

**GLENORCHY CITY COUNCIL
ATTACHMENTS
MONDAY, 27 JULY 2020**



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Bushfire Mitigation Policy

Title	Bushfire Mitigation Policy
Council Resolution	
Responsible Directorate	Infrastructure and Works
Due for Review	
Strategic Plan Reference	<u>Valuing our Environment</u> 3.2 Manage our natural environments now and for future 3.2.1 Identify and protect areas of high natural values <u>Leading our Community</u> 4.3 Build strong relationships to deliver our communities' goals 4.3.1 Foster productive relationships with other levels of government, other Councils and peak bodies to achieve community outcomes
ECM	Council Policy
Version	1.2

PURPOSE

This policy provides direction how Council will mitigate associated risks for low probability but high impact bushfire events to Greater Hobart area.

SCOPE

This policy provides guidance and framework for Council's Bushfire Mitigation Strategy and Bushfire Mitigation Plans. It will assist in mitigating the impact of bushfire to human settlements and loss of life within the Greater Hobart community, and where possible promote and maintain natural and cultural values.

The underpinning principle is the protection of life.

This policy applies to any bushfire-prone area that is subject to, or likely to be subject to, bushfire attack.

It does not apply to:

- land which is not owned and managed by Council (including privately owned land, or land which is owned by Council but managed by a separate authority);
- Fire Hazard Nuisances under Section 199 of the *Local Government Act 1993*; or
- 'responses' to bushfires which is responsibility of the Tasmania Fire Service (TFS) and other emergency services.

STATUTORY REQUIREMENTS

Fire Service Act 1979

Council's powers, responsibilities and obligations under this *Act* include:

- to take all reasonable precautions to prevent any fire lit on their property from spreading to adjoining land (Section 63).
- to take diligent steps to extinguish or control any unauthorised fire on their property during a fire permit period, and to report that fire to the TFS, or the Police (Section 64).
- to "cause the formation in its municipal area of such fire breaks as it considers necessary or desirable to arrest the spread, or to facilitate the suppression of, fires" (Section 56).
- to contribute towards the operating costs of fire brigades (Sections 79 to 95).

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Infrastructure and Works

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Bushfire Mitigation Policy

- to deal with a fire danger which Council has been notified of under section 49 within such reasonable period of not less than 30 days as is specified in the notice, as if that fire danger were a nuisance under the Local Government Act, 1993.

Local Government Act 1993

Under section 93(a) of the *Local Government Act 1993*, Council can make a service rate on rateable land for the purpose of 'fire protection'.

Council may also have obligations under the legislation listed in the following table when conducting bushfire mitigation activities

Acts	<i>Aboriginal Relics Act 1975</i> <i>Environmental Management and Pollution Control Act 1994</i> <i>Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)</i> <i>Environment Protection Policy (Air Quality) 2004</i> <i>Fire Service Act 1979</i> <i>Forest Practices Act 1985</i> <i>Historical Cultural Heritage Act 1995</i> <i>Local Government Act 1993</i> <i>Mineral Resources Development Act 1995</i> <i>Nature Conservation Act 2002</i> <i>Tasmanian Threatened Species Protection Act 1995</i> <i>Tasmanian Weed Management Act 1999</i> <i>Wellington Park Act 1993</i>
Regulations	Not applicable
Australian/International Standards	ISO 31000:2018 Risk management — Guidelines AS 3959-2018 Construction of buildings in bushfire-prone areas

DEFINITIONS

Asset	Anything valued by people which includes houses, crops, forests and, in many cases, the environment.
Bushfire	An unplanned fire burning in vegetation; also referred to as wildfire.
Bushfire Attack Level (BAL)	A means of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact, using increments of radiant heat expressed in kilowatts per metre squared, and the basis for establishing the requirements for construction to improve protection of building elements from attack by bushfire.
Bushfire-prone area	An area that is subject to, or likely to be subject to, bushfire attack.
Bushfire-prone vegetation	Contiguous vegetation including grasses and shrubs but not including maintained lawns, parks and gardens, nature strips, plant nurseries, golf courses, vineyards, orchards or vegetation on land that is used for horticultural purposes.



Hazard Management Area	An area around an asset where vegetation is modified, and most flammable material has been removed to reduce the fire's radiant heat intensity.
Fire Danger Rating (FDR)	A system to warn of the potential impact of a bushfire on any given day, based on forecast weather conditions.
Planned burning	The process of planning and applying fire to a predetermined area, under specific environmental conditions, to achieve a desired outcome.
Strategic planned burning	The utilisation of prescribed fire in key areas of the landscape, having significant potential to influence bushfire intensity and rate of spread.
Tolerable risk	The lowest level of likely risk from the relevant hazard: a) to secure the benefits of a use or development in a relevant hazard area; and b) which can be managed through: i) routine regulatory measures, or ii) by specific hazard management measures for the intended life of each use or development.

POLICY STATEMENT

Objectives

The two primary objectives of this policy are:

1. To minimise the impact of major bushfires on human life, communities, essential and community infrastructure, industries, the economy and the environment. Human life will be afforded priority over all other considerations, and
2. To maintain or improve the resilience of natural ecosystems and their ability to deliver services such as biodiversity, water, carbon storage and forest products.

The following means objectives will be used to achieve two primary objectives:

- continuously improving bushfire risk mitigation treatments
- delivering a tenure-blind, integrated approach to mitigating bushfire risk, and
- complying with legislative requirements.

Bushfire Mitigation

Council has a dedicated Coordinator, Bushfire Management who develops and implement Council's bushfire mitigation activities.

All actions carried out under this policy, including the development of supporting plans, strategies and other documents, and the review of this policy, are the responsibility, of the Coordinator Bushfire Management.

Measures to Mitigate Bushfire Risk

Council will make informed decisions, and improve the management of risk by working jointly with other fire agencies, land owners, land managers and neighbouring Councils within the Hobart Fire Management Area to contribute to a tenure-blind, integrated approach to mitigating bushfire risk by:



Bushfire Mitigation Policy

- maintaining hazard management areas on Council managed bushland to the most current TFS guidelines;
- maintaining fire trails on Council managed bushland to the most current Tasmanian Parks and Wildlife Service Managed Vehicular Fire Trail categories;
- supporting the provision of appropriate resources to carry out effective bushfire mitigation treatments;
- developing, coordinating, implementing and maintaining a five-year planned burning program;
- minimising smoke impact to communities resulting from bushfires and planned burning;
- maintaining an annual planned burning vegetation monitoring program;
- providing an annual report to Alderman and other stakeholders on bushfire mitigation treatments undertaken on Council managed bushland;
- regularly investing in developing and expanding Council's knowledge base, and ability to mitigate bushfire risk;
- regularly educating Council and the local community on bushfire mitigation treatments;
- involving local communities in decision making, and capturing local knowledge and expertise;
- strengthening understandings of relationships between fire and sensitive environments;
- acknowledging the potential effects of climate change and the likelihood that they will increase the risk of bushfire in Glenorchy; and
- ensuring compliance with statutory responsibilities.

Bushfire Mitigation Procedures

Council will implement the objectives of this policy by implementing a Bushfire Mitigation Strategy, and Bushfire Mitigation Plans. These documents will set out the treatments to be undertaken to reduce Greater Hobart's bushfire risk.

Council's bushfire mitigation treatments will contribute to a 'tenure-blind' approach, reflecting the approach of neighbouring Councils, land managers and fire agencies within the Hobart Fire Management Area. These will provide a level of assurance that bushfire risks faced by Councils are mitigated holistically, and that firefighting agencies are put in levels of tolerable risk.

Planned Burning Approval

Operational Planned Burn Plans are to be prepared and reviewed by separate parties. Those parties must hold the nationally recognised competency *Develop Prescribed Burning Plans*, and *Conduct Prescribed Burning*, or equivalent.

Council's Coordinator Bushfire Management is responsible for approving Council's Operational Planned Burn Plans.

Policy Review and Monitoring

This policy must be reviewed annually after the end of each bushfire season or as required to facilitate:

- a change in legislation that has a bearing on the document
- a change in Council's position on a particular subject area
- a recommendation from a governance body (e.g. TFS, State Fire Management Council, Tasmanian Parks and Wildlife Service)
- where quality assurance guidelines change due to continuous improvement initiatives, or
- changes in Council's agreed service levels.



BACKGROUND

Bushfire mitigation is critical to Glenorchy given that a third of the Glenorchy municipality is bushfire-prone vegetation located in the Wellington Park Ranges. Fire is the most significant issue for this area of bushland, in the form of the threat of bushfire.

This policy was developed to delineate Council's perceived bushfire risks to human settlements and loss of life against the actual high risks that Council is responsible to manage. It is reflective of Council's increased commitment to actively and adaptively mitigate bushfire risks to Glenorchy and the Greater Hobart area.

VERSION CONTROL

Date	Version	Details of Change	Responsible Person	Date Manager Sign-off	Adopted by Council
June 2017	1.0	First complete version adopted by Council.	Rob Whittle	Name: Paul Garnsey Date: May 2017	13 June 2017
16 July 2019	1.1	Amendments to objectives. Amendments to terminology to reflect updated International & Australian standards, Codes of Practice.	Rob Whittle	Name: Ross Frankcombe Date: 16 July 2019	29 July 2020
18 June 2020	1.2	Amendments to terminology.	Rob Whittle	Name: Clive Thompson Date: #####	#####



Title	Bushfire Mitigation Policy
Council Resolution	
Responsible Directorate	Infrastructure and Works
Due for Review	
Strategic Plan Reference	<u>Valuing our Environment</u> 3.2 Manage our natural environments now and for future 3.2.1 Identify and protect areas of high natural values <u>Leading our Community</u> 4.3 Build strong relationships to deliver our communities' goals 4.3.1 Foster productive relationships with other levels of government, other Councils and peak bodies to achieve community outcomes
ECM	Council Policy
Version	1.12

PURPOSE

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SCOPE

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The following means objectives will be used to achieve two primary objectives:

- continuously improving bushfire risk mitigation treatments
- delivering a tenure-blind, integrated approach to mitigating bushfire risk
- promoting a 'no-blame, lessons learnt' approach to planned burning, and, and
- complying with legislative requirements.



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- regularly educating Council and the local community on bushfire mitigation treatments ~~and biodiversity values;~~
- involving local communities in decision making, and capturing local knowledge and expertise;
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- ensuring compliance with statutory responsibilities.

Bushfire Mitigation Procedures

Council will implement the objectives of this policy by ~~developing~~implementing a Bushfire Mitigation Strategy, and Bushfire Mitigation Plans, ~~and Council Bushfire Mitigation Common Operating Procedures.~~ These documents will set out the ~~detailed procedures~~treatments to be undertaken to ~~implement Council's reduce Greater Hobart's bushfire mitigation activities~~risk.

Council's bushfire mitigation ~~procedures~~treatments will contribute to a 'tenure-blind' approach, reflecting the approach of neighbouring Councils, land managers and fire agencies within the Hobart Fire Management Area. These will provide a level of assurance that bushfire risks faced by Councils are mitigated holistically, and that firefighting agencies are put in levels of tolerable risk.



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Bushfire Mitigation Policy

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<u>18 June 2020</u>	<u>1.2</u>	<u>Amendments to terminology.</u>	<u>Rob Whittle</u>	<u>Name:</u> <u>Clive Thompson</u> <u>Date:</u> <u>#####</u>	<u>#####</u>

[DATE]

Infrastructure and Works

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Receipt of Gifts and Benefits Policy **GLENSIDE CITY**
COUNCIL

Title	Receipt of Gifts and Benefits Policy
Council Resolution	Item XX (DD MMM YYYY) as per Council Minutes
Responsible Directorate	Corporate Governance
Due for Review	four (4) years from Council Resolution Date
Strategic Plan Reference	Leading our Community 4.1 Govern in the best interests of our community 4.1.1 Manage Council for maximum efficiency, accountability and transparency 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes.
ECM	Council Policy

PURPOSE

This policy is to:

- (a) outline of the obligations and responsibilities of Council officials when dealing with offers of gifts or benefits, and
- (b) assist Council officials to make appropriate judgements in relation to gifts and benefits.

The policy intends to prevent Council officials from becoming vulnerable to undue influence and to minimise any threats to the community's confidence in the fairness, impartiality and integrity of the Council.

SCOPE

The policy applies to all Council officials.

STATUTORY REQUIREMENTS

Acts	<i>Local Government Act 1993</i>
Regulations	<i>Local Government (General) Regulations 2015</i>
Australian/International Standards	Not applicable

DEFINITIONS

Benefit	Non-tangible item which is believed to be of value to the receiver (e.g. preferential treatment such as queue jumping, access to confidential information and hospitality)
Bribe	Gift or benefit given specifically for the purpose of winning favours or to influence the decision or behaviour of a Council official to benefit someone or something.
Cash	Money or vouchers which are readily convertible into money
Collective Gifts	A Non-token gift given by an authority or organisation to Council, such as protocol gifts, not intended to reward a particular individual. Such gifts may be given as an expression of gratitude, without obligation on the



Receipt of Gifts and Benefits Policy **GLENGARRY CITY**
2019-2022

	receiver to respond. The gratitude usually extends to the work of several people in the Council.
Conflict of Interest	Any situation in which an individual or corporation (either private or government) is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit.
Contract Management staff	Means staff who; (a) procure contracts for goods and services; (b) have ongoing interaction with contractors performing those services; (c) a manager or senior executive or any other employee or officer that is responsible for making a purchasing decision or exercising a financial or legal delegation in relation to a purchasing decision; or (d) a member of a purchasing panel or committee that is able to influence or assists in making a purchasing recommendation.
Council official	Includes the Mayor, Deputy Mayor, Aldermen, council staff (including staff engaged through an employment agency), council committee members, Audit Panel members, volunteers and contractors.
Gift	Usually a tangible item provided at no charge or a discounted price. Gifts may include, but are not limited to, items such as Cash, property (real or otherwise), goods and services made available at heavily discounted prices, alcohol, clothes, products, invitations to social functions and tickets to sporting, theatrical or music events.
Hospitality	The provision of accommodation, meals, refreshments or other forms of entertainment, whether free or subsidised. To avoid doubt, 'Hospitality' does not include a Council official's attendance at functions or events which is required as part of the performance their duties or which is recognised part of the Council official's normal work functions, duties, and responsibilities.
Modest Refreshment	Food or refreshment which generally is not in conjunction with a sit-down meal, such as coffee, biscuits, sandwiches, cake, hors d'oeuvres, fruit, or any other snack.
Nominal Value	The amount set in the <i>Local Government (General) Regulations 2015 Regulation 29A</i> (currently a value of \$50 or above - measured by adding together the gifts and benefits from any one source received in a financial year)
Non-token	Items that are above the Nominal value or of a character that is not minor or trivial. Non-Token gifts could include, free or discounted travel, the use of holiday homes, corporate hospitality at major sporting events, free training excursions, tickets to major events and access to confidential information, discounted products for personal use, goods and services provided via a determination in a will.
Token Souvenirs	Means mass produced items of below the Nominal Value often carrying corporate advertising such as pens, calendars, or ties, that are offered in business situations for promotional purposes.
Token	Items below the Nominal Value that is not a prohibited gift (see Clause 4) and other issues like improper influence have been considered and do not apply



Receipt of Gifts and Benefits Policy **GLENSIDE CITY**
COUNCIL

POLICY STATEMENT

1. General

Council officials may be offered gifts or benefits. In the limited circumstances set out in this policy, gifts and benefits may be accepted.

2. Making Ethical Decisions

When dealing with a gift, the situation may be unusual and way forward may not seem clear. Always make an ethical decision. The Integrity Commission sets out a three step process for ethical decision-making:

- A. Is it legal?
What laws apply in my workplace and how do they apply to the decision? You may need to seek legal advice in your workplace.
- B. Is it informed?
How do the code of conduct and any professional codes apply? How do workplace policies apply (eg. gifts and benefits)? How does it sit with the values of my organisation?
- C. Is it fair?
What would a workmate think of the decision? What would an informed person think about the decision? Do I have any self-interest in the decision?

If in doubt, ask for assistance and disclose the gift.

3. Appropriate behaviour towards gifts

A Council officer must:

- not actively encourage or solicit offers of gifts and benefits;
- not take advantage of their official position to secure a benefit or gift;
- make reasonable efforts to ensure that they are seen to be fair, impartial and unbiased;
- be aware of the wider situation in which an offer of a gift or benefit is being made. For example, Council officials should consider whether the donor is in, or may be seeking to enter into, a business relationship with Council or may be applying to Council in relation to the exercise of Council's functions, and
- avoid situations that suggest that a person or body, through the provision of gifts or benefits is to secure favourable treatment from Council.
- encourage people undertaking or carrying on business with the Council to understand that they do not need to give gifts or benefits to Council officials in order to obtain a high quality service.

4. Gifts that are not to be accepted or must be immediately returned

- Gifts or benefits that may be perceived to constitute a conflict of interest with the role of a Council officer (see clauses 2 and 10 for more details).
- Cash of any value.
- Non-Token Gifts or benefits (unless otherwise authorised by this policy).



Receipt of Gifts and Benefits Policy **GLENORCHY CITY**
COUNCIL

- ANY gifts or benefit (other than Modest Refreshment, or Token Souvenirs) offered to Contract Management Staff by current or prospective Council contractors,
- Gifts otherwise accepted or retained in contravention of this policy.

5. **Gifts that may be accepted**

Subject to the other restrictions set out in this policy:

- Token gifts may be received by any Council officers who are not Contract Management Staff. (Only Token Souvenirs and Modest Refreshment may be received by Contract Management Staff).
- Non-token gifts or benefits that cannot be declined or immediately returned must be disclosed in compliance with this policy.

6. **Official activities not considered to involve gifts or benefits**

- Tickets to, or moderate hospitality at, approved social functions organised by Council-controlled entities or community organisations where attendance is a part of an official contribution made by a Council officer.
- Modest Refreshment provided for training sessions, official functions, and Council business meetings including meetings between Contract Management Staff and contractors or prospective contractors of the Council.
- Internal Council gatherings, or gift presentations where Council officers are rewarded by the Council for service to the Council.
- professional education seminars that are made available by a Council service provider if they are:
 - broadly available to all professionals in the service provider's customer base;
 - do not include other gifts or benefits (such as free flights or restaurant meals);
 - are not tied to any expectation of future reward; and
 - are disclosed to and authorised by the General Manager.

7. **Collective Gifts**

Such Gifts or benefits given for a group project or task may be accepted on behalf of the Council (as an organisation) but must be surrendered to the Council for appropriate disposal.

8. **Working out the Value of Gifts and Benefits**

Council officials must add together the values of gifts and benefits received from any source in each financial year. When the annual gifts from a single source exceed the Nominal value for a financial year, the gift must be declared.

If a Council official has any doubt if a gift or benefit is Token or of Nominal Value, they should discuss it with their Manager, the General Manager or the Mayor.

If the likely monetary value of a gift or benefit cannot be determined, the Gift is not a Token gift.

Where goods are discounted the value of the gift or benefit is the value of the discount.



Receipt of Gifts and Benefits Policy

9. Disclosing Non-Token Gifts or Benefits

If Token Gifts or benefits are accepted by Council officials in accordance with this policy, then the gift or benefit does not need to be disclosed.

If a Non-Token gift or benefit is offered and:

- (i) cannot reasonably be refused (e.g. because it would cause embarrassment or a breach of protocol); or
- (ii) some other exceptional circumstances apply where it cannot reasonably be refused or returned, such as anonymous gifts sent without a return address, then

the offer and receipt of the gift or benefit must be declared to the General Manager using Council's approved Gifts and Benefits Declaration Form (Attachment 1)

Council officials who receive more than the permissible annual value of gifts from the same person or organisation in a financial year must disclose, as soon as that limit is reached, disclose the details of all the relevant separate gifts.

10. Recording the Gift or Benefit

The details of any disclosed gift or benefit must be recorded in the Gifts and Benefits Register (Attachment 2) by the General Manager.

The Gifts and Benefits Register is to be made available for public inspection at Council's Customer Service counter, or by electronic means, on request.

The General Manager will report annually on the content of the Gifts and Benefits Register to Council.

11. Actual or perceived effect of the gift or benefit

Accepting gifts where a reasonable person could consider that there may be influence applied as a result of accepting the gift or benefit is prohibited. Where it is suspected that a gift or benefit has been offered for the purpose of influencing the behaviour of someone acting in their official capacity, the gift or benefit must be declined and the matter should be reported immediately to the Council official's Manager or Director, the General Manager or the Mayor.

When deciding whether to accept or decline a gift or benefit, consideration should be given to both the value of the gift or benefit and also the intent of the gift or benefit being offered.

12. Improper Influence

If a Council official refuses a gift or benefit because they believe that the gift was a deliberate attempt to receive special treatment or otherwise secure some form of advantage, the incident must be reported to their Manager, Director, the General Manager or the Mayor, as appropriate.

13. Bribes

Council officials must not, under any circumstances, offer or seek a bribe. A Council official who is offered a bribe should refuse it and report the incident as soon as possible to their Manager or Director, the General Manager or the Mayor. Council will take steps to report the matter to Police immediately.

Receiving a bribe is an offence under State and Commonwealth legislation.



Receipt of Gifts and Benefits Policy **GLENORCHY CITY**
Council

14. Family members

Council officials must take all reasonable steps to ensure that immediate family members do not receive Non-Token gifts or benefits which are connected with the Council official's role.

Immediate family members include parents, spouses, children and siblings.

15. Use/ownership of gifts

A recipient's Manager, the General Manager, or the Mayor may approve the retention of a Non-Token gift or benefit by a Council Officer.

A recipient's Manager, the General Manager, or the Mayor may decide that a Non-Token gift or benefit is to become the property of the Council and be:

- retained by Council for future operational use;
- distributed among selected Council officials (provided a reasonable person would agree that the allocation was appropriate); or
- donated to an appropriate charity or community group.

16. Breaches of policy

All Council officials are required to comply with this policy and sanctions may be applied if the policy is breached.

Any person must report a likely breach of this policy by a Council official to the General Manager or Mayor, as appropriate. The General Manager or Mayor are to investigate any report received and take such action as is considered necessary.

If this policy has been breached, action taken against the Council official may include counselling, censure motions, disciplinary action (including termination of employment), the laying of charges or the taking of civil action.

BACKGROUND

From time to time, Council officials may receive or be offered gifts or benefits related to the performance of their duties.

In order to maintain public confidence in the integrity, transparency and accountability of Council, it is necessary to clearly identify the circumstances under which it is appropriate and not appropriate for officials to accept gifts, and the procedures to be followed when accepting or refusing gifts.



Receipt of Gifts and Benefits Policy **GLENORCHY CITY COUNCIL**

Attachment 1 - Gifts and Benefits Declaration

Sample form current as at 7 July 2020



Gifts and Benefits Declaration Form

Please refer to Council's Receipt of Gifts and Benefits Policy when completing this form.

Council Official's Details*

Name: _____

Position: _____ Position No: _____ ☐ N/A

Directorate: ☐ CR ☐ CEBO ☐ CG ☐ N/A (Alderman) Department: _____ ☐ N/A

Supervisor: _____ ☐ N/A

* A 'Council official' includes the Mayor, Aldermen, Council staff (including staff engaged through an employment agency), Council committee members, Audit Panel members, volunteers and contractors.

Details of Gift or Benefit Received

Date gift was offered

What is the gift?

What is the estimated dollar value of the gift?

Individual Donor's Name

Donor's Organisation

Location/situation at which the gift was offered (e.g. at a function)

Recipient's relationship to the Donor

Should the gift or benefit be accepted or declined?

If the gift was accepted, should it be retained by the Recipient or by the Council?

If retained by the Council should the gift be disposed of?

