management Legislation Review

The Tasmanian Government has initiated a review of Tasmania's road management legislation⁹, primarily the *Roads and Jetties Act 1935*, the *Local Government (Highways) Act 1982*, and the *Highways Act 1951*. The review is not looking more broadly at road user legislation, such as registration, licencing, road safety or public transport.

This is welcomed as a holistic review of road management legislation has been an important request of local government for some time.

The Department of State Growth (DSG) undertook a series of consultation sessions with local road managers in February 2023, which were very well received. A summary of consultation findings has been provided to councils and attendees.

DSG intends to publish a discussion paper for comment. The intended release has been delayed due to resourcing. However, given the array of concurrent review and reform work affecting local government, the considerate pacing of this review is welcomed and supports better council engagement.

We will update councils when the discussion paper is published.

Cybersecurity

The awareness of cybersecurity breaches has increased with recent cases including Optus, Medibank, Latitude Financial, and the Tasmanian Government. These breaches impacted large, well-resourced organisations causing significant, and in some cases ongoing harm to customers.

Local government is also a target, with two Tasmanian councils falling victim to cyber-attacks that impacted on their ability to provide services to their community. Councils provide important services and functions to the community, hold personal and financial information of residents and employees, and have important local and state political influence. Cyber-crime is a multi-billion-dollar business, with an ecosystem of bad actors looking to make money by:

⁹ Review:

https://www.transport.tas.gov.au/projectsplanning/plans_strategies_and_policies/road_management_legislation_review

- finding, then selling or renting, software exploits or weaknesses
- using the weaknesses to capture data or systems and then seeking a ransom or other payback for the 'safe' release of the system
- extracting data for on selling

Cyber risk has been identified as a key risk by the major local government insurer, who alongside the community, are putting increasing pressure on councils to make sure that data and local services, and function, are safe and resilient.

LGAT has been working with the Department of Premier and Cabinet' Digital Strategy and Services team and the Australian Government Cyber Security Centre to lift the understanding of the threats to local government and the actions that can be taken. The potential for strengthened formal partnership to build councils' digital capability is highlighted in the Future of Local Government Review discussion paper - *State Government partnership opportunities for Local Government*¹⁰.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Ready for growth communities
- Sector development

4.16 LGAT PROCUREMENT UPDATE

Contact Officer – Georgia Palmer

Decision Sought

That Members note the update on procurement support to councils.

Background

Last year, LGAT Procurement had an independent review undertaken of the services it provides to Tasmanian councils. The purpose of the review was to identify how to best

¹⁰ Available at: https://engage.futurelocal.tas.gov.au/information-packs#Supporting_Discussions

structure this member service to support the current and future needs of Tasmanian councils via the delivery of a five-year strategic/business plan and initiatives.

We are now one year into the strategic/business plan and are progressing well in implementing the initiatives. The new activities implemented in the first year have included:

- The establishment of a reference group to guide LGAT Procurement initiatives.
- Engagement of Business Development manager to build greater understanding of the LGAT Procurement services by councils.
- Investment in a CRM to capture key engagement activity and drive efficiencies.
- Establishing panel criteria to review existing contracts to determine whether we retire some and to inform future panel involvement and development.
- Website update to reflect new services.

The new initiatives have resulted in increased utilisation of the services by councils leading to increased savings and procurement support. During 2022/2023, there has been a 35% increase in use of the panel arrangements compared to 2021/2022.

In addition to the above, more recently our focus has been on the two key initiatives outlined below.

LGAT Procurement Training

Basic/foundation and intermediate procurement skills training was delivered on the 5th and 15th of May as a pilot program. These sessions were LGAT hosted (online and onsite) and were attended by 30 participants, with another council committed to in house training in June.

Feedback on the content and trainer has been overwhelmingly positive. Some of the comments were as follows:

- *“Listening to the war stories of actual events or incidents in the past, proves why these training sessions are required more and more.”*
- *“Councils and other organisations would benefit from new employees having a requirement to undertake this training from the beginning.”*
- *“It was engaging, the activities were well organized.”*
- *“Thank you for organising such a good session. I am often dubious about these kinds of training sessions, especially remotely, but the trainer was excellent, and it was well organised with good content.”*

Next steps include understanding the potential barriers to engagement and exploring additional potential units, which could include contract management, risk management and negotiation skills, to name a few.

A suite of procurement training offerings will be provided on the LGAT website in July.

Civil Works and Roads Panel/s

A local civil works panel or suite of panels was identified through both the review of LGAT Procurement and Future of Local Government Review as being a significant opportunity.

In recent years, we have partnered with Local Buy to provide a Road, Water, Sewerage and Civil Works (BUS 270) panel to councils. We have seen a small but increasing number of requests and spend through the panel but are aware of several barriers to expanding its use, including the lack of Tasmanian suppliers and council involvement in development of the panel.

The new panel will address these barriers as well as:

- Create a contract that reflects the minor and major civil works requirements of councils.
- Secure competitive pricing based on the combined purchasing influence of councils.
- Provide a streamlined approach for councils to engage contractors via a request for quotation rather than a full tender process while meeting legislative obligations.

A working group made up of council staff will be established in the coming weeks to provide expert advice into the process and to form the evaluation team. To support the activity of the working group a survey has been sent to councils with the information provided supporting development of the draft specifications and contract documents. Council engagement in the development of the panel will be crucial to the success of the arrangement.

To develop the civil works panel, legal advice will be required to ensure appropriate contract documentation.

Budget Impact

The legal advice required to support the development of contractual documents for the civil works panel has been budgeted. Current LGAT procurement staff resourcing will be provided to facilitate the project.

Current Policy

Strategic Plan

- Sector Services

2023 Annual Priority

- LGAT Procurement

5. OTHER BUSINESS AND CLOSE



Local Government Association Tasmania

General Meeting

Minutes

17 March 2023

10.15am

Coffee on arrival
from 10.00am

**Tramsheds Function Centre
Launceston**

326 Macquarie Street,
GPO Box 1521, Hobart, Tas 7000
Phone: (03) 6146 3740
Email: admin@lgat.tas.gov.au
Home Page: <http://www.lgat.tas.gov.au>

**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

- | | |
|--------------|--------------------------------|
| 10.00 | Coffee on arrival |
| 10.15 | Meeting Commences |
| 12.15 | Meeting concludes/Lunch |



1. GOVERNANCE

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

The President welcomed Members and declared the meeting open at 10:30am.

Apologies were received from

Mr John Brown	Break O'Day Council
Mayor Gerard Blizzard	Circular Head Council
Mr Ian Nelson	Clarence City Council
Mr Dean Griggs	Derwent Valley Council
Mr John Marik	Dorset Council
Mr Tony McMullen	Glenorchy City Council
Mayor Marcus Blackie	King Island Council
Ms Kate Mauric	King Island Council
Mr John Jordan	Meander Valley Council
Mayor Kerry Vincent	Sorell Council
Mr Robert Higgins	Sorell Council
Ms Jess Dallas	Tasman Council

1.1 CONFIRMATION OF MINUTES *

Central Coast Council/Kingborough Council

That the Minutes of the meeting held on 8 December 2022, as circulated, be confirmed.

Carried

Background:

The Minutes of the General Meeting held on 8 December 2022, 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.

Noted

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

Brighton Council/Waratah-Wynyard Council

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

Carried

Background:

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

1.4 FOLLOW UP OF MOTIONS *

Clarence City Council/Break O’Day Council

That Members note the following report.

Carried

Background:

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

1.5 PRESIDENT'S REPORT

Kentish Council/Launceston City Council

That Members note the report on the President's activity from 18 November 2022 until 27 February 2023.

Carried

Meetings and events

December General Meeting and GMC meeting
LGAT Annual Conference
Mayor's Workshop December
Premier's Local Government Council meeting
ALGA Board Meetings

Media and correspondence

LGAT News – December and February

HCC operating model

- Media query (The Mercury)

Local government review

- Media release

Bus shelter funding

- TV interview (7 News)

Public transport

- Radio interview (ABC Hobart)

Housing density

- Radio interview (ABC Hobart)

Fire services levy

- Article (ABC)

Emergency management funding

- Media query (ABC News)

Road safety funding

- Media event
- TV interview (WIN TV, 7 News)

Visa processing delays

- Media release
- Article (Derwent Valley Gazette)

1.6 CHIEF EXECUTIVE OFFICER'S REPORT *

Contact officer: Dion Lester

Devonport City Council/Meander Valley Council

That Members note the report on the CEO's activity from 18 November 2022 until 27 February 2023.

