General Management Committee

Minutes

Friday 2 October 2009
Launceston Country Club Villas
Dublin Room
GENERAL MANAGEMENT COMMITTEE

Friday 2 October 2009

1. NOTICE OF MEETING

A meeting of the General Management Committee was held on Friday 2 October 2009 in the Dublin Room at the Country Club Villas, Launceston.

The meeting commenced at the conclusion of the PLGC meeting, at 12.30pm.

DISTRIBUTION:

Mayor Barry Easther  President
Lord Mayor Rob Valentine  Hobart City Council
Mayor Kevin Hyland  West - North West Region
Mayor Lynn Laycock  West - North West Region
Mayor Albert van Zetten  Northern Region
Mayor Robert Legge  Northern Region
Mayor Deirdre Flint  Southern Region
Mayor Graham Bury  Southern Region

PROXIES:

Deputy Mayor Eva Ruzicka  Hobart City Council
Mayor Mike Downie  West-North West Region
Mayor Alwyn Boyd  West-North West Region
Deputy Mayor Launceston City Council  Northern Region
Mayor Mark Shelton  Northern Region
Mayor Adriana Taylor  Southern Region
Mayor Tony Bisdee  Southern Region

IN ATTENDANCE:

Mr Allan Garcia  LGAT
Dr Katrena Stephenson  LGAT
Ms Christine Agostinelli  LGAT
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1.1 SUBJECT: CONFIRMATION OF MINUTES *

Lord Mayor Rob Valentine/Mayor Deirdre Flint

That the Minutes of the meeting held on 7 May and 12 August 2009, as circulated, be confirmed.

Carried

Minutes of the meeting held 7 May and 12 August 2009 are at Attachment to Item 1.1.

1.2 SUBJECT: BUSINESS ARISING *

That the Committee receive the report on business arising from the previous meeting.

Resolved

Update of Policy items from the last meeting - not covered in this Agenda are at Attachment to Item 1.2.

1.3 SUBJECT: PRESIDENT’S REPORT

That the President’s report be received.

Resolved

Since the meeting held in August, the President has attended, represented or been involved with the following:

Meetings
- General Meeting, 12 August
- ALGA Board Meeting, Sept 2009
- Hon Sue Smith - CSO, fluoridation, Planning and PAL legislation
- TCCI Board – Local Government Reform, Planning

Media
- CSO legislation
- Local Government Elections

Forums/Events
- Recognition of new inductees to the ‘Honour Role of Women’
- Hydro Tasmania reception
- RACT Luncheon
- LGAT Conference Appreciation Event
1.4 SUBJECT: CHIEF EXECUTIVE OFFICER’S REPORT

That the Committee note the Chief Executive Officer’s report.

Resolved

The CEO was absent on a week’s leave during the period since the last meeting. Overall the organization is coping well with workload and budget is on track. The State Government’s shift into election mode will ease some burden in respect to responding to legislative proposals but is likely to require vigilance in terms of the issues floated in that campaign that may impact upon councils.

Interface with external bodies
- Quadrant Board and Committee Meetings
- CMP Board Meeting
- CSA – Public Sector Governance – Presentation on water reform
- Electricity Consumer Advocacy Panel

Local Government Forums
- General Managers’ Workshop
- ALGA Board Meeting
- Attendance at Flinders Council candidate workshops
- PLGC Officials meeting
- STCA – regional transport plan
- Regional waste Group Forum
- Climate change regional forums

State Government Meetings
- Meeting with Aurora Energy re National Broadband Network Rollout
- Secretary DIER re Roads Forum follow up actions
- DoJ – Integrity Commission, Right to Information Bill
- Bushfire Planning Forum
- Healthy Communities
- Natural Hazards Steering Committee and Reference Group
- Attendance at CEDA state of the State Address
- PPAC
- DIER – State Infrastructure Plan
- Food safety Forum
- EPA – role of EHO’s re sewerage treatment plant monitoring
- Asbestos reference group
- LGD – Compulsory Voting Steering Committee
- Local Government Division – regular monthly meetings and various meetings re dog control, financial sustainability of councils, Local Government Board and Stronger Councils project

Media
Condition of roads
Quality and number of council candidates
2. POLICY

Policy Items for Discussion & Decision.

2.1 SUBJECT: WATER AND SEWERAGE

That the Committee note the progress of the final legislation through the Parliament.

Resolved

Background:
With the passage of the Fluoridation and Community Service Obligation (CSO) Bills through the Legislative Council, the Water and Sewerage Reforms are all but complete. There are a number of minor matters still to be resolved with the various regulators but these will be issues that will be dealt with via the pricing arrangements and other regulations and will not involve major legislative inputs.

The Association provided written advice to Legislative Council members following the General Meeting that the position of the Association remained the same in relation to the responsibility for the provision of fluoridation services and the requirement to bring fluoridation assets up to an appropriate standard. An offer was made to provide further information or discuss any matters of concern but the message received was that members had adequate enough material upon which to base their decision. The Bill was passed largely in support of the State Government’s position. The outcome of the CSO Bill is widely known with the State Government accepting responsibility for the CSO for water and sewerage as well as meeting the ongoing costs of pensioner rate remissions.

Councils will have ongoing interaction with the water and sewerage corporations over the coming twelve months while the full implementation of the reforms take effect. The bedding down of systems, the processes associated with developing forward programs and the ongoing interface between the parties in relation to the planning/infrastructure relationship will require a mature and sensible association.

