

**GLENORCHY CITY COUNCIL
ATTACHMENTS
MONDAY, 26 AUGUST 2024**



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GLENORCHY WAR MEMORIAL POOL

Options Assessment Report

1st August 2024
Final Version 1.0



Acknowledgement of Country

MI Global Partners acknowledges the Traditional Custodians of the land on which we work and recognise their continued custodianship and connection to the land, waters and community.

We pay our respects to their Elders past, present and emerging.



Artwork by Keith Tarrler



Contents

This report provides summary outcomes of the analysis of the three shortlisted Glenorchy War Memorial Pool site options.

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1 Executive Summary

This report details the process of shortlisting three options, the high-level concepts and the outcomes of a demand, financial and economic assessment for each option.

A preferred option has been recommended based on the analysis, as well as community and stakeholder engagement.

Options Assessed

An investment logic mapping process and needs assessment within the greater Hobart area identified nine potential options for the Glenorchy War Memorial Pool (GWMP) site. These options are listed below:

1. Revitalise the Existing War Memorial Pool
2. Replace Existing Pool 'Like for Like'
3. Multipurpose 4 Indoor Courts (Non-aquatic) Facility
4. Larger Outdoor (50m) and Indoor (25m) Aquatic Facility
5. Multi Use Facility (Outdoor 25m Pool and Indoor Courts)
6. Indoor (50m) Aquatic Facility with Semi Open-Air Pool Functionality
7. Indoor (25m) Multi Use Facility with Semi Open-Air Pool Functionality and Indoor Courts
8. Parkland / Open Space
9. Outdoor Junior Playing Fields

Selection criterion were developed to determine which of the nine options should be shortlisted to undertake more detailed assessment. The selection criteria include the option's ability to deliver community, economic, financial and strategic benefits for the Glenorchy region.

The Shortlisted Options

1. Option 4 includes: Outdoor 50m pool, indoor 25m lap pool, indoor 12mx 20m warm learn to swim / program pool, wellness hall (spa, sauna, steam), leisure pool / toddler pool, café
2. Option 5 includes: Outdoor 25m pool, indoor 12mx 20m warm learn to swim / program pool, wellness hall (spa, sauna, steam), 2 x indoor multi-use courts, gymnasium (842 sqm), café
3. Option 6 includes: Indoor 50m pool, indoor 12mx 20m warm learn to swim / program pool, indoor leisure pool / toddler pool, wellness hall (spa, sauna, steam), cafe

Analysis

The table below summarises the assessment across the three shortlisted options in order to assist in identifying the preferred option moving forward. The assessment includes:

- Delivering on financial, economic and social requirements including a positive Net Present Value (NPV) and Benefit Cost Ratio (BCR); and
- Meeting the overall project objectives / selection criteria.



	Option 4	Option 5	Option 6
Construction Costs	\$72.7M	\$69.2M	\$70.7M
Economic Appraisal			
Net Benefits (NPV)	\$18.5M	\$9.8M	-\$3.6M
Benefit Cost Ratio (BCR)	1.22	1.12	0.95
Cash Flow / Operations			
Annual Revenue	\$2.7M	\$3.1M	\$1.9M
Annual Expenses	\$3.5M	\$3.4M	\$2.9M
Annual Profit (Deficit)	(\$845,000)	(\$215,000)	(\$1,025,000)
Selection Criteria			
Delivering Community Benefit	4 / 5	4 / 5	4 / 5
Community Usage, Benefit and Preferences	5 / 5	4 / 5	5 / 5
Delivering Benefit to Schools	4 / 5	3 / 5	5 / 5
Estimated Cost to Build (i.e. level of funding required)	2 / 5	2 / 5	2 / 5
Revenue Generating Opportunities	4 / 5	4 / 5	3 / 5
Ongoing Operational Costs	2 / 5	2 / 5	3 / 5
Regional Asset - Delivering Out of Region Visitation	5 / 5	4 / 5	2 / 5
Alignment with Council Strategic Plan	3 / 5	4 / 5	2 / 5
Overall Selection Criteria Score	29 / 40	27 / 40	26/40
Option Ranking	1	2	3