Carried

Advocacy

In the period since my last report our advocacy focus has continued to be on making sure the Future of Local Government Review maintains appropriate engagement with our sector, including most recently managing the RSVPs for the Board's direct engagement with council elected representatives and staff. In addition, the General Management Committee (GMC) determined that LGAT would provide a submission in response to the Options Paper. Given the mixed views across our sector on the structural reform and planning authority role reform options in particular, our submission was limited to three important, but uncontentious, areas:

1. Drawing attention to the recent report commissioned by the Australian Local Government Association (ALGA) demonstrating that local government is an efficient provider of government services, when compared to other spheres of government, and is key to building productivity in the wider economy. This is despite some significant financial challenges, generally outside of our sectors control.
2. The important (and often absent) role of state leadership and support in achieving the state's performance goals for the community and across state regulation. If the review can result in a shift to supportive state leadership, it will drive sector performance and consistency while facilitating local ownership.
3. The existing benefits and future opportunities of LGAT Procurement in delivering a more streamlined, simple, and standardised approach to procurement across local government.

A full copy of our submission can be viewed on the [LGAT Website](#).

Activity remains high in three of our key advocacy priorities, being waste and resource recovery, planning and housing.

We recently provided comment on the *Draft Waste and Resource Recovery Strategy*. Our submission noted that while our sector welcomed the release of the draft strategy, it was important to move from planning to tangible on-ground actions as soon as possible, particularly given the State Government released a draft Waste Action Plan in 2019 that has seen little progress beyond the important statewide waste levy and container refund scheme.

To read the full submission please go [here](#).

A critical, but to date missing, component of our state's planning system has been planning policies. So, it was very welcome when the State Government finally released the Draft Tasmanian Planning Policies (TPPs) late last year. This comes after sustained advocacy from LGAT. While councils overwhelmingly welcomed the progress on the strategic elements of Tasmania's planning system, there was significant concern about the limited meaningful two-way engagement with the sector over the preceding 12 months of policy development. LGAT followed up our submission with direct engagement with the State Planning Office, and I am pleased to report that they acted swiftly in responding to our and the sector's consultation concerns and immediately scheduled further detailed workshops with council planning experts. This responsiveness is great to see and very welcomed.

Our full submission to the TPPs can be found [here](#).

The State Government continues with a suite of activities aimed at improving Tasmania's housing crisis. Amongst these we have been participating in the development of the Housing Strategy and the Minister's Housing Reference Group. To date, the work of the reference group has focused on understanding current supply constraints, with a variety of briefings on supply and demand matters, including LGAT presenting on the opportunities associated with Tasmanian introducing an infrastructure charging regime. Tasmania's statutory planning system has featured heavily in the discussions, with separate working groups established to "*discuss potential planning reforms to support the delivery of social and affordable housing*". LGAT's presence on the Reference Group has significantly aided the diverse range of stakeholders in better understanding our planning system and council's role within it.

The communiques from the September, December and February meetings are included at **Attachment to Item 1.6**

Sector Services

Since our last General Meeting in late 2022, LGAT hosted the councillor induction session in Launceston, and participated in a suite of individual council visits to support local inductions. We have begun planning our 2023 events, with the first significant event this year to cover planning and growth. Please refer to the events update in this agenda to find out more.

LGAT Procurement's support for the sector continues to grow, with work on the key initiatives in our business plan all underway. The procurement update in this agenda provides further

details.

Governance and operations

On the staff front, LGAT has been pleased to welcome a number of new staff over the past few months. They are:

- Bec Stevenson – Senior Policy Advisor
- Belinda Blackburn – Communications Manager
- Melinda Pearce – Executive Assistant
- Will Coats – LGAT Procurement Business Development Manager

Media

Road safety

- Media query (The Examiner)
- Newspaper article (The Examiner)

Two-term limit for Mayors

- Media query (The Examiner)
- Newspaper article (The Examiner)

Mandatory disclosure for house purchases

- Media query (The Mercury, ABC, WIN TV, 7 News)
- Articles (ABC, The Mercury)
- TV interview (WIN TV, 7 News, ABC)

1.7 COUNCIL ROUND UPS

Decision Sought

That Members note there will not be a council round up this meeting.

Noted

Background

The session also allows time for questions and provides an opportunity to briefly share and highlight problems or opportunities facing councils and is better suited to a face-to-face meeting.

Kingborough Council offered to provide a council update at the next meeting.

2. ITEMS FOR DECISION

2.1 **WORKPLACE HEALTH AND SAFETY REVIEW *** Contact Officer – Dion Lester

Glenorchy City Council/Devonport City Council

That Members discuss and confirm the proposed high level implementation plan for the workplace health and safety review of elected representatives and communicate the key components to their councils.

Amendment Motion

City of Hobart/Derwent Valley Council

That Members discuss and confirm the proposed high level implementation plan for the workplace health and safety review of elected representatives and communicate the key components to their councils.

That Members request that the more detailed project implementation plan be reported to the next General Meeting, including any new resources that may be required.

That Members request that a summary of the findings and links to the in-depth documents of the review be sent to all Mayors with a request that they table this and report back to their elected members.

Carried

City of Hobart/Derwent Valley Council

That Members discuss and confirm the proposed high level implementation plan for the workplace health and safety review of elected representatives and communicate the key components to their councils.

That Members request that the more detailed project implementation plan be reported to the next General Meeting, including any new resources that may be required.

That Members request that a summary of the findings and links to the in-depth documents of the review be sent to all Mayors with a request that they table this and report back to their elected members.

The Amended Motion was put and Carried

Background

At the December 2022 General Meeting members resolved:

That Members receive and note the Work Health and Safety Review – Elected Representatives and that the General Management Committee will review the recommendations and prepare an implementation plan for consideration at the General Meeting in March 2023.

The workplace health and safety review of elected representatives (the Review) produced the following suite of deliverables:

- An Executive Summary of the review, including all recommendations.
- The full report.
- Stand-alone reports on council, elected representatives and council staff responsibilities under the various legislative instruments (e.g., WH&S, Code of Conduct, Anti-Discrimination Act etc.).
- A statewide assessment of the health and safety hazards to elected representatives and appropriate risk mitigation actions (pursuant to the *Work Health and Safety Act 2012*) that can be taken by individual councils, depending on local circumstances.

Each of these documents are available on the LGAT Member Portal under “Elected reps governance”.

The final report included 69 recommendations in total. While many, such as the suite of separate training options, can be grouped together, there are still a substantial number of recommendations. Each recommendation has been reviewed in the **Attachment to Item 2.1**. This assessment categorises each recommendation against the action required (advocacy, LGAT project or council action) and a suggested priority (low, medium, high or on hold). Commentary and a suggested way forward are also provided.

This assessment provides a high-level approach for Member consideration. Once a formal position of the sector is confirmed then a more detailed project plan will be developed to guide implementation.

Importantly, there are a number of existing processes underway that can support the implementation of many of the recommendations and as such they are summarised below according to these opportunities.

Code of Conduct Review

On the 10 November 2022, the Government introduced the *Local Government Amendment (Code of Conduct) Bill 2022* (the Bill) into Parliament. The Bill progressed some of the key reforms committed to by the Government in its response to prior public consultation about potential targeted legislative changes to the Code of Conduct Framework.

The main changes proposed in the Bill are a standard and more comprehensive code of conduct for councillors, a mandatory local dispute resolution policy and process in councils¹, an improved process for the initial assessment of complaints, and the disclosure and management of interests by Panel members.

Three further reforms to be progressed as part of the next stage of the Code of Conduct reforms are:

- A review of the model Code of Conduct.
- Assessment of the feasibility of transferring the Code to the Tasmanian Civil and Administrative Tribunal (TasCAT).
- Consideration of options that could better address instances of very serious councillor misconduct that may not fall within the parameters of the current Code of Conduct Framework.

Relevant recommendations from the Review are mapped against each of these reforms below:

Code of Conduct Reform	Recommendation	Summary	Priority
Code of Conduct Bill	1.15a & 1.15b	Introduction of additional council level behavioural policies and processes.	On hold
	1.16a	Initial assessment to be undertaken by expert in behaviour and local government appointed by the GM.	On hold
	1.16b & 1.16c	Initial assessment of complaints	High
	1.16d	Separate process for minor and serious breaches.	On hold
	1.19d	GM training for referrals to respectful conduct advisor.	On hold
Review of the model Code	1.16i & 1.16j	Include additional matters in Code.	Low
Feasibility review of transferring the Code to TasCAT	1.16e	Without fault restrictions on ERs accused of serious misconduct.	Medium
	1.16k	Permitted disclosures.	Low
	1.16l	Awarding of costs.	Low
	1.16o	Statutory protection for witnesses.	Low
	1.15c	Improvements to Performance Improvement Directions.	High

¹ LGAT will prepare a template and also establish a panel of mediators for councils to use.

Review of sanctions for serious misconduct	1.15d	Sanctions for serious misconduct.	High
	1.16f	Sanctions for serious misconduct.	High
	1.16g & 1.16h	Sanctions related to training orders.	Medium / High
	1.16m	Prescribed period.	Medium
	1.16n	Automatic removal.	Low

Learning and Development Framework

The Office of Local Government and LGAT are working together to develop a Local Government Learning and Development Framework that aims to increase the knowledge and skills of councillors. Currently the Framework consists of three online learning packages. However, work has commenced in scoping the development of further training and development options to support councillors in their role.