At this time it would appear that while the corporations have taken on their new roles there are significant challenges in terms of both systems reliance and availability of personnel resources necessary to effect all the tasks required as part of the implementation phase. Patience and understanding are likely to be required on both sides with councils perhaps needing to provide the corporations with extended support in some areas.

The Chairman is confident that the program of the corporations is on track and is pleased with the efforts of his staff to date. It should be remembered that the corporations have only been in existence for 12 weeks and it is expected that, like all start up organisations, there will be teething problems. The Chairman has acknowledged that some improvements in the area of governance need to be implemented particularly in the relationship with corporation owners and is presently working on documentation to support improved processes into the future.
2.2 SUBJECT: BUSH FIRE PRONE AREAS *

That the Committee note the following report.

Noted

Background
As reported at the June 2009 General Meeting, on 15 March 2009, the Premier announced that the State Government was to consider changes to planning and construction standards to help protect Tasmanians from the tragedy of bushfire.

Representatives of a number of relevant State Government agencies have been working on documents relating to planning (a draft bushfire schedule) and building (proposed amendments to Building regulations) issues.

An Industry Reference Group has been established for consultation on these documents, with representation from Housing Industry Association (HIA), Master Builders Association (MBA), Property Council, Australian Institute of Building Surveyors (AIBS) and LGAT. The Industry Reference Group has met on three occasions.

On 20 April, Council representatives (planning and building officers) met with representatives of Department of Premier and Cabinet (DPAC), Justice and Tasmanian Fire Service (TFS) to consider the draft documents.

The practical input of these officers was extremely useful, particularly in representing the position of rural councils. However, they also raised a number of concerns and these issues have been raised with the State Government. A further meeting with Local Government to discuss a draft document “Review of Construction and Development Control in Bushfire Prone Areas” was convened on 17 August 2009.

Following that meeting and with further input from councils, LGAT provided a response to the draft document, a copy for reference is at Attachment to Item 2.2.

In general, Local Government agrees that a standardised approach to the management of development in bushfire prone areas is necessary, however there are a number of issues relating to the proposed response including that it deal only with new developments, the need for appropriate level mapping, some duplication of assessment at the building and planning stages, the need for commitment by State Government to resourcing maintenance and enforcement and a lack of clarity regarding accreditation and indemnity.

Budget Implications
Does not apply.

Current Policy
Does not apply.
2.3 SUBJECT: PLANNING REFORM

That the Committee note the status of planning reform legislation and the passage of the PAL Policy through the Parliament.

Noted

Background
The second Bill associated with planning reform passed through the Parliament almost in the form in which it was presented. The Bill encompassed, among other things, the concept of Projects of Regional Significance (PORS), which was universally unsupported by Local Government. Despite representations to the Minister expressing concerns about the criteria, the associated processes and the extraction of these projects from the direct jurisdiction of councils, the State Government introduced a Bill maintaining the PORS largely in the same form as initially proposed. The Greens and Opposition were provided with documentation supporting the LGAT position and used this information with some vigour to seek amendments but to no avail.

Similar advice was presented to Legislative Council members with a few initiating follow up discussions to clarify the Local Government position and to assist their decision making. Hobart City Council directly briefed the Legislative Council and covered many of the issues contained within the LGAT Submission. Despite several attempts to effect amendments the Bill passed through the House largely unchanged.

A third Bill is proposed for introduction to the Parliament later in the year. Initially intended to include "call in" powers, the Bill has excluded these provisions and will cover enforcement provisions and the streamlining of some processes associated with the State Policies and Projects Act. The enforcement regime is in keeping with longstanding calls by Local Government to simplify the enforcement regime. The Bill has been released and is open for comment for five weeks.

The PAL policy passed through the Legislative Council in the last sitting. The Association provided a written briefing to Members detailing the Local Government position.
2.4 Subject: Cat Management Bill

That the Committee note the following report.

Noted

Background

Further to LGAT’s report to the August 2009 General Meeting, the draft Cat Management Bill has now been released for consultation.

LGAT will be preparing a submission in consultation with councils. The submission is due 9 October 2009.

Consequent to previous discussion on the proposed Bill with DPIPWE and consultation with key officers, amendments and adjustments were made to this exposure Bill. For example the prohibited area section has been modified and there has been the addition of a Local Government power to declare cat control areas. The aim is to enable Councils to have more discretion in dealing with specific cat issues in their area. DPIPWE advise that these sections may still need further work and are fully open to feedback. They have also offered to have an information session for Local Government pending enough interest.

Briefly, the key aspects of the legislation in general are:

- compulsory micro-chipping and de-sexing of domestic cats phased in over four years (except for presale which would be immediate);
- register of cat breeders coordinated by the State Government;
- enable those Councils that would like to take a role in cat management to do so;
- councils can declare prohibited areas or areas subject to cat control within their municipality;
- a person authorised under the Dog Control Act 2000 would be an authorised person under cat management legislation;
- legislation would provide Councils, where such facilities are available, with the option to play a role in handling/holding; and
- where there is inconsistency with the holding times for cats as specified in the Local Government Act 1993, the provisions in the proposed cat management legislation would prevail.

Budget Implications

There are none currently for the Association. However as stated in the LGAT submission there is concern that unless adequately funded by the State Government the cost to Local Government will be overly burdensome.