Identified recommended option

Option 4 has been assessed as the option returning the most positive outcomes based on:

- Delivering net economic benefits of \$18.5 million and a BCR of 1.22
- Delivering annual revenue of \$2.7M
- Delivering a greater social outcome (i.e. participation and health benefits)
- Delivering the highest score across the selection criteria (29 / 40)

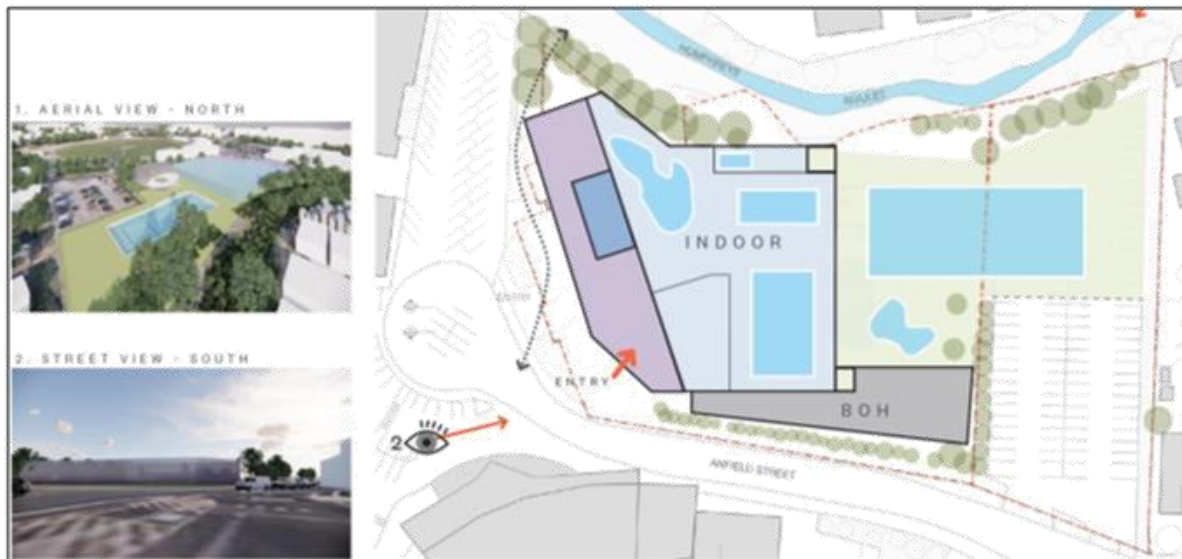


Image: High Level concepts of Option 4

Further stakeholder engagement was undertaken to test the shortlisted options with key stakeholders and user groups including Friends of Glenorchy War Memorial Pool Incorporated, Save the Glenorchy War Memorial Pool, Belgravia Leisure and two local Glenorchy Schools.

Option 4 was well received as the preferred option of these key groups due to the facility providing a 50-metre outdoor pool with sufficient areas for social activities which is considered a unique proposition for greater Hobart, particularly with the twin views of Mount Wellington and Mount Direction. This option also offers all year-round functionality with the indoor 25-metre pool while also catering for new user groups with a dedicated program pool to deliver much needed learn to swim and rehab / aquarobics facilities.

In order to deliver more commercial benefits and reduce the subsidy required to offset the annual deficit the facility is likely to generate, consideration should be made to include a gymnasium, as per Option 5. Splash Devonport Aquatic & Leisure Centre is an example where a tired underutilised outdoor 50 metre pool and waterslide was redeveloped to include a 25 metre eight-lane indoor swimming pool, an indoor learn to swim/warm water exercise pool with water play features, an outdoor water play splash pad and a fully equipped Health Club with a Gymnasium and a Group Exercise Studio. The success and utilisation of the gymnasium has ensured commercial success of this facility and the deficit subsidised by local Council is minimised.

Next Steps

A preferred option will seek endorsement by Glenorchy City Council and proceed to the next phase including:

- Detailed concept planning
- Detailed cost planning
- Refined demand, financial and economic modelling
- Risk assessment
- Funding opportunities.