It is proposed that recommendations 1.18a - 1.18s, 1.20 are referred to the recently established governance group to consider as part of the next stages of the Framework.

Future of Local Government Review

The recommendations that are proposed to be put on hold pending completion of the Future of Local Government Review and implementation of the Learning and Development Framework are the following, more controversial ones, related to additional training and education, including mandatory requirements:

- 1.21b - Ongoing requirement for Continuing Professional Development (CPD).
- 1.21c - CPD to have a mandatory requirement for appropriate behavioural standards.

Review of the Local Government Act

While this has been put on hold pending the completion of the Future of Local Government Review, once re-commenced it offers an opportunity for implementation of some of the lower priority recommendations.

Recommendation	Summary	Priority
1.15e	Introduce provisions for disruption of public meetings.	Low
1.17m	Introduce standardised process for meetings.	Low
1.19a	Clarifying the role of GM as a PCBU.	High

Other actions

The remainder of the recommendations relate to either LGAT Projects or specific council actions, which are outlined in the tables below.

Recommendation	LGAT Projects	Priority
1.15f	Amendment of Integrity Commission Act.	Medium

Recommendation	LGAT Projects	Priority
1.17a, 1.17b, 1.17c	Behaviour monitoring process.	Medium
1.17d, 1.17e, 1.17f, 1.17g	Local dispute resolution process.	Medium - High
1.17h, 1.17j, 1.17k, 1.17l, 1.17n	Community education program.	Medium
1.17i	Standard policy for unreasonable community conduct.	High
1.17q	Extend Workplace Behaviour Policies to ERs.	High
1.19b, 1.19c, 1.19d	LGAT training for GMs.	High
1.21c	Introduce coaching / mentor panel.	High
1.17o	Develop and introduce a diversity campaign.	On hold

Recommendation	Council Actions	Priority
1.17p	Extend EAP to ERs.	High
1.17r	Team building.	Medium
1.17s	Internal monitoring of behavioural standards.	Medium
1.17t	Full disclosure of correspondence by ERs.	Low

Recommendation 1.21a

The requirement for qualification similar to a Company Director's Course as a mandatory pre-condition for seeking election, will not be progressed given concerns from the sector on mandatory pre-election qualifications. It is further noted that the Future of Local Government Review Options Paper suggests the development of *"an improved councillor training framework which will require participation in candidate preelection sessions and, if elected, ongoing councillor professional development."*

It is further noted that there has been, and continues to be, significant work by the Office of Local Government and LGAT on the development of the Learning Framework.

Budget Impact

The original review was undertaken with State Government funding.

Current Policy

Strategic Plan

- Advocate
- Sector Services

2023 Annual Priority

- Local government reform
- Workplace health and safety for elected representatives

3. ITEMS FOR DISCUSSION

There was a general discussion about housing supply issues and short stay accommodation as well as the difference between planning approvals versus completion rates.

There was also discussion about the whether there is an opportunity to offer both virtual and in person attendance options for future meetings.

4. ITEMS FOR NOTING

4.1 POPULATION AND GROWTH MANAGEMENT

Contact Officer – Michael Edrich

Huon Valley Council/Dorset Council

That Members note the report on Tasmania’s population growth, Treasury’s updated population projections and the implications for local government planning, infrastructure, and services.

Carried

Background

The signs of intense growth pressures in Tasmania over the last several years have been growing. We are seeing housing shortages, traffic congestion, accommodation pressures and cost of living rises. LGAT has noted these and councils’ experiences of growth pressures and responded in a number of ways², including advocating for:

- Updates to the Regional Land Use Strategies and Tasmania’s strategic planning framework.
- Tasmania to get ready for growth (opinion editorial, The Mercury, 15 December 2021).
- Development of an infrastructure charging framework.
- State budget commitments over several years to support the proper management of the growth task.

Tasmania’s growth is a significant challenge and councils are not properly supported to deal with the multiple impacts and implications this creates. Population increase can bring many economic benefits but, poorly managed can create growth pressures and strain on infrastructure, services, and resourcing.

² See: <https://www.lgat.tas.gov.au/lgat-advocacy/reports-and-submissions>

In 2015, the Tasmanian Government released its Population Growth Strategy, it self-described the 2050 target as “bold and ambitious”. Instead, the actual growth rate has been double the bold and ambitious target rate. In the five years from 2016 to 2021, Tasmania has grown by the size of two Devonport-sized cities and is expected to add another three over the next decade.

In 2019, the Department of Treasury and Finance (Treasury) published population projections for Tasmania out to the year 2067, and for local government areas out to 2042. These projections were modelled and projected forward from 2017. Low, medium, and high series projections were produced, with Tasmania projected to reach its population target of 650,000 by 2050 only under the 2019 highest projections (high series). However, the results of the 2021 Australian Bureau of Statistics (ABS) Census of Population and Housing showed higher growth than even the highest (2019) projections anticipated.

Consequently, Treasury has recently adjusted its projections using the 2021 census data. The new 2022 projections³ now see Tasmania reaching its 650,000-population goal a full decade earlier, by 2040, under the high series, as shown in Figure 1 below.

Finally, in January this year, the Australian Government Centre for Population released its own 2022 Population Statement⁴ with projections for Tasmania predicting that we will reach our 2050 target of 650,000 in 2032 to 2033, in less than a decade, some 17 to 18 years faster than Treasury’s projections.

³ Further information on the Treasury website:

<https://www.treasury.tas.gov.au/economy/economic-data/2019-population-projections-for-tasmania-and-its-local-government-areas>

⁴ Centre for Population: <https://population.gov.au/publications/statements/2022-population-statement>

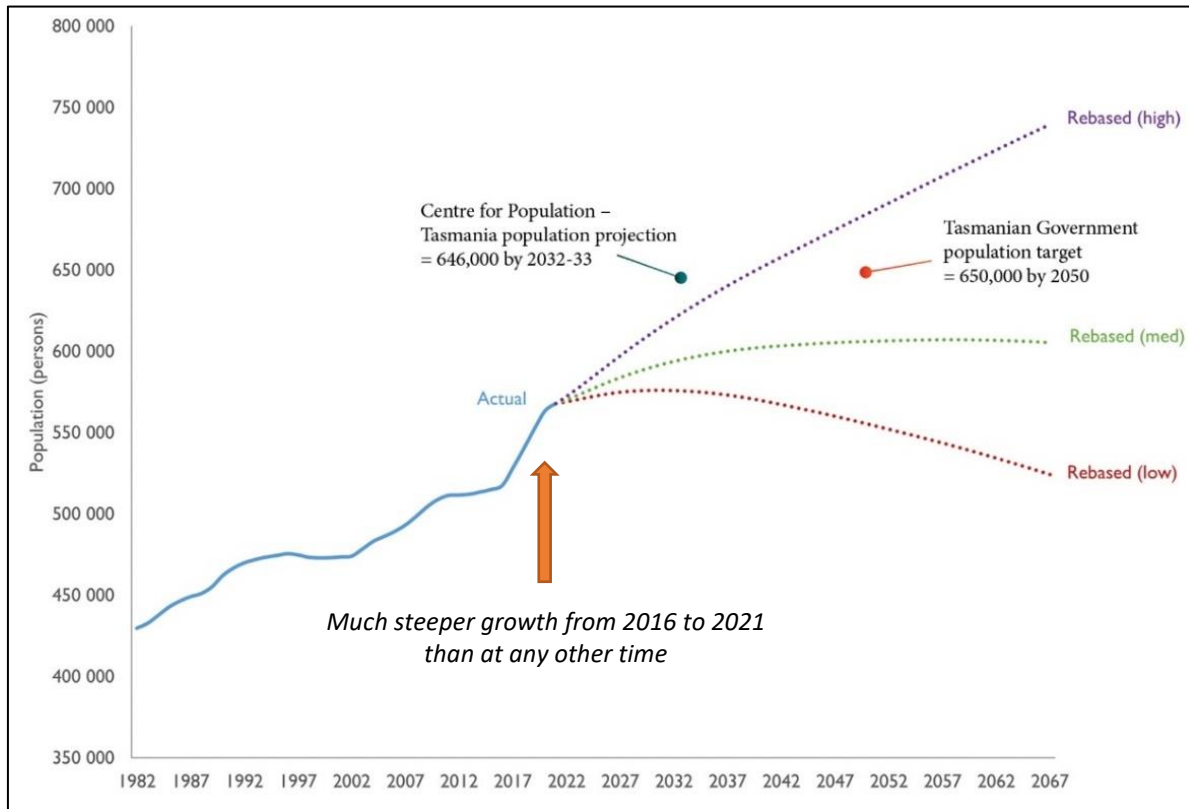


Figure 1: Total Tasmanian population, and rebased projections, as at 30 June 2022

This remarkable level of growth has serious implications for councils and their communities, in particular land use and infrastructure planning. The high growth puts a strain on our infrastructure and forces upgrades much earlier than was planned for. It also puts additional financial and service delivery strain on councils.