Page 1



Receipt of Gifts and Benefits Policy **GLENN COUNTY**
Where the Future Begins

Glenn County Council

Gifts and Benefits Declaration Form

Supervisor's Comments (if applicable)

Recipient Signature

Signed: _____ Date: _____

Please provide completed form to Mayoral and Executive Support Officer



Receipt of Gifts and Benefits Policy **GLENORCHY CITY**
Where the community counts

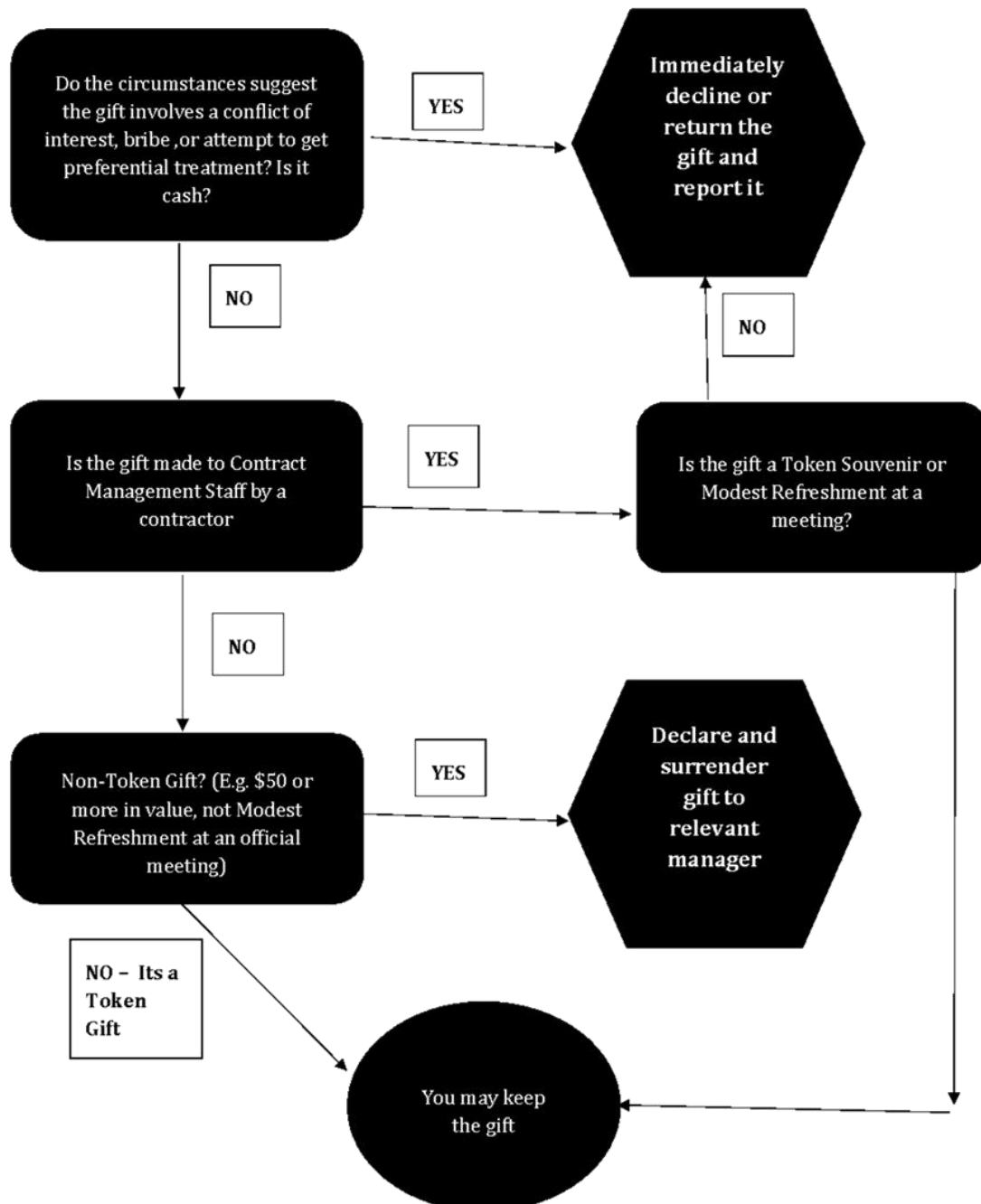
Attachment 2 - Gifts and Benefits Register

See <https://www.gcc.tas.gov.au/your-council/aldermen/aldermen-gifts-and-donations.aspx>



Receipt of Gifts and Benefits Policy

Attachment 3 - Gifts and Benefits Flowchart





Title	Receipt of Gifts and Benefits Policy
Council Resolution	Item 11, 15 January 2018
Responsible Directorate	Corporate Governance
Due for Review	Four (4) years from Council resolution date
Strategic Plan Reference	<u>Leading our Community</u> 4.1 Govern in the best interests of our community 4.1.1 Manage Council for maximum efficiency, accountability and transparency 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes.
ECM	Council Policy

PURPOSE

The purpose of this policy is to:

- (a) outline of the obligations and responsibilities of Council officials when dealing with offers of gifts or benefits, and
- (b) assist Council officials to make appropriate judgements in relation to gifts and benefits.

The policy intends to prevent Council officials from becoming vulnerable to undue influence and to minimise any threats to the community's confidence in the fairness, impartiality and integrity of the Council.

SCOPE

The policy applies to all Council officials.

STATUTORY REQUIREMENTS

Acts	<i>Local Government Act 1993</i>
Regulations	<i>Local Government (General) Regulations 2015</i>
Australian/International Standards	Not applicable.

DEFINITIONS

Benefit	Non-tangible item which is believed to be of value to the receiver (e.g. preferential treatment such as queue jumping, access to confidential information and hospitality)
Bribe	Gift or benefit given specifically for the purpose of winning favours or to influence the decision or behaviour of a Council official to benefit someone or something.
Cash	Money or vouchers which are readily convertible into money
Conflict of Interest	Any situation in which an individual or corporation (either private or



	government) is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit.
Council official	Includes the Mayor, Deputy Mayor, Aldermen, council staff (including staff engaged through an employment agency), council committee members, Audit Panel members, volunteers and contractors.
Gift	Usually a tangible item provided at no charge. Gifts may include, but are not limited to, items such as Cash, property (real or otherwise), goods and services made available at heavily discounted prices, alcohol, clothes, products, invitations to social functions and tickets to sporting, theatrical or music events
Hospitality	The provision of accommodation, meals, refreshments or other forms of entertainment, whether free or subsidised. To avoid doubt, 'Hospitality' does not include a Council official's attendance at functions or events which is required as part of the performance their duties or which is recognised part of the Council official's normal work functions, duties, and responsibilities.
Nominal value	A monetary limit of the value of gifts or benefits that may be accepted (i.e. total value of gift or benefit received). A gift or benefit is of nominal value when it has no significant or lasting value. The current nominal value limit is \$50.00
Non-token	Items that are of a more individual nature, with a value above the nominal value limit. Items may include, free or discounted travel, the use of holiday homes, corporate hospitality at major sporting events, free training excursions, tickets to major events and access to confidential information.
Significant value	A value above the specified nominal value limit
token	Usually mass produced items such as pens, calendars, ties or items with a corporate logo on them, that are offered in business situations to individuals.

POLICY STATEMENT

General

In certain circumstances, Council officials may be offered gifts or benefits. In some limited circumstances, gifts and benefits may be accepted. Token gifts of nominal value may generally be received. Non-token gifts of significant value should not generally be accepted.

When deciding whether to accept or decline a gift or benefit, consideration should be given to both the value of the gift or benefit and also the intent of the gift or benefit being offered.

Council officials who receive more than three (3) nominal gifts of a token nature (for less than the nominal value) from the same person or organisation in a six-month period must disclose the gifts in Council's gifts and benefits register as a 'cumulative gift'.

Otherwise, Council officials should, at all times and in all circumstances:

- refuse the offer of Cash, for any value



- be seen to be fair, impartial and unbiased
- actively discourage offers of gifts and benefits and never solicit gifts or benefits
- not take advantage of their official position to secure an unreasonable personal profit or advantage
- be aware of the wider situation in which an offer of a gift or benefit is being made. For example, Council officials should consider whether the donor is in or may be seeking to enter into a business relationship with Council or may be applying to Council in relation to the exercise of Councils functions, and
- avoid situations that suggest that a person or body, through the provision of gifts or benefits is attempting to secure favourable treatment from Council.

People undertaking or carrying on business with the Council should be encouraged to understand that they do not need to give gifts or benefits to Council officials in order to obtain a high quality service.

Acceptable gifts and benefits

Gifts or benefits of a token nature at or below nominal value may generally be accepted by Council officials without disclosing details to a Manager, General Manager or Mayor and without recording the details of the gift or benefit on the Gifts and Benefits Declaration Form or Register (attachment 1 and 2).

Council officials who receive more than the specified number of token gifts of a nominal value from the same person or organisation, in a specified period must disclose that fact in the gifts and benefits register.

If a Council official has any doubt if a gift or benefit is token or of nominal value they should discuss it with a Manager, General Manager or Mayor.

Token gifts and benefits

Gifts or benefits of a token nature do not create the appearance of a conflict of interest. Token gifts or benefits include:

- items with a corporate logo, ties, scarves, coasters, diaries, chocolates, flowers etc
- books given to individuals at functions, public occasions or in recognition of exceptional work done
- gifts of single bottles of reasonably priced alcohol given to individuals at functions, public occasions or in recognition of exceptional work done
- free or subsidised meals of a modest nature and/or beverages provided infrequently (and or reciprocally) that have been arranged for or in connection with the discussion of official business
- free meals of a modest nature and or beverages provided to Council officials who formally represent Council at work related events such as training, education sessions and workshops, and
- invitations to approved social functions organised by groups such as Council committees and community organisations.

Non acceptable gifts and benefits

Accepting Cash is prohibited.

Council officials should generally not accept gifts or benefits that appear to be non-token in nature or of more than the nominal value.



If a gift or benefit of a non-token nature or above nominal value is offered and cannot reasonably be refused (e.g. because it would cause embarrassment), the offer and receipt of the gift or benefit must be declared using Council's approved Gifts and Benefits Declaration Form ([Attachment 1](#)) and details must be recorded within the Gifts and Benefits Register ([Attachment 2](#)).

If a Council official refuses a gift or benefit because they believe that the gift was a deliberate attempt to receive special treatment or otherwise secure some form of advantage, the incident must be reported to their Manager, Director, the General Manager or the Mayor, as appropriate.

Non-token gifts and benefits

Gifts or benefits of a non-token nature include, but are not limited to:

- free or discounted travel
- use of holiday homes
- tickets to major sporting events
- corporate hospitality at a corporate facility or sporting venue
- free training excursions
- access to confidential information
- discounted products for personal use, and
- goods and services provided via a determination in a will

A non-token gift may be given by an authority or organisation to Council which is considered to be for Council, not a particular individual. Such gifts may be given as an expression of gratitude, without obligation on the receiver to respond. The gratitude usually extends to the work of several people in the Council and for that reason may be able to be accepted by Council (as an organisation).

Actual or perceived effect of the gift or benefit

Gifts offered to Council official or officials:

- in appreciation of performing specific tasks or for exemplary performance of duties, or
- who speak at official functions,

may be considered as an example of gifts of gratitude.

Accepting gifts where a reasonable person could consider that there may be influence applied as a result of accepting the gift or benefit is prohibited.

Where it is suspected that a gift or benefit has been offered for the purpose of influencing the behaviour of someone acting in their official capacity, the gift or benefit must be declined and the matter should be reported immediately to the Council official's Manager or Director, the General Manager or the Mayor.

Bribes

Council officials must not, under any circumstances, offer or seek a bribe.

A Council official who is offered a bribe should refuse it and report the incident as soon as possible to their Manager or Director, the General Manager or the Mayor.



Council will take steps to report the matter to Police immediately.

Receiving a bribe is an offence under State and Commonwealth legislation.

Family members

Council officials must take all reasonable steps to ensure that immediate family members do not receive gifts or benefits of a non-token nature or gifts or benefits above the nominal value which are connected with the Council official's role.

Immediate family members include parents, spouses, children and siblings.

Requirement to make declaration and update register

When a Council official receives:

1. more than three (3) token gifts or benefits close to the nominal value limit from the same person or organisation, or
2. a non-token gift or benefit in circumstances where it cannot reasonably be refused or returned.

The receipt of the gift or benefit should be disclosed and the details recorded on a Gifts and Benefits Declaration Form and in the Gifts and Benefits Register.

Reporting and availability of register

The Gifts and Benefits Register is to be made available for public inspection at Council's Customer Service counter on request.

The General Manager will report annually on the content of the Gifts and Benefits Register to Council.

Disposal of gifts

A Manager, the General Manager or the Mayor will determine whether a gift or benefit of a non-token nature should be disposed.

There are options for the disposal of gifts that have been accepted because they could not reasonably be refused, but should not be retained by an individual. Examples include (but are not limited to):

- gifts accepted for protocol or other reasons, where returning it would be inappropriate
- anonymous gifts (received through the mail or left without a return address)
- a gift received in a public forum where attempts to refuse or return it would cause significant embarrassment
- a gift or benefit of significant value provided to a Council official through a will, where the relationship between the giver and recipient was essentially a council related business relationship.

Options for disposal include:

- surrendering the gift to Council for retention
- distributing the gift or benefit amongst a selection of Council's officials (provided a reasonable person would agree that the allocation was appropriate).
- donating the gift to an appropriate charity.

**Breaches of policy**

All Council officials are required to comply with this policy and sanctions may be applied if the policy is breached.

Any person may report an alleged breach of this policy by a Council official to the General Manager or Mayor, as appropriate. The General Manager or Mayor are to investigate any report received and take such action as is considered necessary.

If this policy has been breached, action taken against the Council official may include counselling, censure motions, disciplinary action (including termination of employment), the laying of charges or the taking of civil action.

BACKGROUND

From time to time, Council officials may receive or be offered gifts or benefits related to the performance of their duties.

In order to maintain public confidence in the integrity, transparency and accountability of Council, it is necessary to clearly identify the circumstances under which it is appropriate and not appropriate for officials to accept gifts, and the procedures to be followed when accepting or refusing gifts.

Receipt of Gifts and Benefits Policy



ATTACHMENT 1

GLENORCHY CITY COUNCIL

Gifts and Benefits Declaration

Please refer to Council's *Receipt of Gifts and Benefits Policy* when completing this form.

Council Official's Details*

Name:

Position:

Position No:

 Directorate: ☐ CSI ☐ CEBD ☐ CG ☐ N/A Department:

Supervisor:

* A 'Council official' includes the Mayor, Aldermen, Council staff (including staff engaged through an employment agency), Council committee members, Audit Panel members, volunteers and contractors.

Details of Gift or Benefit Received

Date gift was offered

What is the gift?

 What is the estimated dollar
value of the gift?

Who is the gift from (Donor)?

Individual Donor's Name

Donor's Organisation

 Location/situation at which the
gift was offered
(e.g. at a function)

 Recipient's relationship to the
Donor

 Should the gift or benefit be
accepted or declined?

 If the gift was accepted, should
it be retained by the Recipient
or by the Council?

 If retained by the Council should
the gift be disposed of?

Receipt of Gifts and Benefits Policy



Supervisor's Comments

Recipient's Signature

Signed:

Date:

Receipt of Gifts and Benefits Policy



Attachment 2

GLENORCHY CITY COUNCIL

Gifts and Benefits Register (2017-18 FY)

Date gift received	Council official's name	Description of gift	Value (\$)	Donor's name	Donor's organisation	Was gift disposed of? (Y/N)	Declaration Form Complete and saved to ECM / Date saved
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☐ Y ☐ N ☐ Date:

15 January 2018

Corporate Governance

Page 9 of 9

Proposed By-Law and Regulatory Impact Statement



Glenorchy City Council **Public Places and Infrastructure By-Law 2020**

By-Law No. 1 of 2020
Version 1
Adopted by Council on xxxxxx

Glenorchy City Council

Glenorchy City Council

Public Places and Infrastructure By-Law 2020

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Glenorchy City Council

Public Places and Infrastructure By-Law 2020

Preliminary

1 Short title

This By-law may be cited as the Public Places and Infrastructure By-Law.

2 Dictionary

In this By-law—

Act means legislation of the State or Commonwealth.

Aircraft means any manned or unmanned craft that can fly through the air.

Authorised Person means:

- (a) an employee of the Glenorchy City Council staff who has been assigned duties related to compliance with legislation and Council policies; or
- (b) a police officer.

Busk means conducting a public performance on a Road, including playing musical instruments, dancing, singing and other acts of a similar nature.

Camp/Camping includes the erection or use of a tent or other similar moveable or temporary shelter.

Council means the Glenorchy City Council established under the *Local Government Act 1993*.

Event means a presentation, public display, assembly, concert, or similar occasion but excludes:

- (a) a private function, party, reception, dinner, where less than 150 people are present and no animals other than guide dogs and assistance animals are involved; or
- (b) a sporting event where less than 50 people are present, other than an activity for the purpose of using wheeled transport such as Vehicle racing.

General Manager means the General Manager of the Council appointed under the *Local Government Act 1993* or their delegate.

Hunting Equipment includes a firearm, slingshot, archery devices, traps, snares, hunting animals, or similar thing capable of injuring a person or animal.

Interfere means without Council approval on or under a Road or Park:

- (a) carry out works (including excavations, erecting signs, landscaping, creating entrances to Park, fencing, making gardens, building tracks, altering vegetation);

- (b) damage, alter, or remove Council infrastructure;
- (c) cause or allow the persistence of an encroachment or obstruction (including the storing of objects such as building materials, firewood, shipping containers, skip bins, caravans, boats, Vehicle parts, and construction plant and equipment);
- (d) discharge or dump of material (such as excessive amounts of water, soil or pollutants); or

but excludes the lawful use of a Road by a Vehicle exercising highway rights.

Permit includes a letter, ticket, licence, lease or other form of written approval issued by Council for the purposes of allowing or regulating the activities described in this By-law, but excludes a permit for a use or development issued under the *Land Use Planning and Approvals Act 1993*.

Permit holder means a person who has obtained a Permit from the Council under this By-law.

Park means the whole or any part of a:

- (a) sports ground, pool facility, or recreation ground;
- (b) area of reserve, bushland, esplanade or other public open space;
- (c) planted embankment, gardens, rockery or similar installation;
- (g) any other area or facility designated by a sign at a public entry point as a Park, reserve, or similar type of public open space; or
- (f) any Vehicle route, cycleway, pathway or car park area within any of the above areas,

that is owned by, or under the control of, the Council.

Public Speaking means delivering an address to the public.

Riparian Area means any part of:

- (a) a watercourse or public stormwater system as defined in the *Urban Drainage Act 2013*;
- (b) a "A landslip area" or a "B landslip area" or equivalent declared under the *Mineral Resources Development Act 1995*
- (c) an area identified in a public notice published by the General Manager as a Riparian Area for the purposes of this By-Law.

Road means a highway subject to the care, control or management of Council and includes (but is not limited to) any part of a —

- (a) highway;
- (b) local highway as defined by the *Local Government (Highways) Act 1982*;
- (c) footpath or cycleway not within a Park; and
- (d) nature strip or median strip.

Roadside Vending means:

- (i) the sale, promotion or provision of goods, services, food or drink to the public from a Park or on a Road; and

- (ii) the bringing on to a Park or Road of a Vehicle, equipment or goods for that purpose,

but excludes the temporary display for sale of a lawfully parked Vehicle outside the Vehicle owner's residence.

Special Event means an activity approved as a Special Event by the General Manager.

Vehicle has the meaning given in the *Traffic Act 1925*.

Wildlife includes whole or parts of, any living creature as defined in the *National Parks and Wildlife Act 1970*, except domestic or farmed animals.

Public Places Generally

3 Permit required to interfere with Public infrastructure

- (1) Unless authorised by a Permit, a person must not Interfere with a Road or Park.
Penalty: Fine not exceeding 20 penalty units.

4 Commercial and fundraising activity

- (1) Unless authorised by a Permit, a person must not conduct Roadside Vending.
Penalty: Fine not exceeding penalty—5 penalty units.
- (2) Unless authorised by a Permit, a person must not undertake any fundraising activity on a Park or Road.
Penalty: Fine not exceeding 5 penalty units.

5 Busking and similar activities

- (1) Unless authorised by a Permit, a person must not Busk in a Park or on a Road.
Penalty: Fine not exceeding 5 penalty units.

6 Public speaking and similar activities

- (1) Unless authorised by a Permit, a person must comply with a Council sign on Park or Road that regulates or prohibits a person, organising or participating in an Event, Public Speaking, or any similar activity.
Penalty: Fine not exceeding 5 penalty units.

7 Camping

- (1) Unless authorised by a Permit, a person must comply with a Council sign that regulates or prohibits Camping in an area.
Penalty: Fine not exceeding 5 penalty units.
- (2) It is a defence to a charge under subclause 7(1) that the person was homeless and had no alternative options for accommodation.

Recreational areas, Natural Area and Reserves**8 Restricted access to certain places**

- (1) Unless authorised by a Permit, without lawful excuse a person must not enter or remain in any part of a Park contrary to a sign, or notice reserving, prohibiting or restricting access to that part of the Park

Penalty: Fine not exceeding 5 penalty units.

- (2) Unless authorised by a Permit, without lawful excuse a person must not drive or park a Vehicle in a Park unless it is:

- (a) driven on a road or trail designated as open for Vehicles of that type; or
- (b) parked within an area set aside by the Council as a parking area.

Penalty: Fine not exceeding 5 penalty units.

9 Possession of certain items in Parks

- (1) Without lawful excuse, a person must not enter or remain in a Park while in possession of any Hunting Equipment, poisonous baits, Wildlife, woodcutting implements, or Aircraft.

Penalty: Fine not exceeding 5 penalty units.

Flood Catchment Management**10 Protection of Riparian Areas**

- (1) Unless authorised by a Permit, a person must not, contrary to the instructions of an Authorised Person, create or allow the continuance of a danger of harm to the health, safety or welfare of the public in relation to a Riparian Area, including (but not limited to):

- (a) causing or permitting the continuance of a water flow obstruction;
- (b) taking inadequate measures to secure against contaminating a Riparian Area with soil, debris and pollutants; or
- (c) obstructing inspections, testing, or other control measures intended to deal with risks to life and property in a Riparian Area."

Penalty: Fine not exceeding 5 penalty units.

Licenses and Permits**11 Application for a Permit**

- (1) An application for a Permit must be in writing to the General Manager. The application is to be accompanied by:

- (i) any prescribed fee;
- (ii) in any form that may be prescribed by the General Manager; and/or

- (iii) any other information and materials requested by Council officers or specified elsewhere in this By-law.

12 Permit Not Required

- (1) Despite anything else in this By-law, a Permit is not required if:
 - (a) the activity is otherwise authorised under an Act without the person requiring the agreement of Council as the owner and manager of the relevant land;
 - (b) a public notice or approved Council policy explicitly identifies the activity as one which does not require a Permit under this By-law; or
 - (c) the activity or class of activity is approved as a Special Event.
- (2) Emergency services personnel do not require a Permit for an activity regulated by this By-Law while acting in:
 - (a) the ordinary course of their employment, or
 - (b) the role of an emergency services volunteer..

13 Grant of a Permit

- (1) The Council or the General Manager may grant a Permit.
- (2) When considering the grant of a Permit, the Council or the General Manager may have regard to any matter including (but not limited to):
 - (a) the applicant's prior record of compliance with this By-law or any other relevant law;
 - (b) any failure to comply with a request to provide relevant information;
 - (c) the safety and convenience of the public; and
 - (d) the provisions of any relevant Act, standard, policy, or guideline.
- (3) The Council or the General Manager may impose any conditions on a Permit granted under this By-law that they consider appropriate.
- (4) The Council or the General Manager may grant a Permit of any duration and for single or multiple activities.
- (5) Unless specified otherwise by Council or the General Manager, a Permit is not transferrable.
- (6) The holder of a Permit must not contravene the conditions of a Permit granted under this By-law.

Penalty: Fine not exceeding 5 penalty units.

14 Cancellation, variation or suspension of a Permit

- (1) The General Manager may cancel, vary, or suspend a Permit—
 - (a) if the Permit Holder contravenes any Act, this By-law; or a condition of a Permit;
 - (b) if the Permit was granted on the basis of false, misleading or incomplete information;

- (c) if changes in circumstances since the Permit was granted make the continued operation of the Permit inappropriate or unlawful;
 - (d) if necessary to prevent—
 - (i) non-compliance with an Act or this By-law;
 - (ii) harm to human health or safety or personal injury;
 - (iii) property damage or a loss of amenity;
 - (iv) the unsafe movement or obstruction of traffic;
 - (v) the unsafe use of a road; or
 - (e) at the Permit Holders request.
- (2) Council must give the Permit Holder written notice of a variation to, or cancellation or suspension of a Permit.

Notices and Enforcement

15 Directions of Authorised Persons

- (1) An Authorised Person may give a direction to a person to—
 - (a) cease any conduct or activity which constitutes a breach of the by-law; or
 - (b) take action to prevent or remedy a breach of the by-law.
- (2) A direction given by an Authorised Person under this By-law may be given verbally, or in writing.
- (3) A direction given under this By-law may:
 - (a) be subject to such conditions and requirements and allow such time period as the Authorised Person may determine;
 - (b) may require that the action or work is to be done only by a person with the appropriate qualification or experience.
- (4) Unless otherwise specified in a direction, a person to whom a notice or direction is given is to comply with the direction at the cost of that person.
- (5) A person must not without lawful excuse, fail to comply with a direction given under this By-law.
Penalty: Fine not exceeding 20 penalty units.
- (6) The General Manager may undertake the work required in a direction given pursuant to this By-law if the person to whom a direction is given fails to comply with the direction within the time specified in the direction.
- (7) Any expense incurred by Council as a result of a person's contravention or failure to comply with a provision of this By-law is a debt payable to Council by that person and is recoverable in a court of competent jurisdiction in addition to any penalty imposed under this By-law.

16 Infringement notices

- (1) An infringement notice may be issued by an Authorised Person:
 - (a) for an offence; and
 - (b) for the penalty,
listed in column 1 of Schedule 1.
- (2) The infringement notice may be issued for more than one offence.
- (3) payment of the monetary penalty set out in an infringement notice must be made to Council in the manner specified in the infringement notice.

17 Continuing offences

- (1) Where a person:
 - (a) commits an offence under this By-law;
 - (b) is given notice of the offence;
 - (c) continues to carry out the act or omission that constituted the offence after being given notice of the offence; and
 - (d) is subsequently convicted of the offence,the person is liable to a further penalty of 2 penalty units for each day during which the act or omission continues after the person was given notice of the offence.
- (2) The penalty in sub-clause (1) does not displace the penalty specifically prescribed elsewhere for the offence and is to be imposed in addition to the penalty for the offence.
- (3) In this clause *convicted* includes a deemed conviction, such as a result of a person paying a fine, or failing to appeal an infringement notice within a prescribed time limit.