A final report including the above as well as the case for investment, engagement summary and the shortlisted options assessment will be delivered to finalise the Glenorchy War Memorial Pool Options Assessment scope of work.



2 Options Assessed

2.1 Initial Long List of Options

An investment logic mapping process uncovered a need for community facilities at the existing Glenorchy War Memorial Pool (GWMP) Site. A needs assessment within the greater Hobart area identified nine potential options for the GWMP site. These options are listed below:

Initial Long List of Options

Options	Description
1. Revitalise the existing War Memorial Pool	Fix key issues to extend life by approximately 5 years and begin scoping for a replacement facility in this time.
2. Replace existing pool 'like for like'	New outdoor 50m pool and outdoor leisure pool, with supporting facilities and changerooms that meet current standards.
3. Multipurpose courts (Non-aquatic) facility	4 x multipurpose indoor courts (potential uses such as futsal, dance, martial arts, netball, basketball, community/social spaces - non sport).
4. Larger Outdoor and Indoor Aquatic Facility	50m outdoor pool, 25m indoor pool, learn to swim function and wellness facilities (including a spa, sauna and steam facility).
5. Multi Use Facility (Outdoor Pool and Indoor Courts)	Outdoor 25m pool, 2 x multipurpose indoor courts, learn to swim function, wellness facilities, health club and small pool / water play space.
6. Indoor Aquatic Facility with Semi Open-Air Pool Functionality	Indoor 50m pool with an external wall that opens up to enable a semi outdoor pool experience. This option also includes the ability for the 50m pool to have a wall divider creating 2 x 25m pools, learn to swim function and wellness facilities.
7. Indoor Multi Use Facility with Semi Open-Air Pool Functionality and Indoor Courts	Indoor 25m pool with semi open-air function, 2 x multipurpose indoor courts, learn to swim function and wellness facilities.
8. Parkland / Open Space	Includes community outdoor fitness, War and Indigenous memorials, outdoor arts and entertainment space and water play area.
9. Outdoor Junior Playing Fields	Focused on children and youth activity including little athletics, tennis, netball, football (soccer), futsal etc.

Selection criterion were developed to determine which of the nine options should be shortlisted to undertake more detailed assessment. The selection criteria include the option's ability to deliver community, economic, financial and strategic benefits for the Glenorchy region.

Selection Criterion

Criterion	Description
Delivering Community Benefit	The total health & wellbeing and inclusion & connectedness benefit achieved
Community usage, benefit and preferences	The level of benefit to community (i.e. health, wellbeing, inclusiveness and social connection) each option provides as well as community preferences as assessed via the dedicated community survey
Delivering Benefit to Schools	The level of benefit to schools (i.e. physical education, health, wellbeing, inclusiveness and social connection) each option provides as well as preferences as assessed via the dedicated school survey
Estimated Cost to Build (i.e. level of funding required)	Value of investment required to fund the option
Revenue Generating Opportunities	A high-level assessment of the likely demand / usage and commercial success of the facility
Ongoing Operational Costs	A high-level assessment of the potential ongoing operational costs for each facility



Regional Asset - delivering out of region visitation	The likely out of region visitation to the site due to being a unique asset / facility as assessed by the supply of nearby facilities
Alignment with Council Strategic Plan	Aligning with the GCC needs assessment as per the strategic plan

As detailed in the Stakeholder Engagement report, community and school surveys were administered to understand community benefits and preferences as well as additional stakeholder interviews, research and benchmarking to assess each of the options.

Based on the assessment, the initial options have been ranked from 1 (most suitable option) to 9 (least suitable option).

Options	Score (Out of 5)	Ranking
1. Revitalise the existing War Memorial Pool	2.75	7
2. Replace existing pool 'like for like'	3.25	4
3. Multipurpose courts (Non-aquatic) facility	2.75	6
4. Larger Outdoor and Indoor Aquatic Facility	3.75	1
5. Multi Use Facility (Outdoor Pool and Indoor Courts)	3.5	2
6. Indoor Aquatic Facility with Semi Open-Air Pool Functionality	3.375	3
7. Indoor Multi Use Facility with Semi Open-Air Pool Functionality and Indoor Courts	3.125	5
8. Parkland / Open Space	2.5	8
9. Outdoor Junior Playing Fields	2.375	9