We have consistently relayed the need for a sufficient education and communication budget in relation to this legislation. To that end DPIPWE state in their most recent correspondence that:

“Cat management legislation would be stand-alone legislation and education on responsible cat ownership would be an important component in communicating the proposed legislation”

The transition period is of particular concern as this is likely to be the time of greatest impost for all stakeholders, including Local Government; with increased questions and cat complaints, increased dumping of cats, a likely requirement to hold cats during the transition period or to contact owners identified through tags etc., high level of education for cultural change, the need to establish centres for transporting/holding/disposing of cats across the State, microchip scanning equipment costs and so on. Cost recovery for holding and related actions is not likely to be achieved in practice. If the cost is too high councils may opt out of playing a role in cat control.
Current Policy
Local Government is supportive, in principle, of the four fundamental elements of the Government’s proposed approach, namely: mandatory desexing and microchipping of domestic cats, phased in over four years; a registers of cat breeders; legislation to underpin this approach and clarify the status of individuals and organisations that trap or control feral cats on private and/or public land; and promoting responsible cat ownership, including advice on what to do with unwanted cats.

Local Government has been advocating such an approach as is evidenced by the successful May 2007 General Meeting Motion outlined below:

“That LGAT request the State Government, as a matter of urgency, to introduce statewide legislation for the compulsory desexing and microchipping of non breeding registered cats that can be administered by public non government organisation partnerships between the State Government and competent animal welfare organisations, rather than individual local government by-laws”.

This was not the first time Local Government in Tasmania had considered cat control issues with other successful motions in June 2000, December 2003 and June 2006. In August 2007 LGAT developed a position paper on Cats. Unlike the 2007 motion the earlier motions did not support legislative control. The change in 2007 from previous positions was on the basis that Local Government does not have responsibility for administration of the legislation.

2.5 SUBJECT : DIGITAL REGIONS INITIATIVE *

That the Committee note the following report.

Noted

Background
The Digital Regions Initiative is a key element of the Australian Government’s initial response to the Regional Telecommunications Review in conjunction with the Rural and Regional National Broadband Network Initiative.

The four year, $60 million Australian Government initiative will co-fund innovative digital enablement projects with State, Territory And Local Governments. It is a collaborative approach to improve the delivery of education, health and/or emergency services in regional, rural and remote communities.

State, Territory and Local Governments seeking funding under the Digital Regions Initiative will be required to provide matching funding. This will enable projects of greater scale, coverage and benefit to regional Australians.

The Department of Premier and Cabinet are currently developing a funding proposal and have sought LGAT’s in principle support to act as ‘project partner’. This will not entail any funding requirements, more a supportive consultation and communication role. The have sought this support because implementation of the project they envision (refer Attachment to Item 2.5) would require very significant engagement by Local Government.
In brief the proposed project seeks to:
- improve local level responses to, and recovery from, emergencies through the near real-time delivery of situational information from emergency services and other agencies;
- improve the delivery of emergency services through an integrated capability to map, visualise and respond to emergencies in Tasmania; and
- support the delivery of standard State level hazard and risk information to support local level decision making.

Expressions of Interest are sought by 14 September 2009 (which is not mandatory) and final proposals are required by 14 October 2009. LGAT has indicated in-principle support and is meeting with DPAC on this issue prior to GMC.

**Budget Implications**

Does not apply.

**Current Policy**

Does not apply.

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2.6 **SUBJECT : WASTE UPDATE**

That the Committee note the following report. Noted

**Tasmanian Waste and Resource Management Strategy**

The Tasmanian Waste and Resource Management Strategy (the Strategy) was released in June 2009. The Strategy is based on the principles of waste reduction, sustainability and best practice in waste management and will lay the foundations for longer term waste management planning.

One of the first strategic actions arising from the Strategy is the establishment of a Waste Advisory Committee (WAC) to help facilitate and monitor the implementation of the Strategy. The Committee has been established as a committee under the Board of the Environment Protection Authority (EPA) with the independent chair of the committee being the Chairperson of the EPA, Mr John Ramsay. The EPA Board has also approved membership for the WAC. The Committee members are:

- **Northern Strategy Group**
  - Harry Galea

- **Cradle Coast Waste Management Board**
  - Gerald Monson

- **Southern Waste Strategy Authority**
  - David Sales

- **DPIPWE**
  - John Mollision

- **DEDTA**
  - David Hurburg

- **Community Representative**
  - Nigel Shearer

- **Industry Representative**
  - Louise Cherrie

It is expected that the Committee will have its first meeting in October 2009. The WAC will provide recommendations and report to the Environment Protection Authority (EPA) on the progress, delivery and implementation of the Strategy and will report annually through the EPA Board to Parliament.
National Waste Policy
Following an announcement by the Australian Environment Minister, the Hon Peter Garrett AM MP, in November 2008, the Australian Government, with the support of the Environment Protection and Heritage Council (EPHC), is in the process of developing a national waste policy.

National waste policy directions were last agreed in 1992 by the Council of Australian Governments as part of the National Strategy for Ecologically Sustainable Development.

A National Waste Taskforce has been formed within the Commonwealth Department of the Environment, Water, Heritage and the Arts to consult widely and to develop a draft national waste policy for consideration by Australian Governments, initially through the EPHC.


LGAT prepared a submission in respect of this discussion paper, reiterating that Local Government is supportive of the broad principles outlined in the discussion paper for the development of a strategic framework that delivers enduring change to waste management in Australia, reduces the volumes of waste generated and the levels of contamination of waste streams and establishes a culture or recovery where ‘waste’ becomes a resource that adds value to the community and our economy. Nevertheless, the Association expressed concern that not enough importance appears to have been devoted to solutions in relation to the building of capacity in regional communities, bearing in mind that this will be, and has been a significant challenge in Tasmania.