We have advocated to the Tasmanian Government that it needs to initiate and lead discussions with councils on the significance of Tasmania's recent growth. There has been some recognition, but limited action.

The Tasmanian Government has initiated Refreshing Tasmania's Population Strategy⁵ and is inviting submissions. This is a good start. It is also progressing the phase two planning reforms, particularly the Tasmanian Planning Policies and Regional Land Use Strategies, which will be a significant step in supporting councils with the growth management task.

Councils must have all the tools needed to deal with this unprecedented population increase. We have seen no material progress on the recommendations of the government's excellent Toward Infill Housing Development Report⁶. We are still waiting on progress of the Medium

⁵ See: https://www.stategrowth.tas.gov.au/policies_and_strategies/populationstrategy/refreshingstrategy

⁶ Report available here:

https://www.stategrowth.tas.gov.au/data/assets/pdf_file/0019/216172/Toward_Infill_Housing_Development.pdf

Density Residential Development Standards Project⁷ that would help deliver clarity and certainty in delivering a greater diversity of housing products to the market. The Tasmanian Government has not yet fully understood the importance of a complete infrastructure contributions framework supports infrastructure planning and activates development⁸.

We will continue to press the Tasmanian Government to demonstrate leadership in supporting councils to cater for the intense level of growth that they are experiencing.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Local government reform
- Planning

4.2 PLANNING REFORM UPDATE

Contact Officer – Michael Edrich

Huon Valley Council/Dorset Council

That Members note the update on the progress of planning reforms.

Carried

Background

The Tasmanian Government’s planning reforms continue to progress. There are four major areas of work:

1. Preparation of the Tasmanian Planning Policies.
2. Review of the Regional Planning Framework.
3. Review of the Regional Land Use Strategies (RLUSs).
4. Review of the State Planning Provisions.

⁷ See: <https://planningreform.tas.gov.au/updates/creating-consistent-standards-for-apartments-medium-density-residential-development-standards-project>

⁸ Refer to LGAT’s Infrastructure Contributions Discussion Paper: https://www.lgat.tas.gov.au/data/assets/pdf_file/0030/1139691/LGAT-Infrastructure-Contributions-Discussion-Paper-11-April-2022.pdf

Since the December 2023 general meeting update, LGAT and councils have made submissions to the draft Tasmanian Planning Policies. In LGAT's submission⁹, we:

- Acknowledged the State Planning Office (SPO) incorporating much of our previous feedback, particularly on climate change and growth management.
- Highlighted the overwhelming support for government efforts to fill the strategic gap in Tasmania's planning system with the TPPs.
- Raised issues to do with document accessibility, implementation, and over prescription, among other issues.
- Raised serious concerns of the sector around insufficient consultation with the primary implementors of Tasmania's planning system, being councils.

The SPO has acted swiftly in responding to our, and the sector's, concerns around consultation and immediately scheduled further detailed workshops with council planning experts. This responsiveness is good to see and very welcome.

The SPO has also released a Regional Planning Framework Discussion Paper and draft Structure Plan Guidelines for consultation. These are important components for the development and implementation of the RLUss. The SPO delivered an online information session, with details available at the Planning in Tasmania website¹⁰.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Planning

4.3 ROAD MANAGEMENT LEGISLATION REVIEW

Contact Officer – Michael Edrich

Huon Valley Council/Dorset Council

That Members note the initiation of the Department of State Growth's Road Management Legislation Review (RMLR).

Carried

⁹ See: https://www.lgat.tas.gov.au/_data/assets/pdf_file/0030/1266447/LGAT-Submission-Draft-Tasmanian-Planning-Policies-2022.pdf

¹⁰ See: <https://planningreform.tas.gov.au/planning-reforms-and-reviews/regional-planning-framework>

Background

The Tasmanian Government has initiated a review of Tasmania's road management legislation¹¹. The review is primarily looking at:

- *Roads and Jetties Act 1935*
- *Local Government (Highways) Act 1982*
- *Highways Act 1951*.

The review is not looking more broadly at road user legislation, such as registration, licencing, road safety and public transport.

The Review is led by the Department of State Growth (DSG) with the intention to:

- Modernise the framework to make it easier to manage.
- Clarify responsibility for road management functions.
- Cut red tape for road management.
- Provide for the future of Tasmania's roads, including for alternative and emerging transport modes.

Councils have been calling for a review of road management legislation for some time, to rationalise and consolidate the road management legislation. Modernisation of the suite of road management legislation is sorely needed given its age, some parts nearly 90 years old.

We are encouraged by the consultation approach of DSG, with three regional workshops with local government road managers. DSG is using the results of this consultation to develop a discussion paper outlining the issues, to be released in early May 2023.

DSG has acknowledged the Future of Local Government Review and other road and infrastructure related reviews and consultations underway with competing workload and inter-related issues. It is responding by timing engagement work in less intense periods of the year. This consideration is highly appreciated.

Councils are urged to support their road management staff in engaging with this review to improve the system of road management in Tasmania.

Budget Impact

Being undertaken within current resources.

¹¹ Review:

https://www.transport.tas.gov.au/projectsplanning/plans_strategies_and_policies/road_management_legislation_review

Current Policy

Strategic Plan

- Advocate
- Governance and operations

2023 Annual Priority

- Local government reform

4.4 EMERGENCY MANAGEMENT UPDATE

Contact Officer – Bec Stevenson

Huon Valley Council/Dorset Council

That Members note the update on emergency management.

Carried

Background

LGAT continues to engage with the State Government on emergency management issues of importance for local government, including several reviews underway.

Tasmanian Emergency Management Arrangements Review

In June 2022, the Tasmanian Emergency Management Arrangements (TEMA) Review Project commenced. The *Emergency Management Act 2006* requires that the State Emergency Management Committee (SEMC) review the TEMA and State Special Emergency Management Plans at least once every two years. The TEMA is the guiding document outlining the emergency management arrangements in Tasmania.

We have made two submissions on behalf of the sector; [Issue 2](#) and [Issue 3](#), and have met with the project manager undertaking the review to discuss the LGAT submissions. The finalisation of the TEMA is scheduled for the first quarter of 2023.

Fire Services Act Review

After six years of comprehensive reviews and public consultation the Tasmanian Government [announced](#) on the 24 January 2023 that it would:

- Merge the Tasmania Fire Service and the State Emergency Services to become the Tasmania Fire and Emergency Service (TFES).
- The State Fire Commission will become the State Fire and Emergency Services Committee, allowing the membership to grow and include representatives from SES and other key stakeholders.

These changes will be effected through new legislation - the *Fire and Emergency Services Act*, that will replace the *Fire Services Act 1979*. A reform project team is being established to implement recommendations endorsed by government and work with key stakeholders to inform the development of a Draft Bill. Local government has been confirmed as a key stakeholder in the project and appropriate engagement has been assured as the reform progresses.

State Special Emergency Management Plan – State Recovery Plan

The first issue of the State Recovery Plan (the Plan) was produced in 2012 and was substantially redrafted in 2018, following a review of Tasmania's structural recovery arrangements. The Plan was due to be reviewed in 2020, in accordance with the statutory review timeframes in the *Emergency Management Act 2006*. However, this was deferred until 2023 due to the prioritisation of work and resources to support the state's response to the COVID-19 pandemic.

The review is expected to commence in early 2023 and will be led by Resilience and Recovery Tasmania within the Department of Premier and Cabinet. Comprehensive consultation with all relevant stakeholders, including councils and LGAT, will be completed by mid-2023.

A draft Plan will be provided to the State Recovery Committee for approval by September 2023, with view to submitting it to SEMC for endorsement in December 2023.

Disaster Ready Fund

The Australian Government [announced](#) on the 10 January 2023 the establishment of the [Disaster Ready Fund](#) (DRF). Up to \$200 million is available next financial year for state and territory governments, in partnership with local government and businesses, for projects that will support communities to reduce risks and better prepare for future floods, cyclones, bushfires, storm surges and other disasters.

Recovery and Resilience Tasmania is the lead agency for Tasmania. A number of councils nominated projects for consideration and LGAT represented the sector on the application evaluation panel, that has now finalised its recommended projects to the Australian Government. The short timeframes that hampered local government participation are being raised by the Australian Local Government Association with the Federal Minister for Emergency Management, Senator the Hon. Murray Watt.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Emergency management

4.5 PROCUREMENT UPDATE

Contact Officer – Georgia Palmer

Huon Valley Council/Dorset Council

That Members note the following update on procurement support to councils.

Carried

Background

The LGAT Procurement business plan for sustainable and progressive growth articulates a clear path to an improved procurement service for local government.

Implementation of year one initiatives are progressing well as outlined below.

