



General Meeting

Minutes

24 September 2014

**Gnomon Pavillion
Wharf Precinct
Crescent St, Ulverstone**

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

13. WHO MAY ATTEND A MEETING OF THE ASSOCIATION

- (a) Each Member shall be entitled to send a voting delegate to any Meeting of the Association, such voting delegate exercising the number of votes determined according to Rule 16(a).
- (b) After each ordinary Council election, the Chief Executive Officer shall request each Member to advise the name of its voting delegate and the proxy for the voting delegate for Meetings of the Association until the next ordinary Council elections.
- (c) Members may change their voting delegate or proxy at any time by advising the Chief Executive Officer in writing over the hand of the voting delegate or the General Manager prior to that delegate taking his or her position at a Meeting.
- (d) A list of voting delegates 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.

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

At any Meeting of the Association, a majority of the Member Councils shall constitute a quorum.

16. VOTING AT MEETINGS

- (a) Voting at any Meeting of the Association shall be upon the basis of each voting delegate being provided with, immediately prior to the meeting, a placard which is to be used for the purpose of voting at the meeting. The placard will be coloured according to the number of votes to which the Member is entitled:

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) The Chairman of the meeting shall be entitled to rely upon 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.
- (c) Except as provided in sub-rule (d), each question, matter or resolution shall be decided by a majority of the votes capable of being cast by Members present at the Meeting. If there is an equal number of votes upon any question, it shall be declared not carried.
- (d) (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, whether present at the Meeting or not.
(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 the 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.

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* *Denotes Attachment*



GENERAL MEETING SCHEDULE

- 10.00 Coffee on arrival
- 10.30 Meeting commences
- 12.00 Colin Pettit and Alan Green
Department of Education
Discussing the Year 11/12 program
- 12.30 pm Approximately, lunch will be provided
- 1.30 Les Scott
Managing Director
Australian Longline Pty Ltd
Discussing Supertrawlers

The President Mayor Barry Easter welcomed Members and declared the General Meeting open at 10.30am.

Apologies were received from -

Mayor Albert van Zetten	Launceston City Council
Ms Lyn Eyles	Central Highlands Council
Mr Robert Higgins	Tasman/Sorell Council
Mayor Jan Barwick	Tasman Council
Mayor Robert Armstrong	Huon Valley Council
Ms Simone Watson	Huon Valley Council
Mayor Mike Gaffney	Latrobe Council
Mayor Bertrand Cadart	Glamorgan Spring Bay Council
Mr David Metcalf	Glamorgan Spring Bay Council
Mayor Kim Polley	Northern Midlands Council
D/Mayor Hannah Rubenach	Break O'Day Council
Mr Bob Hoogland	Break O'Day Council
Ms Zoe Behrendt	King Island Council
Mr Brian Lovell	West Coast Council
Mayor Tony Foster	Brighton Council
Mr Ron Sanderson	Brighton Council
Mayor Stuart Slade	Glenorchy City Council
Mr Ian Pearce	West Tamar Council
Mayor Roger Broomhall	George Town Council
Mr Andrew Macnish	George Town Council
Mr Raoul Harper	Flinders Island Council
Mr Tim Kirkwood	Southern Midlands Council
D/Mayor Peter Reid	West Coast Council

1. GOVERNANCE

1.1 CONFIRMATION OF MINUTES *

Central Coast Council/Devonport City Council

That the Minutes of the meeting held on 23 July 2014, as circulated, be confirmed.

Carried

Background:

The Minutes of the General Meeting held on 23 July 2014, as circulated, are submitted for confirmation and are at **Attachment to Item 1.1**.

1.2 BUSINESS ARISING *

That the Meeting 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

Devonport City Council/Meander Valley Council

Consideration was given to the Agenda items and the order of business and it was determined that Items 2.3 - Super Trawlers and 4.1 - Industrial Hemp would be discussed after the presentations had been heard.

Carried

Background:

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

1.4 FOLLOW UP OF MOTIONS*

That Members note the report.

Noted

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 MONTHLY REPORTS TO COUNCILS*

That Members note the reports for June and July 2014.

Noted

Background:

Monthly reports to Councils that briefly outline Association activities and outcomes for the previous months are at **Attachment to Item 1.5.**

1.6 COUNCIL ROUND-UPS

That West Coast Council will present a briefing at the November General Meeting.

Noted

Background:

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

2. ITEMS FOR DECISION

2.1 MOTION - STATEWIDE LOCAL GOVERNMENT PERFORMANCE INDEX.

Clarence City Council/Launceston City Council

That LGAT supports the establishment of a state-wide Local Government Performance Index (for benchmarking and performance ranking).

Carried

Background

Structurally councils operate as monopoly service providers. Whilst people have a choice of switching provider by moving to a different council area, the transaction costs of doing so are high and this limits competitive tension for efficient operation and service delivery. In the current economic climate there is a responsibility for all councils to demonstrate value for ratepayer's money.

The benefits of benchmarking include:

- Improving transparency and accountability of councils to their communities.
- Identification of best practice and areas for improvement.
- Establishing performance trends over time.
- Focusing on the core functions designated to councils.
- Encouraging councils to share knowledge and learn from each other.
- Helping councils advance spending priorities by general interest not special interest.

A process for benchmarking performance of Tasmanian councils has previously been established. The Measuring Council Performance in Tasmania measured key performance indicators in the nine financial years from 1999-2000 till 2007-2008.

This determined useful metrics and over time the reports data collection refinement minimised the reporting burden on councils. There would not be large administrative or resource effort required to reintroduce this process and allow for ranking the performance of councils.

LGAT Comment

The Local Government Division has recently commenced work on expanding the current SOI project to incorporate other contemporary indicators and quantitative metrics that measure council performance across the full suite of Local Government roles and responsibilities under a new Performance Management Framework (PMF). While this project is in its infancy, it is envisaged that the new PMF will also identify mechanisms for obtaining the required performance data and statistics as well as a communications strategy that will describe the means by which council performance will be analysed and reported.

It is intended that the existing SOI indicators and statistics will be incorporated into a more comprehensive framework that assesses and reports upon council performance across their full array of roles, responsibilities and obligations to their community.

In addition to work already being undertaken by Tasmanian Councils, LGAT notes that a number of jurisdictions have undertaken considerable work in this space, which Tasmania could leverage off. For example, the Local Government Performance Reporting Framework developed by Local Government Victoria this year (<http://www.dpcd.vic.gov.au/localgovernment/projects-and-programs/performance-reporting/technical-working-groups>).

2.2 MOTION - DISPOSAL OF STATE GOVERNMENT OWNED PROPERTY

Devonport City Council/Derwent Valley Council

That LGAT formally request the State Government to review and amend the Government's procedures for the disposal of State owned public land, including property acquired by default, by introducing prior sale conditions that:

- (a) Requires the Government to have effectively dealt with any environmental rehabilitation and/or the removal of hazardous materials prior to offering the property for sale;
- (b) As part of the sale process, require prospective purchasers to provide details of the proposed future use of the site and include as a condition of sale that the property is to be developed within a specified timeframe;
- (c) Make available to the public the results of any feasibility study accepted as part of a sale contract for re-development and future use of the site or premises consistent with the relevant planning scheme and zoning.

AMENDMENT MOTION

Meander Valley Council/Clarence City Council

That the following point be included -

- (d) that the first option to purchase be made to council to make a strategic purchase.

Carried

Devonport City Council/Derwent Valley Council

That LGAT formally request the State Government to review and amend the Government's procedures for the disposal of State owned public land, including property acquired by default, by introducing prior sale conditions that:

- (a) Requires the Government to have effectively dealt with any environmental rehabilitation and/or the removal of hazardous materials prior to offering the property for sale;
- (b) As part of the sale process, require prospective purchasers to provide details of the proposed future use of the site and include as a condition of sale that the property is to be developed within a specified timeframe;
- (c) Make available to the public the results of any feasibility study accepted as part of a sale contract for re-development and future use of the site or premises consistent with the relevant planning scheme and zoning; and
- (d) that the first option to purchase be made to council to make a strategic purchase.

The Amended Motion Was Carried

Background

The intent of the motion is to ensure that the State Government does not in the future dispose of property owned by it without any conditions on the future use of the site.

A typical example is the sale by the Government of the former Mersey Maternity Hospital without any conditions imposed on the purchaser in relation to either the remediation of the site or the future development of it. The site is now falling into disrepair and the State Government has essentially 'wiped its hands' of any responsibility.

There are also numerous examples all over the State where the Government has disposed of property (particularly former school buildings) which are now falling in disrepair, are constantly being vandalised and are unsightly, detracting from neighbourhood amenity.

LGAT Comment

There have been no specific motions on this matter, but the push for amendments to the nuisance provisions to deal with derelict buildings was in part driven by circumstances like this.

2.3 MOTION - SUPER TRAWLERS

Following the presentation made by Les Scott, Australian Longline Pty Ltd, there was much discussion and debate on this matter with consideration of various changes to the wording of the original motion.

It was then considered that the original Motion stand and be tested.

Clarence City Council/Derwent Valley Council

That the original motion as presented, be put.

Carried

Break O'Day Council/Northern Midlands Council

That LGAT supports the position of all state parties in their election commitments to lobby the major federal political parties in opposing super trawlers operating in Australian waters, and support immediate federal legislation to permanently ban super trawlers in Australia's Exclusive Economic Zone (EEZ) but not to affect current fishing operators.

Lost

The motion was Lost -

For 21

Against 23

Derwent Valley Council voted for the motion.

Background

Break O'Day Council

We believe that the more spheres of Government that take up this issue placing pressure on the Federal Government to ban the super trawlers the better likelihood there is of success.

If a Super Trawler was to be allowed to fish in Australian waters and they were to fish off the East Coast of Tasmania the local and regional economy of St Helens would be irreversibly downsized. Losses in domestic and export fishery revenues and related employment will be significant. Alternative local/regional employment will not be available, and the majority of the profits from such an enterprise would all go overseas with no financial benefit to local commercial or recreational fisheries.

Northern Midlands Council

The Federal Government imposed a two-year ban after community opposition to Seafish Tasmania's plan to use the factory ship, Abel Tasman to fish waters around south-eastern Australia.

The Federal Court is considering an appeal by Seafish Tasmania against the ban which is due to expire in November.

Seafish Tasmania has a quota to fish in Commonwealth waters and no trawlers over 20 metres long can operate in Tasmanian waters.

But the alliance wants all parties in the March 15 state poll to commit to keeping super trawlers out of Tasmanian waters.

Environment Tasmania's Rebecca Hubbard says Tasmanian politicians have the ability to keep the super trawler out of the state's waters.

"They can put in place a regulation or amend legislation that specifically bans super trawlers and a specific type of fishing," she said.