The shortlisted options are:

- Option 4 - Larger Outdoor and Indoor Aquatic Facility
- Option 5 - Multi Use Facility (Outdoor Pool and Indoor Courts)
- Option 6 - Indoor Aquatic Facility with Semi Open-Air Pool Functionality

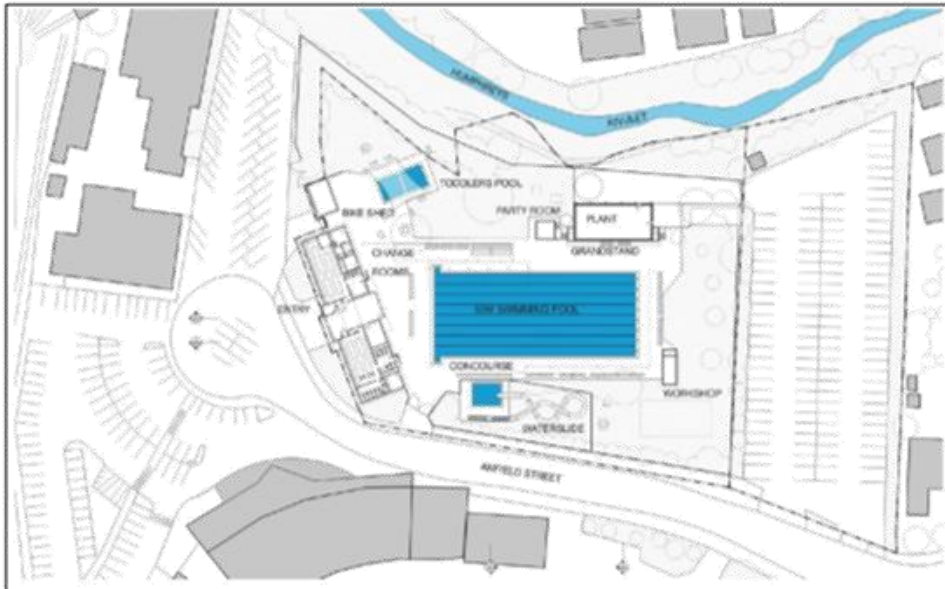
2.2 Shortlisted Options

High level concepts were developed for the three shortlisted options. These concepts are based on the following existing conditions, site extent and design principles associated with modern aquatic facilities.

It should be noted that these concepts should not be considered final but rather initial first concepts to provide a high-level overview of the potential placement of inclusions and subject to change based on feedback, feasibility and a detailed design process.