LGAT Procurement Reference Group

The first meeting of the LGAT Procurement Reference Group was held in November. Members of the Reference Group include three representatives from councils from each region. The agenda included testing our initial scoping of procurement professional development options to ensure they support the current and future needs of Tasmanian councils.

The next meeting will look at our project plan for establishing a set of construction-based panel contracts, specific to Tasmania when the current arrangement expires in June 2024. This relates to the opportunity identified by the Local Government Board for better consolidation/coordination of council civil works contracting.

LGAT Procurement Training

LGAT Procurement is working to put in place a procurement training program focused on local government and the essential skills and knowledge that council officers require.

A pilot program will be delivered towards the end of March/early April, testing course content and delivery methods, and will be reviewed to determine next steps.

Business Development Manager

Our new Business Development Manager, Will Coats (william.coats@lgat.tas.gov.au) joined the LGAT Procurement team in January. Will's role is to raise awareness and provide support to councils in the use of the services available through LGAT Procurement, so will be in touch in the coming weeks.

Panel Criteria

We have established criteria to assist us in determining which of our current contracts make sense for us to retire versus continue offering councils. The criteria will also inform the contracts we develop in collaboration with councils moving forward.

Council use of LGAT Procurement Services – Financial Year to date

Council use of LGAT Procurement Services continues to grow. In addition to the continued growth in the use of fleet, mobile garbage bins, ICT and plant panels, councils are now taking advantage of the new open spaces, parks, sport and recreation panel arrangement, supporting a streamlined procurement process for investment in playgrounds and recreation precincts. It is also pleasing to see that councils are now utilising the Road, Water, Sewerage and Civil Works arrangement for infrastructure projects.

Budget Implications

As part of LGAT Procurement's future operations, two additional staff will be required to support the delivery of the new initiatives. The business model for delivering an expanded service is estimated to become self-sustaining within three years of implementation.

Current Policy

Strategic Plan

- Sector Services

2023 Annual Priority

- LGAT Procurement

4.6 HEALTH AND WELLBEING

Contact Officer – Lynden Leppard

Huon Valley Council/Dorset Council

That Members note the update on Health and Wellbeing project.

Carried

Background

The five-year Local Government Community Health and Wellbeing Project, funded by the Public Health Service (PHS), concluded in December 2022. The project has enabled LGAT to support councils' valuable work to improve community health and wellbeing. For the last two years the emphasis has been on promoting the significant and essential work that councils already do and advocating for appropriate acknowledgment and funding. This has been recognised in the *Healthy Tasmania Five Year Strategic Plan 2022-26* (Healthy Tasmania)

Lift Local

The new Lift Local program is a continuation of the collaboration between LGAT and PHS. Developing a network across all councils that will facilitate tailored professional learning support for councils for three years from 2023 is a core purpose of the program.

This new model is based on feedback from councils, in particular the view that the Department of Health's grant funding model had to change. The Healthy Tasmania grant funding includes the Lift Local program with \$20,000 available to each council this year. This is not competitive, with the purpose of the funding to be decided by each council's view of what health and wellbeing priority is most relevant to their community.

Twenty-eight councils have provided initial project ideas, and these will be further developed in March workshops. Plans required for the funding will be designed by individual councils around their own community priorities and resources. Building local community engagement and support in developing council officers shared skills will be important approaches in building place-based sustainable improvement.

Budget Impact

Being undertaken within current resources, supported by funding from PHS.

Current Policy

Strategic Plan

- Advocate
-

2023 Annual Priority

- Health and wellbeing

4.7 CLOSING THE GAP

Contact Officer – Lynden Leppard

Huon Valley Council/Dorset Council

That Members note the update on Closing the Gap.

Carried

Background

The December 2022 General Meeting update¹² provides a useful background to this matter. The local government opportunities to engage in Australian and Tasmanian Government Aboriginal policies and programs are increasing. These include, with relevant weblinks:

- Closing the Gap - [Communities Tasmania - Closing the Gap.](#)

¹² Available at: https://www.lgat.tas.gov.au/_data/assets/pdf_file/0021/1251912/8-Dec-22-General-Meeting-Agenda-and-Attachments.pdf

- The Pathway to Treaty and Truth Telling – [Pathway to Truth-Telling and Treaty 251121.pdf \(communities.tas.gov.au\)](#).
- Indigenous Voice Co-design Process - [Home | Indigenous Voice \(niaa.gov.au\)](#).

Tasmanian Local Government Aboriginal Audit

General Managers were provided with the Tasmanian Local Government Aboriginal Audit Report 2022 in January by the Office of Local Government (OLG).

Mathew Healey, the Executive Director, from the Office of Local Government (OLG), noted in his email that councils will be contacted in the coming months about a sector-wide discussion on progressing the Audit Report in conjunction with the LGAT. He suggested that the Audit Report be shared within councils and that consideration be given to how the information can be used to inform existing and future partnerships and identify, inform and establish priority work aligned to the Implementation Plan.

LGAT will continue to collaborate with OLG and work with councils on deciding the most appropriate and effective ways to address the Closing the Gap Implementation Plan

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Health and wellbeing

4.8 POLICY UPDATE

Contact Officer – Ben Morris

Huon Valley Council/Dorset Council

That Members note the update the update on a range of policy matters.

Carried

Tasmania Regional Drought Resilience Project

Work on the Tasmanian Regional Drought Resilience Project, which commenced in 2021, has recently recommenced. The Australian Government is working with the state and territory governments to support regions to develop regional drought resilience plans to prepare for, and manage future, drought risks. The plans will focus on innovative ways to build regional

drought resilience across the agricultural sector and supporting industries, through a triple bottom line, collaborative and evidence-based approach.

The project is being managed by DPAC with funding provided from the Federal Government of \$1.6 million and a Tasmanian Government co-contribution of 50 per cent (cash and in-kind support).

A Steering Committee for the Rural Drought Resilience Planning Project has been formed and is constituted by representatives from state and local government, regional development, not for profit, environment and community sectors. LGAT will represent the sector on the Steering Committee.

Child and Youth Safe Organisations Bill Framework

LGAT and several council representatives met with the Office of Local Government (OLG) and the Department of Justice (DoJ) in December 2022 to discuss the implications for local government of the draft Child and Youth Safe Organisations Framework.

LGAT and council representatives have expressed concerns about the potential impact of requirements in the draft Framework. LGAT has shared these concerns directly with the DoJ and with the OLG. The OLG is supportive of local government's perspective and understands the sector's capacity. We understand that the DoJ is working to provide further information to explain how the draft Framework, including the standards and reportable conduct scheme, will impact upon councils. LGAT will continue to work with the OLG to make sure they answer questions that the councils might have.

The draft Bill is available at [Tasmanian Parliament website](#).

Asbestos

Asbestos continues to impact the health of too many Australians, with an astounding 4,000 people dying each year from past exposure to asbestos. Many public buildings, homes and other infrastructure contain aging asbestos-containing materials (ACM). These pose an increasing risk as the material binding them degrades.

To support its management and, wherever possible, eradication, the Australian Government agency, the Asbestos Safety and Eradication Agency (ASEA) is reviewing its [National Strategic Plan](#). To support the national plan, and safety of Tasmanians, a new Asbestos Coordination Group has been formed to bring together key State Government agencies and LGAT on behalf of local government. Councils are important in asbestos management, having functions across environmental health, building, waste management and illegal dumping, recovery from emergencies and managing facilities with ACM.

ASEA has also produced a Guide and quick reference to help councils address illegal and inappropriate disposal of asbestos. This can be downloaded [here](#). Our expectation is that

EPA's new illegal dumping resources will target asbestos given the risk it poses to the community.

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Advocate

2023 Annual Priority

- Waste and resource recovery
- Climate change
- Emergency management
- Health and wellbeing

4.9 REGIONAL TOWNS CCTV PROJECT

Contact Officer – Wade Berry

Huon Valley Council/Dorset Council

That Members note the update on the Regional Towns CCTV project.

Carried

Background

As noted in the December General Meeting Agenda¹, LGAT has commenced a \$4 million program, funded by the Tasmanian Government to deploy closed circuit security cameras (CCTV) into regional towns.

Invitations to participate have been sent to all 29 Councils via General Managers. Thirteen councils to date have expressed an interest in being part of the project. We have directly engaged all interested councils, including reviewing existing CCTV and server infrastructure, meetings and briefings with key infrastructure and IT staff.

Tasmania Police have now fully committed to supporting the project. We are meeting with District Commanders and Inspectors to discuss the key requirements of this project. Tasmania Police will assist with project guidance at a statewide level, as well as provide local input into the identification of key CCTV sites.

Preliminary design of systems is underway, with the review of requirements for a consistent statewide CCTV hardware and software delivery. The design emphasises existing assets, where councils have invested in suitable infrastructure. The Request for Quotation has recently closed for appropriate skilled contractors on LGAT Procurement's Panel agreements for Specialist Support and Proof of Concept - Review, Design and Construct contracts.