"And what we're asking them to do is to ban large freezer factory vessels, these huge super-trawlers that have been used to decimate the world's fisheries."

Game Fishing Tasmania's Nobby Clarke says super trawlers risk depleting local fish stocks. "I will never ever support industrial, freezer-style fishing in Australian waters."

"We have resisted it for this long from pressure from the Europeans trying to bring these vessels into our water and I do not believe it's the way of the future."

The Alliance claims more than 7,300 people have signed a petition supporting a permanent ban.

Lyons candidate Martyn Evans said "I'll be going back to the table and talking about the importance of our fishery, not only as for families, for recreational but for our economy, for our tourism and our tourism sector right up and down the eastern seaboard."

"It's important for not only my kids, but our kids' kids into the future to have a sustainable fishery."

LGAT Comment

No further comment required.

Tasmanian Government Agency Comment

Tasmanian fisheries rules prohibit the use of trawlers in State waters as this type of fishing has been determined to be inappropriate. There is no trawling anywhere in State waters and the Government supports the current regulatory arrangements.

The Government supports sustainable commercial fisheries and fishing operations and will consider any new fishing proposals in this context.

2.4 MOTION - AUDIT PANELS*

Meander Valley Council/Dorset Council

That the LGAT write to the Minister for Local Government requesting the removal of the mandatory requirement for councils to have an audit panel, unless there is an express reasoning by the Auditor General and supported by the Minister for Local Government in relation to an identified and ongoing issue with a Council.

Lost

Background

Some of the larger councils in the State have operated audit panels or committees for some time, because they choose to do so.

During the annual audit process of councils by the Auditor General over the past four years, he has made recommendations to those councils without audit panels or committees, to establish audit panels. A small number of councils have established audit panels based on these recommendations.

Earlier this year the Local Government Act 1993 was amended to include a requirement for councils to have an audit panel, and following this the Local Government (Audit Panels) Order 2074 was issued

It is proposed that a motion be taken to the next General Meeting of LGAT on 24 September 2014 asking for LGAT to write to the Minister for Local Government requesting the removal of the mandatory requirement for councils to have audit panels, unless there is an express reasoning by the Auditor General and supported by the Minister for Local Government in relation to an identified and ongoing issue with a council.

In this instance the Minister could direct that council to establish an audit panel.

It is acknowledged that internal audits are a significantly important process for councils, and that currently most councils have a system in place to oversee this function.

Some examples of the activities and processes currently used by councils include:-

- Annual audit process by the Auditor General's office which review the financial systems and procedures;
- Assessment of risk management system and process by insurance company LMI;
- Local Government Board reviews approved by the Minister;
- Internal auditing process which operate for work health and safety, risk management, legislation compliance and policy reviews;
- Requirements for Strategic Plan reviews, Annual Plan Asset Management Plan and Strategy and Long Term Financial Plan;
- Quarterly reporting to Council on budget financials and Annual Plan achievements.

The motion does not support not having audit panels, but says have them if there is a problem to be addressed.

LGAT Comment

In early 2007, Access Economics recommended the establishment of Audit Committees by Tasmanian Councils in the "*A Review of the Financial Sustainability of Local Government in Tasmania*" report commissioned by the LGAT.

In September 2007 LGAT convened a Steering Committee, with the task of ensuring all 26 recommendations were subjected to further analysis in terms of their applicability and plausibility in the Tasmanian context, as well as giving consideration to the most appropriate means by which to implement them across Tasmanian councils.

Subsequently a number of specialist working groups were formed, including one dedicated to the area of audit committees. The working group agreed that as an initial action, a discussion paper would be developed which addressed:

- a) The implications and requirements for establishing an audit committee; and
- b) Suitable mechanisms and guidance for councils to consider when establishing such committees.

There was not widespread agreement on the need for Audit Committees following consultation with Councils, but the best practice principles were outlined in that discussion paper for councils choosing to go down that path. The main arguments against Audit Committees centred around a perceived lack of value for money/effort.

Around that time, the Local Government and Planning Ministers' Council determined that a series of nationally consistent Frameworks around financial sustainability would be developed which included a requirement to have a mechanism in place to provide high level oversight of the delivery of council's asset management strategy and plan.

LGAT, in providing feedback on the proposed mandatory introduction of Audit Panels by the State Government, clearly outlined the concerns of councils and secured some adjustments. LGAT has also, with member councils, provided input into the Guide produced by the LGD and advocated for the LGD to provide training for Audit Panel Chairs, following a survey of council's readiness. There was significant consultation about the proposed introduction of Audit Panels.

LGAT notes that some councils are working to establish regional sharing arrangements to lessen the burden of implementation. Councils have until 30 June 2015 to comply with the Orders.

The document "*Local Government Audit Panels - A Practice Guide*" is provided for your information at **Attachment to Item 2.4**.

3. ITEMS FOR NOTING

3.1 LGAT PROFESSIONAL DEVELOPMENT PROGRAM Contact Officer - Georgia Palmer

That the Meeting note the update on the Local Government Professional Development Program.

Noted

Background

LGAT identified a potential opportunity to improve the provision of professional development services tailored to Local Government by developing an annual professional development program for its members.

The professional development calendar was launched in June 2014. Since then, 13 professional development programs have been delivered to over 210 participants.

Programs have included:

- Workplace behaviours;
- Fire Hazard Abatement;
- Work Health and Safety for Managers and Supervisors;
- Critical Conversations in Local Government;
- Building Innovative Teams in Local Government; and
- Public Lighting for Local Government.

The professional development programs have been delivered regionally and a few councils have opted for in-house training where available.

LGAT is in the process of finalising its Local Government 101 program for newly elected members to be delivered in late November. The programs content will include:

- The Local Government Act and associated legislation including:
 - the roles and responsibilities of Councils and Councillors/Alderman;
 - Relationships with the Mayor/General Manager; and
 - The role of the Director of Local Government in dealing with complaints and investigations into common offenses under the Act.
- Meeting procedures;
- Key strategic planning activity including financial and asset management; and
- The role of elected members as a planning authority vs the role as a representative of the community.

We anticipate offering an intensive session for new Mayors following the November General Meeting leading into the Mayor's workshop the next day.

The Association will also deliver its traditional elected member professional development weekend in February. Other offerings for elected members that will feature in the first half of next year include financial and asset management and land use planning.

The Association is also updating the resources for new elected members: *Being a Councillor* and *The Mayoral Handbook*.

In addition to the elected member training, planning is currently underway for:

- An Arts and Community Development Forum (25 September);
- Regional LGAT Policy Roadshows (early October); and
- A workshop for 'future General Managers' (early November).

Councils are encouraged to use the LGAT brokering service to assist councils in sourcing professional development programs and accessing critical numbers to make professional development programs cost effective whilst also meeting council's specific learning and development needs.

The professional development programs may be particularly beneficial in relation to induction of new councillors. The professional development calendar is regularly being updated and council staff are encouraged to view offerings on the LGAT extranet.

The success of the program will be based on council uptake of the programs and use of LGAT as a broker. It is envisioned that the training program will expand overtime and become more targeted to council needs as councils engage with the offerings and use LGAT as a broker.

Budget Implications

LGAT policy officer time to develop and negotiate the schedule with providers.

3.2 POLICY UPDATE* **Contact Officer - Katrena Stephenson**

That the Meeting note the report.
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Noted

Emergency Management

Significant activity continues to occur in the Emergency Management Policy area. Two key pieces of work include:

Vulnerable Persons Framework

- The State Emergency Service is leading the development of a vulnerable persons framework for Emergency Management. LGAT sits on a reference group for this project and a draft framework is almost complete. Once the draft is completed it will be circulated to key stakeholders including councils for comment.

Pandemic Preparedness Plan

- The Department of Health and Human Services is the lead agency for the Pandemic Preparedness Plan.
- The aim of the project is to increase the capacity and capability of the Primary and Community Health Sectors (including THOs) to effectively participate in a coordinated response to a major public health emergency, particularly an emergency such as a pandemic.
- The project is a follow on from the flu clinic review and aims to formalise state and regional arrangements for planning for, and responding to health emergencies.
- Considerable background work has been undertaken and the focus of the next phase of the project is to write the Tasmanian Health Action Plan for Pandemic Influenza and translate the key principles into partnerships, policies and protocols.
- Phase two of the project will include consultation with Local Government through regional workgroups to be established by the Tasmanian Health Organisations (or their replacement agencies).

Roads/National Heavy Vehicle Regulator

The Association met with Minister Rene Hidding in early August to discuss the issues being faced by councils and industry in relation to the National Heavy Vehicle Regulator (NHVR) and to consider ways to address the challenges collectively.

Minister Hidding was pleased to hear that workshops and meetings have been held both regionally and at a state wide level in to assist councils through this process.

The Minister was advised that councils across the State are currently working with the Department of State Growth to identify roads appropriate for adding to a network of 'pre-consented' routes, in order to speed up the access application process for operators where it is safe and appropriate to do so.

However, the Association highlighted a significant issue that councils face around the assessment and maintenance of bridge infrastructure, which can prove the pinch point on an otherwise acceptable heavy vehicle route.

Further, the formal role of 'road manager' bestowed upon Local Government under the Heavy Vehicle National Law requires councils to consider the legal liability associated with their decision making in each case where consent is issued to an operator to access the local road network.

All of these factors combine to pose a complex issue rather than something that is simple to resolve.

On behalf of councils, the Association will continue its discussions with State Government, the National Heavy Vehicle Regulator and industry to develop appropriate approaches and to highlight the task required of Local Government.

Urban Drainage Act - Stormwater Management Working Group

Following on from the introduction of the Urban Drainage Act in 2013, LGAT has developed a state-wide working group comprised of stormwater practitioners from each of the three regions, along with a LGAT representative and a representative from State Government.

The Working Group is tasked with developing a Stormwater System Management Template along with appropriate support tools and guidance documents, to ensure that all councils in Tasmania have Stormwater Management Plans in place for their urban drainage areas by the year 2019, as is required by the legislation.

The group met for the first time in early August and will meet every two months to discuss the development of the resources, workflow and process. It is anticipated that a toolkit will be developed in around six months time.

Review of Tasmanian Standard Drawings and Subdivision Guidelines

In 2013 the three regional Council groups, with the assistance of the Tasmanian Division of the Institute of Public Works Engineers Australia (IPWEA), developed a suite of Standard Engineering Drawings along with the Tasmanian Subdivision Guidelines for use by Local Government in Tasmania.

The initial adoption of the Standard Drawings and the Subdivision Guidelines by councils was impressive; all 29 councils across the state adopted the Standard Drawings and 20 councils adopted the Subdivision Guidelines.