18 Supply of name and address

- (1) An Authorised Person may require a person to give his or her name and address if the Authorised Person reasonably believes that the person is offending or has offended against this By-law.
- (2) A person who fails or refuses to comply with a requirement under sub-clause (1) or who states a name or address that is false, is guilty of an offence.
Penalty: Fine not exceeding 5 penalty units.
- (3) A police officer making a requirement under sub-clause (1) may arrest a person who the police officer reasonably believes has committed an offence under sub-clause (2).

Schedule 1 Specified Offences

Column 1	Column 2	Column 3
Clause	General description of offence	Penalty units
3	Interfere with Public Infrastructure without a permit	2
4(1)	Roadside Vending without a permit	2
4(2)	Fundraising without a permit	2
5	Busking without a permit	1
6	Public speaking without a permit	1
7(1)	Camping without a permit	2
8(1)	Entering a restricted place	2
8(2)	Misuse of Vehicle in a Park	2
9	Restricted items in a Park	2
10	Nuisances in Riparian Areas	2
13	Contravening permit conditions	2
15(5)	Obstruction or Failure to Comply with a Direction	5
18(2)	Failure to provide name and address	2

REGULATORY IMPACT STATEMENT

GLENORCHY CITY COUNCIL

Public Places and Infrastructure

BY-LAW NO. 1 OF 2020

Objectives of the By-law

The purpose of the Glenorchy City Council's Public Places and Infrastructure By-law Number 1 of 2019 (the "By-Law") is to facilitate the use of public places and other infrastructure in the City of Glenorchy for commercial and cultural activities in a way that—

- (a) encourages economic and cultural development and facilitates vibrant and engaging community spaces; and
- (b) is consistent with Council's Community Plan and other relevant plans and strategies; and
- (c) prevents:
 - (i) harm to human health or safety or personal injury;
 - (ii) property damage or a loss of amenity;
 - (iii) environmental harm or environmental nuisance;
 - (iv) obstruction of and interference with the safe use of public infrastructure.

Background

This is not a new by-law for Glenorchy City Council, but it merely revives in an abridged form a Roads By-law, a Parks By-law and Hydraulics By-laws that have expired. The By-Law deals with practical difficulties that have been encountered in operating without a By-law, due to deficiencies in State legislation or the interim planning scheme. The overall effect is to reduce the numbers of by-laws and offences that would have otherwise been created, while allowing for new initiatives such as facilitating mobile and footpath dining experiences to enhance the cultural and social life of the municipality.

The by-law also deals with issues such as:

- Use of Council roads, naturestrips, watercourses and parks by various parties;
- Regulating potentially damaging activities, or regulating activities that affect public amenity;
- Issuing infringement notices for breaches of the by-law; and
- Powers for Council to rectify breaches of the by-law if needed.

The By-Law is a means of controlling and regulating behaviour in Council's public places by working in conjunction with both Tasmania Police and Council's existing processes for managing public places and public infrastructure.

Does the By-Law Restrict Competition?

Council believes the By-Law will place no restriction on competition as it mostly deals with purely governance matters, such as the regulation of behaviour in a public area.

The By-Law also facilitates the grant of permits for mobile food vending, so that it may facilitate enhanced commercial activity around social and cultural events.

Does the By-Law Impact on Business?

The Council believes that the By-Law will not have a negative impact on business as it deals with purely governance matters and facilitates new business opportunities.

Other Options Considered

Presently, an interim planning scheme provision explicitly requires the creation of a by-law to facilitate the issuing of mobile food vending permits. The By-Law will facilitate the granting of permits for this activity at social and cultural events.

Justification of Public Interest

The By-Law makes provision for the more effective control and regulation of public places and public infrastructure in the municipal area.

The matters it covers include provision for new food businesses and special events, roadworks by infrastructure providers, prevention of damage to public property, management of public performances and on-street dining.

It is in the public interest that there is a safe and efficient approach to the use of public places and public infrastructure in the Glenorchy municipal area. Public places and public infrastructure in the municipality have untapped potential for new cultural and social events. The safety of users and spectators needs to be managed to allow for these uses and to control potential nuisances.

It reduces the number of by-law offences that were previously put in place by the previous expired by-laws. In the case of stormwater offences, it allows for a more graduated and more efficient approach to enforcement than State legislation, by allowing for the issue of infringement notices. Council is also given powers to rectify the damage caused by unresponsive offenders.

The social impact of the By-Law is expected to be positive. The By-Law will allow for beneficial uses that promote wellbeing and facilitate commercial activity and active, healthy lifestyles for the community.

Public Consultation Process

The following consultation process will now occur:

- 1) The Council will debate a recommendation that it make the By-Law.
- 2) Council will pass a motion that it intends to make the By-Law.

- 3) It will then publish notice of that resolution:
- a) once in the Mercury newspaper.
 - b) by displaying the notice on the notice board at the Council Chambers from the day when the newspaper advertisement is first published until the end of the submission period which is specified in the notice.

The notice will state the following:

- i) the purposes and general effect of the By-Law;
- ii) that a copy of the by-law and of the Regulatory Impact Statement may be inspected at the Customer Service Centre until the specified day;
- iii) that a copy of the By-Law and Regulatory Impact Statement may be purchased for the cost of \$4.68 (\$0.36 per page) at the Town Hall until the specified day;
- iv) that submissions in respect of the By-Law may be made in writing, addressed to and lodged with the General Manager, stating the grounds of the submission and the facts relied upon to support those grounds;
- v) that submissions must be lodged before the specified day.

The specified day will be no earlier than 21 days after the publication of the notice in the Mercury newspaper.

- 4) The General Manager will make copies of the proposed by-law and the Regulatory Impact Statement available for inspection or purchase by the public until the day specified in the notice.

Do you have any concerns or comments?

Submissions about the by-law and Regulatory Impact Statement may be made in writing, addressed to and lodged with the General Manager, stating the reasons for the submission and the facts relied upon to support those reasons.

The submission must be received before the day specified in the advertisement which is no earlier than 21 days after the publication of the advert in the Mercury newspaper.

The Council will consider all submissions that have been made to it concerning the by-law and the Regulatory Impact Statement and, if it decides to amend the by-law as a result of any of these submissions it will do so by absolute majority. The Council does not need to give further public notice unless an amendment substantially changes the purpose or effect of the proposed By-Law.

If you make a submission you will be notified of Council's decision in writing.

If you have any questions about the process please contact Michael Jacques on (03) 6216 6483.

Draft Infrastructure By-Law

Officers comments on the need for controls on various activities, and the changes we have made since this was last brought to workshop.

Activity proscribed by previous and recent draft GCC by-law.	Known examples of past management issues/complaints	Consideration of policy needs and current policy requirements	Alternative enforcement options	Comparison with response by other Councils
Aircraft modified <i>Reconsidered since the previous draft but offence retained. Now part of trimmed down "possession" penalty"</i>	Drones – past issues in multiple parks	"Helicopter and Other Aircraft Operations on Council Property" policy exists to allow for activity in certain circumstances, but the by-law will provide for a clear power of refusal where people do not comply.	CASA restrictions already prohibit flying under 120M altitude and flying in a "populous area", however they have a limited enforcement capacity here. The by-law provides clearer guidance on this activity in public places more generally.	Provision exists in many similar By-laws E.g. Banned without a permit in Kingborough
Throwing projectiles in parks deleted	No issues reported - proscription deleted from revised draft by-law	Busker are sometimes enjoyed by the public and at other times not, often depending on quality. We must provide for the constitutional right of political communication - public speaking.	Any new issues could be dealt with under a general by-law power of direction or nuisance.	A legacy provision brought over from other similar By-laws (e.g. Sorrell)
Busking and public speaking Modified to ban only in certain signed areas	Busker complaints regarding Main Road - outside shopping centre. However buskers are not especially widespread at present	Busker are sometimes enjoyed by the public and at other times not, often depending on quality. We must provide for the constitutional right of political communication - public speaking.	Could be dealt with by banning problem busking/speaking with signs. The main area of interest and nuisance will be the Northgate entrance. It is a low key issue presently, but due to the slowness in getting by-laws amended later, we recommend a by-law that provides for the power to impose signs restrictions before nuisances arise at a later time.	Ongoing issues regarding preaching involving HCC and LCC. They have provided a designated speakers corner and a permitting regime. Buskers are auditioned for quality in HCC and LCC. Less of an issue here due to lower pedestrian density.

Activity proscribed by previous and recent draft GCC by-law.	Known examples of past management issues/complaints	Consideration of policy needs and current policy requirements	Alternative enforcement options	Comparison with response by other Councils
Events in Parks - Old draft was to require permits for a private function, party, reception, dinner, presentation, public display, assembly, concert, or similar occasion in which more than 30 people are present. <i>Modified – relaxed due to the lack of reported issues</i>	Proscription will be modified to require permits for events of 150 people(sporting events 50 people), to harmonise with our draft events policy	The policy can further exempt from permits a speakers corner, busking zone, or allow for other large activities of a routine 'family' or 'social' nature.	Issues that arise at smaller events can be dealt with as e.g. as directions in relation to a noise nuisance.	A draft policy is being prepared for events.
Hunting and possession of hunting equipment <i>Modified - Now part of trimmed "interfere" and "possession" penalty</i>	Wellington Park/Tolosa Park issues on an ongoing basis.	Needs to be banned for safety and environmental reasons.	Use of the items will often be illegal anyway under reserve protection laws or gun laws but Council officers are not authorised under these Acts and may be 'first responders'. This will allow us to eject people caught with hunting items in parks, where they may not have been 'caught in the act' of using them.	
Gardens on our land. <i>Modified – can be permitted by an approved policy</i>	Most of the foreshore, around certain reserves eg. Poimena	Public use of naturestrips, etc, have benefits in suitable areas. The by-law needs to invite permit applications. Risks damage to vulnerable species and road sightlines.	This is a common law encroachment already, but the by-law will more clearly prescribe the permissible approach. A public gardening policy is in draft. s.30(2)(c) LGHA could be used to remove illegal gardens at our cost, but it has no power to fine repeat offenders. We have limited powers under s.39(2) LGHA to restore line of sight views on a highway.	Other council's like LCC will permit gardens in areas like naturestrips under prescribed policy conditions. The By-law will simply support a detailed policy. A policy is being drafted.

Activity proscribed by previous and recent draft GCC by-law.	Known examples of past management issues/complaints	Consideration of policy needs and current policy requirements	Alternative enforcement options	Comparison with response by other Councils
Camping <i>modified provides for areas to be signed 'no camping', with a defence of homelessness if fines are issued.</i>	Issues at Innovation Drive Reserve, Dowsing Point, Windermere Bay, Wellington Park, Prince of Wales Bay	Homelessness – we can provide for a homelessness defence with the onus on the person to establish this is the case.	The by-law will need to provide for a clear power of refusal where person is not eligible and is camping in a public place. If not controlled issues of public health, damage to vegetation, litter and animal management, unsightliness and obstruction to public amenity (e.g. blocking paths or access to public facilities) would need to be separately managed as nuisance issues under existing powers, which do not have a homelessness defence. We can provide for a homelessness policy separate from this process if this is not seen as an adequate control.	The HCC by-law has a statement, that excludes homeless persons from prosecution for camping, this is very broadly defined and would make action against anyone, homeless or not, very difficult. HCC also has a general power to declare an area closed or to set restrictions on camping in an area generally. This might be a preferable approach.
Cycleways <i>deleted</i>	Past issues with breaking glass on cycleway. Cyclist complaints that dog walkers obstruct the path and complaints from dog owners about cyclists.	A By-law provision is not required - existing provisions appear to be adequate if enforced.	Broken glass- Can use the Litter Act. GCC Dog management policy already makes the cycleway a restricted area and this is backed up by S.23 of the Dog Control Act.	HCC imposes the Road Rules in full on the cycleway, which seems confusing and more than is required.
Fires outside designated fireplaces <i>Modified, part of a trimmed "interfere" penalty"</i>	Fires have been lit in Jim Bacon Reserve, Amy St, Polmena Rve – some arson.	Fires needs to be prohibited.	In some circumstances it may be a criminal offence, but by-law allows for immediate intervention by Council officers.	Generally banned in other similar Council by-laws

Activity proscribed by previous and recent draft GCC by-law.	Known examples of past management issues/complaints	Consideration of policy needs and current policy requirements	Alternative enforcement options	Comparison with response by other Councils
<p>Unauthorised excavations</p> <p>Parking on a road of a Vehicle, plant or other equipment used to carry out work</p> <p><i>Retained and Modified</i></p>	<p>Utilities damaging infrastructure during works and creating uneven footpaths. Leaving unsealed gravel.</p> <p>-Construction vehicles damaging new paths.</p> <p>-Long term parking on naturestrip (e.g. cars for sale) damaging buried pipes</p>	<p>Ongoing problem. All works in the roadway need a permit.</p> <p>This might benefit from a future published policy, we currently have a set of works standards we send to applicant utilities.</p>	<p>The By-law is needed to support the permitting powers allowed for in the LG (Highways) Act s. 46(1) "A corporation may, in accordance with its by-laws, grant a person written permission to do any one or more of the following things on such conditions and for such consideration as the corporation, either generally or in a particular case, determines". [It then lists matters like break up the pavement, excavation, install, infrastructure, erect scaffolding on a local highway.]</p>	<p>Common across all Councils to have conditions on utility access and requirements to prevent damage, or even pay bonds.</p> <p>Some utilities have legal exemptions from seeking roadways approvals, although their powers are often not as broadly expressed as they tend to assert.</p>
<p>Placing of objects such as goods, Vehicle parts, shipping containers, skip bins</p> <p><i>retained</i></p>	<p>Frequent issues:</p> <p>-Boat chained to pole (not a vehicle so can't be managed under current laws.)</p> <p>-Also dumping in Goat Hills/Wellington Park.</p> <p>- Current issue with container causing runoff nuisance to neighbours.</p> <p>-Containers for works sites placed on Council land obstructing</p>		<p>General obstruction of roadway, LG Highways Act powers are too restricted.</p> <p>S.45 mainly relates to cars, car parts, trailers and dead animals and is limited by requirement to prove article is "abandoned"</p> <p>S.98 LGHA –prevents the obstruction of marked parking spaces only, a rare occurrence compared to more general road obstruction.</p>	<p>By-law helpful to clearly express our desire not to have roads and Council land used as free storage space, particularly where that is a hazard.</p>

Activity proscribed by previous and recent draft GCC by-law.	Known examples of past management issues/complaints	Consideration of policy needs and current policy requirements	Alternative enforcement options	Comparison with response by other Councils
	naturestrip. Other municipalities have had issues with containers permanently placed on the naturestrip affecting drainage, sightlines and creating maintenance issues.		S.43 Traffic Act this is potentially the most useful. Limitations – not for vehicles, complicated disposal requirements, we can only take the article at our cost, no fine to discourage it from being repeated. (we have to get a special delegation from Transport Commission to use it as well).	
Soil on roads <i>Modified, Now part of "interfere" penalty"</i>	Coach Road – trail bikes and wood hookers Construction projects. Whitestone complaints		LG Highway Act powers are too limited.	
Illegal tracks <i>Deleted</i>	Amy Street, getting unauthorised access into back fences through our reserves.		Cutting tracks and making gates could be part of a more general prohibition on damaging parks.	
Blocking a footpath <i>retained</i>	Mostly goods for sale, traffic hazard and risk to pedestrians.		LG Highways Act powers too restricted	
Unauthorised signs <i>deleted</i>	Usually roadside sellers but also large signs erect on awnings that are a hazard to traffic, trailer signs parked on roadside also distracting.	This only duplicates a power already held over State Highways A restriction also supports the Roadside Directional Signs" policy and the	We can remove billboard structures under <i>Building and Miscellaneous Provisions Act 1993</i> but at our cost. S.52 LGHA prescribes signs that obstruct the highway that are placed against or in front of a building (assumedly intended to refer to the	HCC provides for explicit exceptions for certain small CBD signboards outside shops then requires other to have permits.

Activity proscribed by previous and recent draft GCC by-law.	Known examples of past management issues/complaints	Consideration of policy needs and current policy requirements	Alternative enforcement options	Comparison with response by other Councils
	Concerns about overlaps with LUPAA restrictions	"Advertising Devices on Council Property" policy. Allows for a clear power of refusal and on-the-spot deterrence. However, also restricted by LUPAA	owners building). It only allows for removal at our cost (with compensation) after notice so it is not for emergencies. Predominantly used for overhanging awnings and signs and items of that nature. Could be enforced in some cases with s.201 LGA general nuisance emergency powers. Can be handled as a LUPAA enforcement issue. Language of alternatives is unnecessarily restrictive.	HCC By-law bans all roadside vending and other commercial activity except in designated areas. We can also develop policies for these to make up a permit regime including items exempt from permitting.
Handbill, notice, placard, pamphlet <i>deleted</i>	DEC – petition posted around Montrose Bay and Wilkinsons Point	Has only created limited issues. In essence it is a form of temporary graffiti or littering.	Covered under Litter Act	
Damaging vegetation <i>Modified, Now part of "interfere" penalty"</i>	Foreshore reserve between Connewarre Bay and Windermere Bay	Ongoing issues in all Council areas with vandalism and cutting of trees to enhance views, causing environmental damage. Supports tree management policy principles		

Activity proscribed by previous and recent draft GCC by-law.	Known examples of past management issues/complaints	Consideration of policy needs and current policy requirements	Alternative enforcement options	Comparison with response by other Councils
Blocking waterways <i>retained</i>	Ongoing issues with works in waterways, dumping in waterways and undermining of opposite banks with obstructions and illegal retaining works.	Urban Drain Act has no infringement notice powers and is not very useful. It requires expensive court action which is often excessive as a first response.		
Take water from a Park <i>modified. Now part of "interfere" penalty</i>	<i>No issues reported</i>		Can be part of general interference with parks	
Harm or disturb any Wildlife. <i>Modified, Now part of "interfere" penalty</i>	Wellington Park/Tolosa Park	State legislation doesn't provide for freedom from disturbance other than by closing access, e.g. nesting sites. In some scenarios it may be a dog control or hunting matter.	Can be part of general interference with parks	
Unlawful discharge of materials such as stormwater, wastewater, groundwater, Vehicle coolant, lubricants, <i>Modified, Now part of "interfere" penalty</i>	Around Gould's Lagoon. Also elsewhere issues with cement, silicon dust and coolants dumped into sediment pits and the rivulet.	EMPCA Support the principles in the Soil & Water Management Policy 2009	Stormwater and soils as natural runoff are not really a pollutant so need separate nuisance powers	

Activity proscribed by previous and recent draft GCC by-law.	Known examples of past management issues/complaints	Consideration of policy needs and current policy requirements	Alternative enforcement options	Comparison with response by other Councils
Mobile food vans, footpath dining areas <i>retained</i>	Montrose Bay, DEC car park. We also want to the power to approve mobile food vans in an event precinct which is currently restricted by the planning scheme.	We need a permitting policy	Food vans restricted in the areas where we might want them by the planning scheme, and not restricted as much as we may wish in other locations.	The HCC allows for the "Franko's" event in Franklin Square, LCC a similar area on Windmill Hill. Has issues with crowd control, franchisee payment towards charges, access to utilities.

Results of Preliminary Consultation
Proposed Public Places and Infrastructure By-Law No.1 of 2020

Concerns	Details of concern	Response
Tas Police		
Capitalisation of words	The words were not proper nouns	This is an accepted legal drafting convention for defined terms.
Typos and inconsistent words - various		Errors rectified
Dictionary – “Aircraft”	Definition is broad, presumed this was intended to deal with drones only	GCC has had issues with aircraft from drones to helicopters and the by-law supports an existing policy. CASA has limited ‘on-the-spot’ enforcement resources.
Dictionary – “Authorised Person”	Too broad, should be restricted to “enforcement officers and other qualified staff”	Agreed: Modified to define as staff who have been assigned duties related to compliance with legislation and Council policies. As the intent is to mainly use the by-law persuasively by staff ‘on the spot’, this does not need to be more narrowly defined.
Dictionary – “Interfere” too broad	Concern this will overlap with the criminal law.	Damage to council infrastructure is not necessarily a criminal offence, and it isn’t directed to criminal intent. An example is a backhoe doing negligent work without a permit. “Interfere” is heavily directed at roadworks, obstructions placed on Council land, discharge of substances, and other general nuisances. While the definition can be used to define an offence, the definition also triggers the general need for a permit. Some of these ‘nuisances’ and ‘damage’ can be permitted which wouldn’t be the case if the clause was primarily directed at a criminal activity.

Concerns	Details of concern	Response
Dictionary – “Interfere” too broad	Concern discharge offences will overlap with the <i>Environmental Management Pollution Control Act</i> (EPBCA).	Council Environmental health Officers are already authorised under this EPBCA Act but for Class 1 nuisance activity and “pollutants”. It is not directed at standards for roads and infrastructure. Those definitions and the existing offences in highways legislation are not adapted to easy remedies for unsightly items and other low level nuisances e.g. cleaning up dropped soil on a road from a development.
Dictionary – “Interfere” too broad	Concern this will overlap with the Wildlife and other existing water legislation.	Agreed: Clause (d) of definition deleted
Clause 8 – trespass	Needs to add “without reasonable excuse”	Modify: this is implied into any offence. The usual form of expression is e.g. “a person who enters any private place or specified public place without authority or lawful excuse commits an offence, unless they entered it for a legitimate purpose”. We can further amend.
Clause 9 - possession of items	Concern about broad scope of coverage including reserve, bushland, esplanade, public open space.	Amended: The by-law is directed at Aircraft, poisonous baits, Hunting Equipment, woodcutting implements. The intent is to warn off/move on people loitering but not actually caught in the act of a nuisance like hunting or lopping trees. The activity can be permitted with any written instrument like a letter if it is appropriate in what is a largely intensive urban municipality. Agreed that this should not cover police or emergency services. Overlaps with police offences. Firearms Act
Clause 12 – exemptions for emergency workers	Better to say “while acting in the ordinary course of their employment”	Agreed, but SES, Tas Fire and other services rely on volunteers, so amended to also cover this, “while acting in the ordinary course of their employment, or acting in the role of an emergency services volunteer”.

Concerns	Details of concern	Response
Clause 15 (b)- offence of obstruction	Obstruction duplicates an existing offence "largely replicates section 34B(2) of the Police Offences Act 1935"	Agreed: Deleted
Clause 16 (2) – service of infringements	Use of unnecessary restriction on service	Agreed: Deleted
Recent Internal representations		
GCC Engineering Services	Rosetta landslip – Recently a bore hole was fenced off and access restricted by an owner. The titles to the land do not grant rights of entry or powers to maintain landslip control infrastructure, and it is not clear that the Urban Drainage Act or Local Government Act allows for widescale geotechnical inspections across a watershed. We need to do test, maintain bore holes and in-ground pumps in landslip areas.	<p>The addition of "Flood Catchment Management" into the By-law can be adapted to address this by adding: "(c) obstructing inspections or other control measures intended to deal with risks to life and property in a Riparian Area."</p> <p>The Definition "Riparian Area" could explicitly include the Rosetta landslip area, while still allowing for future proclamations of this type.</p> <p>Making landslip management an explicit function of Council would remove debate about the applicability of the Local Government Act power of entry</p> <p>20A. Powers of entry</p> <p>(1) In order that a council may perform its functions or exercise its powers under this or any other Act, the general manager may authorise a person to enter land for a specific purpose or in general.</p>
Customer services/enforcement officers	Requested an enhanced obstruction offence.	See TasPol comments Clause 15 as their comments was sought on this change. This will overlap with an existing provision, Proposed amendment deleted.

TasNetworks		
Need for permits	Concerns primarily related to the impact on their right to perform work of "minor environmental impact" under Section 52(5) of the <i>Electricity Supply Industry Act</i> without needing a permit	By-Law 12(1) – no permit is required where "...the activity is otherwise authorised under an Act without the person requiring the agreement of Council". The draft By-law is not directed at and will not alter TasNetwork's existing rights

Tasmania Police Response
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9 June 2020

Mr Michael Jacques
Senior Legal Counsel
Glenorchy City Council
PO Box 103
GLENORCHY TAS 7010

Dear Mr Jacques,

Glenorchy City Council draft *Public Places and Infrastructure By-Law 2020*

Thank you for the opportunity to comment on the proposed *Public Places and Infrastructure By-Law 2020*. The proposed by-law has been reviewed by the Legislation Development and Review Services area of the Department, which makes the following observations.

General

It was observed the draft by-law contains extensive capitalisation of the first letter of certain words that are not proper nouns and so do not require capitalisation. 'Permit', 'Park', 'Riparian Area', 'By-law' being some examples. These should begin with lower case letters.

Clause 2 – Dictionary

Several of the definitions in the dictionary appear to be very broad, which may result in unintended consequences. Some potential issues are identified below, while others are addressed in the offence provision to which the definition relates.

Aircraft – the definition of 'aircraft' is broad. It could apply to an aeroplane, drone, model plane, hang glider, or even to a paper plane. Presumably the definition is included to deal with concerns about the usage of drones and similar aircraft, and consequently may benefit to being limited to these types of aircraft.

Authorised person – the definition of 'authorised person' includes every employee of the Glenorchy City Council. This gives every employee of the council the authority to issue directions under the by-law that should more properly be restricted to enforcement officers or other qualified staff.

Interfere – the definition of 'interfere' provides such broad coverage that its use will undoubtedly duplicate other areas of criminal law. Such duplication of the substantive law of the state should be avoided wherever possible.