Budget Impact

Being undertaken with external grant funds.

Current Policy

Strategic Plan

- Sector services

2023 Annual Priority

- Sector development

4.10 EVENTS OVERVIEW

Contact Officer - Carly Hay

Huon Valley Council/Dorset Council

That Members note the report of recent and future events.

Carried

Background

LGAT has provided a range of professional development event offerings within the quarter. The following provides a summary of recent and upcoming events.

Annual Conference

The 2022 LGAT Annual Conference was held on 8-9 December 2022 at the Hotel Grand Chancellor. The two-day event provided attendees with opportunities for networking and professional development.

In comparison to the 2021 conference, the 2022 event was slightly reduced in terms of sponsors, which was done to ensure delegates and sponsors got the most out of the event with time to speak to all trade.

This year LGAT also included a social activity which saw attendees try a local whisky tasting before the Annual Conference dinner, this received great feedback and similar offerings will be considered in 2023.

The two-day event had 113 attendees excluding speakers, sponsors, and exhibitors. The majority of attendees were elected representatives. 125 attendees celebrated at the LGAT annual conference dinner. The popular Coffee Corner made \$1,096 and LGAT increased this to \$1,400 for the 2022 charity, St Vincent De Paul's Tasmanian Homelessness Appeal.

Feedback – Delegates

We invited feedback from delegates following the conference.

Feedback from delegates indicated that:

- Overall, the average rating for the 2022 annual conference 3.63 out of 5.00, with 57 percent rating the event either very good or excellent.
- Delegates rated the coordination and management from LGAT 4.38 out of 5.00, with 81 percent rating this either very good or excellent.

- Delegates favorite parts of the conference were: networking with colleagues from across the state, the annual conference dinner, the breakout workshops and keynote speakers, Thomas Mayo, ALGA President Linda Scott, and Tony Jones.
- Other topics of interest for the future include meeting procedure or code of conduct workshops, information on dealing with social media, understanding more around how councils can work together and how to handle challenges. A number of these topics will be picked up through elected member professional development sessions held through 2023.
- Delegates noted that for the 2023 annual conference LGAT can improve on: timing of the event including starting day one earlier and finishing day two at lunchtime, including somewhere where new councilors can ask questions of re-elected councilors, more practical sessions and potentially having facilitated discussions with councils together.

Mayors Workshop

A condensed Mayor's Workshop was held on 7 December, the day before the Annual Conference and General Meeting, at the Hotel Grand Chancellor in Hobart.

The session was a brief three hours, which included a presentation and question and answer session with David Morris, followed by a roundtable discussion and a casual networking dinner.

There will be an upcoming Mayor's Workshop on 16 March at the Hotel Verge which will feature media training with Timmins Ray, an update from Mat Healy, Director of Local Government, and the mayoral roundtable.

Induction Day

The induction day was held on 26 November 2023 at the Tramsheds in Launceston. The event saw 84 attendees, including 58 newly elected representatives, come together to hear from a variety of speakers including:

- Dion Lester on roles and functions of councillors and when acting as a planning authority.
- Paul Jackson from the City of Hobart with tips and traps in council meetings.
- Michael Stretton from the City of Launceston providing a Chief Executive Officer's perspective on being an effective councillor.
- Mat Healy, Director of Local Government provided an update on the Future of Local Government Review and the role of the Office of Local Government.

This event was a great way for new councillors to become familiar with their role through professional development as well as providing an opportunity to network.

Elected Representatives Learning and Development

The governance group for the Local Government Learning and Development Framework, recently met to progress the framework to support elected representatives in gaining and maintaining the skills and knowledge to do their job well. Following an expression of interest process run by LGAT last year, the group comprises six members:

- Mathew Healey, Director of Local Government (Chair)
- Mayor Paula Wriedt, Kingborough Council
- Mayor Mary Duniam, Waratah-Wynyard Council
- Ben Morris, Policy Director, LGAT
- John Brown, General Manager, Break O’Day Council
- Paul Jackson, Manager Legal and Governance, City of Hobart.

LGAT will be running our first learning event for 2023 on councillors’ role as Planning Authority. This will also include an afternoon session on managing growth. We will be running two sessions to allow elected representatives from around the state to attend:

- Hobart – 5 April 2023, 10am to 4pm.
- Devonport – 28 April 2023, 10am to 4pm.

The topics for day include:

- Understanding how the components of the Tasmanian Planning System work together.
- Understanding how the role of a councillor and as a planning authority are different.
- How to participate in a planning authority meeting and comply with relevant legislation, including pecuniary and non-pecuniary interests and meeting procedures.
- Insights into Tasmania’s population and demographic changes and trends, and what this means for councils, communities, and the state more broadly.
- Managing and understanding the changing identity and demographics of neighbourhoods, engaging communities and realise the benefits of growth.
- What infrastructure contributions are, how they work and how they can help councils to support and fund infrastructure as communities change.

To register for one of the sessions please visit our [events page](#).

We are developing our slate of 2023 learning and development sessions that will cover the topics such as:

- Meeting procedures and effective council culture.
- Strategy and monitoring performance.
- Financial and risk management.

- Ethics, building positive relationships, community consultation.

We will provide councils with further details. Individual elected representatives and officers can also subscribe to our Events and Training newsletter [here](#).

2023 Events

Event	Date	Venue
Mayor's Workshop	16 March	Hotel Verge, Launceston
General Meeting/GMC	17 March	Tramsheds, Launceston
Elected Representative professional development: Council as Planning Authority – statutory and strategic roles	5 April	Hotel Grand Chancellor, Hobart
Elected Representative professional development: Council as Planning Authority – statutory and strategic roles	28 April	Paranaple, Devonport
General Managers Workshop	30, 31 May	TBD, Regional
AGM/General Meeting	30 June	TBD, Hobart
Elected Representatives Forum	1 July	TBD, Hobart
General Managers Workshop	29, 30 August	TBD, Hobart
Mayor's Workshop	4 October	TBD, Devonport
2023 Annual Conference	1, 2 November	Paranaple, Devonport

Budget Impact

Being undertaken within current resources.

Current Policy

Strategic Plan

- Sector services

2023 Annual Priority

- Sector development

4.11 ANNUAL PLAN *
Contact Officer – Ben Morris

Huon Valley Council/Dorset Council

That Members note the report against the Annual Plan.

Carried

Background

An **Attachment to Item 4.15** is a copy of the LGAT Annual Plan and progress to date.

5. OTHER BUSINESS & CLOSE

Tasman Council asked the question as to whether it is possible to ask the Department of State Growth to lay conduit underground when completing roadworks so the infrastructure is in place. Although an informal approach could be made it was encouraged that Tasman Council raise this as a motion to formalise the approach.

There being no further business the President, Mayor Christina Holmdahl, declared the meeting closed at 11.48am.

Business Arising General Meeting 17 March 2023		
Item No		
2	Items for Decision	
2.1	Workplace Health and Safety	Refer to Item 4.2
4	Items for Noting	
4.1	Population and Growth Management	Ongoing
4.2	Planning Reform Update	Refer to Item 4.5
4.3	Road Management Legislation Review	Ongoing
4.4	Emergency Management Update	Refer to Item 4.9
4.5	Procurment Update	Refer to Item 4.16
4.6	Health and Wellbeing	Refer to Item 4.13
4.7	Closing the Gap	Ongoing
4.8	Policy Update	Refer to Item 4.15
4.9	Regional Towns CCTV Project	Refer to Item 4.8
4.10	Events Overview	Refer to Item 4.14
4.11	Annual Plan	Ongoing
5	Other Business	
	Virtual Attendance at Meeting	To be considered at the next GMC meeting
	Tasman DSG	To be captured in the Road Management Legislation Review