A review of these documents is currently being conducted by two respective working groups comprised of representation from the each of the three regions, along with representation from LGAT and IPWEA.

The review process has commenced with a call for feedback from all adopting councils, and once collated the working group will commence updating the documents. It is hoped that we can achieve unanimous adoption of both as an outcome of this process.

Climate Change Adaptation - Training Resources released

The State Government's Tasmanian Climate Change Office has released a training resource collection that will assist Local Government with corporate and coastal climate change adaptation planning.

Working collaboratively with Local Government, the Tasmanian Government has undertaken a number of adaptation projects in recent years to improve our collective understanding of the risks that climate change poses to infrastructure and assets, and importantly, what adaptation actions could be implemented to reduce those risks.

The most significant of those projects have been the Regional Councils Climate Adaptation Project and the Tasmanian Coastal Adaptation Decision Pathways Project; from the methodology established by these two projects, new training resources have been developed specifically for councils.

The collection is made up of eight modules that take Local Government staff through the step-by-step process of adaptation planning. Four modules are dedicated to corporate planning and the remaining four focuses on the coastal adaptation planning process. Each module deals with a different step of the process, from getting started, risk assessment, developing adaptation options/plan and finally reviewing those options/plan.

The modules are also accompanied by a suite of tools including templates, guides and reading materials that provide Local Government staff with all the resources they need to undertake their adaptation planning.

The resources, as well as information of the two projects, are available on the Tasmanian Climate Change Office website: www.climatechange.tas.gov.au.

Workplace Behaviours Toolkit

LGAT has provided the draft documents (via the extranet), developed by Page Seager, to councils for review and comment and undertaken two regional forums to outline how the tools can and should be used. It is intended to broaden the consultation to include unions to address any perceptions that the toolkit is a mechanism to undermine work conditions as outlined in the Enterprise Agreements.

The toolkit will require intensive work by councils to implement and it is strongly suggested that councils collaborate wherever possible. LGAT has set up an online discussion forum for HR staff to engage with ideas on how to implement and suggestions on how to improve the tools and what other supports might be beneficial on a sectoral basis.

Award Modernisation

The legacy Municipal Managers Award remains unresolved at the time of writing. While there is sectoral and union support for a transition to no Award coverage for General Managers (as is the case for the councils previously covered by an Enterprise Award and in other jurisdictions), the Fair Work Commission are yet to make a decision following a hearing in mid August.

The Association will continue to work to resolve issues of transition from State Reference Awards to Modern Industry Awards.

Consultancy for Public Lighting Tender process

Member feedback in regards to the payment model for the tendering of Local Government's unmetered public lighting retail energy supply indicated a preference for a once off consultancy.

Following a request for quotation process, the consultancy has been awarded to Goanna Energy Consulting, a Tasmanian based company which the Association has successfully worked with in the past. Legal Advice will be provided through Simmons Wolfhagen Solicitors.

LGAT has initiated a process to obtain letters of authority from all Members, to enable the consultant to access council's energy usage data from TasNetworks and Aurora Energy, in order to progress the tender process. Thank you to members that have responded so promptly.

For any queries on this project, please contact Kate Hiscock kate.hiscock@lgat.tas.gov.au or phone 6233 5965 (Wednesdays and Thursdays).

Submissions Made Since Last Meeting

- Legislative Council Government Administration Committee Inquiry into the use of natural botanical medicinal cannabis flower and extracted cannabinoids for medical purposes. **At attachment to Item 3.2** is a copy of the submission for Member's information.
- Productivity Commission Inquiry into Emergency Management Funding
- State Bushfire Policy

Budget Implications

Does not apply.

3.3 BUSHFIRE PRONE AREAS

Contact Officer - Katrena Stephenson

Meander Valley Council/Circular Head Council

That LGAT write to the Minister and seek a meeting asking that this matter be resolved expediently.

Carried

Background

Following correspondence from King Island Council, LGAT has spent some time trying to ascertain progress in relation to implementation of the Bushfire Prone Areas legislation. As part of that we have been advised that while the Office of Security and Emergency Management will continue to provide occasional support, that progression of the matters outlined in the table below now sits with the Tasmania Fire Service (TFS).

LGAT was concerned by continually slipping timeframes and a lack of communication with councils and has written to the Chief Officer TFS on the matter.

At the last meeting of the Bushfire Regulations Implementation Committee the following milestones were agreed:

Date	Task	Responsibility
14 July	To provide the TFS with the mapping package including the following: <ul style="list-style-type: none"> • FTP site • Unique Identify for all polygons • Shape file • Able to queried by LGA 	DPIPWE
	TFS to provide to councils and practitioners with the mapping package, that includes the DPIPWE delivery along with: <ul style="list-style-type: none"> • policy and procedures for editing the maps • a draft schedule of visits to councils. 	TFS
14 July to 15 August	Councils to complete an initial review using the policy and procedures	Councils
15 August	TPC to release the draft bushfire code for comment	TPC
15 August to 17 October	TFS to undertake a review of the proposed amendments and reach agreement with councils on the final bushfire prone area map.	TFS/ Councils

On the 29 July LGAT was advised that:

- The mapping has been completed (some time ago) by DPIPWE. This was confirmed by TFS who advised that Bushfire-Prone Area boundaries have been drafted by EMGIS at DPIPWE and are sitting on The LIST.
- Further advice was provided that then the boundaries would need to be groundtruthed and amended in order for local adoption followed by formal recognition through a process with the Tasmanian Planning Commission.
- LGAT was advised that the rules for reviewing, amending and adopting the boundaries have been drafted but not been finalised with that work due on 25th July. At that point it was indicated that there would be a trial involving Hobart, Tasman and Circular Head Councils. Correspondence at that time indicated trials were to commence the first week of August.
- On contacting Tasman and Circular Head Councils it became clear that as at 31 July, there had been no formal communication with them about the proposed trials. Circular Head noted that they had expressed informal and general interest at a Building Permit Authority Forum and indicated that much of the information about the mapping and other implementation matters is being received second or third hand.
- LGAT has indicated to TFS that some direct communication with councils including a forum where they could view/comment on the maps and have a briefing about the issues and the drivers for the trial and future timeframes is considered essential moving forward. LGAT has also indicated a willingness to support such a forum through disseminating information and capturing registrations.
- LGAT has also asked whether there is willingness to allow other councils to be involved in the trial, where there is strong interest.

We believe it is imperative that there is no further slippage of timeframes if councils are to have matters in hand before the next bushfire season and have sought a commitment to continued close scrutiny and appropriate resourcing within the TFS.

At the time of writing this report LGAT was awaiting a reply from the TFS.

Budget Implications

Does not apply

3.4 LOCAL GOVERNMENT ELECTIONS

That the Meeting note the report

Noted

Background

Legislation

At the time of writing, the *Local Government Amendment (Mayoral Candidate Eligibility) Bill 2014* was before Parliament.

At the July General Meeting, the Minister indicated his leaning towards this amendment, subject to the outcome of debate by LGAT Members on the following motion: *Request the Local Government Association of Tasmania to ask the State Government to amend the Local Government Act, to rescind the qualifications required for being a candidate for Mayor and Deputy Mayor in a Tasmanian Council.*

The motion was carried (25/22) and the Minister has progressed accordingly with a view to letting the electors decide if candidates are suitably qualified.

It is uncertain as to what impact this amendment will have on Mayoral turnover if progressed through both houses. Incumbency is still a significant factor in re-election. However, in anticipation that there may be some Mayors elected who have little Local Government experience, LGAT intends to run an intensive induction following the November General Meeting, leading into the broader Mayor's Workshop the following day.

Election Timeframes

Notice of Election	Saturday 13 September
Rolls Close	6pm Thursday 18 September
Nominations Close	12 noon Monday 29 September
Announcement of Nominations	12 noon Tuesday 30 September
Polling Period	Tuesday 14 October to 10am Tuesday 28 October.

Election Tools

Historically LGAT has concentrated on tools and guides for potential candidates, such as the *Becoming a Councillor Guide*

(see <http://www.lgat.tas.gov.au/page.aspx?u=334>).

Currently we are looking at what support we can provide to Member councils in terms of engaging with communities and encouraging voter turn out. As a minimum we hope to provide (before this meeting) a web banner, some template text for websites and some key messages.

Budget Implications

Minor cost to produce the banner but it is within budget.

Policy Implications

There is a Motion carried in July 2014 in support of removing eligibility requirements.

3.5 2014 & 2015 ANNUAL CONFERENCE

Contact Officer - Stephanie Watson

1. **That the Meeting note the report; and**
2. **That all Member Councils consider submitting a nomination for the 2015 Meritorious Service Award.**

Noted

Background

The 102nd Local Government Conference, held at Wrest Point in Hobart from 23-25 July, was enjoyed by the 200 delegates in attendance, with 27% rating it as 'excellent' and 60% rating it as 'good'.

The opportunity to network, the dinner and award presentations were highlights for many, as were speakers Tony Morris, Craig James and John Stanley. Sponsors and trade exhibitors reported that a high level of enjoyment and value was derived from their involvement with the conference, with 50% rating the exhibition as 'excellent' and 50% rating it as 'good'.

The dinner was held in the Boardwalk Gallery, with 56% of survey respondents rating the event as 'excellent' and 44% rating it as 'good'.

The 2014 Local Government Awards for Excellence were presented during Conference on 25 July by MAV President, Clr Bill McArthur. This year, 15 nominations were received from 11 councils throughout the State and, for the first time, \$1,000 prize money was presented to each winner.

The winners were:

Dorset Council – Active Youth Program (Delivering Excellence – Smaller Councils (population under 10,000) Award)

Central Coast Council – Penguin Mountain Bike Park (Delivering Excellence – Larger Councils (population over 10,000) Award)

At the Conference Dinner, several awards were presented:

LGAT Long Service Award

Awarded to Gerald Monson, Kentish and Latrobe Councils

Councillor Exemplary Service Award

Awarded to Mayor Mike Gaffney, Latrobe Council

Life Membership of the Local Government Association of Tasmania

Awarded to Mayor Barry Easter, West Tamar Council

No nominations were received this year for the Meritorious Service Award, recognising exceptional service to Tasmanian Local Government by an elected member. Councils are encouraged to consider possible nominees for the 2015 Meritorious Service Award.

A great deal of media publicity was gained for the conference with the support of Nylander Consulting.

Funds were raised this year for Ronald McDonald House Hobart to support seriously ill children and their families. A total of \$2,000 was raised through the raffle, Coffee Corner and a donation from LGAT.

The 103rd Local Government Conference will be held from 22-25 July at the Inveresk site, Launceston. The Conference Dinner will take place at the Hotel Grand Chancellor Launceston.