The Association also reiterated that Local Government does not have any easy fix or further options to address the issues of distance, lack of volume and low returns for recycled products and that a national approach to resource recovery and waste management does not mean adopting uniform arrangements or a ‘one size fits all’ approach that cannot be tailored to meet local circumstances.

Televisions and Computers
At the Environment Protection and Heritage Council (EPHC) meeting on 22 May 2009, Environment Ministers’ committed to finalising product stewardship arrangements for end of life televisions and computers at their next meeting in November 2009. As part of a public consultation process, LGAT recently prepared a submission on the Television and Computer Product Stewardship consultation package. This package included a Consultation Regulatory Impact Statement (RIS). The RIS is seen by the EPHC as an important part of determining a preferred option and will feed into a Decision Regulatory Impact Statement for the Council’s consideration in November.

LGAT noted the Consultation RIS presents the results of a full cost benefit analysis on short-listed options for managing end-of-life televisions and computers, compared to a business as usual case. Whilst there appears to be little to separate these options as all result in a net benefit, the Association believes that business as usual is not acceptable and is supportive of the development of a national approach through an Extended Producer Responsibility Scheme to manage end-of-life televisions and computers.

Budget Implications
Does not apply.
Current Policy
The implementation of the Tasmanian Waste and Resource Management Strategy and the development of a national waste policy and national product stewardship arrangements for end of life televisions and computers fall within the remit of present policy of the Association in relation to waste management.

2.7 SUBJECT: GENERAL POLICY DISCUSSION

That Committee members note the intent of this session and contemplate any matters they consider worth raising.

Background
This is a standing agenda item intended to allow members the opportunity to raise any matters of strategic policy not addressed elsewhere in the agenda.
3. PROJECTS & SERVICES

Projects & Services Items for Comment and Decision.

3.1 SUBJECT: GM’S WORKSHOP *

That the Committee note the conduct of the workshop and the issues discussed at the meeting.

Noted

Background
Another successful General Managers’ Workshop was held in Launceston on 16-17 September 2009. Attendance was solid with 22 of the 28 GMs present. The feedback was extremely supportive with participants well pleased with the calibre and range of presentations and the coverage of issues discussed.

An agenda outlining the session is at Attachment to Item 3.1 for reference. Presentations were made by FIAT (engagement of forestry and Local Government), Peter Gartlan (IT Security), Department of Justice (Access to Information legislation), Aurora (NBN), ABS (use of Census data), Cancer Council (Men’s health) and the Valuer General (valuation methodologies).

The sessions were engaging and the variety pleased most present. The GMs were able to glean significant amounts of information and share experiences in the broader policy sessions and the roundtable. The latter allows each GM to raise any issue they wish to air with other GMs. This allows for differing approaches to problem solving and maximises the sharing of knowledge and resources to solve problems being encountered. The process also promotes a buddy approach to problem solving with newer GMs being encouraged to meet or discuss issues with others in close proximity.

3.2 SUBJECT: COUNCIL CERTIFICATES

That Members note that LGAT has completed negotiations with the Department of Primary industry, Parks, Water and Environment regarding a new Service Level Agreement for the continuation of the Section 132 and 337 council certificates service

Noted

Background
In late 2008, concerns were raised by a small number of Councils about the billing and payment process provided by the Department of Primary industries, Parks, Water and Environment (DPPIPWE in relation to the section 132 and 337 Council Certificates service. These concerns centered on delays in receiving payment.

After consulting Councils for their views about this service, LGAT sought to canvass improvements to the remittance/invoicing process with the Information and Land Services (ILS) Division of DPPIPWE. ILS subsequently provided its response and proposed a new Draft 2009 Service Level Agreement (SLA) with LGAT.
It is appropriate to briefly go back to the original service level agreement, the 2004 agreement between LGAT and the DPIPWE, which had the following fees:

- $10,500 Contract Fee for a period of three years (used to maintain and develop the service)
- $6,000 Contract Fee for the provision of financial information and debt recovery.

ILS advised that the following charges proposed in the new 2009 SLA were altered to represent the actual cost in providing the service:

- $10,500 Contract Fee for a period of three years (same as before)
- $13,069 yearly fee for the provision of financial management and debt recovery (this is 0.25 of a full time equivalent to perform the required duty)

ILS advised that this equates to $16,500 per annum which is based on last year’s transaction levels and represents a service fee of 0.69 cents. ILS thinks this is an appropriate and legitimate user payer charge and does not involve the preparation of the invoice nor any debt recovery. ILS says the yearly fee for financial services is necessary and if the proposed option of introducing an administration fee per transaction were to be introduced, this yearly financial fee ($13,069) and the 3 year Contract Fee can be removed.

LGAT again consulted Councils for their views. The majority of councils responded to the issue indicating a willingness to continue the present arrangements so long as participation by councils remained at the approximate levels that now exist. Councils did not express any major concerns about the proposal to proceed to a new charging regime for this service.