Follow up of Motions Report

Report to General Meeting

This report details motions where LGAT is actively pursuing an outcome

Motion	Topic	Sub-topic	Meeting date	Member Update
<p>That Members discuss and confirm the proposed high level implementation plan for the workplace health and safety review of elected representatives and communicate the key components to their councils.</p> <p>That Members request that the more detailed project implementation plan be reported to the next General Meeting, including any new resources that may be required.</p> <p>That Members request that a summary of the findings and links to the in-depth documents of the review be sent to all Mayors with a request that they table this and report back to their elected members.</p>	Governance	Workplace Health and Safety Review	17/03/2023	The implementation plan for the workplace health and safety review of elected representatives is provided in the General Meeting papers June 2023 and Members have been provided with a summary. This resolution now forms part of the LGAT Annual Plan 2023 and will now be closed.
That LGAT lobby the State Government to encourage the development of affordable housing, as a matter of urgency through measures that promote the efficient supply of well located, diverse housing.	Housing	Affordable Housing - diversity and supply	8/12/2022	LGAT is advocating for action on the national housing crisis across a range of forums, including through its position on the Minister's Housing Reference Group and through the current Phase 2 Planning Reforms. LGAT will include this issue in its submission to the draft Tasmanian Housing Strategy, when released for consultation.
That LGAT lobby the State Government to encourage the development of affordable housing, as a matter of urgency through promoting the development of affordable housing with specific incentives for affordable housing enabled through planning schemes and policies.	Housing	Affordable Housing - incentives	8/12/2022	LGAT's advocacy on affordable housing is part of our 'ready for growth' work. We have been pushing the Tasmanian Government across our direct advocacy and submissions on the need to address the key elements in an integrated way. In particular, the Regional Land Use Strategies, infrastructure contributions, the State Planning Policies, the media and the Ministers Housing Reference Group. We have emphasised the broader context given the push towards fast tracking affordable housing without addressing the larger, and more impactful system settings. We will also highlight these issues in our submissions to the draft Tasmanian Housing Strategy.
<p>That LGAT seek revisions to the Property Agents and Land Transactions Act 2016 to consider:</p> <p>a) Requiring a 337 Certificate prior to listing of a property and making it available as part of the sale process; and</p> <p>b) Requiring full disclosure for properties as part of the listing process."</p>	Governance	Review of Property Agents and Land Transactions Act 2016	8/12/2022	Following media interest earlier in the year and discussions with Tasmanian Government, no further action has been forthcoming from the government. LGAT is writing to key stakeholders including the Law Society of Tasmania and the Real Estate Institute of Tasmania to seek their support for the reforms.
That LGAT raise concerns with the Tasmanian Government in relation to the quality of maintenance and new construction work which is being undertaken on the network of roads which are the responsibility of the Department of State Growth, and ask the Tasmanian Government to implement an independent review of the construction and maintenance methodology being used.	Infrastructure	State Road Maintenance	16/09/2022	LGAT intends to raise this issue through the Tasmanian Government's Road Legislation Management Review and seek a response based on sound financial and asset management principles.

Motion	Topic	Sub-topic	Meeting date	Member Update
That LGAT investigate mechanisms to enable councils to differentially rate vacation rental properties and bring back to the next general meeting for a discussion and decision.	Planning	Differential Rating	18/03/2022	The Valuer-General has prepared a guidance note for councils on the matter, which is expected to be provided to councils shortly.
That LGAT lobby the State Government to investigate a legislative mechanism to provide local government authorities with enhanced power to appropriately act on dilapidated, derelict and abandoned buildings registers and to charge levies in respect to those properties.	Building	Abandoned buildings	18/03/2022	The range of planning reforms underway has put the proposed guidance note on hold. The intention is for LGAT, with CBOS and the State Planning Office, to prepare a guidance note for councils on their existing powers and tools available to act on dilapidated and derelict buildings.
That LGAT lobby the State Government and TasFire Services to investigate the accreditation of fire bunkers and other structures legalised in other Australian states for use in Tasmania.	Building	Fire Bunkers	18/03/2022	CBOS has not progressed the formation of a working group to address this issues. The intention is that working group, with a local government representative, will address a range of matters (accreditation and guidance) around landowners around constructing a fire bunker on private property.
That LGAT lobby the State Government to initiate and fund the development and implementation of a family and sexual violence prevention framework for local government across the state.	Society	Family and sexual violence	18/03/2022	LGAT submission to third family violence and sexual violence plan was provided to the State Government on 14 February 2023. LGAT has discussed with the Department of Communities the importance of direct support to councils as part of this role. The Department has developed a new plan that includes the priorities for the officer's work. The plan is not yet available.
That the Local Government Association of Tasmania call upon the Tasmanian State Government to address the use of Tiny Houses and Self Contained Caravans for alternative accommodation with appropriate standards in planning schemes or other legislation to provide for the safe and healthy use and addressing needs for affordable housing whilst balancing the potential poor planning and environmental outcomes.	Planning	Tiny Houses	3/12/2021	The Minister for Housing has written to LGAT acknowledging the opportunity that tiny houses present to address the housing crisis and the need to fix regulatory gaps. The Minister advised that the matter is now with the State Planning Office who will convene a discussion with LGAT. This resolution will be closed following the June 2023 General meeting
That LGAT advocate to the State Government for the introduction of a consistent State-wide approach to infrastructure charges to ensure that the burden of public infrastructure provision is shared equitably between developers and communities.	Infrastructure	Infrastructure Charges	3/12/2021	Advocacy on this important item continues and is multifaceted. The LGAT discussion paper is a useful tool for education and advocacy. We will continue to advocate for this fundamental infrastructure financing reform until it is implemented. This resolution now forms part of the LGAT Annual Plan 2023 and will now be closed.
That LGAT lobby the State Government to investigate amending the Land Use Planning and Approvals Act 1993 to provide alternative mechanisms for consideration of the development applications submitted by elected members as a means to removing any perception of bias or conflict of interest. The investigation shall provide the pros and cons of any (alternative) solutions.	Planning	LUPAA Amendment Conflicts of Interest	3/12/2021	The Future of Local Government Review has now shifted the land use planning consideration to be considered by the Minister for Planning. This work will be led by the State Planning Office (SPO). LGAT has written to the SPO to ensure this item is captured in their scope of work. This resolution will be closed following the June 2023 General Meeting

Motion	Topic	Sub-topic	Meeting date	Member Update
<p>That LGAT continue to lobby the State Government to implement funding change by-</p> <p>a. 3 year, phased in reinstatement of the equitable distribution of the heavy motor vehicle road tax distribution to the percentage of funds collected; and</p> <p>b. one off additional annual payment allocation of the heavy motor vehicle road tax distribution as compensation for 25 years of no indexation of the funding allocation and to support enhanced road infrastructure development in all local government areas.</p>	Finance	Heavy Vehicle Road Tax	5/08/2021	This issue formed one of three priorities issues of our State Budget 2023-24 priority statement. We will explore how road funding can be included as part of the reviews on road management legislation that are currently underway.
<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>	Animals and wildlife	Dog Control and Wildlife Management	3/12/2020	We understand that the Tasmanian Parks and Wildlife Service (PWS) has changed its position on preparing a Dog Management Policy that will provide guidance on the management of dog exercising on PWS managed land. PWS have paused this work until resourcing constraints can be addressed by the middle of 2023.
<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</p>	Environment	Shorebirds and Coastal Wildlife Values	3/12/2020	We are waiting on the Parks and Wildlife Service who are working on clarifying roles and responsibilities between state and local government. LGAT will resume work on this matter when that is shared with us.
<p>That LGAT: Advocate on behalf of all Councils the deep concern at the level of the Fire Service Contribution that councils are expected to collect from ratepayers each year on behalf of the State Fire Commission; and Seek justification for the excessive level of financial burden that has been imposed over the last five years.</p>	Emergency management	Fire Services Levy	25/07/2018	The Minister for Police, Fire and Emergency Management announced on 24 January 2023 it will establish a new legislation, Fire and Emergency Services Act, replacing the Fire Services Act 1979. LGAT are awaiting an update from the State Government on the establishment of the reform project team.

WORKPLACE HEALTH AND SAFETY REVIEW - IMPLEMENTATION PLAN June 2023

This plan outlines the progress of implementing the suite of recommendations resulting from the Workplace Health and Safety Review of Elected Representatives (WH&S Review). Recommendations from the review are presented alongside of relevant State Government actions where appropriate. This plan will be updated progressively as recommendations are implemented.

Code of Conduct Reform

On the 10 November 2022, the Government introduced the *Local Government Amendment (Code of Conduct) Bill 2022* (the Bill) into Parliament. The Bill progressed some of the key reforms committed to by the Government in its response to prior public consultation about potential targeted legislative changes to the Code of Conduct Framework.

Three further reforms to be progressed as part of the next stage of the Code of Conduct reforms are:

- A review of the model Code of Conduct.
- Assessment of the feasibility of transferring the Code to the Tasmanian Civil and Administrative Tribunal (TasCAT).
- Consideration of options that could better address instances of very serious councillor misconduct that may not fall within the parameters of the current Code of Conduct Framework.

A number of WH&S Review recommendations have been placed on hold until the success of the changes proposed in the Code of Conduct Bill has been assessed, these are:

- 1.15a & 1.15b - Introduction of additional council level behavioural policies and processes.
- 1.16a, 1.16b & 1.16c - Initial assessment to be undertaken by expert in behaviour and local government appointed by the GM.
- 1.16d - Separate process for minor and serious breaches.
- 1.19d - GM training for referrals to respectful conduct advisor.