Budget Impact

Despite a 10% drop in the number of delegates in attendance, when compared to last year's figures, the 2014 conference continued to attract a pleasing level of sponsorship support and is expected to deliver a satisfactory return to LGAT for event administration.

3.6 PLANNING REFORM UPDATE

Contact Officer - Allan Garcia

That the Meeting note the progress in relation to this matter and the pending distribution of a Consultation Paper for comment.

Noted

Background

The Planning Task Force has had a number of meetings and is working through the critical issues associated with the implementation of a single planning scheme and the various matters relating to the Government's election commitments on planning.

A discussion paper has been prepared and will be circulated to all councils for comment. It has also been provided to a broad range of other stakeholders for input. A period of five weeks will be provided for Local Government for feedback and it is proposed to provide a sectoral response on the issues through the Association to the Taskforce.

The Consultation Paper does not address every issue relating to the reform process and is confined to amending the Land Use Planning and Approvals Act to give effect to a more efficient process of declaring and finalising the interim planning schemes as well as providing a more streamlined process for amending schemes.

The Amendment Bill will also address the following matters:

- The introduction of shorter timeframes for permitted use and development;
- The introduction of a \$600 appeal fee for certain third party discretionary permits;
- Allowing interim planning directives to replace or revoke existing planning directives;
- Allowing councils to extend a permit for an additional two years (to a maximum of six years);
- Extending the reconstruction of accidentally destroyed buildings and works to include conforming uses; and
- Providing clearer provisions for where minor amendments to permits can occur.

This represents the first phase in the reform process and seeks to provide certainty and surety for all parties through the interim planning scheme process.

Work on the single planning scheme process is in train but it is essential that the current process is sufficiently robust to allow the next phase to progress. The Consultation Paper will provide an overview of the broad reform agenda and timetable.

A workshop is being organised by the Association on 23 September 2014 to work through and discuss the issues contained in the Consultation Paper.

Budget Implications

Does not apply

Current Policy

Does not apply

3.7 ROLE OF LOCAL GOVERNMENT PROJECT

Contact Officer - Allan Garcia

That the Meeting note progress on the project and that a verbal update will be provided on the day of the meeting.

Noted

Background

At the July Meeting details were provided in relation to the Role of Local Government Project, the goal of which is to establish a clear understanding of the role and capabilities of Local Government, identify strengths and capability gaps and develop actions to build a sector that is sustainable, efficient, effective and responsive to community needs.

The Premier's Local Government Council have endorsed the Final Report which can be found at http://www.dpac.tas.gov.au/divisions/local_government/role_of_local_government as well as the Terms of Reference for the four working groups

The working groups are tasked with developing a range of short-term to long-term strategies and actions designed to remove impediments and build Local Government capability. While the main focus of the working group is to develop a three year strategic action plan, they will also commence implementation of initiatives which can be delivered within a shorter timeframe.

The championing of the project by departmental deputy secretaries and directors, council general managers and LGAT senior executives through the PLGC working groups is indicative of the support for the project from both spheres of government.

At the time of writing this report, most groups had met only one or two times. However, the working groups will continue to meet on a monthly basis until March 2015.

The four working groups report to the Working Group Chairs' Committee, which is comprised of the chairs from each of the working groups. The Chairs' Committee is responsible for monitoring progress and approving the strategic action plan prior to submission to the PLGC.

The main focus of the working groups before the end of the year is the development of a draft framework for Action on which broad consultation will be undertaken during January and February.

4. ITEMS FOR DISCUSSION

4.1 INDUSTRIAL HEMP INDUSTRY AND MEDICINAL CANNABIS IN TASMANIA* Council - Meander Valley

Meander Valley Council, at their meeting on 12 August 2014, resolved to support the Industrial Hemp Industry in Tasmania and encourage further research on the growing of medicinal cannabis in Tasmania. The full decision on this matter is at **Attachment to Item 4.1**.

The LGAT has provided a submission to the Legislative Council Inquiry on this matter and a copy is at **Attachment to Item 3.2**, Policy Update.

Meander Valley Council/Dorset Council

That LGAT write to the Minister for Health to lobby the Federal Government Minister to seek approval of the industrial hemp industry (for food consumption) in Tasmania and provide appropriate assistance to guide the growth of this sector.

Carried

5. OTHER BUSINESS & CLOSE

Circular Head Council/Devonport Council

That Members recognise and appreciate the service given by President Mayor Barry Easter during his term with the Association.

The Motion Was Passed With Acclaim

There being no further business the President, Mayor Barry Easter, declared the meeting closed at 2.35pm.

		Business Arising	Attachment to item 1.2
		General Meeting - 24 September 2014	
Item No			Action
	Items For Decision		
2.1	Motion - Statewide Local Government Performance Index	That LGAT Supports the establishment of a state-wide Local Government Performance Index (for benchmarking and performance ranking).	Refer follow up of Motions document
2.2	Motion - Disposal of State Government owned property	That LGAT formally request the State Government to review and amend the Government's procedures for the disposal of State owned public land, including property acquired by default, by introducing prior sale conditions that: (a) Requires the Government to have effectively dealt with any environmental rehabilitation and/or the removal of hazardous materials prior to offering the property for sale; b) As part of the sale process, require prospective purchasers to provide details of the proposed future use of the site and include as a condition of sale that the property is to be developed within a specified timeframe; (c) Make available to the public the results of any feasibility study accepted as part of a sale contract for re-development and future use of the site or premises consistent with the relevant planning scheme and zoning.	Refer to follow up of Motions document
2.3	Motion - Super Trawlers	That LGAT supports the position of all state parties in their election commitments to lobby the major federal political parties in opposing super trawlers operating in Australian waters, and support immediate federal legislation to permanently ban super trawlers in Australia's Exclusive Economic Zone (EEZ) but not to affect current fishing operators.	Refer to follow up of Motions document
2.4	Motion - Audit Panels	That the LGAT write to the Minister for Local Government requesting the removal of the mandatory requirement for councils to have an audit panel, unless there is an express reasoning by the Auditor General and supported by the Minister for Local Government in relation to an identified and ongoing issue with a Council.	Refer follow up of Motions document
	Items for Noting		
3.1	LGAT Professional Development		Refer Agenda Item 3.2
3.2	Policy Update		Refer Agenda Item 3.2
3.3	Motion - Bushfire Prone Areas	That LGAT write to the Minister and seek a meeting asking that this matter be resolved expediently	Refer to Follow up of Motions document
3.4	Local Government Elections		No further Action
3.5	LGAT Conferences		No further Action
3.6	Planning Reform Updates		Refer Agenda Item 3.8
3.7	Role of Local Government Project		Refer Agenda Item 3.6

4.1	Motion - Industrial Hemp Industry & Medicinal Cannabis	That LGAT write to the Minister for Health to lobby the Federal Government Minister to seek approval of the industrial hemp industry (for food consumption) in Tasmania and provide appropriate assistance to guide the growth of this sector.	Refer to Follow up of Motions document
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Follow up of Outstanding General Meeting Motions Report

Motions which had been completed by the last meeting or which have been replicated in later meetings have been deleted in order to more efficiently monitor outstanding activity.

REPORT A:

This report details motions which are still being pursued by LGAT. Where an end point has been reached there will be a final update and indication that this item will be removed from future reports.

2006 Motions		
August 2008		
	That the LGAT requests the State Government to review those provisions in the Act relating to public meetings by petition with a view to: <ol style="list-style-type: none"> 1. Limiting the compulsion to hold a meeting to matters of relevance only to the municipal area over which the Council has control; 2. Balancing the rights of ratepayers and residents of the municipal area against those of others attending a public meeting; and 3. Addressing some of the practical issues that have arisen in recent times. 	An updated position from the LGD has been sought (8/10/12)
June 2009		
1,1	"That the Local Government Association of Tasmania seek amendment to the Local Government (General) Regulations 2005 section 43, Expenses for councillors, which reads: "A councillor is entitled to be reimbursed for reasonable expenses in accordance with the policy adopted under Schedule 5 to the Act in relation to - ..." Sub-clause (c) to be altered from: "(c) Care of any child of the councillor" to: "(c) Care of any person for whom the councillor is responsible.""	An updated position from the LGD has been sought (8/10/12)
November 2010		
20	That the Local Government Association of Tasmania requests the State Government to amend the provisions of the Liquor Licensing Act, 1990 to require: <ul style="list-style-type: none"> • That a liquor license cannot be granted until appropriate Planning or Development approval has been granted by the relevant Council; and further • That appropriate Planning or Development approval from the relevant Council or evidence that approval is not required must accompany a liquor license application or application to vary a liquor license. • That should planning or development approval not be required then the liquor licensing board be required to formally consult with the relevant council as part of its assessment process. 	LGAT made a submission "Review of the <i>Liquor Licensing Act 1990</i> Proposals Paper" in September 2014. This is the Association's second submission on the review of this Act. LGAT circulated the report to members and liaised with members in the drafting of the submission. LGAT continues to represent the sector on the Inter Agency Working Group on Drugs, Alcohol Advisory Group and Illicit Drugs Reference group.

	<ul style="list-style-type: none"> That we request that the State Government broaden the liquor licensing Act to take into account outlet densities and health and well being of the communities. 	
July 2012		
19	<ol style="list-style-type: none"> That councils endorse the proposal to introduce a statutory waste levy of \$10 per tonne to be collected via public and private landfills; That the funding be allocated on the basis of 20% to regional waste bodies; 10% to the Environment Protection Authority (EPA) and 70% to the Waste to Resources Funding Pool; That these arrangements be on the basis that the funding is directly hypothecated to waste activities and is not consumed into the State Government Consolidated Fund; That the Waste Advisory Committee be formally acknowledged within the legislation as having an integral role in the disbursement of funds from the Waste to Resources Funding Pool, providing recommendations to the EPA Board in accordance with relative priorities in the Waste to Resources Strategy. 	<p>This matter featured in the LGAT Election Manifesto "Collaborating for Communities".</p> <p>The issue was also raised at the first meeting of the new PLGC in August 2014.</p>
28.2	That LGAT discuss with the State Government that in the event of a fire/flood the proposition of taking immediate action on temporary minor repairs to state roads and/or other infrastructure on the basis that funds are reimbursed within a reasonable time frame.	LGAT met with DIER in May to discuss mechanisms such as a protocol to allow for immediate action on temporary minor repairs to state roads. DIER are open to progress the initiative. LGAT has received advice in relation to indemnity and Work Health and Safety for such an agreement and a number of issues need to be worked through with DIER in order to progress. Advice has been sought from DIER as to how to proceed given legal advice.
September 2012		
18	That the LGAT lobby the State Government to review Planning Directive 4 to remove inconsistencies with the objectives of the Resource Management and Planning System of Tasmania.	Unlikely to be picked up now until Planning Taskforce work has progressed. LGAT CEO is on the Taskforce.
March 2013		
	That Members approve the development of a Memorandum of Understanding between the Association and Tasmanian Regional Arts (TRA).	Changes to TRA's funding arrangements in 2013 meant a change in priorities and a parking of the MoU until such time as a valuable and meaningful document can be developed and accepted by both parties. This is still the case as at October 2014.