For example, paragraph (b) includes '*damage, alter or remove Council infrastructure*', conduct that is largely provided for in section 37 of the *Police Offences Act 1935*, which creates the offence of unlawful injury to property.

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The reference to 'discharge or dump materials (such as excessive amounts of water, soil or pollutants)' will undoubtedly overlap with a number of offences across several acts, including sections 50, 51, 51A, 51B and 53 of the *Environmental Management and Pollution Control Act 1994*, which create offences relating to the discharging or dumping of waste into the environment. The *Pollution of Waters by Oil and Noxious Substances Act 1987* also creates numerous offences to do with the discharge of pollutants.

A further issue is whether you are seeking to restrict 'discharge or dump of materials' by the descriptors in the parenthesis to water, soil or pollutants? Dumping materials, if not limited, would overlap with provisions of the *Litter Act 2007*, which creates littering offences under section 9.

The inclusion of 'carry out other harmful activities (including, lighting fires, intentionally harming wildlife or their habitat, taking water,' similarly overlaps with other legislation. For example, the *Wildlife (General) Regulations 2010* and *Animal Welfare Act 1993* provide relevant offences regarding wildlife. Further, section 48 of the *Water Management Act 1999* sets out the conditions under which a person may take water and sections 51 and 52 create offences in relation to taking water.

There is also a minor typographical error in the numbering of the paragraphs in the definition, with (c) being repeated.

Riparian area – the definition of riparian area refers to 'a watercourse or public stormwater system as defined in the *Urban Drainage Act 2013*, however the language in the *Urban Drainage Act* is 'waterway' rather than 'watercourse'.

Wildlife – the definition of 'wildlife' refers to the *National Parks and Wildlife Act 1970*, which was repealed and replaced by the *National Parks and Reserves Management Act 2002*. This Act in turn depends on the *Nature Conservation Act 2002* for its definition of wildlife. Using this latter Act, the reference to not including 'domestic or farmed animals' is redundant, already being provided for in the definition.

Clause 7

Clause 7(2) contains a mistaken reference to 'subclause 6(1)' rather than 'subclause 7(1)'.

Clause 8

Clause 8, and its subclauses, should include that the conduct occur without reasonable excuse, similar to the offence of trespass in section 14B of the *Police Offences Act 1935*. In its current form, the offence provisions are absolute and would prevent a council employee of emergency service worker from entering a closed area without a permit (issues with the permit exemption for emergency service workers are addressed in the comments on clause 12).

Clause 9

The ban on possession of certain items in a park provided for by clause 9 appears problematic given how broad the definition of park is. Given the definition includes any 'area of reserve, bushland, esplanade or other public open space', it effectively extends to much of the public areas within the municipality. As such, a ban on simple possession, rather than use of certain items, appears to be an overreach.

The total ban on the possession of an aircraft in a park is one example of this, again noting the broad definition of aircraft. While the council may be desirous of limiting the use of drones, and similar

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aircraft, in certain locations, this should not extend to a blanket ban on possession in all open spaces within the municipality.

CASA rules already address issues of public safety and do not permit the use of drones in a variety of locations, including within 30 metres of other people. A blanket ban on the possession of drones in public spaces appears to be an unreasonable interference with a lawful recreation activity and may also interfere with legitimate business and government use of such aircraft. It would also be unreasonable to expect the public to be aware of this by-law, and a better approach would be to restrict the locations to which it applies by signage, which would also have the benefit of conveying information on the prohibition to the public.

Another example of the issue with the use of such broad definitions is that the provision effectively bans police officers from the public spaces it covers. The current ban includes the possession of hunting equipment, which in turn includes a firearm. As such, under the proposed by-law, a police officer would commit an offence if they were in one of these public spaces with a firearm (issues with the permit exemption for emergency service workers are addressed in the comments on clause 12).

Many of these provisions are also unnecessary given section 15C of the *Police Offences Act 1935* contains provisions prohibiting the possessions of dangerous articles (weapons) in public places and that firearms are also extensively regulated under the *Firearms Act 1996*.

Clause 12

Subclause 12(2) seeks to exempt emergency services personnel from requiring permits to engage in activities otherwise prohibited by the by-law. However, it currently requires the emergency services worker to be in the performance of their 'statutory duties', which is an extremely narrow limit.

Much of the work undertaken by emergency services is without need for any legislative authority, and where there is legislation, it usually provides an authority that enables the emergency worker to perform their role. Conversely a statutory duty is not an enabling provision, but a requirement to undertake a particular duty – for example, police officers have a duty to execute a power of arrest in certain circumstances, but such requirements are extremely rare.

As a consequence, rather than restricting the permit exemption to where emergency services personnel are in the performance of their statutory duties, it would be more appropriate for the exemption to apply while they are acting in the ordinary course of their employment.

Clause 15

Subclause 15(3) is a significant power for a by-law, giving an authorised person unlimited power to make conditions and requirements in such time periods as they determine. The conditions, requirements and time period need to be made with reference to their reasonableness in securing the cessation of the activity which constitutes a breach; or preventing or remedying the breach. This is especially true when the current definition of authorised person extends to every employee of the council.

It is also noted that subclause 15(5)(b) largely replicates section 34B(2) of the *Police Offences Act 1935*, which extends to public officers.

Clause 16

The need for subclause 16(2) to include the words 'and is to be given in accordance with section 29AB(1)(a) of the *Acts Interpretation Act 1931*' is questioned, as it appears unnecessary. It also excludes the option for the council to serve an infringement notice electronically, as per section 30A of the Act.

Thank you again for the opportunity to comment. Should you have any queries with regard to the above matters, the appropriate contact officer within my department is Ms Lucy Smejkal, who can be contacted on (03) 6173 2416 or by email at lucy.smejkal@dpfem.tas.gov.au.

Yours sincerely



Scott Tilyard
Deputy Commissioner

> Integrity > Equity > Accountability

TasNetworks Response

18 June 2020

Michael Jacques
Glenorchy City Council
PO Box 103
Glenorchy TAS 7009

By Email: Michael.Jacques@gcc.tas.gov.au

Dear Michael

Glenorchy City Council – Proposed Public Places and Infrastructure By-law No. 1 of 2020

Thank you for the opportunity to comment on the abovementioned by-laws.

It is TasNetworks' position that we are entitled to carry out works on public land without the need to obtain a permit where the work is classified by the regulations as being of minor environmental impact. This is because section 52(5) of the Electricity Supply Industry Act 1995 (the Act) provides that where works proposed under section 52 are a kind classified by the regulations as being of minor environmental impact then the responsible authority's agreement to such works are presumed.

Regulation 8 of the Electricity Supply Industry Regulations 2018 provides a number of works that are classified as minor environmental impact that includes the installation and maintenance of powerlines as well as the clearing or lopping of trees and vegetation.

If it were not for the presumed agreement granted to TasNetworks by way of section 52 of the Act, TasNetworks would be required to obtain a permit from the GCC to comply with the proposed Public Places and Infrastructure By-law No 1. of 2020 as this By-law prohibits certain works from being undertaken without a permit.

We note that some of the definitions (specifically Interfere) and part 2 of the by-laws, if applicable to TasNetworks would present issues.

If it is the intention of the Council for the proposed by-laws to introduce obligations that are additional to those TasNetworks is granted by the presumed agreement under the Act, it would be our strong preference that the by-laws provide either an exemption or a similar presumed agreement to that set out in the Act.

Please do not hesitate to contact me if you wish to discuss the contents of this letter.

Yours sincerely



Burcu Clayton
Corporate Counsel

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PO Box 606, Moonah TAS 7008



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PO Box 606
Moonah TAS 7009



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Our Commitment to you...



At Glenorchy City Council we are committed to our community and to giving our customers outstanding service.

This Customer Service Charter outlines how we will endeavour to serve you and what you can do if you believe we have not delivered to those standards. We look forward to serving you well!

Council's Vision, Mission and Values

Our Vision

We are a proud city; a city of arts; of opportunity; of partnerships; a city that makes exciting things happen.

Our Mission

Glenorchy City Council will be a leader in local government, representing its local community and ensuring best value services.

Our Values

People: We believe that each person is equal and has a positive contribution to make. The rights and opinions of all are heard, valued and respected.

Diversity: We value differences that enrich our community and the positive contributions everyone can make in improving the quality of community life.

Progress: We value innovation, flexibility and imagination in building a better and sustainable community.

Prosperity: We commit ourselves to achieving social and economic prosperity for all.



We value all customers to GCC and we will:

- Greet you in a friendly way
- Treat you with respect, courtesy and professionalism
- Be helpful, sensitive and listen to your needs
- Answer your telephone call on average within a minute
- Provide you a counter service time that is as efficient as possible, with minimal waiting times
- Answer your telephone message before the end of the following working day
- Action or acknowledge your letters or emails within 10 working days

How you can help us to help you:

- Treat our staff with mutual respect
- Respect the privacy and rights of other community members
- Give us accurate and complete information to work with
- Work with us to solve problems
- Give us feedback on how we can continue to improve our service

How do you make a request or suggestion?

A service request is made when you would like action taken on an issue in our municipality. For example a pothole in the road that needs repair, a missed waste bin collection or why that dog keeps barking. We welcome any of your requests or suggestions. Council will track your request and will pass it onto the relevant department for action.



How do you make a complaint?

A complaint is if you are not satisfied with a service you have received. We will treat all complaints seriously, confidentially and in a professional manner. You can make a complaint face to face over the counter, by telephone or in writing (by email or letter).

What does Council do with a complaint?

We will register your complaint and send it to the relevant department for investigation. We will make sure we act on or acknowledge your complaint by phone or in writing within ten working days. While most issues can be fixed quickly, some may take time. We will keep you informed about the progress of your complaint if it is likely to take longer to investigate.

What if you are not happy?

We are confident that most complaints will be fixed quickly. However, if you are not happy with the outcome of a complaint you may write to the General Manager of Glenorchy City Council and ask for the matter to be reviewed.

Reporting of complaints

The General Manager will provide an annual report to Council on the number and nature of complaints received as required under section 339F of the Local Government Act 1993.



What do you do if you are still not happy?

If you are still not happy with the result after the General Manager's review, you have the right to seek an external review from an outside agency. Agencies that may be able to assist are:

- **Ombudsman Tasmania**
L6, NAB House, 86 Collins St, Hobart TAS 7000
Post: GPO Box 960, Hobart TAS 7001
Ph: (03) 6166 4566 or 1800 001 170
E: ombudsman@ombudsman.tas.gov.au
- **Equal Opportunity Tasmania - The Office of the Anti-discrimination Commissioner**
Level 1, 54 Victoria Street, Hobart 7000
Ph: (03) 6165 7515
E: office@equalopportunity.tas.gov.au
- **The Director, Local Government Division**
Level 5, 15 Murray Street, Hobart 7000
Ph: (03) 6232 7022
E: lgd@dpac.tas.gov.au

How to talk to us:

- In person at 374 Main Road Glenorchy Mon-Fri 8:30am - 5:00pm
- By phone (03) 6216 6800 Mon-Fri 8:30am - 5:00pm
- Translating and Interpreting Service (TIS) is available in person or by phone
- By email to gccmail@gcc.tas.gov.au
- By letter to PO Box 103 Glenorchy TAS 7010
- Via Council's website at www.gcc.tas.gov.au



Glenorchy City Council
Service Levels



Animal Management

Activity	Response Time
Response to medium priority animal complaints – general animal noise, straying, and other nuisances	4 business days or earlier
Finalisation of medium priority animal complaints	15 business days
Response to high priority animal complaints – animal attacks	3 business days or earlier
Finalisation of high priority animal complaints	15 business days
Response to animals currently roaming or being contained	2 hours or earlier
Response to scene of dog attack and livestock on highways (24/7)	1.5 hours or earlier
Finalisation of Notice of Complaint investigation	30 business days

Building

Activity	Response Time
Period in which to grant a Building Permit application	7 days or agreed period
Process a 337 Certificate	10 business days

Bus Interchange Maintenance

Activity	Defect Intervention Level	Maintenance Criteria	Category	Response Time
Oil leak damage to paved area	Inspect, assess risk and hazard	Repair and rectify any damage caused to the station occasioned by such oil leaks	Non-Metro vehicles	1 day

Bus Interchange Maintenance continued...				
Activity	Defect Intervention Level	Maintenance Criteria	Category	Response Time
Clean up litter	Inspect and assess amount and type	Remove litter	General area (not within shelters)	Daily
Damage caused by Metro	Inspect, assess risk and hazard	Make site safe	Make safe	1 day
		Repair and rectify any damage caused to the station	Full repair	14 days
Vandalism	Inspect, assess risk and hazard	Make site safe	Make safe	1 day
		Repair and rectify any damage caused to the station	Full repair	15 days
Repair or replace lighting	Inspect on regular audits and organise remedial works on defects	Repair as required	Shelters	30 days
Footpaths	Footpath has trip hazard > 15mm step	Re-lay pavers or infill with concrete	Paved footpaths	30 days
Footpath pavement cleaning	When fallen debris or slippery substances becomes a danger to pedestrians	Remove debris and high pressure clean	Paved footpaths	1 day
Road pavement damage	Inspect, assess risk and hazard	Re-lay pavers	Road surface	30 days
Empty litter and butt bins	Daily excluding Sunday	Empty bins on a regular schedule	Fixed litter and butt bins	Daily
Road and footpath sweeping	Daily inspections excluding Saturday and Sunday	Sweep road on a regular schedule excluding Sunday	Road	Daily

Corporate Services

Activity	Response Time
Process 132 Certificate	5 business days
Pay accounts	Due date
Acknowledge receipt of job applications	2 business days

Council's Commitments

Activity	Response Time
Answer your phone call	Average less than 1 minute
Return phone calls	By the end of the next business day
Respond to general correspondence	5 business days
Respond to a complaint	10 business days

Parking Compliance

Activity	Response Time
Response and removal time of non-urgent abandoned vehicle – not immediate traffic or safety hazard <i>*subject to Tasmanian Police declaration and towing contractor availability</i>	10 business days or earlier*
Response and removal time of urgent abandoned vehicle – causing immediate traffic or safety hazard <i>*subject to Tasmanian Police declaration and towing contractor availability</i>	As soon as possible*

Planning

Activity	Response Time
Determine a valid 'permitted' Planning Application	28 days
Determine a valid 'discretionary' Planning Application	42 days

Plumbing

Activity	Response Time
Period in which to grant or refuse a Plumbing Permit Application	7 days or agreed period
Period in which to grant or refuse a Certificate of Likely Compliance Notifiable Plumbing	14 days or agreed period
Period in which to grant or refuse a Certificate of Likely Compliance Permit Plumbing work	21 days
Period in which to inspect plumbing work	1 day after notification

Parks and Recreation				
Activity	Defect Intervention Level	Maintenance Criteria	Category	Response Time
Tree trimming or removal	Reported or noted during inspection	Work practices subject to Aust. Std. Pruning of Amenity Trees Remove limbs/tree if required Dispose of waste material	Emergency	1 day
			High	5 day
			Medium	14 days
			Low	30 days
Brush cutting	3 monthly inspections carried out as part of maintenance schedule As reported	Brush cut only in designated areas with appropriate plant	High	10 days
			Medium	20 days
			Low	30 days
Fences and gates	Reported or noted during inspections	Repair or replace as required	High	2-3 days
			Medium	10 days
			Low	20 days
Weed spraying	Reported All areas done at least twice yearly	Spray fence lines Broad leaf turf areas	High	10 days
			Medium	20 days
			Low	60 days
Vandalism	Reported	Carry out works to make site safe temporarily or permanent repair if possible Respond to any other directions from the GCC, initiate permanent repair	High	1 day
			Medium	5 days
			Low	10 days
Public Toilets	Reported or noted during inspections	Isolate any potential hazards and repair or replace as required	High	< 1 day
			Medium	2 days
Playgrounds	Reported or noted during inspections	Repair damage to equipment or replace as required	High	1 day
			Medium	5 days
			Low	180 days

Road Maintenance				
Activity	Defect Intervention Level	Maintenance Criteria	Category	Response Time
Potholes / patching	Failed area < 100 sq. m exhibiting major deformation and extreme severity crocodile cracking Potholes > 500mm wide and/or > 50mm deep	Dig-out pavement and patch existing surface with asphalt	Main Road	15 days
			Collector	15 days
			Residential	15 days
			Rural	30 days
Repair / replace sign	Sign missing or damaged	Reinstate sign, replace if badly damaged	Regulatory and Warning	15 days
			Street name signs	15 days
Dead animal pick-up	Multiple carcasses or large animal on road (excludes domestic animals)	Dispose of carcass	All	1 day
Clean up litter	Inspect and assess amount and type	Remove litter	Main Road	15 days
			Collector	15 days
			Residential / Rural	15 days
			Open Space	15 days

Stormwater Maintenance				
Activity	Defect Intervention Level	Maintenance Criteria	Category	Response Time
Creek vegetation control	As required by the Environmental Conditions		Urgent Issues	15 days
			All others	Up to 3 months
Clear blocked main or pit	Blocked line reported by incident or inspected through CCTV inspection	Remove blockages by using GCC equipment or Contract drain cleaner / root cutter etc.	If flooding property	1 day
			If flooding roadside	15 day
			If not damaging assets / hazard	15 days
Repair pit or grate / lid	Repair broken pit lid	Remove broken surround and replace with new	Make safe / repair	15 days

Waste Management	
Activity	Response Time
Collect household garbage and recycling (standard service)	Fortnightly
Collect household garbage and recycling (shared service for units)	Weekly
Missed bin requests	Same day as service was to be provided, or as soon as practical thereafter
Repair, replace damaged bins or allocate new bins	Within 1 week of notification
Public litter bin collections High impact areas: CBD, Moonah, Glenorchy, Claremont	Daily
Public litter bin collections Low impact areas: Parks, Reserves, Bike track	Weekly
Public litter bin - repair or replace damaged bins	12 business days
General waste enquiries	Respond within 5 business days or earlier

Safety	
Activity	Response Time
Reported safety hazard	Assessed and made safe as soon as possible

Environmental Health	
Activity	Response Time
Respond to reported issue	2 business days
Issue licence following lodgement of valid application	5 business days

Glenorchy City Council

QUARTERLY REPORT

FOURTH QUARTER, 2019-20

Quarter
ending
30 JUNE
2020



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Strategic and Operational Highlights

I am pleased to present Glenorchy City Council's quarterly report for the fourth quarter of 2020.

In my third quarter report, I noted that the impacts of COVID-19 on the Glenorchy community and our Council were only just beginning to be felt. It's safe to say that our fourth quarter, and indeed the entire financial year, has been dominated by managing our Council's response to the pandemic.


This has required a considerable amount of effort, both operationally, to ensure that Council was continuing to provide essential services to the community, and strategically, to manage the economic and social impacts on our municipality and ensure that Council's financial position remained sustainable and we were able to recover from the disruption.

I am pleased to report that while there was an initial shift in focus in some areas of Council to manage the day to day changes necessitated by large amounts of staff working from home and the need to ensure safety, key projects and programs continued to be progressed and there was minimal service disruption to our ratepayers. Our initial focus in our pandemic response was to ensure the wellbeing of our community members and the health and safety of Council's staff.

Early in the pandemic period, Council passed the COVID-19 Community Assistance Package, which offered financial support to ratepayers and businesses directly affected by the COVID restrictions. Internally, we were forced to activate our business continuity plan, which included splitting and relocating teams to the Derwent Entertainment Centre and Moonah Arts Centre and making provision for other staff to work remotely. Another key focus from the beginning of the pandemic was the shift in focus of our annual budget, which was at an advanced stage, but required a considerable change in direction. It became evident in early April that our forecast budget surplus would not be achieved and that the need to increase spending on economic stimulus measures, along with a large hit to our revenue, meant that a substantial deficit was inevitable. Further details of our 2019/20 budget are provided below.

As we moved closer to announcing our budget and as COVID restrictions began to ease, we moved from an emergency response mode to the development and actioning of our economic stimulus projects, and changes to our capital works program, to give our economy the best chance of recovery. A large part of our forecast budget deficit of \$9.6 million for the next financial year is taken up by a \$5m interest free loan from the Tasmanian Government, which will be spent exclusively on projects to stimulate our economy and other capital works projects.

Throughout all of this, Council continued to deliver key services to the community. Roads and footpaths were maintained, planning and building applications were assessed, environmental health regulations were monitored and enforced, and our Customer Service Team continued to be available to assist community members. I am immensely proud of the collective effort of our staff and Aldermen, to keep Council functioning with an eye on the future, and particularly of the resilience that our workforce, and our community, has shown throughout such a trying and unprecedented time.



This report gives a more detailed overview of our response, as well as how our 'business as usual' functions performed during the fourth quarter. Whilst the year didn't finish in a way that anyone could have predicted, I remain comfortable and optimistic about Glenorchy's immediate future, and am excited about what we can achieve in the months and years to come.

COVID-19 Community Assistance Packages

In the last quarterly report, I provided details of the Interim Community Assistance Package adopted by Council during a Special Council Meeting in March. At a further special council meeting on 18 May 2020, Council introduced its COVID-19 Community Assistance Package for the 2020/21 financial year. The package included:

- A zero bill increase on 2020/21 rates bills for all Glenorchy ratepayers through introduction of a COVID-19 Rate Relief Rebate for the 2020/21 year
- Specific COVID-19 financial hardship guidelines to streamline applications for relief on rates and charges under Council's hardship policy
- Deferral of penalties and interest on overdue rates incurred during the COVID-19 emergency period
- Waiver of rent for grassroots community and sporting organisations
- Partial waiver and/or deferral of commercial rents for eligible commercial tenants
- Community and e-commerce grants (discussed below)
- Additional business support measures
- Stimulus projects (detailed earlier in this report)
- A faster payment cycle for supplier accounts.

Council's COVID-19 Financial Hardship Guidelines were revised and updated to include those suffering hardship as a result of the pandemic. Residents and ratepayers can apply for immediate relief in the form of waiver or deferral of Council fees, charges, penalties and interest. Provisions were also made for tenants of Council properties in the form of immediate rent relief.

Two rounds of quick-response grants aimed at small businesses and local community groups were released in June. The Small Business e-Commerce grant program provided funding to small business wanting to move their business online, and the cost associated with creating a website or accepting online payments. The Can-do Community Grants provided opportunities for local community groups to obtain funding of \$1000, to assist in delivering projects providing social inclusion and connection for our community.

The COVID-19 Community Assistance Package was incorporated into Council's 2020/21 budget.



2020/21 Budget

Council voted unanimously to adopt its budget for the 2020/21 financial year at a special meeting on Friday, 19 June. As noted above, the economic impacts of COVID-19 meant the budget forecasts a budget deficit of \$9.6 million.

Prior to COVID-19, Council was forecasting a modest budget surplus, however we were required to adjust the focus of the budget as the pandemic impacted more and more on Council's finances and the wider community.

The pillars of this year's budget are providing community assistance measures, through initiatives such as the COVID-19 Rate Relief Rebate (above) and increasing Council's capital expenditure through our Capital Works Program, and economic stimulus projects.

Council's priority in preparing the budget was to continue to deliver vital services to our community and to continue investing in programs to improve Glenorchy, and to set us up for a strong recovery from COVID.

The budget included an increased capital works budget of \$21.1 million – a \$7.1 million increase on last year. This includes \$3.4 million towards a range of economic recovery projects, such as developing a regional sport and recreation hub, relocation of the Southern City BMX Track to Tolosa Park, and works which will support strategic investment in tourism, retail and hospitality precincts in the City. It is also planned to spend \$2 million on road resurfacing across the city, and put an extra \$900,000 into the maintenance of our facilities, keeping local businesses in work.

Council's operational expenditure will be increased by \$1.6 million, to \$63.6 million, with almost all of that delivered in the form of COVID-19 community assistance measures, including \$1.5 million in operational spending towards Council's economic recovery projects such as Activity City, Green Shoots Glenorchy, as well as the development of the city's new Arts and Culture Strategy, and fostering a creative workforce hub.

Council is also spending \$1.9 million on the COVID-19 Rates Relief Rebate, which will ensure the amount our ratepayers pay for rates and charges stays the same as their last rates bill.

Our revenue will take an \$8 million hit as it combines the cost of delivering the rebate with other community assistance measures, such as reducing the rent on properties Council owns and waiving interest on overdue rates, as well as losing more than \$2.3 million it would normally receive from its stake in TasWater.

Whilst we are now looking at a forecast \$9.6 million deficit, we are confident we will ride out this storm and come back stronger than ever.

Derwent Entertainment Centre and Wilkinsons Point

As reported last quarter, a deal was reached at the end of February to sell the Derwent Entertainment Centre (DEC) and Wilkinsons Point area to the Tasmanian Government. Negotiations to finalise this deal were paused at the height of the pandemic, but all parties remained committed to the project, which took on extra significance given the investment in the area will now act as an important economic stimulus.

In early July, it was announced that the Tasmanian Government and LK Group had reached a deal to bring an NBL Team, based at the DEC, to Tasmania in the 2021-22 season. This will require a \$68.5 million investment by the Government in upgrading the DEC and will result in over \$200 million in infrastructure investment in our city.

Negotiations to finalise the sale of the DEC to the State Government continue, with settlement expected to occur some time in August 2020.