The progress of the remaining relevant recommendations are outlined in the following table:

WHS Report Reference	WHS Recommendation	Priority	Actions	Lead	Comments/Update
1.15c, 1.15d, 1.16g, 1.16h, 1.16m, 1.16n	Review of sanctions for serious misconduct	High	In March 2023 the Office of Local Government (OLG) released a discussion paper regarding serious councillor misconduct and potential legislative amendments to address it. A copy of the discussion paper is available here .	OLG	LGAT is waiting on further details on the outcomes from the consultation.
1.17d, 1.17e, 1.17f, 1.17g	Develop Local dispute resolution process.	Medium - High	<p>Shortly after the Code of Conduct Bill receives Royal Assent LGAT will:</p> <ul style="list-style-type: none"> - Develop terms of reference for the position of Respectful Conduct Advisors / mediators for councils to access. - Establish a panel of providers. - Develop a template Dispute Resolution Policy for councils. <p>Create a standardised behavioural monitoring template and reporting process for councils.</p>	LGAT	LGAT has begun scoping this work, with substantial work to commence once the Bill passes Parliament.
1.16i, 1.16j	Review of the Model Code of Conduct.	Low	Review of the Model Code of Conduct to be commenced after the Code of Conduct legislation amendment is completed.	OLG	LGAT will continue to monitor and advocate for progress.

WHS Report Reference	WHS Recommendation	Priority	Actions	Lead	Comments/Update
1.16e, 1.16k, 1.16l, 1.16o	Conduct a feasibility review of transferring the Code, or elements of it, to TasCAT.	Medium	Request sent to the OLG for work to commence as a priority.	OLG	LGAT will continue to monitor and advocate for progress.
1.15f	Amend the <i>Integrity Commission Act 2009</i> to facilitate referral by the Integrity Commission to the Code of Conduct.	High	The Department of Justice are currently drafting legislative amendments to the <i>Integrity Commission Act</i> .	Department of Justice	LGAT will continue to monitor progress.

Learning and Development Framework

OLG and LGAT are working together to expand on the Local Government Learning and Development Framework that aims to increase the knowledge and skills of councillors. Currently the framework consists of three online learning packages. However, work has commenced on scoping further training and development options to support councillors in their role.

The progress of the relevant recommendations are outlined below:

WHS Report Reference	WHS Recommendation	Priority	Actions	Lead	Comments/Update
1.18a – 1.18s 1.20	Introduce additional training and education focused and tailored for elected representatives.	Med - high	Recommendations referred to the Learning and Development Framework Governance Group for consideration.	LGAT	Complete - LGAT will continue to monitor progress.

Future of Local Government Review

Recommendations that have been put on hold pending completion of the Future of Local Government Review and implementation of the Learning and Development Framework are the following more controversial ones related to additional training and education, including mandatory requirements:

- 1.21b - Ongoing requirement for Continuing Professional Development (CPD).
- 1.21c - CPD to have a mandatory requirement for appropriate behavioral standards.

Review of the Local Government Act

Recommendations relating to the *Review of the Local Government Act* have been put on hold pending the completion of the Future of Local Government Review. Once re-commenced it offers an opportunity for implementation of some of the lower priority recommendations. These recommendations are:

- 1.15e – Introduce provisions for disruption of public meetings.
- 1.17m – Introduce standardised process for meetings.
- 1.19a – Clarifying the role of GM as a PCBU.

Other actions

There are several recommendations that relate to either LGAT projects or specific council actions, which are outlined in the tables below.

One recommendation will not be progressed given concerns from the sector on mandatory pre-election qualifications. It is further noted that the Future of Local Government Review Options Paper suggests the development of “*an improved councillor training framework which will require participation in candidate pre-election sessions and, if elected, ongoing councillor professional development.*” This recommendation was:

- 1.21a - The requirement for qualification similar to a Company Director’s Course as a mandatory pre-condition for seeking election.

The following recommendations will be closed as actions have been completed since the last meeting:

Recommendation	Summary	Comments
1.17o	Develop and introduce a diversity campaign.	Complete - To support the 2022 local government elections LGAT successfully delivered the ‘stand for council’ campaign that resulted in an increase in the diversity of candidates and those elected (only data on gender and age was captured). It is expected a similar campaign will be developed for the 2026 local government elections.
1.17p	Extend EAP to ERs.	Complete - The LGAT CEO wrote to all General Managers in June encouraging implementation of these recommendations, noting a number of councils already have similar processes established.
1.17r	Introduce practical measures which focus on building, maintaining, and improving relationships between Elected Representatives (e.g., dinners, events, etc).	
1.17s	Internal monitoring of behavioural standards.	
1.17t	Full disclosure of correspondence by ERs.	

The remaining recommendations and associated actions are outline below:

WHS Report Reference	WHS Recommendation	Priority	Actions	Lead	Comments
1.17a - 1.17c	<p>LGAT to coordinate with OLG, Equal Opportunity Tasmania (EOT), Integrity Commission and WorkSafe Tasmania (WST) to review the status quo/improvements in relation to behavioural management and publish annual results for the industry.</p> <p>LGAT (from the information above) will provide clear guidance materials to Chair of Code of Conduct Panel and publish statistics on matters to demonstrate appropriate monitoring (e.g., due diligence) within the industry.</p>	Medium	<p>Discussions with the OLG have resulted in this action being transition to the OLG leading the work.</p> <p>Engagement with each of the relevant named agencies will commence in late 2023, followed by scoping of the process and then development of relevant reporting documentation for each agency.</p>	Department Premier and Cabinet (OLG)	LGAT will continue to monitor and advocate for progress.
1.17i	Standard policy for unreasonable community conduct.	High	LGAT is participating in a working group with the OLG to develop a guide to managing challenging behaviours, including unreasonable community conduct.	Department Premier and Cabinet (OLG)	This work is expected to be complete by November this year.

WHS Report Reference	WHS Recommendation	Priority	Actions	Lead	Comments
1.17h, 1.17j, 1.17k, 1.17l, 1.17n	Community education program.	Medium	Once the guide to managing challenging behaviours (above) is complete then work will commence on designing a community education campaign.	LGAT	This work will commence in November.
1.17q	Extend Workplace Behaviour Policies to ERs.	High	Review the LGAT the Grievance Resolution and Workplace Behaviour Toolkit for applicability to elected representatives and if necessary, prepare templates for consideration by councils.	LGAT	An initial review has been completed, with the suggested amendments currently with Edge Legal for confirmation.
1.19b, 1.19c, 1.19d	LGAT training for GMs covering dispute resolution, dealing with unreasonable complaints conduct and referrals to respectful conduct advisor.	High	<p>LGAT will deliver training to GMs / CEOs to support the introduction of the dispute resolution process and dealing with unreasonable complaints conduct.</p> <p>Referrals to respectful conduct advisors will be put on hold pending an assessment of the success of the Code of Conduct Bill changes, expected to be active in 2023.</p>	LGAT	This is in hold, pending completion of recommendations 1.17d, 1.17e, 1.17f & 1.17g.

WHS Report Reference	WHS Recommendation	Priority	Actions	Lead	Comments
1.21d	Introduce coaching / mentor panel.	High	Develop a panel of mentors / coaches for elected representatives.	LGAT	Work has commenced on recruiting mentors.

LGAT service awards – assessment of current and proposed awards

As approved by GMC May 2023

Proposed awards

Award category	Eligibility	Qualities/Criteria	Nature of recognition / privileges
Recognition of Service Award of Elected Members	More than 10 years, recognised in 5-year increments. Time served must be consecutive.	N/A	Certificate, noted at Annual Conference. 20 years and above service, certificate will be presented at Annual Conference.
Mayor Emeritus	Retiring Mayor that has served two or more terms.	N/A	Lapel pin (or similar) and certificate presented at Annual Conference.
Outstanding commitment and service to local government	<p><i>Elected member</i> Two representative roles on behalf of local government.</p> <p>For example GMC, whole of local government committee or working party, a statutory role (e.g. State Fire Commission) or national committee or body.</p> <p><i>Local government officer</i> Two representative roles on behalf of local government.</p> <p>For example formal body of LGAT or Tasmanian Government, whole of sector committee or significant policy working group.</p>	<ul style="list-style-type: none"> • Demonstrated outstanding service and contribution to advance of Tasmanian local government. • A champion of local government and what it offers to the Tasmania community. 	Certificate, presented at Annual Conference

Award category	Eligibility	Qualities/Criteria	Nature of recognition / privileges
Life member	<p><i>Elected Member</i></p> <ul style="list-style-type: none"> • More than 10 years' service • Served as Mayor • At least one term as a GMC member • Minimum of four representative roles on behalf of Tasmanian local government at a state or national level. <p><i>Officer of Local Government</i></p> <ul style="list-style-type: none"> • Local government (including LGAT) service more than of 15 years • Served as General Manager/ Chief Executive Officer • Minimum of four representative roles on behalf of Tasmanian local government at a state or national level. 	<ul style="list-style-type: none"> • Recognised leader and champion of Tasmanian local government in the state and national arena that exemplifies the best qualities of the sector. • Demonstrated excellence in service and contribution to advance the local government sector – within and beyond Tasmania. • Significant achievement for, and on behalf of, the local government sector. 	Dinner at every Annual Conference, member rate for attendance at Annual Conference, lapel pin (or similar) and certificate presented at Annual Conference.