July 2013		
15.2	That LGAT work in partnership with Councils and the Local Government Division to update the Regulations to improve the effectiveness and equity in relation to the Councillors Code of Conduct.	A draft Bill was out for consultation during October 2014.
17.1	That the Local Government Association of Tasmania consider the issues to allow for General Meetings by Skype video conferencing to the three regional locations.	This matter was bundled up into the technology questions around council meetings. While technology exists to enable multiple parties to participate in meetings, the volume of people associated with a general meeting requires a level of sophistication and complexity beyond the general capability of most venues and is prohibitive in terms of cost and practicality of conducting a meeting of up to 60 people. Item to be removed next report.
18.1	That LGAT seek funding assistance of the State Government for a consultant to assist Local Government to resource a significant education and community campaign with the wider community regarding valuation and ratings systems.	The new State Government does not consider this matter to be a priority. To be moved to Report B
19.2	That LGAT lobby the minister responsible for DIER to have all unapproved signage removed from state roads.	A letter was sent to Minister Bryan Green's office in October 2013. Subsequently LGAT met with representatives from DIER in late February to discuss the matter further. DIER has indicated that it will remove all unauthorised signage from state roads. In addition, DIER is currently undertaking a 12 month trial in cooperation with Latrobe Council involving the erection of purpose built housing for signage on the State Highway; the signage content is being managed by the Council. Remains current.

19.4	<p>That LGAT request the State Government to confirm who has responsibility for roads and bridges that were previously owned by Forestry Tasmania or Gunns and requests an outline of the future actions government is considering for these roads.</p>	<p>LGAT has been following up on this through the changeover of State Government. It is understood that whilst the <i>Forestry Management Act 2013</i> provided for the transfer of ownership of a significant proportion of Forestry land (including roads) to the Parks and Wildlife Service within the DPIWPE, the <i>Forestry (Rebuilding the Forest Industry) Bill 2014</i> currently tabled before Parliament will likely allocate a proportion of responsibility for Forestry Roads to Crown Land Services. Future actions by the State Government in relation to these roads will be determined after the passage of the Bill has been finalised.</p>
20.2	<p>The Local Government Association of Tasmania request the Minister for Planning to review and, if appropriate, repeal Part 3 of the Local Government (Building and Miscellaneous Provisions) Act 1993 in relation to subdivision provisions and make necessary amendments to the Land Use Planning and Approvals Act 1993 and other consequential amendments such as the Land Titles Act 1980 and have all relevant provisions associated with subdivisions contained in the relevant legislation.</p> <p>That this review of the provisions ensure that the new provisions are drafted in plain English.</p>	<p>Unlikely to be picked up now until Planning Taskforce work has progressed. LGAT CEO is on the Taskforce.</p>
20.3	<p>That the Local Government Association of Tasmania request the Minister of Planning to amend the Land Use Planning and Approvals Act 1993 to provide legislative certainty for application of headworks charges and capital contributions toward Council infrastructure impacted upon by development proposals.</p>	<p>Unlikely to be picked up now until Planning Taskforce work has progressed. LGAT CEO is on the Taskforce.</p>

21.1	<p>That the Local Government Association of Tasmania lobby the State and Federal Governments for research to be undertaken on the potential effect on overall recycling that a container deposit scheme would have prior to the implementation of any such legislation.</p> <p>That the Meeting further agrees that the Local Government Association of Tasmania should also liaise with the regional waste bodies to progress the commissioning of container deposit scheme research for Tasmania.</p>	Awaiting advice on outcome of State Government Study.
21.4	<p>That LGAT request the State Government to take a more proactive role in relation to the issue of food security; and</p> <p>That LGAT monitor actions being taken (or proposed) by the State Government in order to identify any areas where Local Government may assist in building capacity within our local opportunities.</p>	<p>LGAT is representing the sector on the reference group for the Healthy Food Access Tasmania project (HAFT).The HFAT project is funded by Tasmania Medicare Local through its Social Determinants of Health & Health Risk Factors Project. The project is being by the Heart Foundation in Tasmania and the University of Tasmania.</p> <p>Leah Galvin the Project Manager delivered a well attended Food Security Workshop at the recent LGAT conference. At the conference the Heart Foundation also launched a key output of the project: Local Government Community Food Access Profiles which are available for all Councils.</p> <p>LGAT will continue to keep a watching brief of State Government activities and look for opportunities to influence State Government policy on food security.</p> <p>To be removed next report.</p>
24.3	<ol style="list-style-type: none"> 1. That the Local Government Association of Tasmania lobbies the Federal Government to identify social enterprise as an investment priority and fund it as such through the Regional Australia Development Fund and other such funds as appropriate. 2. That the Local Government association of Tasmania further lobby for any changes required to the guidelines of such funds to allow social enterprise to be funded by various Federal Government funds and that this be a long term project in the period 2015 – 2020. 	Not yet commenced. Will be discussed with ALGA.
24.5	That the Local Government Association of Tasmania lobby the Tasmanian Heritage Council for greater coordination of heritage initiatives, including provision of funding.	Anticipate a range of discussions with HT in the near future in relation to the reduction of the State Heritage Register and will raise during those.

24.6	That the Local Government Association of Tasmania lobby for the reinstatement of the ABC Tasmanian Production Unit and its subsequent funding.	Difficult to progress in the circumstances of the Federal Budget. To be moved to Report B
September 2013		
2.2	That the Local Government Association of Tasmania request the State Government to give priority to LGAT's previous request for the review of Section 87(1)(d) of the Local Government Act 1993 relating to the provision of exemptions for payment of rates for land owned or occupied exclusively for charitable purposes, with the express desire that the provision be amended to remove the ability of Church operated schools and nursing homes to receive an exemption.	The Australian Local Government Association is also looking at this issue and seeking some advice from the ATO regarding definitions of charitable and not for profit. The issue has been raised again recently with the Local Government Division (7/8/14).
July 2014		
6.4	That LGAT sends a strong message of support for the work of TRA in regional Tasmania to the State Government and commits to working with Arts Tasmania, TRA and the Minister for Arts to work through the recommendations from the Matthews' Review which are relevant to Local Government and regional Tasmania.	LGAT has continued to progress this with the State Government as a matter of importance. A recently scheduled meeting between an LGAT representative and the Deputy Secretary of Cultural and Creative Industry Development within Arts Tasmania has been postponed due to conflicting commitments, but has been rescheduled for early November.
7.1	That the LGAT request a change to the Local Government Act to ensure a Mayoral vacancy does not trigger a by-election if the vacancy occurs within 12 months of an election	The matter has been referred to the LGD for consideration.
10.1	That the Local Government Association of Tasmania pursue with the newly elected Liberal Government the rating of Hydro and also the rating of all Crown Land that is leased for commercial developments including National Parks and Reserves.	This matter is to be taken up as a topical issue at the PLGC meeting.
12.1	That the Local Government Association of Tasmania request the State Government to advise of their strategic asset management plans for the funding of depreciation e.g. asset replacement of roads and bridges, for the Dept of State Growth (formerly DIER) as per the expectations that are being required of Local Government.	A letter has been forwarded to the relevant Minister highlighting the concerns of Local Government.
12.4	That LGAT initiates discussion with Crown Land Services with the objective of establishing a fairer pricing model for annual leases and licences applied to private marine structures.	The LGAT has made contact with Crown Land Services in order to further progress this matter.
13.1	That the goals of the R2R programme be re-examined through the Australian Local Government Association's Roads and Transport Advisory Committee, with a view to determining how they can better assist Councils to achieve sustainable, strategic asset management outcomes over the long term. The program's funding conditions should be reviewed accordingly.	LGAT is seeking to have this matter tabled for discussion and the next scheduled RTAC meeting, which will take place in November in conjunction with the National Local Roads congress in Tamworth.
13.3	That the Local Government Association of Tasmania is asked to seek discussions with the State Government regarding negotiations on the handover of Forestry Tasmania roads to Parks, due to a negative effect that will occur on communities and tourism due to deterioration if no funding is available for continued maintenance.	The LGAT continues to seek clarification from Parks within DPIWPE as to whether it has received confirmation regarding transferral of former forestry roads, and whether any funding has been provided along with these assets. Councils have provided feedback regarding priority roads and tourist routes that are currently classified as forestry roads and fall within the land scheduled for transfer. This information has been

		passed on to the Parks Division.
13.4	<p>That LGAT</p> <ol style="list-style-type: none"> 1. Support the continuation of the Tasmanian Freight Equalisation Scheme due to its importance to Tasmania. 2. Lobby the Australian Government and State Governments to re-establish the Tasmanian Freight Equalisation Scheme for all freight transported to and from Tasmania. 	It is proposed to list this matter for an update at the next PLGC meeting.
13.5	That the Local Government Association of Tasmania request both the State and Commonwealth Governments to encourage Telstra to provide a regional officer within each region able to provide detailed infrastructure answers in a timely manner to facilitate the ongoing development of private and public infrastructure works.	A request has been made to TMD to formally write to the Commonwealth to raise the issue of Regional Officers being provided by Telstra.
13.7	<ol style="list-style-type: none"> 1. That LGAT write to the responsible minister requesting that they seek changes to national electricity laws and regulations so that public lighting providers are required to better inform Local Government of the cost of existing and new public lighting. This should include disclosure of the generation, transmission and distribution charges associated with individual public lighting types, as well as the residual value of public lights. This information is a critical requirement for business case assessments of more efficient and environmentally sustainable public street lighting options. 2. That LGAT enter into discussions with Networks Tas to obtain further information about the generation, transmission and distribution charges associated with individual public lighting types, as well as the residual value of public lights. 	<p>LGAT is involved in a number of discussions with TasNetworks and has raised the issue of greater transparency in regards to information about the generation, transmission and distribution charges associated with individual public lighting types, as well as the residual value of public lights.</p> <p>LGAT believes that TasNetworks is showing gradual movement towards providing more transparency and greater access in regards to pricing/asset values/access to data. LGAT is waiting to participate in a number of meetings in relation next Australian Energy Regulator pricing regulation period to see if there are any leverage opportunities in regards to the rules around the information public lighting providers are required to provide.</p>
13.8	That the Local Government Association of Tasmania be requested to write to the State Government requesting an amendment to the Roads and Jetties Act 1935 to include under section 5 (2) all Municipal Areas in the State of Tasmania.	The LGAT has written to Minister Hidding raising the issue of the quantum and distribution methodology for heavy vehicle registration revenue.
14.1	That the Local Government Association of Tasmania seek an amendment to the Building Act 2000 (and associated Regulations) to enable an accredited Builder/DESIGNER to be able to provide a certificate of compliance for buildings which are classified as Class 10a and are associated with a residential use.	The LGAT has raised this matter with the State Government within the context of the Building Regulatory Framework Review that is currently being undertaken. A large number of councils also made individual submissions to that review, and it is understood that a significant proportion of councils also cited this issue for consideration.
14.2	<p>That the Local Government Association of Tasmania request the State Government</p> <ol style="list-style-type: none"> 1. To fully consult with it in any future reviews to identify and eliminate 'unnecessary red and green tape' impacting the development industry. 2. State Government agencies assess the true cost to Local Government and by extension, the community, and adhere to the agreed Local Government communication protocols before implementation. 	These issues are being progressed through the Legislation Working Group under the Role of Local Government Project.
14.3	That LGAT requests the State Government to amend the legislation relating to Local Government advertising, to remove the requirement for formal notices to be published in a newspaper circulating daily in the municipal area, instead requiring the information to be posted on a councils website front page.	Referred to the Local Government Division for consideration.