The DEC has been part of the GCC family for many years, and we will be sad to see it change hands. However, the trade-off is Glenorchy will receive a huge economic boost, with \$60 million of State Government investment in the upgrade of the DEC and a new indoor sports facility as well as the potential for a key strategic area of land to be developed. It will also free up more of Council's resources to focus on core services. I'd like to acknowledge the outstanding work done by our dedicated DEC Venue Manager, Renee Brown, and her deputy, Ben Gibbons over the past years. Under Renee and Ben's watch, and expertise, the DEC has had more success in recent years than it ever has, and, had attracted some major international acts, including Disney on Ice (which was unfortunately cancelled due to COVID). They have also shown amazing leadership for their staff as the sale was negotiated and progressed.

Economic Stimulus Projects

As part of Council's COVID-19 response, a decision was made to access \$5 million from the Tasmanian Government's local government interest free loan program to fund Council's COVID-19 Economic Recovery Program. The Program consists of the following projects.

- Activity City - a business support program and buy local campaign
- Greater Glenorchy Plan - planning for strategic investment in tourism, retail and hospitality
- City Scape - creating a vibrant city centre for Glenorchy
- Green-shoots in Glenorchy - a small business and start-up incubator
- Showcase - delivering an Arts and Culture Strategy and creative workforce hub
- Corridor of Modern Art - leveraging Glenorchy's arts and culture reputation through a public art trail and tourism asset
- Marine and Defence precinct and innovation - leveraging the marine and defence precinct
- Regional Sport and Recreation Hub

- Cycling Hub at Tolosa Park, and
- Making the Berriedale Peninsula Caravan Park development ready

Implementation of the majority of projects is already underway with City Scape and the Marine and Defence Precinct projects subject to further review by Council.

The Economic Recovery Program includes projects that will utilise both operating and capital expenditure, with the capital categorisation to be determined as project plans are developed and refined.

Activity City

In May, Council's Economic Development and City Strategy team actioned the first of the economic recovery projects, with the launch of the Activity City website and program.

Activity City (www.activitycity.com.au) is an online directory to showcase local Glenorchy businesses. The site includes information about accessing business grants, free advice and programs, as well as links to sources of government funding.

The Activity City initiative aims to provide a launchpad for local business and encourage the whole community to buy local. Retailers in our city employ more than two-thousand Glenorchy residents. Council staff have been contacting hundreds of local businesses encouraging them to sign up and have invested considerable time in marketing and promoting featured businesses through Council's social media channels.

Montrose and Giblin's Playspaces

Despite the disruption of the COVID pandemic, planning for the new destination playspaces at the Montrose Foreshore and Giblin's Reserve continued in earnest, with draft designs released for public comment in the middle of May 2020.

Due to COVID-19 the project team was forced to change the way they displayed the designs. The Social Pinpoint platform provided a popular interactive viewing space where the community could leave their feedback. The Mayor and the designers also provided additional support through short videos to explain the design concepts and encourage feedback from the community. Consultation on the draft designs closed at the beginning of June.

Final designs were expected to be presented at the June Council meeting however the timeline was extended as designers navigated more complex design elements that were identified during community consultation. The custom designs, which champion inclusive and accessible play, require further technical scrutiny before the final designs are released.

The final designs are expected to be presented at the September Council meeting for approval. Once the designs are approved the project team will submit development applications and begin the procurement process with construction estimated to begin in early 2021.

CBD Revitalisation Project

Stage 3B of the Glenorchy CBD Revitalisation Project was officially concluded in early May, with works on the final stage, Stage 3C, beginning on 11 May 2020. All works to date have been completed within estimated time frames and on budget.

The final stage was able to commence a month earlier than anticipated. During the fourth quarter, work on Stage 3C identified further complexities which added additional difficulty to the build. This included the location of retaining walls and underground services, the presence of trees and other road alignment issues. As a result, the works are now expected to be finished in November 2021, slightly later than originally planned.

Stage 3C of the project will include:

- Another raised table intersection at Regina Street and Main Road allowing safer pedestrian access
- A raised table pedestrian crossing at Main Road and Barry Street intersection
- New garden beds, seating, steps and access ramps
- Further tree plantings and safety bollards to be installed
- Removal and relocation of the current taxi rank.

The Project team continues to provide regular updates on a weekly basis, engaging with the community through the Council's social media and its dedicated project page on the Council website.

Hobart City Deal

The Hobart City Deal is a ten-year agreement between the State and Federal governments and the four Hobart councils to deliver a range of initiatives to benefit Greater Hobart. Council signed the deal on 24 February 2019.

Council adopted the City Deal Implementation Plan on 30 September 2019.

Implementation of the City Deal has now commenced, with senior Council staff represented on the the Implementation Board for the project and Working Groups relating to Transport and Housing and Smart Cities.

Key working groups have continued to meet and progress the implementation of the deal during the quarter, with Council advocating strongly for funds to be allocated towards the development of the Northern Suburbs Rail Corridor and introduction of passenger rail for Hobart. The State Government's transport mode analysis study for Greater Hobart is being developed and is due to be finalised by late July.

The Greater Hobart Committee was also formed during the quarter, with its first meeting held on 28 May 2020. The Committee will oversee the implementation of the Greater Hobart Act, and ensure that its strategic benefits are realised by all four Greater Hobart councils. A draft Vision for greater



Hobart and an implementation schedule for the Greater Hobart Work Plan were endorsed during the quarter.

Berriedale Foreshore Reserve and Masterplan

On 23 December 2019, following the completion of an initial investigation and community consultation, Council voted to commence the process for the potential disposal (sale) of part of the Berriedale Foreshore Reserve, which is currently being used as a BMX Track and MONA's overflow car park.

Council conducted formal community consultation and notification in accordance with the process set out in the Local Government Act throughout the quarter, including the proactive engagement with key stakeholders, including MONA and the Southern City BMX club. Following the completion of the section 178 consultation, Council voted at its meeting on 27 April 2020 to approve the disposal of the site and to enter into a 120-day exclusive negotiation period with MONA for the sale or lease of part of the area. Council's decision is currently subject to an appeal to the Resource Management and Planning Appeal Tribunal which will be heard in August 2020.

Council will work closely with MONA and other key stakeholders to develop a masterplan for the Berriedale Peninsula. Project scoping and procurement progressed during the quarter, with a consultant and project team to be appointed early next quarter and the project progressed. The Berriedale Peninsula is an important strategic site, and the Masterplan will seek to preserve large parts of it for public open space, while striking a balance between recreational and commercial uses (including MONA's) and foreshore access. The public will be given the opportunity to comment on a draft masterplan after it is developed.


Customer Service Strategy

Another significant project which came to fruition during the quarter was the development of Council's Customer Service Strategy, which was endorsed and approved for public consultation on 29 June.

The draft Strategy has been developed and finalised through extensive consultation with customers, staff and Aldermen, with the assistance of consultants. The purpose of this Strategy is to define what outstanding customer service looks like at Council, and to provide a clear action plan for how we will improve our customer service and deliver on our commitment to the community. Its objectives are:

- To enable Council to understand its customers' needs and support their dealings with Council
- To learn from customers and identify better methods of interacting with a diverse customer base
- To identify progressive and contemporary practices in the world of Customer Service, starting with positive experiences
- To enable Council to work with its customers to understand exactly what they expect from their Council regarding the Customer Service Experience, putting Council in a better position to meet expectations.

The strategy will be released for public consultation and feedback early in the next quarter.



Glenorchy Mountain Bike Park Masterplan

Council endorsed the preparation of a Masterplan for the Glenorchy Mountain Bike Park at Tolosa Park at its meeting on 30 September 2019. Funding for the Masterplan came from a \$100,000 grant from the Tasmanian Department of Communities, Sport and Recreation.

Development of the Masterplan has proceeded since then, with a draft presented to and endorsed by Council at its meeting on 29 June 2020.

The Masterplan aims to re-establish the Glenorchy Mountain Bike Park as a leading mountain bike destination, with a focus on key points-of-difference such as family-friendly riding, a broad range of track riding options, excellent contemporary facilities and connectivity to other riding opportunities such as the Intercity Cycleway and those available around the Springs/Lower Foothills of kunanyi/Mt. Wellington.

The draft Masterplan was developed in close consultation with all stakeholders, including the mountain biking community, and will be released for public consultation during the next quarter.

Ministerial Directions

The Minister for Local Government has indicated that he is pleased with Council's completion of the Ministerial Directions arising from the Board of Inquiry process and now only requires an annual report from the Council's Audit Panel.

Tony McMullen
General Manager

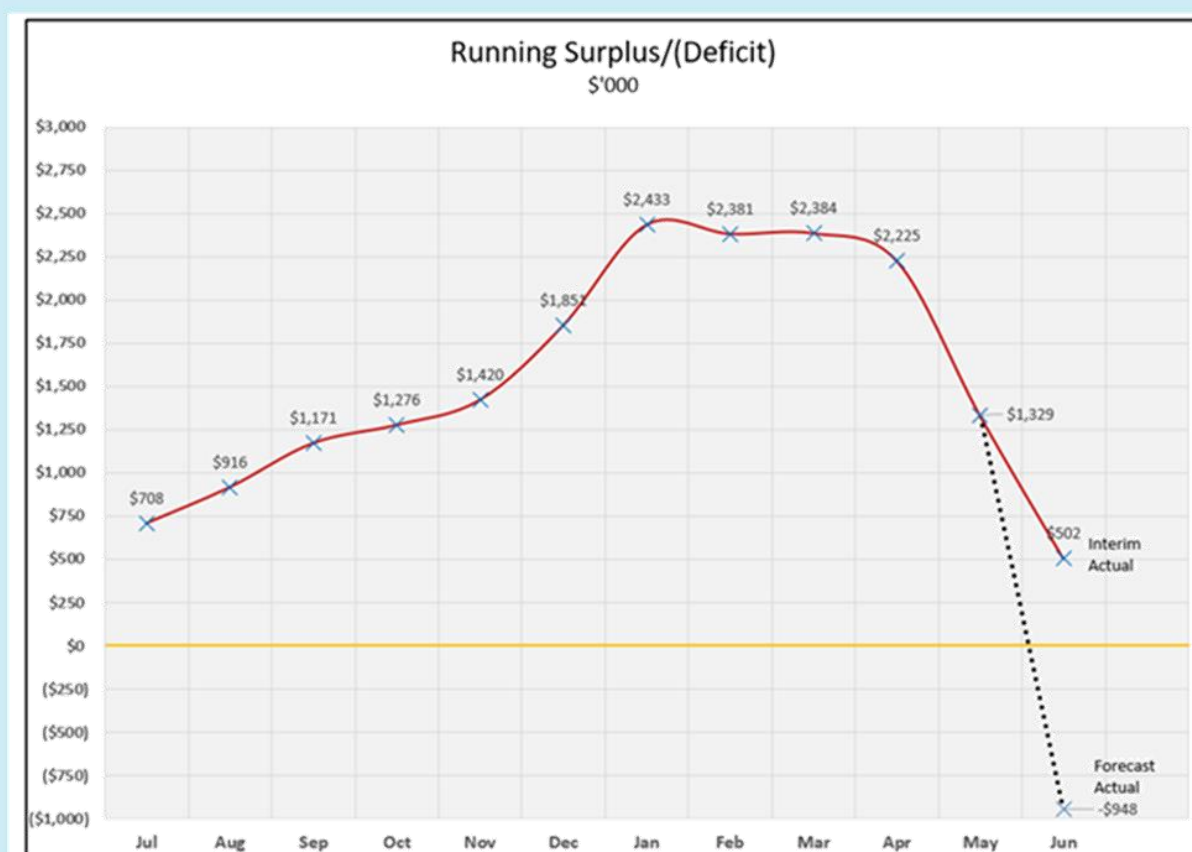
July 2020

Financial Performance

Summary

Council's interim net operating result for the year ending 30 June 2020 is currently showing a surplus of \$1.308 million compared to the budgeted position of \$806,000. This represents a \$502,000 improvement comprising \$1.476m less in revenue offset by \$1.978 million less in expenditure.

The interim result will change once end of year adjustments are undertaken with the current forecast indicating a \$948,000 deficit instead of a budgeted \$806,000 surplus.



Contributors to the quarterly result are as follows [(Favourable) / Unfavourable variances from budgeted amounts]:

Revenue

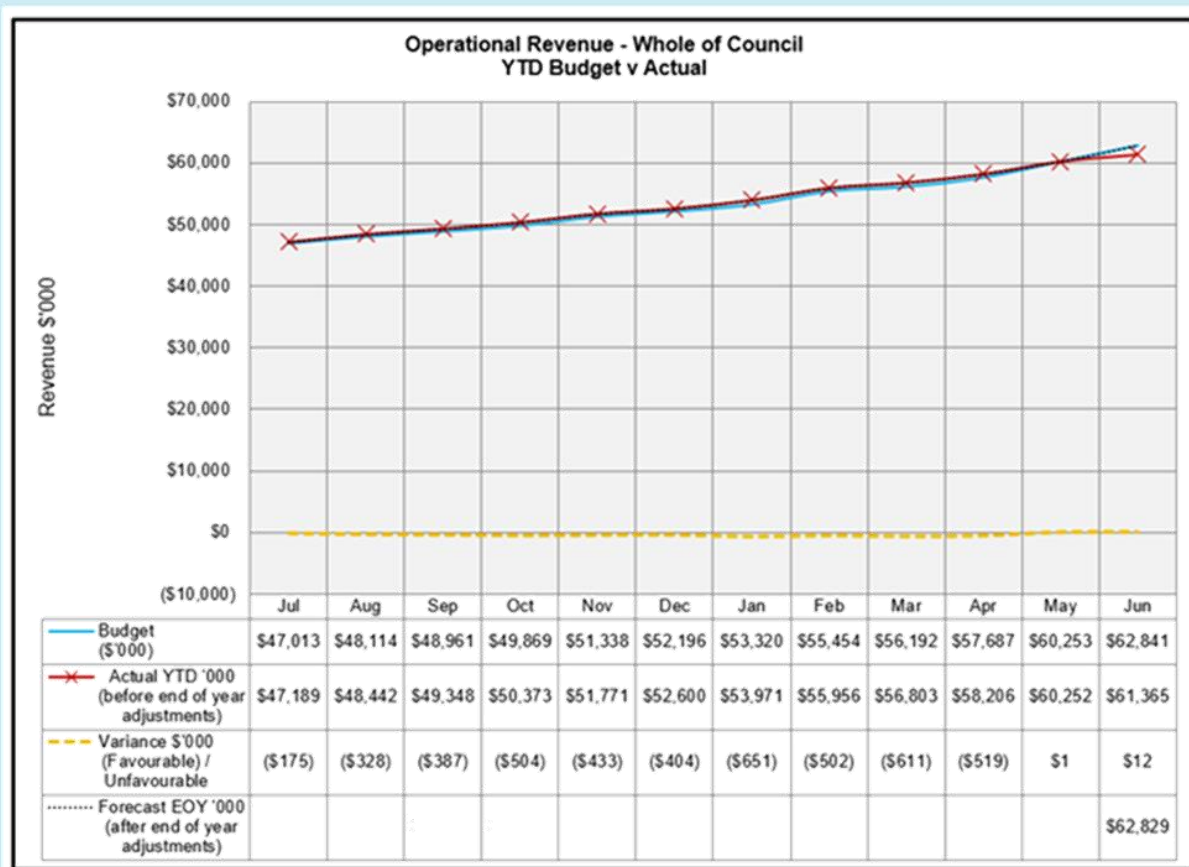
(\$688,012)	Capital grants
(\$404,364)	Net gain/(loss) on disposal of assets
(\$374,783)	Contributions - monetary
(\$90,830)	Operational Grants
(\$59,804)	Other income
\$46,559	Contributions - Cash
\$133,589	Investment interest
\$470,828	Rates
\$1,086,000	Investment in TasWater
\$1,357,079	User charges and licences

Expenditure

(\$1,400,425)	Employee costs
(\$500,000)	Assets written off
(\$197,873)	Depreciation
(\$91,976)	Materials and services
(\$34,224)	Other expenses
(\$7,493)	Internal transfers
(\$2)	State Fire Levy
\$85,209	Finance costs
\$168,721	Bad debts

Operational Income

Interim actual revenue is \$61.365 million compared to budgeted revenue of \$62.841 million. This represents an unfavourable result of \$1.476 million or 2.3% compared to budget (see chart over page).



The following are of particular note at the program level (*denotes directly impacted by COVID-19)

User charges and licences see shortfalls in Landfill (\$490,000), Building Governance (\$186,000), Public Compliance (\$268,000*), Derwent Entertainment Centre (\$596,000*) and Environmental Health (\$116,000*). On the positive side, there is increased revenue from Planning Services (\$165,000), Waste Kerbside Collection (\$95,000) and Property Services (\$72,000).

TasWater has suspended dividend payments due to the impact of COVID-19, resulting in budgeted revenue not being received (\$1,086,000*).

Rate revenue has recorded a shortfall (\$470,000*) for several reasons including (a) the requirement to grant charitable rebates after the budget was adopted (b) the 0.50% supplementary growth factor was not achieved and (c) the introduction of a COVID-19 Community Assistance Package.

Record low interest rates since the budget was prepared has resulted in reduced interest on investments (\$133,000).

Capital grants in excess of budget have been received for Roads-2-Recovery (\$188,000) and Recreation (\$500,000).

Operating grants in excess of budget have been received for Childcare Subsidies (\$256,000) however claims for reimbursement of 2018 Flood Damage Works has fallen short of budget (\$305,000).

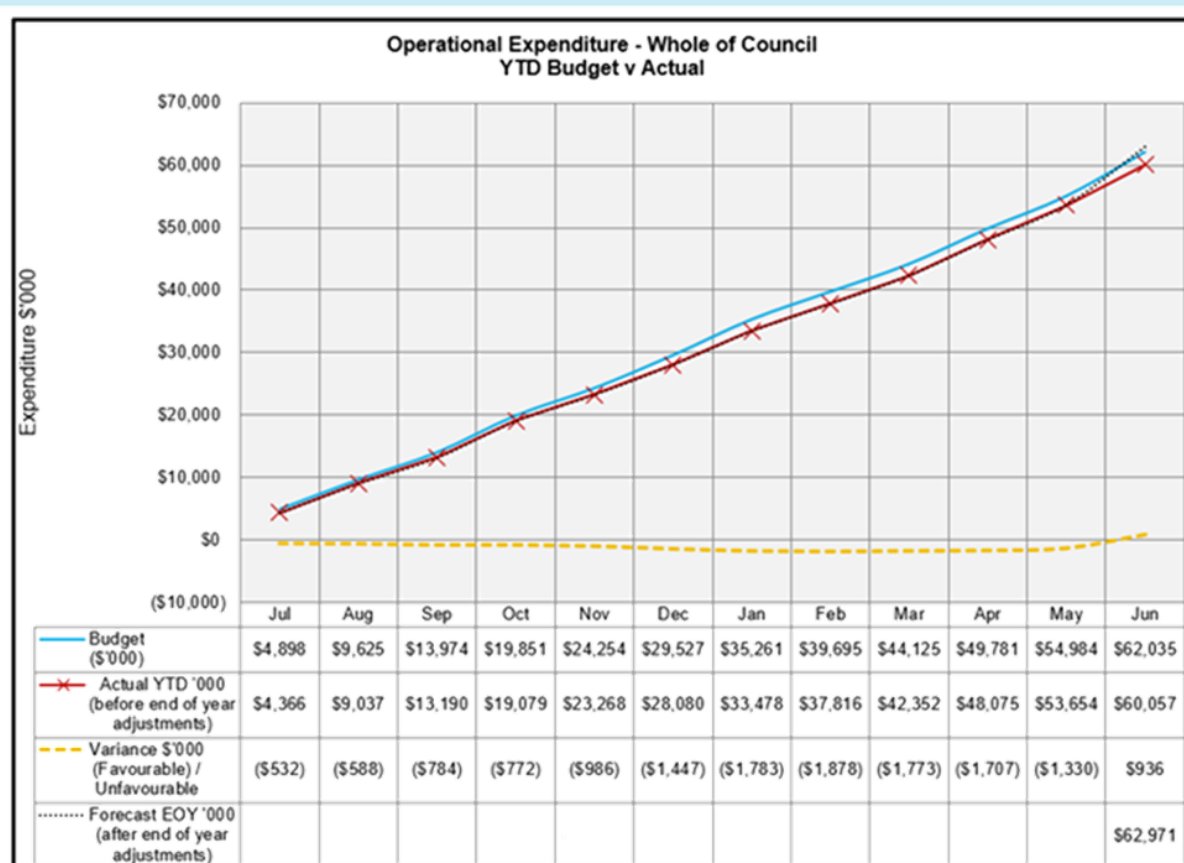
Other Revenue is primarily a one-off contribution towards employee costs of the 26TEN project (\$44,000).

Monetary contributions for future capital works or reimbursement of current works have been received (\$374,000).

Proceeds from the sale of surplus or redundant assets (vehicles, plant & equipment, land and computers) records a positive net result against budget (\$404,000) however this will be partly reduced by written-down value adjustments to disposed assets on 30 June.

Operational Expenditure

Interim actual expenditure is \$60.056 million compared to budgeted expenditure of \$62.034 million. This represents a favourable result of \$1.978 million or 3.2% compared to budget.



Of particular note at the program level for this quarter:

Employment costs are under budget by 5.6% (\$1,400,425) which is reflective of each month this year due to vacancies at the start of the year.

Assets written off calculations are yet to be undertaken resulting in the budgeted amount not yet being utilised (\$500,000).

Depreciation expense is below budget (\$197,000) mainly due to reduced depreciation for landfill restoration.

Materials and services is on track at just 0.6% variance in a \$16 million budget. Programs recording under expenditure are Waste Management (\$365,000), Landfill (\$136,000), Contingency (\$408,000) and Derwent Entertainment Centre (\$286,000). Programs recording over expenditure are Vegetation Control (\$257,000), Urban Services (\$254,000), Land Sales (\$212,000), Facilities Maintenance (\$165,000) and Infrastructure (\$147,000).

Finalisation of outstanding matters in the KGV development and a range of uncollectable invoices has resulted in the writing-off of some debts (\$168,000).

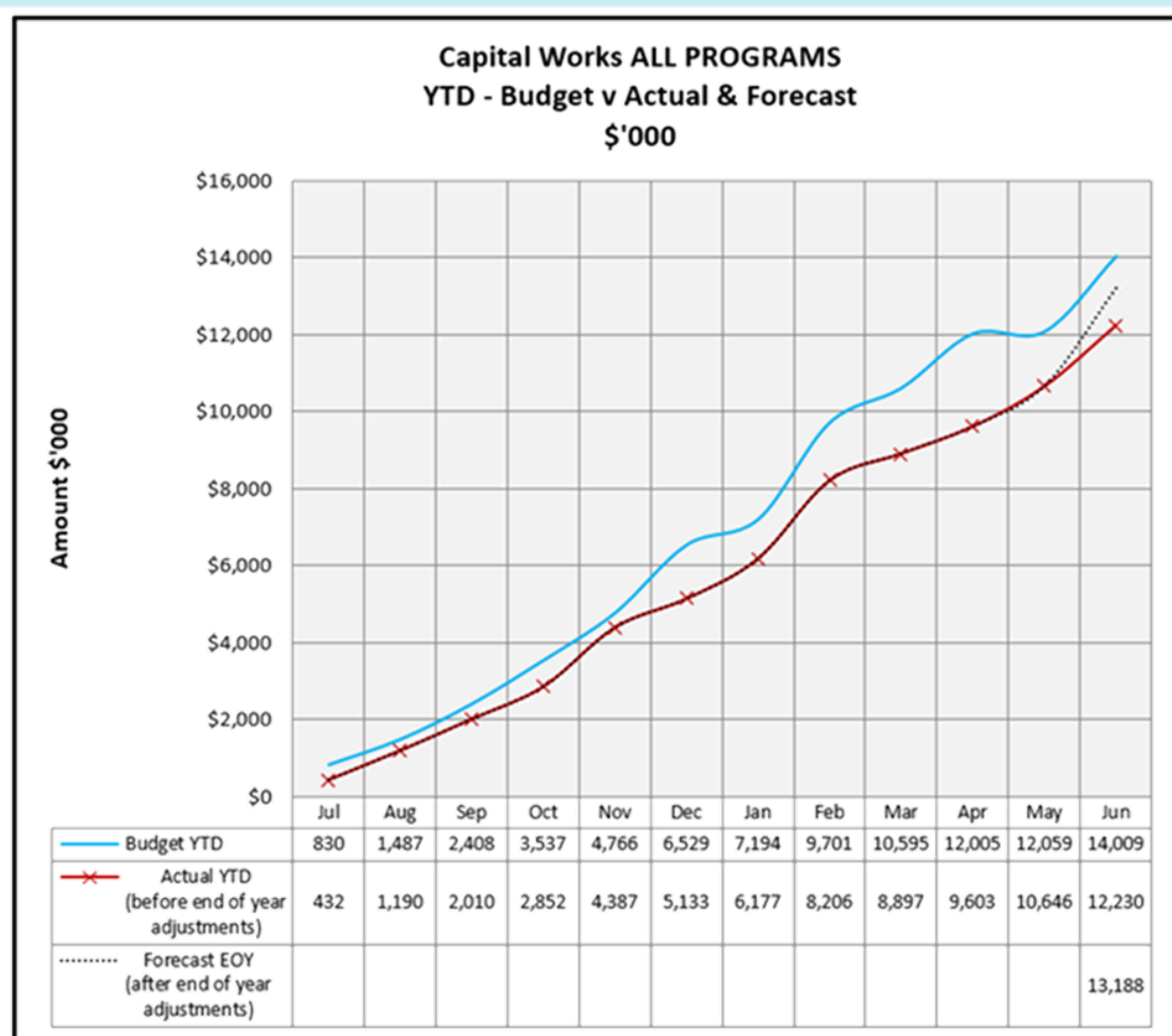
The unwinding provision calculation is yet to be undertaken resulting in the budgeted amount under Finance Costs not yet being utilised (\$104,000).