The Association pursued these matters with DPIPWE with a view to negotiating the continuation of this service based on an equitable pricing structure for Local Government. Following numerous discussions and correspondence with representatives from the Information and Land Services Division of DPIPWE, these negotiations have now been completed. In summary, the key features of the new SLA are that:

- The Agreement will be extended for a further 3 years.
- The Department will look to undertake a feasibility study within the first year of the agreement to ascertain if weekly remittances for the Council Certificates may improve the debtor management process during the life of the agreement.
- The Department will re-direct the monthly financial statements currently sent to LGAT to the individual Councils within the first year of this agreement.
- LGAT will fund the service for the first year equating to an up-front payment to DPIPWE of an annual service fee of $13,069 (excluding GST) for 2009-10 plus a prorata contract fee of $3,500. (You will recall that based on last year’s transaction levels this represents a service fee of approximately .69 cents per transaction).
- At the end of the financial year 2009-10, this cost will be re-couped from Councils based upon the number of transactions they have processed during that financial year. To this end, the Department will provide LGAT with the total number of Council Certificate transactions for each of the Councils within 30 days of the anniversary date of the agreement.
- LGAT will only pay the Service Fee for the first year of the Agreement. In years 2 and 3 of the agreement, the Department will introduce a transactional Administration fee which will be payable by the LIST subscriber in order to recover the costs associated with delivering the service.
Budget Implications
It is proposed that the only costs associated with the continuation of the service will be incurred up-front for the first year of the proposed new SLA. These costs will then be recovered from Councils at the end of the first financial year based upon advice from DPIPWE regarding the number of transactions each Council has processed during the financial year. Any future costs will be sheeted back to the user of the service.

Current Policy
The examination of issues associated with the continuation of the council certificates service falls within the remit of the Association.

3.3 SUBJECT: 2010 LOCAL GOVERNMENT CONFERENCE

That the Committee note the following report.

Background
Plans are now underway for the 98th Local Government Conference, to be held in Hobart, from 12-14 May 2010. The theme for the 2010 event is *Up Up Up – A Focus on Excellence and Innovation.*

The conference will once again be held at Wrest Point and the conference dinner will take place at the Hotel Grand Chancellor. The decision to remain at Wrest Point is due to the fact that it is the most competitively priced conference venue in Hobart, there is ample free car parking for delegates and trade exhibitors and the cost of accommodation at Wrest Point is considerably less than the room rates offered at the Grand Chancellor.

Due to increased competition in securing sponsorship for the event under the current financial circumstances, the Sponsor Prospectus will be distributed soon to potential supporters of the 2010 event.

With 2010 being declared the *Year of Women in Local Government*, the ALGWA will host the 2010 conference cocktail function on Wednesday 12 May, to help promote their message.

Budget Implications
There will be a marginal increase in delegate registration fees in 2010 to help cover the increasing costs associated with staging the event. Extra effort will also be made to secure a greater level of sponsorship funding to help keep associated costs down.
3.4 SUBJECT: COUNCIL CAREERS

That the Committee note the following report.

Noted

Background
LGAT has developed a state wide marketing campaign with the advertising agency Red Jelly.

The theme of the campaign is “Think Big, Work Local” and it draws attention to:

- the variety of jobs and tasks in the sector;
- the professionalism of Local Government;
- training/development opportunities;
- the environmental, community and other impacts staff can have; and
- the international/national opportunities that exist in Local Government careers.

The campaign is spear headed by a TV commercial to be shown state wide on prime time, reaching up to 97% of the viewing audience. The shot script for the advertisement is complete and is at Attachment to Item 3.4.

LGAT will be contacting councils again to source the remaining number of employees and equipment required.

A new website is also being developed. The brief and specifications, including full content, have recently been distributed to potential providers. The website, to be advertised on the television commercial, will have three main functions.

It will show video files of council employees from around Australia telling their careers stories, it will also contain a Careers Chooser tool, which starts from the viewer’s area of interest and then describes the job tasks and job titles for roles they are likely to enjoy, as well as examples of the training required and available in Tasmania. Thirdly, all council job vacancies currently listed on the general LGAT website will be listed on the new careers website, along with advice on job applications and links to the websites of all councils.

We are currently aiming for a live date of 1 November 2009. However as the TV commercial and the website must both run in parallel, both consultants must be able to guarantee the completion of their work on time before 1 October 2009 in order to meet deadlines for booking TV air time on three stations. Some website providers have indicated that this is a problem. Aiming to go live in November thus carries a number of risks which are currently being assessed by the Association. The next available option is to go live in February after the Christmas and holiday period but before the state election. We will continue to advise GMC on progress.

Budget Implications
The TV Commercial and Website are the biggest investment in relation to the careers budget and effectively deplete the two year budget agreed by a General Meeting (March 2008) except for salary and administrative overheads.

We will seek to cover any additional project costs, such as careers events outside of Hobart and project evaluation, from the general budget.

Current Policy
The Careers Development position was separately funded on a two year basis following agreement from all councils.
3.5 **Subj ect : AWARDS MODERNISATION**

**That the Committee note the following report.**

**Noted**

### Background

In May the Association reported to GMC on the Award modernisation process which involves the creation of a system of modern awards to operate in conjunction with the new Australian workplace relations system foreshadowed for January 2010.

Peter Rodwell from Hobart City Council has represented Tasmanian Local Government interests on the national associations working group.

July 2009 represented the closing date for lodging submissions, drafts of modern awards and other proposals for Stage 4 modern awards (which includes Local Government Administration).

In August pre-drafting consultation was undertaken and at the time of writing we were awaiting publication of the Stage 4 exposure drafts. December 2009 is the final date set for making Stage 4 awards.

### Budget Implications

LGAT has been funding Peter Rodwell’s travel and associated costs from within current budget.

The national project group also sought funding to assist with legal support for the process. To this end LGAT paid $400 towards costs of briefing Counsel prior to the award modernisation public consultation on 11 August 2009 and has agreed to contribute up to $1000 towards briefing Counsel to appear on behalf of the LGAs during the Local Government industry award modernisation proceedings before the AIRC Full Bench in the week commencing 26 October 2009. The costs are to be split across all Associations and contribution will ensure Tasmanian issues are also put forward.