15.1	That the Local Government Association of Tasmania is asked to seek discussions with the State Government regarding the condition of Parks and Wildlife reserves due to the lack of funding and consider solutions AND INCLUDES DIRECTING A SPECIFIC AMOUNT OF FUNDING TO PARKS AND WILDLIFE SERVICES FOR WEED MANAGEMENT	A letter has been sent to the Minister for Environment, Parks and Heritage in relation to this matter.
15.3	That LGAT lobby the ministers responsible for mines and our rivers to address the contamination of many of our waterways through heavy metal leachate from past mining operations and to provide an inventory of all such waterways and an action plan to end the contamination.	LGAT has liaised with the local government coordinator of the EPA in relation to this matter. LGAT will meet with Mineral Resources Tasmania to further discuss the Rehabilitation Trust fund and other opportunities.
15.4	That the Local Government Association of Tasmania continue to lobby the State Government to address the pending environmental impacts resulting from excessive storage of used tyres in the absence of a suitable recycling facility or other appropriate means of disposal. (Replacing similar motion from July 2013).	Matter was taken to the WAC but not picked up. Letter was sent to Kim Evans, A/Secretary of State Growth in May 2014 to raise the issue from an economic perspective. Reply received offers to work with potential proponents which has been passed on to Northern Midlands Council.
15.5	That the Local Government Association of Tasmania continue to lobby the State Government to fund and employ, within the Invasive Species Unit, additional weed officers for each of the three regions to actively facilitate the eradication of listed weeds throughout Tasmania.	A letter has been sent to the Secretary of the Department of Primary Industries, Parks, Water and Environment in relation to this issue.
September 2014		
2.1	That LGAT supports the establishment of a state-wide Local Government Performance Index (for benchmarking and performance ranking).	Referred to Governance Working Group under the Role of Local Government Project.
2,2	That LGAT formally request the State Government to review and amend the Government's procedures for the disposal of State owned public land, including property acquired by default, by introducing prior sale conditions that: (a) Requires the Government to have effectively dealt with any environmental rehabilitation and/or the removal of hazardous materials prior to offering the property for sale; (b) As part of the sale process, require prospective purchasers to provide details of the proposed future use of the site and include as a condition of sale that the property is to be developed within a specified timeframe; (c) Make available to the public the results of any feasibility study accepted as part of a sale contract for re-development and future use of the site or premises consistent with the relevant planning scheme and zoning; and (d) that the first option to purchase be made to council to make a strategic purchase.	That a letter detailing the concerns of Local Government has been forwarded to the Minister
3.3	That LGAT write to the Minister and seek a meeting asking that this matter (Implementation of Bushfire Prone Areas Code) be resolved expeditiously.	It is intended this matter be escalated through the Premier's Local Government Council as timelines continue to slip.
4.1	That LGAT write to the Minister for Health to lobby the Federal Government Minister to seek approval of the industrial hemp industry (for food consumption) in Tasmania and provide appropriate assistance to guide the growth of this sector.	To date LGAT has made a submission to the Legislative Council and organised a speaker at the last General Meeting. A follow up letter was being drafted at the time of preparing this report.

REPORT B:

This report details motions which are unresolved but which are dependent on new State Government Action. LGAT proposes to hold this as a record but not to further report on these items.

Motion No.	Decision	Status (at Last Report)	Date of Last Report
2006 Motions			
June			
3.4	Heavy Vehicle Funding: That LGAT lobby the State Government to provide a greater share to Local Government in Tasmania of the heavy vehicle registration fees to enable Councils to develop a sustainable model for more adequate maintenance to their roads.	The Association included this issue in its 2010-11 Budget Submission but received no traction on the issue with State Government.	March 2010
May 2007			
10.2	Pension Rate Rebate: That LGAT be requested to continue to lobby the State Government for an increase in the Pension Rate Rebate under the Local Government (Rates and Charges Remissions) Act 1991.	LGAT has lobbied the State Government on this matter. It also sought an indication from councils of levels of rebate support, other than through the State Scheme, that they provide to pensioners. 6 councils provide additional rebate support.	November 2008
10.4	Fire Service Levy: That Local Government advise the State Government that as of 2008/9 that we require them to amend the legislation so that Local Government is not responsible for the collection of the fire service levy. That a strong message be also given to the State government that the 2006/7 increase is unacceptable and that additional funding should be found from the consolidated fund to meet the increasing costs of this service.	LGAT wrote to the new Minister on the issue in August 2010 and had a meeting with staff from the Tasmanian Fire Service and the Minister's office in October 2010. The Government's position remains unchanged.	November 2010
August 2007			
7	Road Closure Appeal Process: That the Local Government Association of Tasmania request the State Government to amend Section 14 of <i>the Local Government (Highways) Act 1982</i> to provide for the Resource Management and Planning Appeal Tribunal to receive and determine appeals against the proposed closure or diversion of local highways in lieu of the Magistrates Court (Administrative Appeals Division).	The Association has written to the Local Government Office on this matter. The LGO responded with advice that the Department of Infrastructure, Energy and Resources (DIER) is undertaking a Road Legislation Review with the aim of consolidating road legislation. The Local Government (Highways) Act 1982 is one of the Acts being reviewed. The review project is in start up mode with	November 2008

		amending legislation proposed to be introduced into Parliament by the Spring 2009 session. LGATs letter has been passed on to the project team so the request for amendment can be considered in the process.	
12	Review of Part 5 of the Local Government Act: That the Local Government Association of Tasmania request a review of Part 5 (Interest) of the Local Government Act.	The Local Government Division have committed to a Miscellaneous Amendments Bill this year. This issue has been raised again in relation to that however the complexity is such that it is unlikely to feature in this year's Amendment Bill. Raised with Director of LG 14/8/13	Sept 2013
June 2008			
6.2	That the Local Government Association of Tasmania investigate and obtain advice in seeking to review and amend the provisions of the <i>Land Use Planning and Approvals Act 1993</i> to prevent multi planning applications being made on the same parcel of land for the same or similar use and development until the first application has been determined by the planning authority.	Matter raised with Land Use Planning at meeting held 14 August. Position as outlined by State Government in response to motion remains.	November 2008
6.3	That LGAT request the State Government to review the delegation powers in s6 of the <i>Land Use Planning and Approvals Act 1993</i> , with the aim of the powers, provided to the planning authority, to be consistent with the delegation powers in the <i>Local Government Act 1993</i> .	Matter raised with Land Use Planning at meeting held 14 August. Position as outlined by State Government in response to motion remains.	November 2008
6.4	That the Local Government Association of Tasmania request the State Government to amend the <i>Land Use Planning and Approvals Act 1993</i> and the <i>Historic Cultural Heritage Act 1995</i> to prohibit public notification of planning and works applications during the Easter period, between the Thursday prior and the Tuesday after, and over the Christmas/New Year period commencing that last working day prior to Christmas, or a sufficient time to allow for a weekend notification date, until January 15, and that the consideration period for both the planning authorities and the Tasmanian Heritage Council be extended to account for this prohibition, <i>with a commensurate extension of the maximum 42 day period</i> .	Matter raised with Land Use Planning at meeting held 14 August. Position as outlined by State Government in response to motion remains.	November 2008
4.1	That Councils support the motion for the Local Government Association to lobby the State Government to review the application of taxes and stamp duty associated with business transactions, e.g. payroll tax, insurance premium renewals and mortgage dealings	Initial communication with the Department of Treasury and Finance undertaken. Treasurer has advised that he doesn't support a review of taxation outside the normal review process.	March 2009
5.1	That LGAT lobby the State Government through the DPIW Water Division to make uniform water licenses for both summer and winter conditions	Letter sent to Minister. No response was received. A follow up letter was sent May 2009.	July 2009
8.1	That LGAT request the State Government, as a matter of urgency, to amend	Matter raised with the Department of Primary	July 2009

	legislation to allow controlled use of grey water especially in regard to the domestic situation and to consider the latest research in the reuse of grey water and provide proposals and discussion papers in relation to the establishment of uniform state wide controls for grey water reuse in Tasmania for the consideration of Local Government	Industries and Water.	
10.2	That LGAT lobbies the State Government to make changes to the eligibility criteria for pensioners under the <i>Local Government (Rates & Charges Remissions) Act 1991</i> so that pensioner residents of retirement villages can still receive a State Government remission from their rates.	Preliminary discussions with Local Government Division undertaken. May be picked up in rating and valuation review.	March 2014
August 2008			
	That LGAT initiate discussion with the State government as to the effect Land Tax is having on Councils and communities.	Letter sent to Treasurer Oct 08 with reference to ALGA submission to Taxation Review. Treasurer has advised that he doesn't support a review of Land Tax outside the normal review process and has written to LCC. LGAT has been advised of same and has subsequently informed LCC as initiator of motion.	March 2014