Cash and Investments

At 30 June 2020, actual funds available in cash and investments totalled \$16.868 million representing a marginal improvement on \$16.776 million for the same period last year.

Capital Works

The capital works program at 30 June 2020 shows actual expenditure of \$12.230 million against a budget of \$14.009 million. However after accounting for invoices paid in July for works performed prior to 30 June, the adjusted expenditure is \$13.188m thus delivering approximately 94% of the 2019/20 program (see chart over page).



The difference of just under \$1 million is in line with previous forecasts reported to Council and represents a good result in a difficult year.

Program	Actual	Budget	Variance
Information & Communication	\$261,575	\$501,000	\$239,425
Transport	\$7,584,290	\$7,911,729	\$327,439
Property	\$1,163,523	\$1,585,200	\$421,677
Plant & Equipment	\$1,602,752	\$1,541,473	(\$61,279)
Vehicle Replacement	\$336,871	\$359,727	\$22,856
Stormwater	\$1,280,855	\$1,479,945	\$199,090
Unallocated	\$0	\$630,242	\$630,242
TOTALS:	\$12,229,866	\$14,009,316	\$1,779,450

nb: Figures are prior to end of year adjustments

Rates Collections

At 30 June 2020, the total rates collected under the new four instalment method was 98.4% compared to a collection rate at the same time last year under the former two instalment method of 98.6%. The impact of COVID-19 on the final result was minimal as the pandemic occurred after the fourth and final instalment due date. The full impact will become more evident in the 2020/21 quarter one report to be presented to the October meeting.

FTE (full time equivalent) Positions

For the year ending 30 June 2020, there is an increase of approximately four full-time FTE positions but a corresponding decrease of three in part-time FTE positions. Overall, the employment position for the 2019/20 year has been relatively stable compared to previous years.


Employment Class	Q4 FTE (30/6/19)	Q1 FTE	Q2 FTE	Q3 FTE	Q4 FTE
Full time	193	196	195	193	197
Part time	54	52	55	56	51

nb: rounded up to nearest whole number.

COVID-19

Finance has been recording expenses incurred in implementing COVID-19 restrictions and, to date, has identified \$347k in expenditure as follows:

Category	Expenditure	Purchase Orders
Communication	\$5,156	\$40
Contractors	\$20,839	\$23,799
Employee Costs	\$245,428	
Equipment Hire	\$9,142	\$2,216
Information Technology	\$18,700	
Labour Hire	\$3,496	\$535
Materials	\$27,627	\$2,333
Media / Advertising	\$2,905	
Plant and Equipment	\$890	
PPE	\$4,835	
Public Relations	\$440	
Safety Equipment	\$6,586	\$1,085
Security Services	\$391	
Subscriptions	\$42	
Vehicle Use	\$599	
TOTALS	\$347,075	\$30,008



Month	Expenditure
March	\$6,259
April	\$260,966
May	\$29,999
June	\$49,851
TOTALS	\$347,075

Financial Reports

Statement of Comprehensive Income to 30 June 2020

Year to date (YTD)	Notes	2020 Budget \$'000	2020 Actual \$'000	2019 Actual \$'000	2020 Variance Actual to Budget \$'000
Income					
Recurrent Income					
Rates	1	41,466	40,995	39,940	▼ 1.1%
User charges and licences	2	12,358	11,001	12,166	▼ 1.0%
Interest	3	463	329	497	▼ 28.9%
Grants	4	5,115	5,206	3,611	▲ 1.8%
Contributions - cash		138	91	135	▼ 3.7%
Investment income from TasWater		2,172	1,086	2,024	▼ 50.0%
Other income		468	528	849	▲ .8%
		62,180	59,237	59,221	1.1%
Capital Income					
Contributions – monetary		5	380	-	▲ 100
Contributions – non-monetary assets		-	-	3,284	0.0%
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	5	77	481	(1,479)	▲ >100%
Capital grants received specifically for new or upgraded assets	6	579	1,267	833	▲ >100%
Fair value recognition of land under roads		-	-	-	
		661	2,128		▲ >100%
Total Income		62,841	61,365	61,860	▼ 2.3%
Expenses					
Employment costs	7	25,006	23,606	21,603	▼ 5.6%
Materials and services	8	16,231	16,131	16,916	▼ 0.6%
Depreciation and amortisation		13,719	13,521	12,655	▼ 1.4%
State Fire Commission contribution		5,899	5,899	5,642	0.0%
Finance costs		31	116	169	▼ >100%
Assets written off		500	-	30	▼ 100%
Bad and doubtful debts		2	171	11	▼ >100%
Other expenses		647	613	640	▼ 5.3%
Total expenses		62,035	60,057	57,665	▼ 62.2%

Statement of Financial Position to 30 June 2020 (con't)

Year to date (YTD)	Notes	2020 Budget \$'000	2020 Actual \$'000	2019 Actual \$'000	2020 Variance Actual to Budget \$'000
Surplus/(deficit)		806	1,308	4,195	▲ 62.2%
Other Comprehensive income					
Items that will not be reclassified to surplus or deficit					
Net gain/(loss) on revaluation of property, plant and equipment		-	-	15,106	
		-	-	15,106	
Items that may be reclassified subsequently to surplus or deficit					
Financial assets available for sale reserve					
- Fair value adjustment on available for sale assets		-	-	24,173	
				24,173	
Total other comprehensive income		-	-	39,189	
Total comprehensive result		806	1,308	43,384	▲ 62.2%

Statement of Financial Position

	2020 YTD \$'000	2019 YTD \$'000
Asset		
Current assets		
Cash and cash equivalents	16,868	16,776
Trade and other receivables	1,813	1,905
Inventories	91	116
Non-current assets classified as held for sale	741	741
Other current assets	77	129
Total current assets	19,589	19,666
Non-current assets		
Investment in TasWater	191,317	191,317
Property, infrastructure, plant and equipment	689,021	700,261
Investment properties	-	-
Other non-current assets	14,904	4,993
Total non-current assets	895,242	896,571
Total assets	914,832	916,236
Liabilities		
Current Liabilities		
Trade and other payables	1,719	3,894
Provisions	4,835	4,534
Borrowings	1,005	963
Trust funds	318	339
Contract liabilities	1,002	1,107
Other current liabilities	1,337	1,337
Total current liabilities	10,215	12,173
Non-current liabilities		
Provisions	3,952	3,952
Borrowings	1,155	2,159
Total non-current liabilities	5,107	6,111
Total Liabilities	15,322	12,284
Net assets	899,510	897,952

Explanatory Notes

These notes are provided where a single or collective variance within the Statement of Comprehensive Revenue requires explanation. To enable \$ variances to be contextualised, they are also expressed as a % variance (rounded to a whole number).

Notes:

- The threshold for variance reporting only details those areas deemed to be significant
- Arrow indicators represent:

Revenue higher than budget	▲	Revenue lower than budget	▼
Expense higher than budget	▲	Expense lower than budget	▼

Note	Revenue / Expenditure Item
1	Rates

Note	Revenue / Expenditure Item			
3	Interest:			
	Interest on investments	▼	Variance \$'000 134	Variance % 29%
	Lower than budgeted interest rates have resulted in reduced returns for Council investments..			
4	Grants:			
	Commonwealth Childcare Subsidies – Berriedale	▲	Variance \$'000 178	Variance % 34%
	Commonwealth Childcare Subsidies – Benjafield	▲	77	22%
	Flood Damage 2018	▼	138	9%
	Commonwealth childcare subsidies continue to track ahead of budget, much of which was received prior to the effects of COVID-19.			
	Finalisation of the claim for 2018 flood damage will extend into the 2020/21 year.			
5	Gain/(Loss) on Disposal of Assets:			
	Various	▲	Variance \$'000 404	Variance % >100%
	Council has budgeted for a gain/(loss) on disposed assets (book value minus sale proceeds), however report represents only the sale proceeds. Adjustments to the book values will take place after 30 June which will offset most, if not all, of the current reported gain.			
6	Capital Grants:			
	Various	▲	Variance \$'000 688	Variance % >100%
	Council received a state government grant for Levelling the Playing Fields which is to be used for infrastructure upgrades at KGV (\$500k). Also, funding for the Roads-to-Recovery program is ahead of budget (\$121k)			
7	Employee Costs			
	Salaries and on-costs	▼	Variance \$'000 1,400	Variance % 6%
	Employee costs are presently under budget by 6% which is in line with the July starting position and subsequent variances of between 7% to 10% each month for the year. This indicates a stable employment profile with entering and exiting employees turning over at similar rates.			

Note	Revenue / Expenditure Item								
8	Materials and services								
	<table><tr><th></th><th></th><th>Variance \$'000</th><th>Variance %</th></tr><tr><td>Various programs</td><td>▼</td><td>99</td><td>1%</td></tr></table>			Variance \$'000	Variance %	Various programs	▼	99	1%
		Variance \$'000	Variance %						
Various programs	▼	99	1%						
	The actual to budget variance is just 0.6% with particular note to:								
	<ul style="list-style-type: none">• Vegetation Control – contract labour (\$219k)• Urban Services – contract labour (\$182k)• Landfill – contract labour (\$169k)• Contingency (\$500k)^• Derwent Entertainment Centre (\$266k)*^								
	* COVID-19 related								
	^ underspend								

In most instances, variances are “year specific” and are not an indicator of potential budget or actual outcomes in subsequent years.

Revenue - Whole of Council \$'000

Variance	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Last Month	(175)	(328)	(387)	(504)	(433)	(404)	(651)	(502)	(611)	(519)	1
This Month	(175)	(328)	(387)	(504)	(433)	(404)	(651)	(502)	(611)	(519)	1
Change	0	0	0	0	0	0	0	0	0	0	0

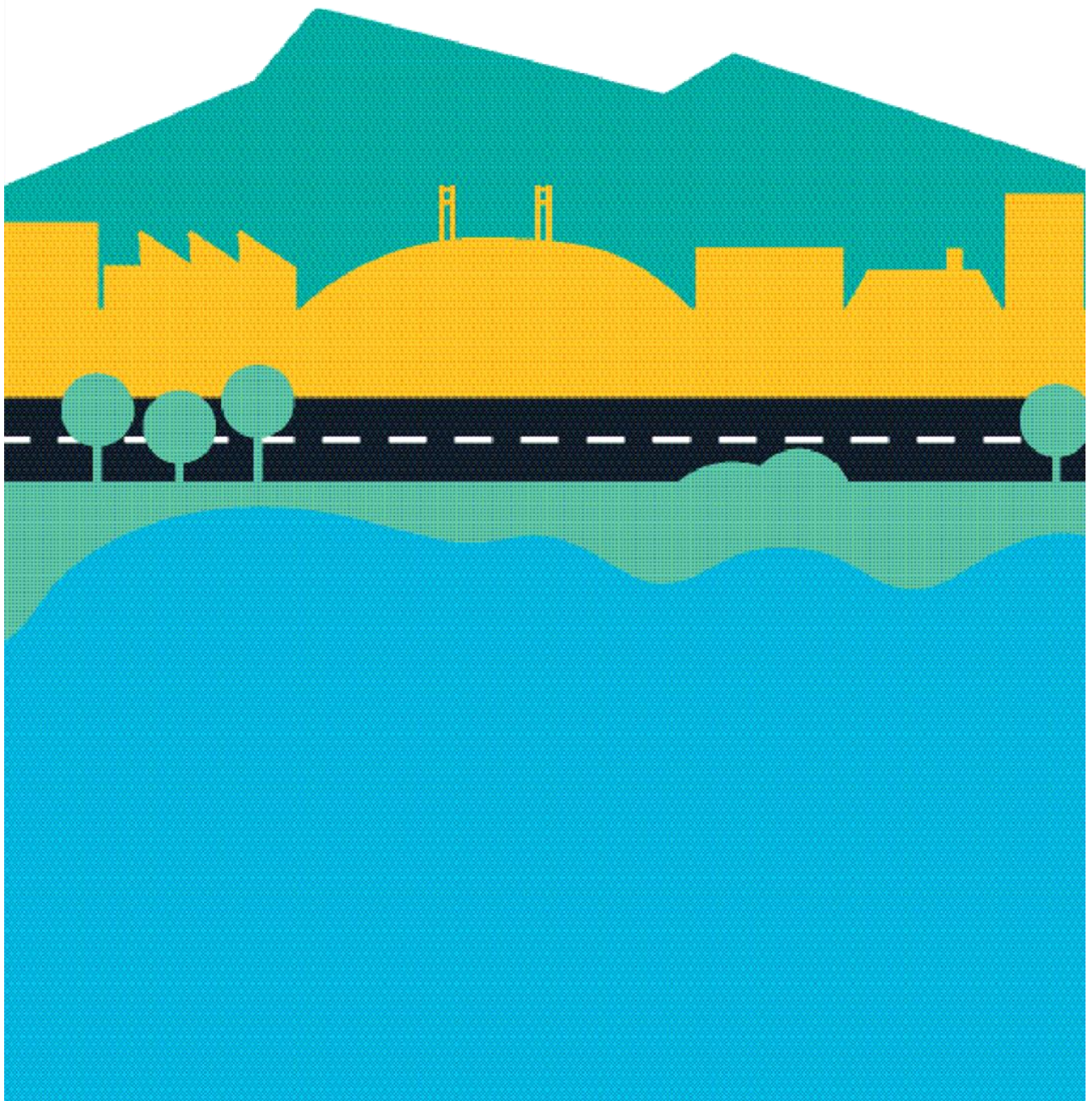
This month, there is no variation to previously reported revenue.

Expenditure - Whole of Council \$'000

Variance	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Last Month	(532)	(588)	(784)	(772)	(986)	(1447)	(1783)	(1878)	(1773)	(1707)	(1330)
This Month	(532)	(588)	(784)	(772)	(986)	(1447)	(1783)	(1878)	(1773)	(1707)	(1330)
Change	0	0	0	0	0	0	0	0	0	0	0

This month, there is no change to previously reported expenditure.

Key Performance Indicators



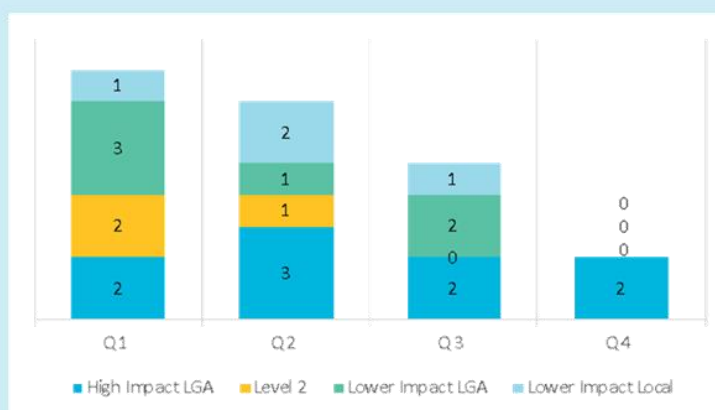
Making Lives Better

Number of Engagements

Quarter 3

There were 5 community engagements during the third quarter, all at the “consult” level. Regarding the level of impact, there were:

- 2 x level 1 engagements (high impact LGA),
- 2 x level 3 engagement (lower impact LGA) and
- 1 x level 4 (lower impact local).



Engagements were: Multicultural Hub

Advisory Forum, Berriedale Foreshore Reserve (disposal of land), Glenorchy Mountain Bike Masterplan, Economic Development Strategy, Sport and Play Infrastructure projects (Montrose Foreshore and Giblins Reserve).

Quarter 4

Community engagement activities were impacted this quarter due to the COVID 19 situation.

There were 2 community engagements during the fourth quarter, both at the “consult” level, both at level 1 impact (high impact LGA). Engagements were: Sport and Play Infrastructure projects stage 2 (Montrose Foreshore and Giblins Reserve) and the Customer Service Review.

Work also continued on the Glenorchy Mountain Bike Masterplan with a view to further engagement in the next quarter, and planning is underway for the Customer Service Review Stage 2, COVID-19 social recovery and youth network engagements.

Throughout the quarter, there were also a number of “informal” engagements with businesses, community groups and networks regarding how they were coping during COVID-19 and what services were available to the community.

Making Lives Better

Community Participation

Quarter 3

The MAC closed on 20 March 2020 due to COVID19.

During the January-March quarter there were 79 borrowers and 15 social members at the Claremont Community Library. The Library was not open for all of January due to the Christmas break, and closed on 14 March due to COVID-19.

2,100 people attended the Multicultural Hub between January and March.

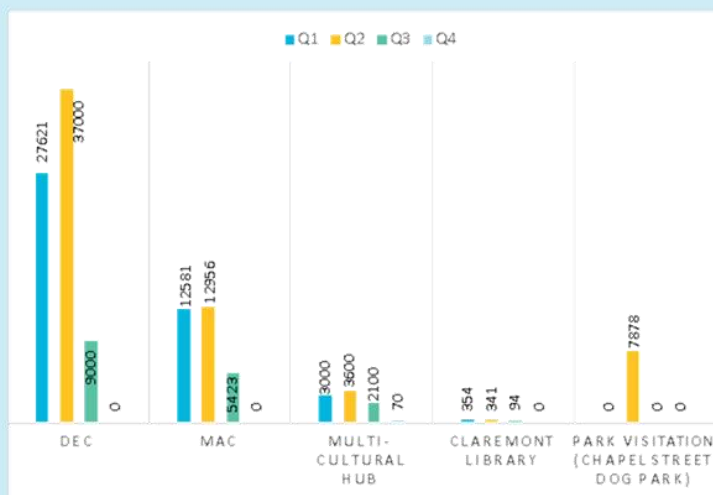
There has been an increase in diversity of groups and activities. The Multicultural Hub was closed from 21 March due to COVID-19

Quarter 4

The Multicultural Hub was closed from 21 March until COVID-19 restrictions were reduced to allow a maximum of 10 people access in mid-June. 70 people have attended the Hub since re-opening. These were from small groups that included Chinese dancing group, Chinese language group and a women's group.

All facilities were closed during Q4 due to COVID-19.

The popularity of Council's Chapel Street Dog Park continues to grow, with numbers generally increasing despite the closure of this facility for a period due to COVID-19. No data has been provided for Q3 and Q4 due to technical problems with Council's datalogger hardware which stores all of the information.



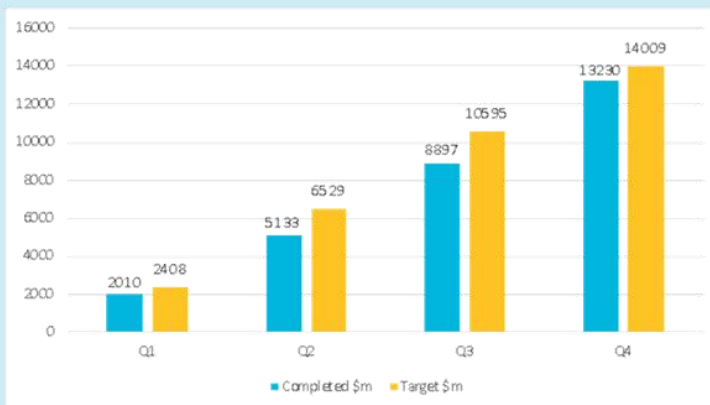
Making Lives Better

Capital Works Completed (\$m)

Council spent \$13.2 million (after of end of year adjustments) for the financial year against a \$14 million budget.

Some key projects delivered during the 2019/20 financial year include:

- \$0.3m in ICT projects, including roll out of replacement computers with a focus on mobile work (laptops/tablets)
- \$8m in roadworks projects including:
 - Construction of the Gould's Lagoon Shared Cycle/Walkway
 - CBD Revitalisation Project Stage 3A up to Regina Street, completed
 - Clydesdale Avenue and Myella Drive reconstruction
 - Road resurfacing program, including major work on Sunderland Street, Derwent Park Road, and Elwick Road
 - Barossa Road bus shelter works
- \$1.5m in Stormwater upgrades including works at Milton Crescent, Neera Court and Leonard Avenue
- \$1.4m in property projects including:
 - Consultation and commencement of detailed design work on play spaces at Montrose Foreshore and Giblins Reserve
 - Consultation and commencement of detailed design work on upgrades to Eady Street and KGV Soccer facilities
 - Continuation of the "Pimp My Park" project, including works at Station Street, Moonah
 - Claremont Football Club changeroom upgrade
- \$2m in vehicle, plant and equipment projects including:
 - Roll-out of FOGO kerbside service bins
 - Replacement of a range of heavy equipment and light vehicles

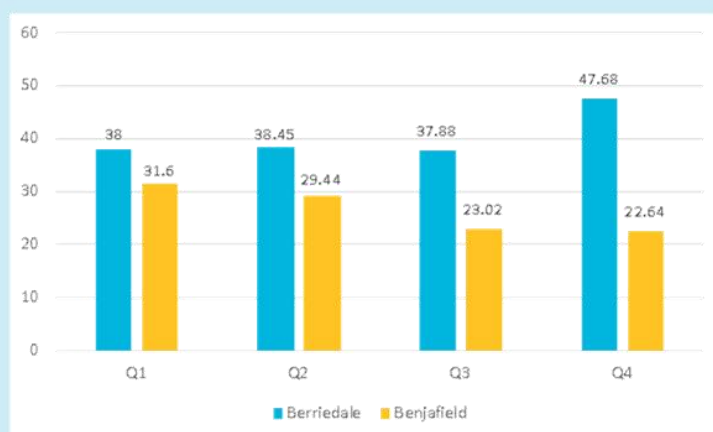


Making Lives Better

Service Delivery – Childcare

Quarter 3

Benjafield and Berriedale Child Care Centres have continued to have high utilisation until the COVID-19 Pandemic which began to affect utilisation from the week beginning 2 March. Benjafield's utilisation Equivalent Full Time (EFT) places was 23.02 and Berriedale's was 37.88. Both Services EFT's remained consistent during this quarter. Both services had a high volume of enquiries for immediate and future care and each service had a waitlist for care for the beginning of the 2020 calendar year.



Both services continued to maintain a 'Meeting' rating under the National Quality Standards and remain compliant with the Education and Care Services National Law and Regulations.

Both Benjafield and Berriedale were successful in their applications to facilitate the Working Together (State Government) program on an ongoing basis throughout 2020 and 2021. Each service will have 5 places available for children of families who are vulnerable or at risk. All of Berriedale's families have commenced in the Working Together program for 2020. Enrolment enquiries are being taken for Benjafield's places.

Quarter 4

The COVID-19 Pandemic began to affect utilisation from the week beginning 2 March 2020, close to the beginning of Q4. Berriedale and Benjafield centres were combined for the period 27 April 2020 to 3 July 2020. Utilisation at Berriedale Equivalent Full Time (EFT) places was 47.68, while Benjafield operated only on Mondays for the above period, with Equivalent Full Time (EFT) places at 22.64. There continued to be new inquiries for care during the quarter.

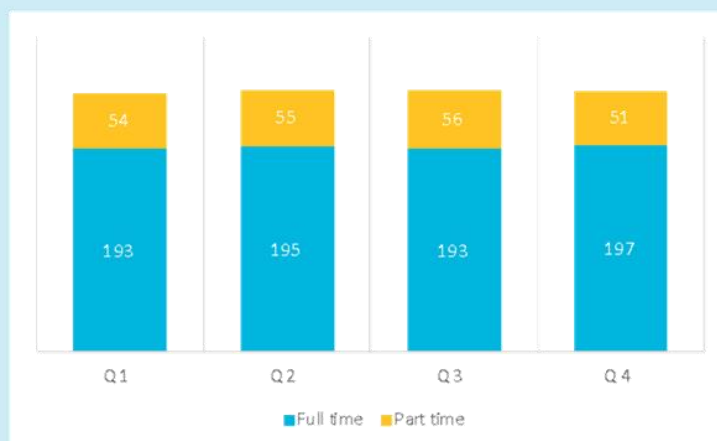
Both services continued to maintain a 'meeting' rating under the National Quality Standards and remained compliant with the Education and Care Services National Law and Regulations. The Education and Care Unit suspended all Assessment and Rating Visits due to the COVID-19 Pandemic.

Berriedale has 5 children participating in the Working Together (WT) program. Benjafield families will be placed when the services re-opens on the nominated Working Together days (Wednesday and Thursday). There are currently 3 families waiting to enrol.

Open for Business

Full Time Equivalent

Tight controls are in place to ensure recruiting for positions are planned and budgeted as new positions now require a Point of Entry form to justify their approval by the ELT.