The advice from our Representative was that the use of counsel is a prudent and justifiable expense. Fair Work Australia (FWA) were not presented with a consent position at the public hearing stage. The unions have submitted their own draft award and it was no surprise that it was more rigid and more generous than the employer version. Key points of difference are:

- Coverage
- Allowances
- Additional levels in classification structure
- Increments
- Hours of work, penalties and "shift" allowances
- Part-time employment
- Retention of allowances
- Calculation of casual earnings

Some of these things may well turn on matters of law. They are all worth defending and FWA will need convincing. When spread over all states, the cost per state will not be great.

No further funding will be required as that is the last point for public input prior to decision-making.
Current Policy
Ramifications of a modern Local Government award are unclear at this stage.

Most councils have EBAs in place to set conditions over and above that outlined in the Tasmanian Local Government Awards.

3.6 SUBJECT: LOCAL GOVERNMENT CARBON POLLUTION REDUCTION SCHEME

That the Committee note the following report.

Noted

Background
Under the Statewide Partnership Agreement on Climate Change Schedule 2 – Carbon Emission Reduction Scheme Tasmanian councils agreed to determine a carbon emission baseline from which an emission reduction target could be set.

In March 2009, the LGAT engaged Planet Footprint to undertake this work and officially launched the program. The program commenced on 1 April 2009 and was funded under a joint arrangement with the Tasmanian Climate Change Office (TCCO) and the LGAT for the financial year 2008 – 2009.

The Program initially related to 23 councils who were not part of the former Cities for Climate Protection Program. Glenorchy and Brighton and Councils joined the program in April, 2009 and Launceston City Council joined in September.

Organisation Footprint Reports for Energy have been completed for the following councils:

1. Break O'Day
2. Brighton
3. Burnie
4. Central Coast
5. Central Highlands
6. Circular Head
7. Derwent Valley
8. Devonport
9. Dorset
10. Flinders
11. George Town
12. Glamorgan Spring Bay
13. Glenorchy
14. Huon Valley
15. Kentish
16. King Island
17. Latrobe
18. Meander Valley
19. Northern Midlands
20. Sorell
21. Southern Midlands
22. Tasman
23. Waratah-Wynyard
24. West Coast
25. West Tamar

These reports provide councils with their stand alone performance over time (2005-6 to 2008-9 financial years) including annual energy mix, energy consumption, total energy charges and energy greenhouse gas emissions. In addition Planet Footprint has provided a Tasmanian state-wide consumption Report.

Energy Footprint Reports for the LGAT and Launceston Council will commence this month. They are currently completing greenhouse, waste and fleet reports.
LGAT and Planet Footprint delivered three regional workshops (Launceston 31st August, Burnie, 1st September and Hobart 2nd September). The Workshops focused on how to best apply the PF reports and tools within councils to obtain maximum benefit from them and increase the capacity of Council and staff to obtain value from the program. The Workshops targeted key senior managers (environmental, asset, corporate and financial services) within Councils who will be working with the data and reports. The Workshops were well attended by Senior Council Managers (General Managers, Director Development Services, Corporate Services, Fleet and Asset Managers.

The Workshops covered:
- The Statewide Partnership Agreement
- Overview of the PF Service
- Introduction to the PF Reports and Data
- Working with the Reports and Toolkits
- Applying the reports operationally and strategically within council to achieve environmental and financial improvement and savings
- Ongoing provision of support and next steps

Individual Council Reports were used as case studies to show how the information in the reports can be:
- applied to improve management of assets from an energy efficiency perspective resulting in significant financial savings to councils. Applied to environmental reports, greenhouse inventories, environmental action plans, and a large range of other environmental management and sustainability outcomes
- To help streamline the management of utility accounts.

**Budget Implications**
Year 2 of the Program includes a reporting regime and extension of services that will assist councils with actions, publicity, promotion and the trailing of council revolving energy funds for financing sustainability initiative.

LGAT has secured $40,000 of funding for year 2 of the program from the Tasmanian Climate Change office. The total cost of the year two program will be $114,500. The final figure may by subject to negotiation. The funding structure has been negotiated on the basis that all councils participate. This all up cost will include extending the program to the former CCP councils thus allowing a whole of sector measurement and response. It is emphasised that this process was embarked upon to maximise consistency of measurement and reporting and it is hoped that all councils are able to support the program.

Prior to committing to the next year of work by Planet Footprint it is necessary to secure the support from all councils to fund the “gap” between the TCCO contribution and the all up cost.

LGAT wrote to Councils in August proposing that to meet the additional costs of the program councils contribute on the same basis as LGAT subscription.

**Current Policy**
The Program is being implemented as part of the *Statewide Partnership Agreement on Climate Change* between the State Government and the Local Government Association of Tasmania.
3.7 SUBJECT: GM’S PERFORMANCE APPRAISAL

That the Committee note the progress in relation to this matter.

Background
Following on from last meeting where a high level document was submitted for scrutiny by the Committee, requests have been made of other State Associations in relation to any templates or guides they may have in relation to the performance appraisal process of General Managers.

A request has also been made in relation to whether they conduct training sessions for councils to conduct appraisals and whether there would be a willingness, based on demand and cost, to actually provide these sessions in Tasmania.

Advice is yet to be received on these latter matters but it is hoped to be able to provide the Committee with a comprehensive update at the next meeting.