August 2009			
16	That Members agree that LGAT should continue to explore opportunities that might arise through joint State/Local Government approaches to roads maintenance or pooling of funds and other objectives and priorities that were identified at the roads forum.	The Association is continuing to discuss this issue with the Department of Infrastructure, Energy and Resources (DIER).	March 2012
11	That LGAT investigate the formulation of a state-wide policy and legislation that may enable councils to legitimately charge developer contributions for both hard and soft infrastructure in the future.	See motion this meeting.	July 2013
October 2010			
	That the LGAT seek, from the State Government, a review of the Local Government (Rates and Charges) Act 1991 with a view to amending the legislation to enable persons eligible for remission after July 1, in a year of the municipal rating period, to qualify for a pro rata portion of rates remission.	The Association has not been able to garner State Government Support for this now or in the past.	March 2012
July 2011			
17.3	That the LGAT work with the State Government to amend Principle nine of the State Policy for the Protection of Agricultural Land 2009 to enable Council planning schemes to prohibit or require discretionary permit for an agricultural use on land zoned for agricultural purposes where such land is also determined to be within a special area or overlay to address issues including, but not limited to, scenic protection, landslip, water catchment, heritage protection and flood or bushfire hazard.	Report made last meeting. This is not supported by the Tasmanian Planning Commission.	March 2012
15.1	That the Local Government Association of Tasmania lobby the Federal Government for a National rolling emergency fund.	This was raised with ALGA. ALGA has been lobbying the Federal Government for a local government specific emergency management mitigation program and will continue to do this LGAT has also raised the need for better funding as part of the Local Government Disaster Relief Policy. LGAT will continue to raise this issue with ALGA and through submissions to the State and Federal Government.	July 2014
21.1	That LGAT requests the State Government to change laws to specifically prosecute those persons who commit crimes against our senior citizens so as to reduce the incidents of elder abuse in our community	A letter has been sent to the Attorney General. Has been referred to Minister for Police in relation to review of the Police Offences Act. Understands concerns but notes Courts do take into account	March 2012

		vulnerability, age etc of victim when sentencing. Also notes the launch of the Protecting Older Tasmanians from Abuse Project in 2010 which includes education, prevention and support initiatives.	
12.4	That LGAT requests the State Government to review and amend section 87(1)(d) of the Local Government Act 1993 to: - Provide clarity in relation to application of the section of land owned or occupied exclusively for charitable purposes; and - specifically exclude schools from the exemption under that section to bring the payment of general and separate rates for non-Government Schools in line with payment of general and separate rates by State Government Schools.	The Local Government Division has advised they will not be addressing the issue of charitable exemptions in relation to educational facilities until the current court actions are resolved.	2013
March 2012			
25	That the Association undertakes strong advocacy to the Federal Minister for Broadband Communications and the Digital Economy and Federal Members of Parliament expressing the following concerns of Local Government: a) The current provisions of the Telecommunications Act 1997 exclude the community from objecting to the proposed development of telecommunications towers. b) That whilst Local Government is the responsible legislative body to administer planning regulation, the Council has no authority to regulate the siting of telecommunications towers, even when the proposed site may have a detrimental impact on sensitive land uses.	The Association will continue to work with and through ALGA in relation to this motion.	July 2014

15.3	That the financial reform process adopted between the State Government and councils ten years ago be reviewed.	Letter prepared and forwarded to State Government. State Government has responded indicating that it does not believe such a review is warranted or necessary.	2013
12.3	That the Local Government Association of Tasmania lobby the State Government to ensure that any future possible amendments to the Tasmanian Constitution, in respect to recognition of Local Government, be the subject of a referendum.	Agreed last meeting that this does not need to be tackled as a priority.	March 2014
16.2	That the Local Government Association of Tasmania lobby the State Government to continue to fund the roll out of Natural Gas to Tasmanian residents.	LGAT will continue to lobby but ultimately is a funding issue with infrastructure provider and State Government considers other infrastructure issues have higher priority.	March 2014
July 2012			
24.1	That the Local Government Association of Tasmania request that the Federal Government: <input type="checkbox"/> Review the current maximum thresholds set for Local Government candidate election expenses which it recognises as a legitimate deduction for income taxation purposes; and further, <input type="checkbox"/> Consider the introduction of a suitable indexation mechanism to enable currency of the revised threshold to be maintained.	A letter has been sent to the Australian Taxation Office seeking feedback on the issue. With a change of Government, the letter has been resent to the New Minister. .	2013
24.2	That the Local Government Association of Tasmania urge the Australian Local Government Association (ALGA) to lobby the Australian Taxation Office to consider greater taxation relief for candidates who stand at Local Government elections.	The issue has been raised with ALGA. .	2013
July 2013			
18.4	That the Local Government Association request the State Government under its current review of the role of Local Government, undertake a review of the financial relationship between State and Local Government.	State Government declined request.	2013



Key LGAT Activity– August 2014

Key Outputs and Outcomes

- Delivered two forums to explain the new Workplace Behaviours Toolkit (on the extranet) and get feedback to refine the tools.
- Northern and Southern forums on street lighting issues in conjunction with TasNetworks
- Made a submission to the Legislative Council Inquiry into Medicinal Cannabis.
- Issued immediate advice on the State Budget following the Community Budget lock up.
- Three new videos were placed on to www.thinkbigworklocal.com. Website videos describe council jobs roles of Early Childhood Educator and GIS Officer, as well as the benefits of council/student research partnerships.

Policy/Project Activity

- Trialling online discussion forums (via the extranet) for Planning and HR (Workplace Behaviours)
- Standards Panel Activity
- Prepared papers for the General Meeting and General Management Committee Meeting to be held on 24 September.
- Research, analysis and discussion papers for the Role of Local Government Project Working Groups
- Drafting of the Annual Report
- Preparation of the September edition of LGAT News

Training and Workforce Development

- Progressed planning of a number of professional development opportunities including the Community Development and Arts Forum (25 September), a Local Government 101 course for newly elected members (22 November), General Managers workshops (11-12 September), Policy Road shows (early October), 2IC workshop (5 November) and Mayors Workshop (20 November).
- The Tasmanian Local Government Workforce Database for 2014 database is now completed, and the reports writing process is now underway.
- Worked with TasTAFE Clarence and Glenorchy City Councils to commence study of Local Government (Regulatory Services) courses funded by the Tasmanian Government through Skills Funds from late 2013 and early 2014.
- Responded to requests for information on training and training funding from councils.
- Promoted council careers to all grade 10 students at Leighland Christian school in the Central Coast Council area.
- Supplied print and video career promotion resources to Circular Head Council to use in a careers event.

Media

- Mayoral eligibility
- Amalgamations

Meetings and Communication

- 26 Ten Community Guide Project meeting
- Australian Centre for Excellence in Local Government Research Advisory Committee Meeting
- Australian Local Government Association Climate Change Officers Teleconference
- Daily tweets on current Local Government news (fed to the LGAT Webpage)
- Cycling Safety Steering Committee
- Department of State Growth regarding Small Farm Business deregulation
- Economic Development Working Group – Role of Local Government Project
- Governance Working Group – Role of Local Government Project
- Healthy Food Access Reference Group Meeting
- Local Government Division on proposed amendments to Code of Conduct provisions.
- Local Government Division: Monthly Meeting
- Local Government Managers Association (Tas)
- Meeting of the 26TEN Coalition
- Minister Rene Hidding on road issues.
- National Procurement Network meeting
- OTTER Consumer Consultative Committee Meeting
- Premier's Local Government Council – the first with the new Government.
- Reference Group Meeting: adaptation modules for local government
- Road Safety Advisory Committee
- Role of Local Government Project Chairs' Meeting
- SES regarding the Vulnerable People Framework
- State Budget Breakfast
- State Budget Community Lock Up
- State Planning Taskforce
- State-wide Stormwater Management Plans Working Group
- Tasmanian Training Consortium Board/Tasmanian Training Consortium Executive Meetings
- Webconference with Local Government Planners

Key LGAT Activity– September 2014

Key Outputs and Outcomes

- In the lead up to Local Government elections it feels to have been a busy month for LGAT. Significant thinking and activity has been invested in the Role of Local Government Working Groups and a separate update has been provided on that Project.
- Another successful General Managers workshop was held with presentations on road matters, the National Procurement Network, the building industry training levy and an up close and personal with the Secretary of DPAC, Greg Johannes. General Managers shared concerns and ideas and were able to be updated on key policy and project matters which LGAT is progressing. A Mayors workshop is scheduled for the 20th November.
- LGAT became the first Local Government Association to have proactively completed the Award modernisation process, avoiding the continuing complexity of having separate, state-based Awards. With the exception of General Managers who have contracts with Council, all council employees in Tasmania are now covered by the Modern Award.

Policy/Project Activity

- Assisting councils with submissions to the Tasmanian Building Regulatory Framework Review
- Briefing paper for the Local Government Managers Association (LGMA) Tas Legal and Property Special Interest Group.
- Completed update of Mayoral Handbook. Councillor resource kit in the process of being updated.
- Completion of the 26TEN Communities Guide – Becoming a 26TEN Community lifting adult literacy levels in Tasmania (LGAT Executive team member).
- Coordination of the comments forwarded by Councils to LGAT re the Department of State Growth – Free Public Wi-Fi pre consultation tender paper.
- Developed a paper for the Role of Local Government Project Legislation Working Group reviewing the NSW IPART report on Local Government Compliance and identifying ideas and issues for Tasmania.
- Developed and disseminated a survey for the Role of Local Government Project Legislation Working Group
- Discussion with Tenderlink re the possible introduction of an e-procurement system in LGAT (as a portal for use by Councils in Tasmania on a fee for service basis).
- Discussions with MAV and Vendor Panel re reporting systems and processes for Tasmania under the NPN.
- Liaison with MAV re providing 2 additional Councils in Tasmania with access to Vendor Panel and therefore providing access to purchasing through the NPN.
- Liaison with MAV re the NPN 1.14Tyres and Batteries Tender – commencement will now be 1 November 2014.
- Negotiation with Procurement SA about 1 day procurement training session – planned for December 2014.

- Ongoing liaison with Department of State Growth regarding National Heavy Vehicle Regulator and access issues in Tasmania.
- Planning Officers Workshop to develop a response to the Planning Reform Position Paper.
- Standards Panel activity.
- Submission on the Draft Framework for Vulnerable People in Emergencies.
- Submission on the Liquor Licensing Act

Training and Workforce Development

- Assisting Australian Taxation Office with organisation of taxation compliance workshop for local government.
- Commenced analysis of Tasmanian Local Government Workforce Survey 2013 and writing of the Tasmanian Local Government Workforce Report 2014.
- Finalised Local Government 101 Training Program for 22 November. Planning for a forum of second tier council managers and working with councils to broker in-house Fraud Control training.
- Investigated training funding options for two councils.
- Monitored weekly council job advertisements, observing a general rise in vacancies post Easter.