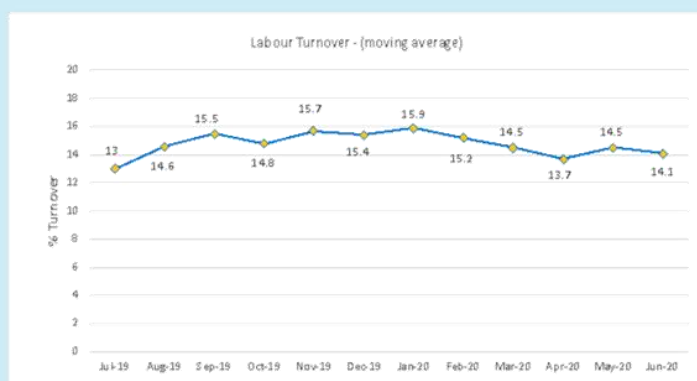
All Employees – Unplanned Leave (Personal Leave)

There was an obvious decline in unplanned absences that commenced in September 2019 and continued to June 2020. Unplanned leave is considered by some to be an indicator of employee morale, on the basis that if people are unmotivated to come into work, they are more likely to call in sick. This trend has to be considered along with the unknown effects of the COVID-19 lockdown and the reduced severity of the seasonal flu.



Labour Turnover – 12 Month Moving Average

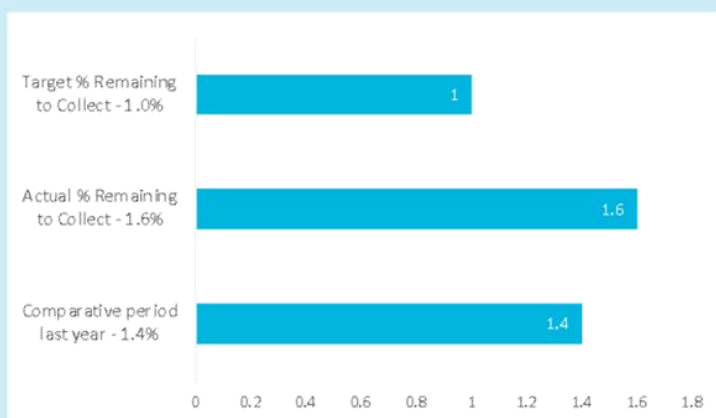
Turnover is trending down with levels returning to the same rate as early 2019.



Open for Business

Outstanding Rates Debt Percentage

At 30 June 2020, 1.6% of rates remained uncollected (compared to 1.4% last year) against a target of 1%. The suspension of recovery action due to COVID-19 is the main reason for the increase.



Work Centre Customer Service Requests

The Work Centre is maintaining an acceptable level of customer request actions in comparison to those being received.

The Works Centre continues to increase its' proactive maintenance activities.

The third and fourth quarter results generally show an increase in Vegetation Management requests, however the highest percentage of requests are in relation to the road and footpath network.



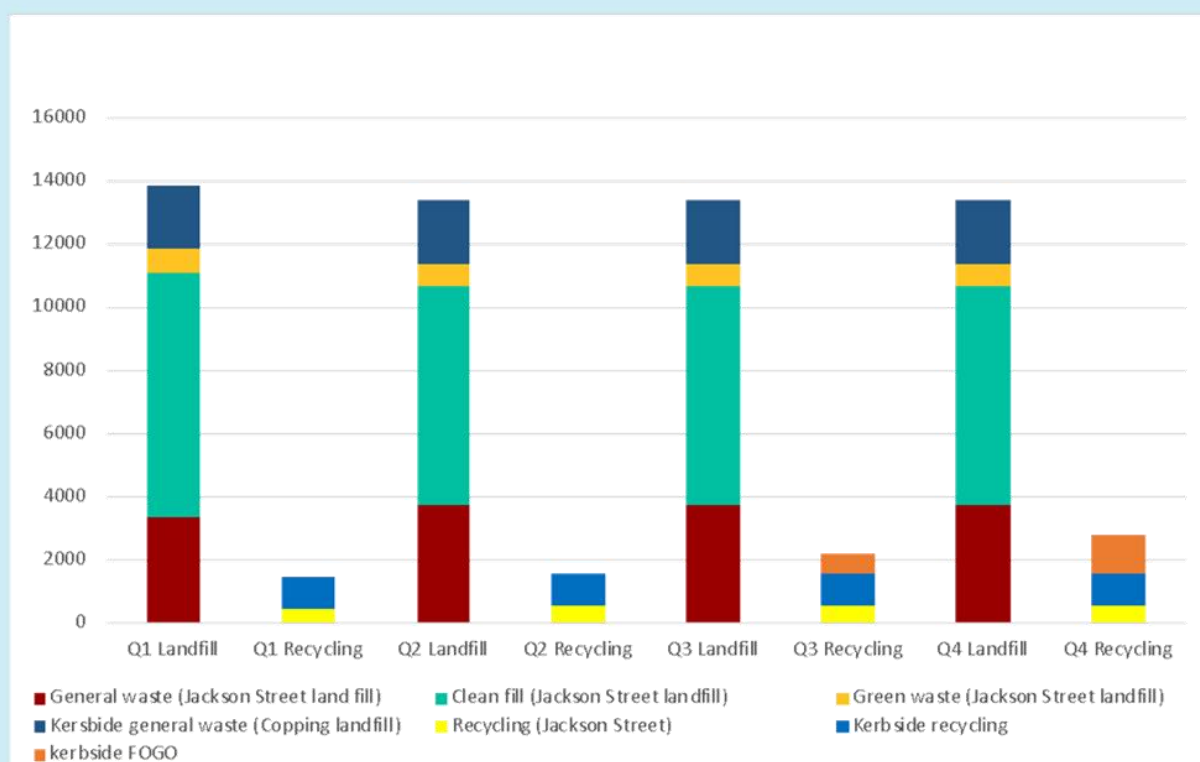
Valuing our Environment

Waste Received By Council By Quarter (Tonnes)

Council completed the roll out of FOGO bins and commenced this service in mid-February 2020. The introduction of FOGO has increased the percentage of waste diverted from landfill from 10% to 17%.

There has been an average of 90 tonnes of FOGO waste collected per week during in Q4 and a corresponding decrease of 30 tonnes per week of general waste. With the current participation rate of 52%, there is room for increasing the community's use of the service, which we expect over time and with further education. The Central Coast Council, for example, has operated for 9 months and has a set out rate of 65-70%.

The Jackson Street Landfill also saw a 70% increase in green waste during Q4, some of which is a result of COVID-19 restrictions, as residents spending time in lockdown cleaning up their yards.



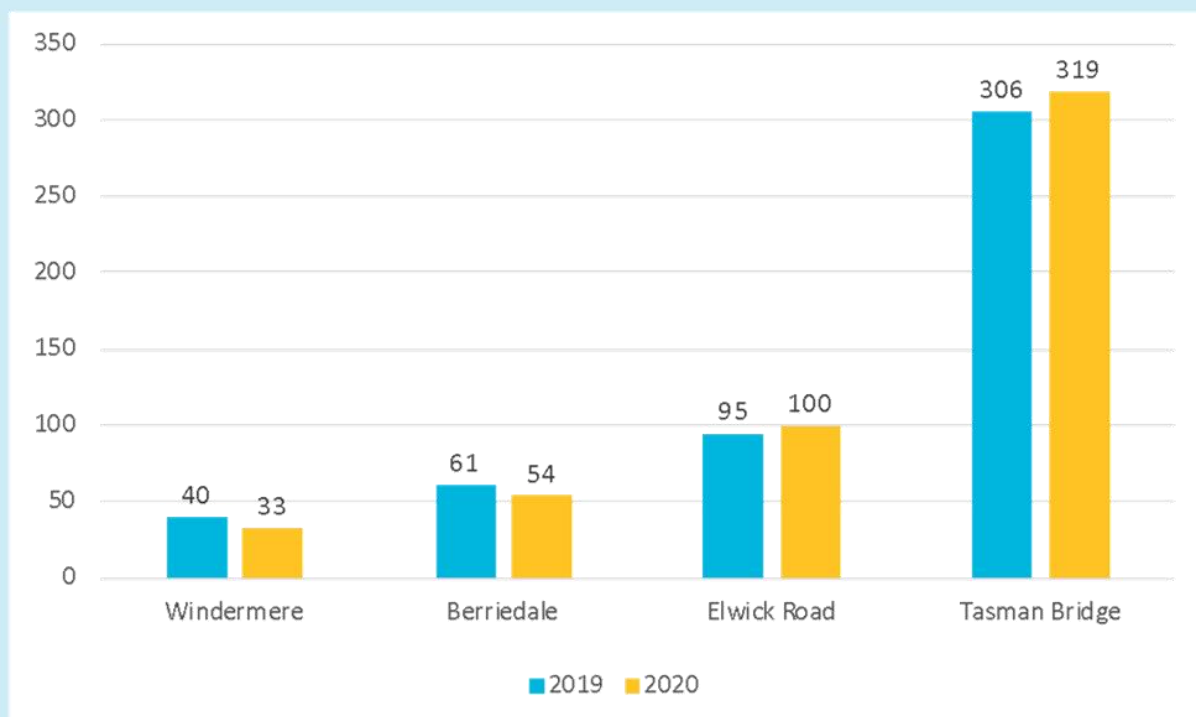
Valuing our Environment

Intercity Cycleway Commuters

In early March, Council, as part of a regional initiative, undertook cycling counts at key sites for commuters from 7am to 9am on weekdays. This showed that over the last few years that the numbers have remained consistent. The feedback from the cycling community is that this is a reflection on minimal changes to the network.

During April, at the height of the COVID-19 lockdown, counts were undertaken from 11am to 1pm at the Elwick Road junction. During this period, an average of 260 cyclists and 82 runners/walkers were counted.

This data is a reflection on the importance of the ongoing delivery of the Tracks, Trails, and Pathways project in improving Council's network for both transport and recreation.



Leading our Community

Media Mentions

Council had a positive six months in the media, with extensive coverage of the agreement to sell the DEC and Wilkinson's Point to the State Government, resulting in further coverage around an official agreement between LK Group and the State Government, and the announcement of an NBL team for Tasmania.

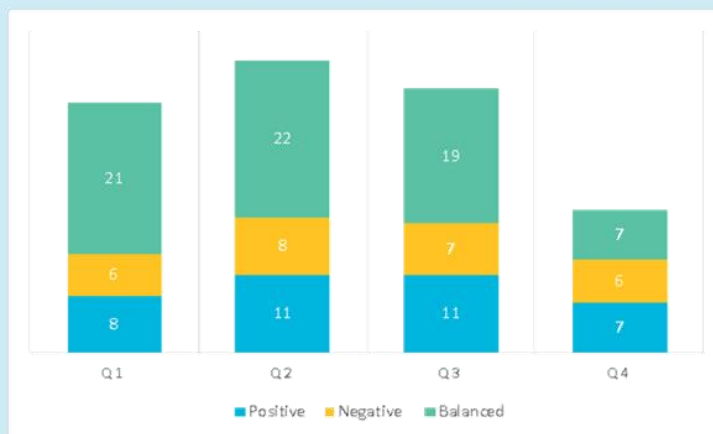
The majority of coverage, however, was dominated by the COVID-19 global pandemic, which saw Council under the spotlight with its response, as well as the provision of assistance to the greater community and local businesses. This was also a predominant focus when delivering the 2020/21 budget.

Other positive stories included the development of the Mountain Bike Master Plan to see upgrades to the Tolosa Park bike track, the innovative use of 'glassphalt' in a successful trial on Sutherland Road, as well as coverage of public advocacy for better public transport solutions for our community.

There was rolling coverage on topics such as the City Deal, and the 'shovel ready' status of the rail, as well as the Bridgewater Bridge and the implications of this on the rail corridor and access to the future service for those on the northern side of the bridge.

There is still a downward trend in negative media commentary around Council, with mentions limited to one-time incidents, such as the ceasing of the GASP funding, historical mentions, providing contextual narrative when reporting other on dysfunction in councils around the state, as well as ongoing negative letters to the editor from a community member against the sale of the DEC and Wilkinsons Point agreement.

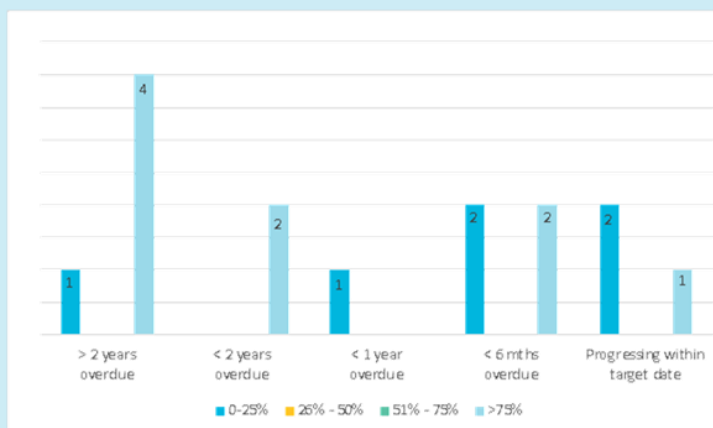
The media has also reported positively on the appointment of Ald Ryan to Council, Ald Thomas to the position of Deputy Mayor, as well as the successful completion of the 58 Ministerial Directions.



Leading our Community

Outstanding Audit Items - Percentage Complete

Items overdue are primarily related to the TechOne review which is currently underway. The Audit Panel is aware of this and is comfortable that no high-risk items are overdue and outstanding. Overall, the report indicates an increasing number of audit items are finalized within their due date.



Leading our Community

Delivering Services for our Community

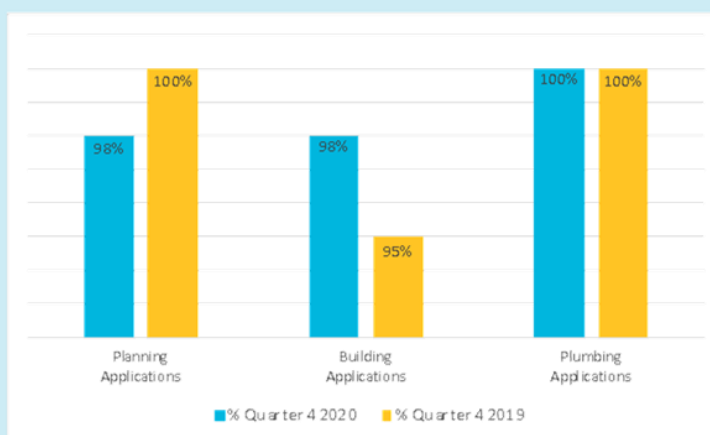
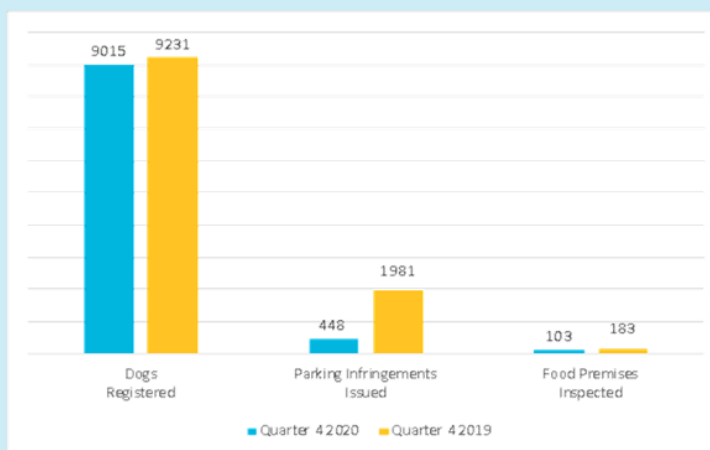
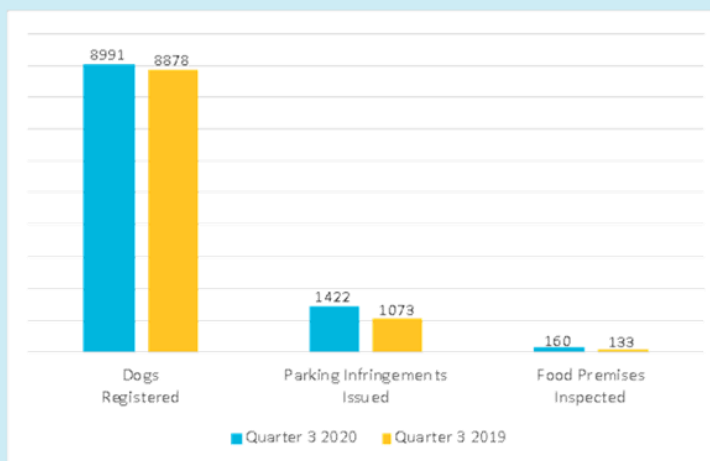
Dogs, parking and food business inspections

The number of registered dogs continues to climb throughout the year, showing an encouraging trend towards responsible dog ownership in the municipality. The final figure is down from last year, most likely due to the impact COVID-19 has had on Animal Management activity.

The number of parking infringements that were issued dropped significantly due to the reduction in patrols during the COVID-19 restrictions to aid the community. The only infringements that were issued during this time were for unsafe actions (such as parking in a way that obstructs traffic).

Development, Building and Plumbing Applications Assessed on Time

To help grow our city, Council's Development Department works hard to assess applications for development, building and plumbing works in a timely and efficient manner. In Q4, 98% of planning and building applications and 100% of plumbing applications were assessed within statutory timeframes. The number of planning and building application numbers has increased significantly compared with the same period last year.



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ANNUAL PLAN PROGRESS REPORT [PRIORITY]: 30 JUNE
Jul 17, 2020


● Draft ● Not started ● On Track ● Behind ● Overdue ● Complete → Direct Alignment → Indirect Alignment

GLENORCHY CITY COUNCIL PLAN

Goal	Owner	Start Date	Due Date	2019/20 Update	Status Detail	EOFY Compl. ...
1.1.1.01 Quarterly Yarns: 4 Event(s)	Coordinator Community Planning & Engagement	01/07/2019	30/06/2020	No Community Yarns were able to be held during this quarter due to COVID-19 restrictions.	Cancelled - COVID-19	50% 2 Event(s) behind
1.1.2.01 Commence preparing the Community Development Strategy: 4 Milestone(s)	Community Development Coordinator	01/09/2019	30/06/2020	<p>The Community Development Strategy work has been delayed during the March to June period as the development of a COVID-19 Social Recovery Plan has taken precedence. The Southern Region Social Recovery Committee (SRSRC) was activated on the 23rd March and the Social Recovery Coordinator (Coordinator Community Development) worked with other Southern Region Councils to develop a Southern Regional COVID-19 Recovery Plan. The SRSRC met weekly from 23rd March, then moved to fortnightly from 2nd June. Weekly situation reports have been provided to the SRSRC, outlining Councils COVID-19 community activities and supports, in addition to identifying emerging issues and potential impacts of the pandemic. The Southern Region Social Recovery Coordinators have also been meeting fortnightly to prepare for longer term recovery.</p> <p>The Glenorchy City Council COVID-19 Social Recovery Plan was finalised on 14 May. The objectives of the plan are:</p> <ol style="list-style-type: none"> 1. To ensure information relevant to the COVID-19 situation is shared effectively and in a timely manner between members of the <i>Glenorchy City Council</i> and the SRSRC. 2. To identify ways to support local programs that improve short, medium and long-term recovery outcomes for the Glenorchy community. 3. To develop consistent and co-ordinated messaging to local communities about the COVID-19 situation; especially for people at risk during an emergency, those who are isolated and those who do not have access to the internet. 4. To identify localised health and wellbeing services who can be called upon to assist with recovery needs resulting from the COVID-19 situation. 5. Development of long-term responses to recovery from the COVID-19 situation. <p>This is an active document to be continually updated until the recovery period finishes. Actions will be updated and reviewed according to changes in restrictions and community needs.</p> <p>Council's Social Recovery Coordinator is working with the Community Engagement team to develop a resident survey for Council's Social Point Community Engagement Platform. This platform has a range of tools that will help people to keep engaged and informed over the long term recovery in addition to the survey.</p>	Delayed - COVID-19	38% 2 Milestone(s) behind

1.2.3.01 Deliver the Moonah Taste of the World Festival: 100%	Coordinator Community Planning & Engagement	01/07/2019	30/06/2020	Arts and Culture are working with Major Events on Moonah Taste of the World Online. Videos will be produced featuring food producers, dance groups and musicians who would have been part of the festival. This is a great initiative which will share the content that was to be part of the cancelled festival, ensuring that the aims of the event are still able to be realised.	Cancelled - COVID-19	100%
1.3.1.01 Develop a Customer Service Strategy: 100%	Manager Customer Services	01/07/2019	30/06/2020	At its 29 June meeting Council received the Draft Customer Service Strategy that has been developed throughout the COVID-19 pandemic. Council has now resolved to release the draft for public comment and it will return to Council with final comments for adoption early in the 2020/2021 financial year.	Pending Council Decision	95% 5% behind
2.1.1.01 Undertake an Open for Business Review to improve development facilitation: 0.5%	Director Strategy & Development	01/07/2019	30/06/2020	Open for Business Review Report completed 17 June 2020, and presented to Aldermen 22 June 2020	No value	100%
2.1.2.01 Develop an Economic Development Strategy: 6 Milestone(s)	Manager City Strategy & Economic Development	01/07/2019	05/02/2020	Council endorsed the Economic Development Strategy at the 24 Feb meeting. Next steps will be to recruit an Economic Development Coordinator to create an implementation plan and identify active partnerships to progress actions within the strategy.	Delivered	100%
2.2.1.01 Progress major projects in the municipality: 100%	Director Strategy & Development	01/07/2019	30/06/2020	Work continues to progress major projects in the municipality, including development of Wilkissons Point, the MONA Hotel and carpark and Windermere Bay. The Windermere Bay development application was recently lodged, and the sale and planning scheme amendment for Wilkissons Point are well progressed.	No value	100%
3.1.3.01 Progress the Northern Transit Corridor: 100%	General Manager	01/01/2019	31/12/2019	Submissions have been made to the Urban Congestion Fund and to the Deputy Prime Minister for economic stimulus funding for stage 1 of the City Link light rail project from Macquarie Point to Moonah. Council is actively participating in the Northern Suburbs Transit Corridor Mode Analysis - a study to select the preferred kind of transport to run along the rail corridor, including data provision and a virtual tour of the City with the consultants. This is expected to be finalised by the end of July 2020. A representation was made to the Hobart City Council in relation to development application for a road at Macquarie Point with assurances provided that a transit corridor would be preserved through the site.	Pending External Decision	100%
3.1.4.02 Commence extension of the Jackson Street Landfill: 3 Milestone(s)	Manager Property, Environment & Waste	01/07/2019	30/06/2020	Project manager position advertised, interviews to follow, and appoint the PM.	No value	70% 1 Milestone(s) behind
3.1.4.01 Implement FOGO: 3 Milestone(s)	Manager Property, Environment & Waste	01/07/2019	29/02/2020	The FOGO service is now fully operational and since the service started over 1500t of waste has been diverted for landfill and processed into compost.		100%
3.1.2.01 Develop the Future Glenorchy Program: 100%	Director Strategy & Development	01/07/2019	30/06/2020	Program plan is in place and Program Manager appointed. Future Glenorchy was launched in February 2020, with a website developed. A communication and engagement plan was circulated to Council and the Executive Leadership Team and is now being implemented. A reporting structure is being implemented.		100%
4.1.1.01 Monitor Council expenditure and drive efficiency across the organisation: 100%	Manager Finance & ICT	01/07/2019	30/06/2020	Monthly reporting of variances budget to actuals reported in summary to Council with a detailed version to Directors. Additional reporting has been incorporated to reflect impacts of COVID-19.	No value	100%
4.1.2.01 Implement the new Asset Management Strategy: 100%	Manager Infrastructure, Engineering & Design	01/07/2019	30/06/2020	The implementation of the Asset Management Strategy/Strategic Asset Management Plan 2019-2023 is in progress, despite some minor delays due to COVID 19. The team will be continuing the Strategy/Plan implementation as the Strategy/Plan is covering a four-year period and requires ongoing effort.	Delayed - COVID-19	96% 4% behind
4.2.1.01 Implement the Information, Communication and Technology Strategy: 100%	Manager Finance & ICT	01/07/2019	30/06/2020	ICT Strategy has been deferred until the appointment of the ICT Manager. Recruitment commences 1 July 2020. Strategy deferred until 31 Dec 2020.	No value	50%
4.2.2.01 Implement the Workforce Development Plan: 100%	Manager People & Culture	01/07/2019	30/06/2020	Overall there have been significant development in most areas: <ul style="list-style-type: none">• HR software - Skytrust and MyRecruitment plus have been implemented and are in the last 20% of the implementation• P & C skill set - with the hiring of the Training & Development person the skills required for the full implementation of our strategies will be complete• Core competencies - full set of supervisory competencies have been developed, work now to commence on the range of job competencies throughout Council• Reclassification project 95% complete• Salary strategy will be developed as part of the re-negotiation of the Enterprise Agreement• Significant work has been put into collecting and entering training records into the Skytrust program• A critical position replacement process has been designed and accepted. It will be implemented over the next 6 - 8 months.	Delayed - COVID-19	70% 30% behind