3.8 SUBJECT: AMALGAMATION UPDATE

That the Committee note the progress with the Inquiry into the East Coast councils merger and endorse the proposal to develop a position paper ahead of the next State Government election in relation to Local Government reform.

Background
The Local Government Board is presently reviewing the merger proposal involving Break O’Day and Glamorgan Spring bay Councils. A series of public forums have been conducted and a level of due diligence undertaken by external consultants in relation to the finances and assets of the two councils involved. It is understood that in response to a call by the Sorell Council to be included within the merger considerations, the Minister ultimately determined that Sorell should present a business case demonstrating why it should be included within the present process. Sorell Council considered the matter at its recent council meeting and chose not to proceed down this path.

The Board is also in the process of developing a checklist for council to contemplate when considering voluntary mergers. The Association was to attend a meeting with the Board to discuss the initial work prepared by the Board but the meeting has been postponed. A discussion paper is proposed to be made public in the near future and councils will be invited to comment.

During discussions at the recent GMs Workshop it was agreed that it was important for Local Government to establish a position on its own future in the lead up to the next election. There is a strong view that reform of some nature will occur and it is important that Local Government is able to present its position with authority and conviction. If reform is to occur it will be preferable to have a blue print identified that could influence the major parties thought processes on Local Government reform.
The key plank to this process should be Local Government sustainability but this must be linked to the broader issue of sustainable communities. The Commissioner for Social Inclusion has recently released his report highlighting the important role councils can play in facilitating social inclusion within the community. It would seem that if Local Government is seeking to present a case in support of itself it needs to consider the merits of promoting the community it represents as the key plank and then ascertain the governance structure that most appropriately meets the needs of that community and that can continue to cater for those needs into the future. At its broadest level this process could involve the consideration of the fit of services presently provided by Local Government as well as those services presently provided by State Government that could be delivered at a local level.

While not proposing a launch into roles and responsibilities, there is some merit in considering whether present communities are best served by the governance and service delivery arrangements available to them. Taking Local Government out of the equation and focusing on the needs of the community removes the issue of amalgamations as the primary focus and shifts the emphasis to what a local authority should do and provide for the community. The issue of how many authorities might be required is almost an irrelevant issue until it can be determined what is needed to sustain communities for the longer term. It may be that there is a need for 29, 19 or 59, but that is really a secondary issue.

Both Queensland and Western Australia have been involved in major processes involving Local Government reform and the needs of the community. The results have differed but the initial process of establishing a Board of Inquiry with broad ranging review parameters and incorporating members of high calibre and integrity were common. Potential benefit exists to consider this process and developing a proposition that seeks to guide the reform agenda into the future.

It is proposed that the CEO develop a “paper” that seeks to establish a direction for Local Government that can be floated with political parties in the lead up to the election. Ideally, it would seek to go beyond the issue of “no forced amalgamations” and the preferred position of voluntary mergers by focusing on the needs of the community and the governance structures and arrangements necessary to ensure long term sustainability of communities and those entities that service them.

### 3.9 SUBJECT: HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

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**Background**

The coordinator has provided a summary of the program to the State Government to be included in the “State of the Environment Report”

He has also inspected potential collection sites around the state including Sorell, Brighton, Kingborough and Waste Transfer Stations such as McRobies, Jackson St, and Mornington Park. Possible carparks such as the Derwent Entertainment Centre and the Clarence Council Chamber carpark have also been inspected. He has attended and participated in a large HHW drop-off day at Hadfield, Victoria.

After tendering out for an experienced and qualified chemical collection operator, the coordinator has appointed a company to conduct collection days in Tasmania. In consultation with regional waste management groups and, more recently with the successful contractor, ten sites have been assessed and approved for conduct for collection days.
They are located in

- Glenorchy City Council
- Launceston City Council (two sites)
- Hobart City Council
- Devonport City Council
- Kingborough Council
- Dorset Council
- Clarence Council
- Circular Head Council
- Burnie Council.

The timetable and brochure for the first years’ collection days will be finalised in the next two weeks, with printing to go ahead in early October and an expected mail out to all Tasmanian residents mid-October.

The first of four weekend collection days, in the initial campaign, is scheduled for Saturday 28 November 2009. The second campaign begins Saturday 13 March 2010 and consists of a further 6 collection days around the state.

The second year of collection will be based on the data collected from the first year, and will aim to include additional councils in the collection schedule.

**Budget Implications**

Fully funded through project funds (50:50 State:Local Government contribution) as per deed.

**Current Policy**

Where possible, align HHW collection program approach with Regional, State and National Controlled Waste Strategies.

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**SUBJECT : LOCAL GOVERNMENT REPRESENTATIVES**

That the Committee note there have been no Local Government Representative appointments.

**Noted**
4. FINANCES

Financial Items for Discussion & Decision.

4.1 SUBJECT: PROFIT AND LOSS REPORT *

Mayor Deirdre Flint/Mayor Robert Legge

That the Profit and Loss report to 21 September 2009, be received.

Carried

Background
At Attachment to Item 4.1, is a print out of a Profit and Loss Report to 21 September 2009.

Budget Implications
Does not apply.

Current Policy
Does not apply.

4.2 SUBJECT: CASH FLOW STATEMENTS **

Mayor Kevin Hyland/Mayor Albert van Zetten

That the Committee receive the reports for the months of July and August 2009.

Carried

Background
It is considered appropriate that the Committee should have access to information relating to the cash position of the Association detailing cash on hand, reserves, amounts held for projects and expenditures and revenues pending.