Meetings and Communication

- Affordable Housing Strategy Introductory Session
- ALGA Board and Strategic Meeting
- ALGA Teleconference regarding Federation White Paper
- ANZAC Centenary Working Group
Northern Subregional General Manager's Meeting
- Auditor General's Office regarding local road audit
- Bushfire Ready Neighbourhoods Advisory Committee
- Cycling Safety Steering Committee
- DHHS affordable housing strategy briefing
- Discussion with Councils regarding Fraud awareness training
- Embedded careers videos on www.thinkbigworklocal.com.au
- Fortnightly newsletter
- General Management Committee Meeting
- General Managers Workshop
- Heritage Tasmania about delisting from State Register
- Inclusive Ageing working group meeting
- LGAT General Meeting – Ulverstone

- LGAT News Magazine, September edition
- LGD re elected member professional development
- LGMA Economic Development Forum
- Local Government Division re Governance Working Group
- Local Government Division regarding induction training.
- Local Government Division Regular Monthly Meeting
- Meeting to discuss a presentation on the 26TEN Communities Guide for the Community Development and Arts Forum
- Minister Rene Hidding regarding heavy vehicle access regulation
- National Local Government Cultural Forum Executive meeting
- Nomenclature board meeting
- Peter West, CEO RSPCA
- Planning Reform Taskforce
- Premier and Cabinet re youth unemployment initiatives
- Recovery and Resilience Subcommittee meeting of the State Emergency Management Advisory Group
- Role of Local Government Economic Working Group Meeting
- Role of Local Government Project – Legislation Working Group
- Role of Local Government Project Collaboration Working Group
- Secretary of Department of State Growth regarding heavy vehicle access regulation
- Social Determinants of health teleconference
- Tasmanian Emergency Management Plan Reference Committee
- TasNetworks Meeting regarding operational communications
- TasTAFE re new engineering and building surveying diplomas
- Teleconference Productivity Commission re Emergency Management Funding
- Updated the Communications Special Interest Group about LGAT's communication activities

Media

- MR - Award Modernisation Finalised for Local Government in Tasmania
- Southern Cross regarding election nominations

Role of Local Government – Project update

Since their inception in July 2014, the Role of Local Government Working Groups have met monthly to develop a draft three-year Strategic Action Plan. The Working Groups' meetings have been very productive and the focussed engagement by all members is to be commended.

The **Economic Development** Working Group is identifying projects that will deliver jobs and regional economic growth, by building the capacity of local government to support economic development in their communities.

The **Legislation** Working Group is focussing on two streams of work: what should and could be changed at a structural level to reduce the compliance burden on councils; and what support is needed to assist councils to meet their regulatory requirements.

The **Collaboration** Working Group kicked off with a survey of shared services within the local government sector. The results of this survey have identified how shared services are organised, and illustrated the benefits of shared services. This work will underpin the development of actions to ensure they are specific and targeted at real issues and can deliver tangible benefits.

The **Governance** Working Group has been in an evidence gathering mode, looking at how other jurisdictions support good governance. The working group will take a two-pronged approach: one stream of work will aim to enhance governance at the whole-of-council level while the second stream of work will aim to enhance strategic leadership capability at the individual level.

The Working Group Chairs agree there is merit in extending the development phase to optimise the positive momentum being built through the meetings and ensure the projects developed are evidence based, innovative and targeted. The revised project plan is provided below.

Timeframe	Action
June 2014 - April 2015	Working groups hold monthly meetings to develop the strategic action plan
December PLGC meeting	<ol style="list-style-type: none">1. Working Group Chairs provide progress report on strategic plan and projects delivered by the working groups to PLGC2. PLGC to endorse a formal project update to councils/agencies
February 2015	PLGC endorse draft RoLG Strategic Action Plan out of session for council/agency consultation
March 2015	Consultation period
April 2015	Working Groups finalise strategic plan
May PLGC meeting	PLGC endorse the RoLG Project Strategic Action Plan



**Submission to the
Planning Taskforce**

**Review of the
Land Use Planning and
Approvals Act**

October 2014

Contact: Allan Garcia

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Introduction

The Local Government Association of Tasmania (LGAT, the Association) is the representative body of Local Government in Tasmania. Established in 1911, the LGAT is incorporated under the *Local Government Act 1993*.

The objectives of the Association are:-

- To promote the efficient administration and operation of Local Government in the State of Tasmania;
- To watch over and protect the interests, rights and privileges of municipal Councils in the State of Tasmania;
- To foster and promote relationships between Local Government in the State of Tasmania with both the Government of Tasmania and the Government of the Commonwealth of Australia;
- To represent the interests of the members of the Association generally, and in such particular matters as may be referred to the Association by its members; and
- To provide such support services to the members of the Association as the Association may by resolution in meeting determine.

Comments

Thank you for the opportunity to provide comment upon the proposed amendments to LUPAA. You have previously received an outline of concerns raised by councils during a teleconference among council planners and there have been some individual exchanges with officers on specific concerns. These matters now form the basis of the submission from the Local Government Association of Tasmania together with some more technical comments that have been received.

With the change to the Interim Planning Scheme process there are a number of concerns raised and suggestions made.

In general terms Local Government acknowledges the merits of seeking to truncate the present IPS process utilising the S30J provisions to allow a capacity for representations while not expending significant resources and time on perfecting a process that will be almost immediately replaced by a single planning scheme. While representors will not have the opportunity to attend hearings, there is an ability to make written submissions and many matters to be dealt with as a consequence. It should be noted that not all councils necessarily agree that hearings shouldn't be held but the broad perspective is to ensure that surety and certainty is provided within the system and resources are expended on achieving the proposed single planning scheme outcome as early as possible.

However, in relation to adopting the S30J process, there is a need for clear and timely advice to the public about the implications, particularly for those that have made representations and, indeed, those that were contemplating making representations. There is a need for the amendment process to capture those representations that are more than translational issues/errors but which have merit (as agreed by planning authority and TPC) so that they don't have to make an application for an amendment and have an opportunity for a hearing (changes suggested to S30J and S30K)

While there appears to be an opportunity for the Tasmanian Planning Commission (TPC), with the agreement of the Minister, to make consequential amendments, to resolve errors and reduce ambiguity, etc it is felt that there should be a mechanism for the TPC to discuss matters with the administrators of the scheme prior to making changes. This could be achieved via S30K (4) to provide greater direction to the TPC.

Although the S30J process allows for the TPC to consider changes to the IPS based on written submissions, there is the opportunity for a person to apply for an amendment or for the TPC to request an amendment S30(5) but with regard to rezoning/amendments councils have little or no voice which could be problematic in the context of opportunistic representations. It is considered that there needs to be a stronger link to councils otherwise the relative merits of a particular action may not be taken into full account.

There is a reference to the Minister and Commission having the power to make decisions on the basis that the public interest is not compromised, There are no criteria or is no guidance as to what may constitute the public interest and it is felt that there should be some reference within the legislation to such matters.

The inclusion of a penalty under S33B and 43EA is of concern. There is a significant inequity in the legislation relating to councils' ability to meet timeframes. Councils are now facing monetary penalties in the event that they fail to meet certain timelines but no such discipline is placed on the TPC. There appears no provision for an extension of time. 28 days are presently provided to request further information regarding an amendment request (including under S43) and the proponent has 14 days to request the TPC to review that request. The TPC can ask council to provide any material relevant to the RFI request and this must be provided to the Commission within 7 days or the penalty is a fine not exceeding 100 penalty units. The S33B(3) section carries a similar provision. While it is likely that councils can meet the timelines, the introduction of a penalty is considered harsh and without merit.

If there are to be timeframes, particularly where penalties are applied, they need to be constrained to the information linked to the application. An amendment to S33B(3)5 along the lines of "or longer as agreed by the TPC".

In relation to S20 (3) (a) there were concerns raised in the last submission that if the damage or destruction is a result of a natural hazard, allowing development to be rebuilt doesn't necessarily address the hazard – particularly hazards such as landslip, flooding. The amendments work if planning provisions are unchanged over that period but if they have

changed then there should be a requirement to apply assessment criteria. There are also drafting matters, clarifying language which needs to be addressed. It is understood from the clarification provided post the submission that in relation to this matter all planning scheme requirements would need to be met in the context of the rebuild. This is considered a satisfactory arrangement.

Initially, there were some concerns that the timeframes for the S30J report were too tight and there needed to be the ability for the TPC to grant an extension (eg in the face of a large number or complex representations). This has been adequately clarified in subsequent advice that provision does exist for the TPC to grant such an extension of time.

In relation to S33(3) – amendment to a planning scheme, concerns were raised in relation to having negotiate extensions with the proponent of the change – it was felt the TPC could be arbiter.

Critically, the timeframes associated with permitted use are of significant concern. There is a general view that it would be helpful to limit the 21 days to residential as there are significant classes of development under the IPS processes that will now be deemed permitted or have permitted pathways. It is considered that there will be a dramatic rise in the volume of projects that fall within this category with the introduction of the IPS. As discussed with the Minister at the post Taskforce meeting, the preference would be to extend the period for permitted activities to 28 days under the IPS process and then seek to reduce this to 21 days under the new single planning scheme. This would ensure that the commitments under the SPS were met but would also provide the capacity for the increased number of permitted activities to be dealt with in a timely manner while still having the capacity to address discretionary applications in the workflow arrangements of councils. In the event that the timeframe is maintained at 21 days, the effect will simply be to shift the resources to permitted activity and create lags on discretionary activity which may otherwise have been able to be dealt with more quickly.

You will recall at the Taskforce Meeting it was suggested that some examples may be helpful to demonstrate the complexities associated with specific projects. I have attached a document that seeks to provide some indication of the types of projects that could be contemplated under the new arrangements.

Also under S51 which references an application is to be in a form approved by the Commission, if the Commission is intending to be the authority to “approve” application forms it likely intends to standardise the various permit application forms used by differing councils. However:

- it would be good if the Commission consulted with Councils before bringing in any standard application form;
- It should be understood that from the moment this provision becomes legislation that all existing application forms will not be “approved” and therefore invalid. The Commission must have an approved form in place prior to this provision coming into effect; and

- Will the form extend to requirements for submission such as plans, their contents (scale, north point, etc), other submission details (studies, shadow diagrams, hours of operation, materials, etc like ours) or will it simply be an application form.
- What about our environmental supplement? Will the form cover this?

These are technical matters but unless dealt with administratively prior to the legislation taking effect, could disrupt all the streamlining intended under these amendments.

It has also come to my attention in recent days that under the Gas Act 2000 council is required to refer any permitted application for any property wholly or partly within a gas pipeline planning corridor to TasGas for its review and application of conditions if warranted. Council is required to give TasGas 14 days in which to respond. Last week Glenorchy Council received advice of the declaration of a major new gas pipeline planning corridor running through the length of its main urban areas that will affect several hundred properties. It would appear eminently sensible for the legislation to give 28 days to those permitted developments where this referral is also required. While likely not within the purview of this present amendment process, it may very well be the case that this Act should be amended to align with the proposed changes to LUPAA.