2.2.1 Existing Conditions

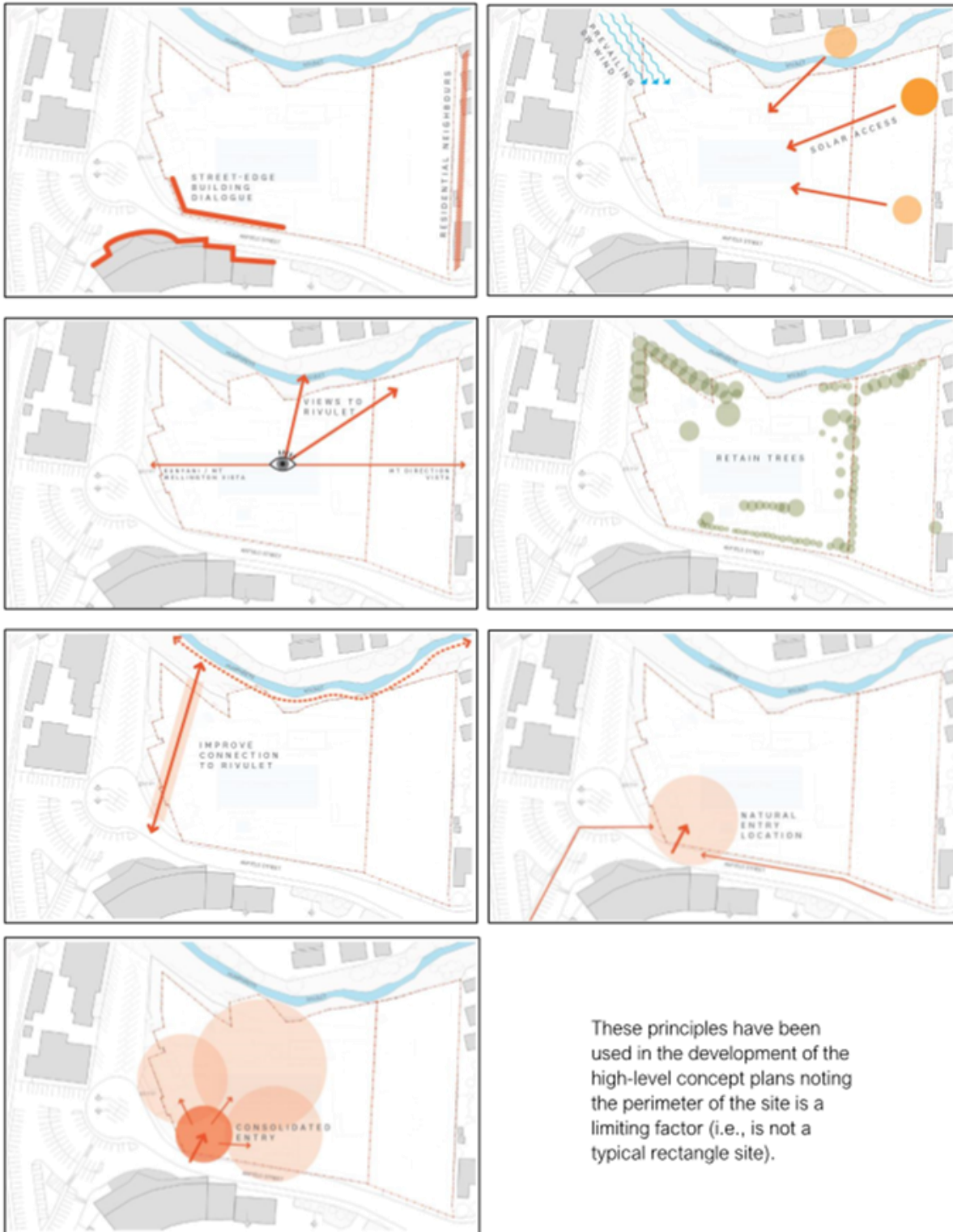


2.2.2 Site Extents





2.2.3 Design Principles



These principles have been used in the development of the high-level concept plans noting the perimeter of the site is a limiting factor (i.e., is not a typical rectangle site).



2.2.4 Option 4 – Larger Outdoor and Indoor Aquatic Facility

Option 4 includes:

Outdoor Facilities (Open 8 months per year)

- Outdoor 50m pool
- Grandstand / spectator area (200 capacity)
- Outdoor change area
- Outdoor splashpad / slide
- Leisure landscape for picnics

Indoor Facilities (Open 12 months per year)

- 25m lap pool
- 12m x 20m warm learn to swim / program pool
- Wellness Hall (spa, sauna, steam)
- Leisure pool / toddler pool
- Change village / facilities

Other

- Back of house (control room, laundry, pool plant, heating)
- Front of house (foyer, creche, café, reception, retail)
- TBC car bays





2.2.5 Option 5 – Multi-use Facility (Outdoor Pool and Indoor Courts)

Option 5 includes:

Outdoor Facilities (Open 8 months per year)