Detailed cash flow statements have been prepared for the information of the Committee and are at Attachment to Item 4.2

Budget Impact
As above.

Current Policy
The Association has a responsibility to manage the assets of the organisation in a responsible and transparent manner.
4.3 **SUBJECT:** 2008/2009 AUDIT *

**Mayor Deirdre Flint/Mayor Albert van Zetten**

That the Committee confirm the endorsement of the 2008/2009 Financial Report by the President.

**Carried**

**Background**

The Association’s Auditors, The Tasmanian Audit Office, have provided the audit findings report for the 2008/2009 Financial Year and a draft Financial Statement.

At the time of writing there were some minor adjustments to be made to the financial statements with the expectation that the final report would be provided to the Auditor General by mid October. A copy of the draft Financial Statement is at **Attachment to Item 4.3** for reference.

Once reviewed by the Auditor General and notice of his approval has been received, the President, Mayor Barry Easther will be required to endorse the Financial Statements.

4.4 **SUBJECT:** INVESTMENT POLICY *

**Mayor Lynn Laycock/Mayor Albert van Zetten**

That the Committee endorse the adoption of the Investment Policy for use by the Association.

**Carried**

**Background**

With the recent impact felt by the Global Financial Crisis and following advice received from the Auditor General in relation to investment options for the Association, it is intended to put an Investment Policy in place. While not required, it is considered appropriate that guidelines be in place for the investment of surplus Association funds.

We have sought to take a conservative approach and have sourced a document from the Hobart City Council which, by its nature is conservative. The document has been adapted for use by the Association and a draft copy is at **Attachment to Item 4.4** for reference.

The general criteria are based on existing methods used in that the majority of funds will remain with the Association’s transactional banker, Commonwealth Bank of Australia (CBA) either in At Call accounts or Term Deposits. Investments that may be considered outside of the CBA or other share market listed banks will be referred to the General Management Committee for approval.

**Budget Implications**

It is considered appropriate that guidelines exist for the management of the Association’s assets.

**Current Policy**

The Association has a responsibility to manage the assets of the organisation in a responsible and transparent manner.
4.5 SUBJECT: OFFICE RENTAL

That the Committee note the outcome of the annual revue of rental of the Association’s accommodation.

Resolved

Background
The cost of rental for the Association’s premises was increased by an amount equivalent to the CPI this year. This follows a rental dispute last year where the rental costs were increased considerably. In addition, the cost of outgoings associated with rates and electricity usage have now been split on a three way basis with the additional major tenant taking up occupation in the new extension to the building. While overall costs are likely to increase as a result of the building extension, the relative contribution by the Association is anticipated to fall slightly as a result.

The Association is presently in the second year of its three year lease and has a further two year option at its completion. While the commercial market continues to be monitored, there has been no suitable accommodation coming onto the market which would meet the Association’s needs at this time.
5. ADMINISTRATION

Administration Items for Discussion & Decision.

5.1 SUBJECT: ELECTION OF PRESIDENT

Mayor Deirdre Flint/Mayor Lynn Laycock

That the Committee endorse the presentation of a motion to the next General meeting seeking to extend the term of the President.

Carried

Background

The election for President was finalised in July of this year and the Vice President subsequently elected a short time thereafter. Under the Rules of the Association the Chief Executive Officer is to request in the month of January, in every year following ordinary council elections, the Chief Electoral Officer to request nominations for the office of President.

Given the relatively short period in which the present incumbent has been in place and the unlikelihood that positions of councils would have changed since last calling for nominations, it is proposed that consideration be given to extending the term of the present President.

This will provide some continuity of office and will also eliminate the need for two elections for the office inside a twelve month time period.

Under the Rules, the term of office of the President may be extended by any meeting of the Association for such periods as it determines. It is proposed that GMC consider having this matter placed before the next General Meeting of the Association.
5.2 SUBJECT: DATE OF NEXT MEETING AND CALENDAR OF EVENTS FOR 2010

That the Committee meet on 16 December 2009 in Hobart to coincide with the PLGC meeting to be held in Hobart.

That the draft calendar of events for 2010 be approved.

Resolved

A draft calendar of events for 2010 is at Attachment to Item 5.3 for reference.

A list of the meeting dates for 2009 is detailed below-

2009

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Location</th>
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<tbody>
<tr>
<td>2 October</td>
<td>PLGC Meeting</td>
<td>Launceston Country Club Casino</td>
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<td>GMC</td>
<td>Launceston Country Club Villas</td>
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<td>10 – 13 November</td>
<td>2009 National Roads Congress</td>
<td>Mackay</td>
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<td>18 November</td>
<td>General Meeting</td>
<td>Burnie</td>
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<td>GMC</td>
<td>Burnie</td>
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<tr>
<td>19 November</td>
<td>Mayor’s Workshop</td>
<td>Burnie</td>
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<td>16 December</td>
<td>GMC</td>
<td>TBC</td>
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<td></td>
<td>PLGC</td>
<td>TBC</td>
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<td>Premier’s Dinner</td>
<td>TBC</td>
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5.3 SUBJECT: OTHER BUSINESS & CLOSE

Mayor Legge raised the issue of dealing with feral rabbit populations in urban townships, specifically the cost of DPIPWE inoculation programs. LGAT resolved to investigate further.

Mayor Legge raised the issue of the hazards of wildlife on the roads, and in particular roadkill, this will also be raised with DIER.

There being no further business, the meeting was declared closed at 3.05pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

Dated this day of 2010

PRESIDENT