4.2.2.02 Implement the People and Culture Strategy and 2020 Enterprise Agreement: 100%	Manager People & Culture	01/07/2019	30/06/2020	EA negotiation have been delayed until May 2021. Significant parts of the HR Strategy have been completed, although areas associated with job competencies have not been completed.	Delayed - COVID-19	62% 38% behind
4.3.1.01 Support implementation of the Hobart City Deal: 100%	General Manager	01/01/2019	30/06/2020	<p>The City Deal Implementation Plan was adopted by Council 30/9/2019. This is three year rolling plan which is subject to annual review. Key initiatives during the year relevant to Glenorchy have been:</p> <ul style="list-style-type: none"> the coming into effect of the Greater Hobart Act which provides for improved co-ordination of infrastructure planning between the inner metropolitan councils and the State Government. A draft vision for Greater Hobart has been prepared as part of the development of a Work Plan under the Act. preparation of a Northern Suburbs Transit Corridor Mode Analysis to select the preferred kind of transport to run along the rail corridor. This is expected to be finalised by the end of July 2020. 	Pending External Decision	95% 5% behind
5.1.1.09 Commence developing an Arts and Culture Strategy: 100%	Coordinator Arts & Culture	01/07/2019	30/06/2020	As part of a loan to Council from the State government within a COVID19 relief package, Council has obtained funding for the development of the Arts & Culture Strategy over 2020/21. The project plan for the development of the Arts and Culture Strategy is near completion.	No Value	100%
5.1.1.11 Deliver Glenorchy Volunteer Awards: 100%	Coordinator Community Planning & Engagement	01/07/2019	30/06/2020	An online ceremony was held during Volunteer Week. 42 individuals and 2 groups were recognised with awards across a number of categories. 8 organisations made the nominations.	Delivered	100%
5.1.1.01 Implement the Product of Glenorchy Project: 100%	Director Strategy & Development	01/07/2019	30/06/2020	Activity City was launched on 7 May 2020, with more than 50 businesses registered. Establishment phase is complete. Implementation will continue as business as Usual Activity		100%



● Draft ● Not started ● On Track ● Behind ● Overdue ● Complete → Direct Alignment → Indirect Alignment

GLENORCHY CITY COUNCIL PLAN

Goal	Owner	Start Date	Due Date	2019/20 Update	EOFY Comple...
1.1 Know our communities and what they value.	Director Community & Customer Services	01/07/2019	30/06/2022	COVID-19 has presented many challenges for individuals, families, communities and businesses. Council's Social Recovery Coordinator has been gathering information about the impacts of COVID-19 on community from local services and organisation between March and June to inform the work of the Southern Region Social Recovery Committee (SRSRC) and to develop Council's Social Recovery Plan and SRSRC plan. Also actively reached out to all networks and community groups during COVID-19 to facilitate opportunities and connections including with MRC and the Multicultural Hub. The Community Development team, through networks also engaged with services to understand changes to their programs and how this period has impacted on young people, seniors and people with disability.	On Track
→ 1.1.1 Guide decision making through continued community engagement based on our Community Plan: 100%	Manager Community	01/07/2019	30/06/2022	In addition to the formal engagements undertaken there were also a number of "informal" engagements with businesses, community groups and networks regarding how they were coping during COVID 19 and what services were available to the community. A community survey is being developed to better understand the impacts and positive changes as a result of COVID-19. This survey is also being developed to facilitate opportunities for community to reconnect. Although COVID-19 affected the methods and/or period of engagement, projects undertaken adapted to ensure community were engaged. For example an online engagement platform was used to promote community input in to the Montrose Bay and Giblins Reserve play space designs. Council's Social Recovery Coordinator has been gathering information about the impacts of COVID-19 on community from local services and organisation between March and June to inform the work of the Southern Region Social Recovery Committee (SRSRC) and to develop Council's Social Recovery Plan and SRSRC plan. The Community Development Team, through networks also engaged with services to understand changes to their programs and how this period has impacted on young people, seniors and people with disability. A community survey is being developed for delivery in the first quarter.	On Track

→ 1.1.2 Encourage diversity in our community by facilitating opportunities and connections: 100%	Manager Community	01/07/2019	30/06/2022	Actively reached out to all networks and community groups during COVID-19 to facilitate opportunities and connections including with MRC and the Multicultural Hub. Council is working with Multicultural Council of Tasmania (MCoT) on a submission to Tasmanian Community Fund for installation of commercial kitchen facilities in the Hub to assist with sustainability. Council in consultation with MCoT developed agreed milestones with the State Government for year 4 of the Hub project. Next steps will be to meet with State Government to secure further funding beyond the 4 year agreement.	Behind
1.2 Support our communities to pursue and achieve their goals	Director Community & Customer Services	01/07/2019	30/06/2022	The COVID-19 pandemic has affected many opportunities across the community. However, the community continues to be innovative and supported by Council achieving positive outcomes. Although the Moonah Taste of the World Festival was cancelled a number of performers and community groups with food preparation skills delivered their outputs on line continuously to build the networks and skills for further participation into the Glenorchy Community. Council's Child Care Services partnered with the Troublesmiths and Mission Australia/Youth Beat to deliver similar support packs to youth in the Goodwood and Glenorchy suburbs. Council worked with a range of services, including community houses, MRC, emergency food and relief services eg. Salvos and Vinnies to develop COVID-19 local support information in easy English format which was distributed to over 4,000 households in suburbs where there is lower internet access and higher population of migrants. Council with Salvos, Shelter Tas, Bethlehem House and Colony 47 to develop a contact card for people who are homeless or at risk of homelessness. This period has focused on the needs of the most vulnerable in the community to ensure current information has been provided and people stay connected and informed. Council also and delivered the Can Do Community Grants program which will involve new relationships and collaboration with several new community connections.	On Track
→ 1.2.2 Build relationships and networks that create opportunities for our communities: 100%	Manager Community	01/07/2019	30/06/2022	Partnered with Mission Australia - Youth Beat program to deliver "Kindness Kits" to children and families of Council's Child Care Services. Partnered with the Troublesmiths and Mission Australia/Youth Beat to deliver similar support packs to youth in the Goodwood and Glenorchy suburbs. Worked with a range of services, including community houses, MRC, emergency food and relief services such as Salvos and Vinnies to develop COVID-19 local support information in easy english format. Project planning is underway with Salvos, Colony 47, Shelter Tas and others for National Homelessness Week and Anti-Poverty week. Continuous participation in the Southern Region Social Recovery Committee, which has representation from state, local government and non government services has focused on a consistent response to COVID-19 since the end of March. Working with Orange Sky Laundry to establish this service for people in need in Glenorchy. Worked with Salvos, Shelter Tas, Bethlehem House and Colony 47 to develop a contact card for people who are homeless or at risk of homelessness. This period has focused on the needs of the most vulnerable in the community to ensure current information has been provided and people stay connected and informed. Developed and delivered the Can Do Community Grants program which will involve new relationships and collaboration with several new community connections.	On Track

→ 1.2.3 Promote creative expression and participation and life-long learning as priorities for our communities: 100%	Manager Community	01/07/2019	30/06/2022	Arts and Culture is working with Waste Services on the Waste-Ed Art exhibition for 2020 which will be presented online due to COVID19. The call out to schools for work is underway closing 20 July. The exhibition will be presented online from late July. The April School Holiday activities at the MAC were planned and programmed. Unfortunately, due to COVID19 this season of activities could not go ahead at the MAC. After the MAC closure content was filmed for children to be broadcast online during the school holidays. This content for children and families is presented online as part of the MAC Online program.	On Track
→ 1.2.1 Encourage and support communities to express and achieve their aspirations: 100%	Manager Community	01/07/2019	30/06/2022	<p>The focus of the Community Development work since COVID-19 has been in response to community need and social recovery. This has seen the development of a Kindness Card that was letterboxed to the community to encourage neighbours to connect and help each other during the isolation period. Health and wellbeing activities have also been posted on Council's Facebook page, including the successful Live Well Live long program for older people and Movement Monday and Work Out Wednesday activities. Younger people in the community were invited to write letters or send drawings to older people in local nursing homes. The community has also been invited to sew 'boomerang bags' made from recycled materials, which the team has used for kindness packs, food hampers for distribution by Salvos and an arts pack for a local schools project being delivered by the Safer Communities Officer. Grant opportunities, on-line activities and support information has been provided to community via networks, local groups, website and Facebook pages. Can Do Community Grants have been distributed to 12 community organisations who will deliver programs that will build community capacity over the next few months.</p> <p>Since the closure of the MAC due to COVID19, the focus of Arts & Culture moved to curating and producing online material. Initially the focus was the work of the exhibition that was up at closure, the Glenorchy Open. This was presented online with individual and themed focus on social media and on our website. This has been a great way to present individual works from the show through different themes. This has been very positively received and has provided a variety of material to feature over many weeks.</p> <p>In late April a call out was promoted to artists, performers, and tutors to submit expressions of interest to produce digital content for presentation as part of the online program. The aim to present an online program that celebrates the breadth and diversity of creative talent within our community, encompassing different art forms and digital formats.</p> <p>The call out sought work in the following areas:</p> <ul style="list-style-type: none"> • Workshops/Tutorials/Activities that provide learning opportunities for people in our community. • Connecting people, proposals that bring people together or offer opportunities for people from our community to directly engage in the work or presentation. • Showcasing local talent, live or pre recorded performance (music, dance, comedy, circus, etc), film, digital art, etc. This should be work that is innovative in expression and delivery, and a celebration of difference and diversity. 	Behind

1.3 Facilitate and/or deliver services to our communities	1.3.1 Directly deliver defined service levels to our communities: 100%	Director Community & Customer Services	01/07/2019	30/06/2022	During the 19/20 financial year Council has implemented the Customer Satisfaction score system (CSAT) that provides Council's customers the opportunity to rate Council's Customer Service experience. The CSAT system is currently available at Council's main office (via a tablet in the foyer), via email and at the conclusion to a phone call. This system has been in place throughout 2020 and is providing positive feedback over the recommended industry standard of 75% and also identifying areas for improvement. During Q4 Council continued to improve against the current Customer Service Charter commitments answering 94% of calls inside 1 minute, with 98% of front counter completion times less than 5 mins. However, there is further improvement to be found when responding to complaints and requests within a timely manner. Finally, a new draft Customer Service Strategy was developed during the COVID - 19 pandemic. The draft strategy, which is about to be released for a second round of public comment, will guide Council's actions to improve Customer Service and the Customer Experience across the organisation.	On Track
		Director Community & Customer Services	01/07/2019	30/06/2022	Council continues to deliver agreed service levels to customers. Implementation of Customer Satisfaction Score (CSAT) has been identified as appropriate measure of monitoring Council's achievements against goals outlined in the Customer Service Charter and will be in place for the 2nd half of the year. The development of a new Customer Service Strategy has been put to the market with a consultancy to be put in place from late Jan 2020.	On Track
		Director Strategy & Development	01/07/2019	30/06/2022	The Open for Business Review has been completed and the review of land supply and demand have commenced. Consultation on the Draft Local Provisions Schedule is expected to commence in the coming weeks, subject to the Tasmanian Planning Commission's approval to proceed. The Economic Development Strategy is complete and Opportunity mapping project is complete pending approval of data providers to publish data.	On Track
		Director Strategy & Development	01/07/2019	30/06/2022	The Open for Business review has been completed, with implementation in 2020/21 expected to improve outcomes. The Draft Local Provisions Schedule has been reviewed by the Tasmanian Planning Commission and will be exhibited later in 2020.	On Track
		Director Strategy & Development	01/07/2019	30/06/2022	Economic Development Strategy complete. Opportunity mapping project complete pending approval by data providers. Major projects progressed with client manager approach being used successfully. Prospectuses developed and submitted to State and Federal Governments. Economic Recovery Plan in place and being implemented. Business support and development activities being implemented, including Activity City.	On Track
2.2 Identify and support priority growth sectors	2.2.1 Target growth sectors based on our understanding of the City's competitive advantages: 100%	Director Strategy & Development	01/07/2019	30/06/2022	Significant progress has been made in progressing major developments, and identifying opportunities for development, including on Council land. The release of the Economic Development Strategy has enabled a more strategic approach to development.	On Track
		Director Strategy & Development	01/07/2019	30/06/2022	Significant progress has been made on major developments, including Wilkinsons Point, Windermere Bay and the City Link Rail project.	On Track
		Director Strategy & Development	01/07/2019	30/06/2022	Significant progress has been made on major developments, including Wilkinsons Point, Windermere Bay and the City Link Rail project.	On Track

3.1 Create a liveable and desirable City	Director Infrastructure & Works	01/07/2019	30/06/2022	Significant progress on a range of initiatives including: <ul style="list-style-type: none">- completion of works on CBD Revitalisation on the Main Road up to Regina Street ahead of time and on budget- active participation in working across all levels of government in progressing the Northern Transit Corridor project- 98% project completion across the capital works program for roads, stormwater and footpaths- delivery of key actions from the Waste Management Strategy Action Plan including the roll out of FOGO and EPA approval of the Jackson Street landfill extension- ensuring compliance with the planning scheme, building codes- sale of the first properties as part of the repurposing of underutilised land project- community engagement and commencement of detailed design on State and Australian Government Grant projects including Eady Street clubrooms, KGV/North Chigwell football facilities, and Montrose Foreshore and Gibbins Reserve payspaces- approval of the Public Toilet Strategy and commencement of actions including design and reviewing cleaning program	On Track	
	→ 3.1.1 Revitalise our CBD areas through Infrastructure Improvements: 100%	Director Infrastructure & Works	01/07/2019	30/06/2022	Stage 3B – Northgate side works: <ul style="list-style-type: none"><input type="checkbox"/> Northgate side works are now complete and the opening of a new access parking bay in front of southern entrance to Northgate;• Stage 3B – Corner works (Main Rd & Tolosa St – Chambers side);<input type="checkbox"/> All works on this side are now complete;• Stage 3B – Corner works (Main Rd & Tolosa St – St Matthews Church side);<input type="checkbox"/> All corner works on this side are now complete;<input type="checkbox"/> New access parking bay, while complete and sealed, is not open for use yet due to proximity to construction site area;• Stage 3B works along the southern side have ceased for the Christmas/New Year;	On Track
	→ 3.1.3 Manage the City's transport network and the associated infrastructure to promote sustainability, accessibility, choice, safety and amenity for all modes of transport: 100%	Director Infrastructure & Works	01/07/2019	30/06/2022	Council is deliver improved outcomes for the transport network through: <ul style="list-style-type: none">- actively working with all levels of government in strategic planning on the Northern Transit Corridor- delivery of Council's capital works program in renewal and upgrade of roads, stormwater, and footpaths- commencement of a dedicated program to fix defects in our footpath network	On Track
	→ 3.1.4 Deliver new and existing services to improve the City's liveability: 100%	Director Infrastructure & Works	01/07/2019	30/06/2022	Development applications have been assessed to ensure compliance with the planning scheme, within statutory time frames	On Track
	→ 3.1.2 Enhance our parks and public spaces with public art and contemporary design: 100%	Director Infrastructure & Works	01/07/2019	30/06/2022	Future Glenorchy Program developed and in place.	On Track
3.2 Manage our natural environments now and for the future	Director Infrastructure & Works	01/07/2019	30/06/2022	Council has continued to deliver a range of initiatives in this area including: <ul style="list-style-type: none">- managing Wellington Park through our membership of the Trust and ongoing mangement in line with the management plan- works across our natural areas to protect their values including engagement with our community to create stronger ownership- ongoing monitoring of the river Derwent and management of devices to remove contaminants from the waterways	On Track	

→ 3.2.1 Identify and protect areas of high natural values: 100%	Director Infrastructure & Works	01/07/2019	30/06/2022	Council continued to play a vital role in protecting areas of high natural values through our membership of the Wellington Park trust and involvement in management the bushland areas that make up half of municipality by area	On Track
→ 3.2.2 Encourage access to and appreciation of natural areas through the development of trail networks and environmental education: 100%	Director Infrastructure & Works	01/07/2019	30/06/2022	During 2019/20 Council delivered a range of community utilising both the community and contractors to manage weeds, promote awareness in the community, and undertake a range of plantings	Complete
→ 3.2.3 Enhance, protect and celebrate the Derwent Foreshore: 100%	Director Infrastructure & Works	01/07/2019	30/06/2022	Water Sensitive Urban design and water quality monitoring complete.	On Track
4.1 Govern in the best interests of our communities	Director Corporate Services	01/07/2019	30/06/2022	Huge achievements and the majority of programs have substantially commenced, are completed or delivered. COVID-19 has slowed some work however overall the Goal is on track.	On Track
→ 4.1.1 Manage Council for maximum efficiency, accountability and transparency: 100%	Director Corporate Services	01/07/2019	30/06/2022	An outstanding year implementing a number of initiatives ensuring maximum efficiency, transparency through internal audits and implementing outcomes in a sustainable manner. COVID-19 has delayed some aspects but overall remain on track.	On Track
→ 4.1.2 Manage the City's assets soundly for the long-term benefit of the Community: 100%	Director Infrastructure & Works	01/07/2019	30/06/2022	<p>Council is actively building a resilient and sustainable community through:</p> <ul style="list-style-type: none"> - managing COVID-19 and flood events through 2020/21 led by our Municipal Emergency Management Committee - finalising the Derwent Park Stormwater Reuse Scheme and our commitment to the Australian Government - reducing the risk posed by fire through a program of fuel reduction and undertaken detailed planning for future hazard management - implementation of the Asset Management Strategy to ensure Council continue to provide affordable services to our community by implementing optimised renewal and maintenance programs 	On Track
→ 4.1.3 Maximise regulatory compliance in Council and the community through our systems and processes: 100%	Director Community & Customer Services	01/07/2019	30/06/2022	<p>Parking - In comparison to the average of the last 3 years, parking fines issued in 19/20 (4470), were down 1676, less than the last 3-year average (6146). This was largely due to the easing of enforcement during COVID-19 restrictions imposed by the Tasmanian Government. COVID-19 significantly reduced the number of infringements that were issued.</p> <p>Animal Management - In comparison to the average of the last 3 years, dogs registered in 19/20 (9010), were down 387 less than the last 3-year average (9397). There has been an increase in the number of unregistered dog infringements issued in 19/20 in ratio to each dog registered, compared to the previous 3 yearly average. This is likely to be due to less compliance from dog owners to register their dog/s and greater efficiencies gained in the timeliness of infringements being issued.</p> <p>Environmental Health - 100% of businesses/activities requiring registration/licencing under the Public Health Act 1997 are registered/licenced for the 2020/2021 year. 100% of businesses are registered under the Food Act 2003 for the 2019/2020 year. State Government extended registrations and licences for an additional 6 months due to COVID-19 restrictions that were placed on businesses.</p> <p>99.04% of food businesses due for a food inspection received their minimum number of food safety inspections as per the designated risk rating. Some businesses are currently closed due to COVID-19 and their inspection dates have been pushed forward but we are still operating within the requirements of the Tasmanian Food Business Risk Classification System.</p> <p>Overall - All governance assessments, risk assessments and audits are now completed.</p>	On Track

4.2 Prioritise resources to achieve our communities' goals	Director Corporate Services	01/07/2019	30/06/2022	Another areas that has performed extremely well with best practice procurement, risk management, development of directives and implementation of plans.	On Track
	→ 4.2.1 Deploy the Council's resources effectively to deliver value: 100%	Director Corporate Services	01/07/2019	30/06/2022 The draft Code for Tenders and Contracts has been reviewed by the ELT and recommended for Council to adopt. Many staff are already working to this code and looking to implement best practice for their areas.	On Track
	→ 4.2.2 Ensure that we have a skilled, capable and safety-focused workforce: 100%	Director Corporate Services	01/07/2019	30/06/2022 Substantial progress toward this goal has been achieved. Software as an enabler has been rolled out, workshops with Managers have commenced and skills gap analysis are being identified. A new learning and development officer has been appointed.	On Track
	4.3 Build strong relationships to deliver our communities' goals	General Manager	01/07/2019	30/06/2022 No updates recorded	On Track
→ 4.3.1 Foster productive relationships with other levels of government, other councils and peak bodies to achieve community outcomes: 100%	General Manager	01/01/2019	30/06/2022	No updates recorded	On Track
	5.1 All the activities of Council contribute to and support our Community's goal to Build Image and Pride: 100%	General Manager	01/01/2019	30/06/2022 No updates recorded	On Track

Procurement Exemptions Report 17 June 2020 to 13 July 2020

Contractor or Supplier	Value (ex. GST)	Grounds for Exemption (Code Clause 9.2)	Description of the grounds from the Code for Tenders and Contracts	Description of the circumstances	Description of the commodities (i.e. works, goods and/or services) purchased	Requesting Officer	Approving Officer	Title	Date Approved
Id Consulting	\$14,500.00	9.2(b)	Reasonable enquiries indicate that there may only be one supplier of the required goods and/or services in Australia	id Consulting are the sole supplier of the data analysis provided and incorporates fee-for-access data not available to Council independently.	Data analysis service subscription – Housing id	E McGoldrick	S Fox	DS&D	23 June 2020
Illion Australia Pty Ltd	\$52,326.00	9.2(e)	In the circumstances, compliance with clauses 7.3.2, 7.3.3, 7.3.4 or 7.3.5 would cause significant, unjustifiable or unreasonable cost or loss or significant and unreasonable business interruption to the activities of the Council	The purchase is for supplies of additional (product licensing and SaaS) services by the original supplier and a change of supplier cannot be made: for compliance and technical reasons relating to the need for continuity of Council's e-tendering system; interoperability with existing software and services procured under the initial procurement; compatibility with Council's Code for Tenders and Contracts, processes and procedures and, all of which are dependent on the current e-tendering system and service and because the services can be supplied only by the current supplier, and no reasonable alternative or substitute exists, for the protection of intellectual property rights.	Software as a service for e-tendering portal and supplier segmentation and financial and sustainability monitoring, usage and license renewal for up to 3 years.	G Hill	J Richardson	DCS	23 June 2020

Contractor or Supplier	Value (ex. GST)	Grounds for Exemption (Code Clause 9.2)	Description of the grounds from the Code for Tenders and Contracts	Description of the circumstances	Description of the commodities (i.e. works, goods and/or services) purchased	Requesting Officer	Approving Officer	Title	Date Approved
Assetic	\$206,643.22	9.2(c) 9.2(e)	Code 9.2 (c): The supplier sought to be retained has historical knowledge of the project associated with the relevant procurement. Code 9.2(e): In the circumstances, compliance with clauses 7.3.2, 7.3.3, 7.3.4 or 7.3.5 would cause significant, unjustifiable or unreasonable cost or loss or significant and unreasonable business interruption to the activities of the Council (or significant risk of the same happening)	Glenorchy City Council purchased MyData asset management software through an open tender process in 2012 and entered into an ongoing contract with Assetic for its licensing and technical support of the MyData software package. This agreement was for a lump sum of \$350,000. This threshold has now been exceeded. A feasibility study and analysis was conducted in 2019 looking to upgrade Council's asset management system into the cloud. This came at a cost of \$1m over five years and was deferred until completion of Council's ICT strategy due to be completed in the next 1-2 years. A process to tender and replace Assetic could take a further 12 months. Until a replacement system is procured Council will need to maintain the existing system at an annual subscription fee of \$65,549.00 (2019/20 pricing) with a 5% increase per year. Stopping the subscribing would cause significant disruption to the business, including failing to maintain the asset register or to meet the financial and asset management responsibilities legislated under the Local Government Act. It is recommended to apply an exemption for three (3) financial years (2019/20, 2020/21, and 2021/22), which allows Council to have sufficient time to reassess and further explore its options (e.g. migrating to MyData Cloud or adopting a new system in line with its ICT strategy). This is a total cost of \$206,643.22.	Asset Management Software - MyData asset database and MyPredictor asset modelling software	F Chen	T Ross	DIW	25 June 2020

Contractor or Supplier	Value (ex. GST)	Grounds for Exemption (Code Clause 9.2)	Description of the grounds from the Code for Tenders and Contracts	Description of the circumstances	Description of the commodities (i.e. works, goods and/or services) purchased	Requesting Officer	Approving Officer	Title	Date Approved
Resonance Consulting	\$60,000.00	9.2(c)	Code 9.2 (c): The supplier sought to be retained has historical knowledge of the project associated with the relevant procurement.	<p>Resonance was originally engaged to provide "a paper on southern regional collaboration and infrastructure requirements". In accordance with Council's Waste Management Strategy a key action was to consider the future of waste disposal beyond the life of Jackson Street Landfill. This included options for facilities or services to transfer waste from Glenorchy to regional landfill facilities including the development of a Waste Transfer Station.</p> <p>The scope of the project expanded with more detailed consultation with key stakeholders and some initial analysis on the financial impacts. This information is required as part of the development of a Strategic Business Case that will form the end point of this consultancy. This was communicated at a workshop with Aldermen and ELT and is an agreed action in the Waste Management Strategy.</p> <p>Resonance has key historical knowledge of this project and was initially engaged based on their work on the Waste Management Strategy. Any further engagement beyond this extension will be undertaken in line with Council's requirements under the code with no further exemption to be considered.</p> <p>The \$60,000 is an extension of \$20,000 on the \$40,000 previously requested and approved on 31 October 2020.</p>	Consulting - development of Strategic Business Case	A Woodward	T Ross	DIW	29 June 2020

Contractor or Supplier	Value (ex. GST)	Grounds for Exemption (Code Clause 9.2)	Description of the grounds from the Code for Tenders and Contracts	Description of the circumstances	Description of the commodities (i.e. works, goods and/or services) purchased	Requesting Officer	Approving Officer	Title	Date Approved
Destination Southern Tasmania	\$6,560.90	9.2 (b)	Code 9.2(b): Reasonable enquiries indicate that there may only be one supplier of the required goods and/or services in Australia.	Considered as a payment to a statutory authority. Annual base funding as per previous years; all southern Tasmanian councils and Dept of State Growth fund the organisation	Signed Partnership Agreement and invoice issued. Full year of membership 01.07.2020 – 30.06.2021	E. McGoldrick	S Fox	DS&D	1 July 2020