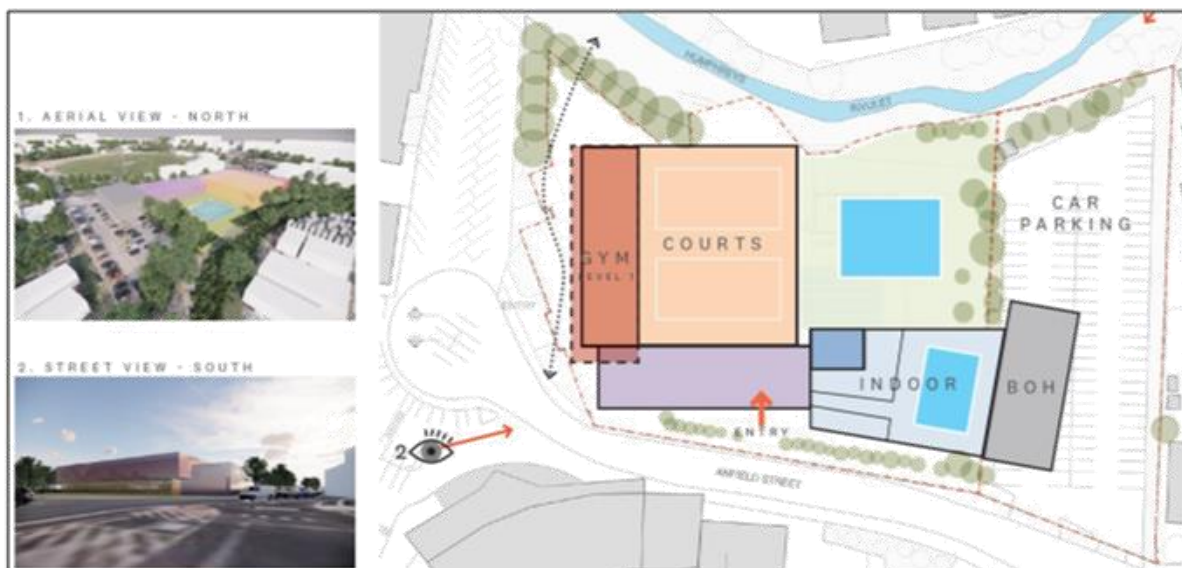
- Outdoor 25m pool
- Leisure landscape for picnics

Indoor Facilities (Open 12 months per year)

- 12m x 20m warm learn to swim / program pool
- Wellness Hall (spa, sauna, steam)
- Change village / facilities
- 2 x indoor multi-use courts (court seating 150 ppl, changerooms)
- Gymnasium (842 sqm)

Other

- Back of house (control room, laundry, pool plant, heating)
- Front of house (foyer, creche, café, reception, retail)
- TBC car bays





2.2.6 Option 6 – Indoor Aquatic Facility with Semi Open-Air Functionality

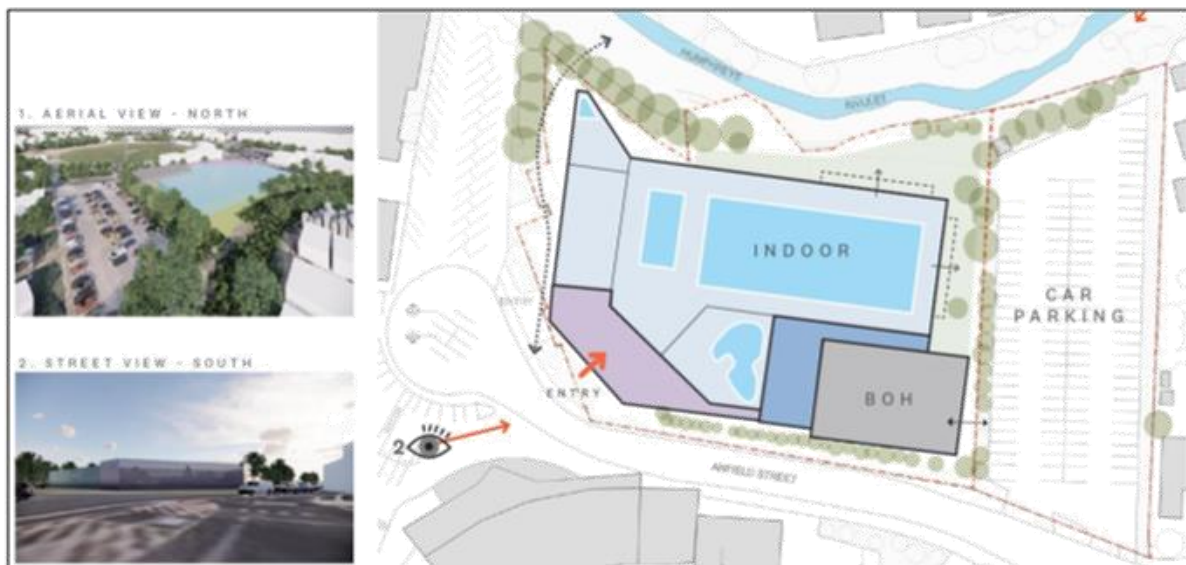
Option 6 includes:

Indoor Facilities (Open 12 months per year)

- Indoor 50m pool
- 12mx 20m warm learn to swim / program pool
- Leisure pool / toddler pool
- Wellness Hall (spa, sauna, steam)
- Change village / facilities

Other

- Back of house (control room, laundry, pool plant, heating)
- Front of house (foyer, creche, café, reception, retail)
- 200 car bays





3 Analysis

3.1 Capital Costs

WT Partnership have provided a cost estimate for the three shortlisted options.

Item	%	Option 4	Option 5	Option 6
Trade Costs		\$54,361,500	\$51,731,500	\$52,851,000
Escalation (2025-2027)	13%	\$7,067,000	\$6,725,000	\$6,871,000
Sub Total		\$61,428,500	\$58,456,500	\$59,722,000
Furniture/Fittings & Equipment (FFE)		\$1,500,000	\$1,500,000	\$1,500,000
Consultant Fees	10%	\$6,292,850	\$5,995,650	\$6,122,200
Contingency	5%	\$3,461,068	\$3,297,608	\$3,367,210
Grand Total		\$72,682,418	\$69,249,758	\$70,711,410

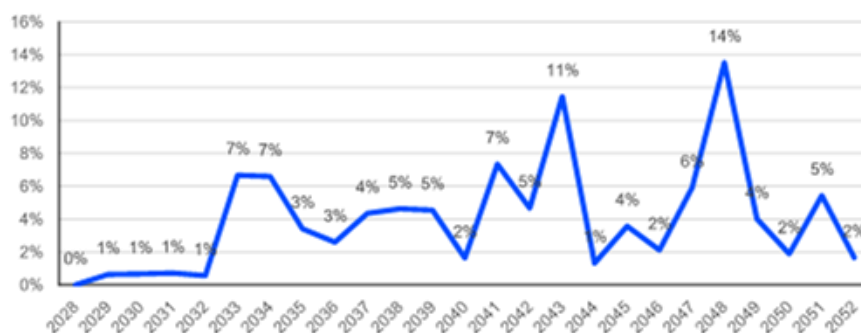
In accordance with the WT Australian Construction Market Conditions Report issued May 2024 the following escalation allowances have been calculated: 2024 (5.5%), 2025 (6.0%) and 2026 (6%).

Construction Costs have been allocated 10% in 2025, 30% in 2026 and 60% in 2027 based off an assumption that best case scenario, the project will be operational in 2028. Should this be delayed, capital costs are expected to continue to escalate at 6% per year.

WT Partnership also completed a whole of life analysis to determine the ongoing annual lifecycle maintenance costs of each option.

Life Cycle Costs (2024AUD\$)	Option 4	Option 5	Option 6
Additional Life Cycle Costs (2028 – 2051)	\$15,158,393	\$14,247,403	\$14,725,411
Average per year	\$606,336	\$569,896	\$589,016

% of overall Lifecycle Costs per year





The major capital costs expected in 2032, 2033, 2040, 2043 and 2048 due to the likely occurrence of the following:

- 2033 – Appliance, pool equipment replacement, repainting of painted finishes.
- 2034 – FF&E partial replacements.
- 2043 – Mechanical/ Hydraulic replacements.
- 2048 – Mechanical/ Hydraulics and Plumbing Fixture replacements, Pool Refurbishment, Fit-out refurbishment and recurring FF&E partial replacements.

3.2 Operating Costs

Industry benchmark data has been used to quantify the likely operating costs per option.

- **Staff Costs** - quantified using a labour cost per attendee ratio of \$7.50 (aligned with current Devonport staffing costs)
- **Cleaning, maintenance, utilities, pest control, fire protection** – quantified using a cost per sqm ratio (WT Partnership OPEX estimates using benchmarked facilities)
- **Marketing** - quantified using a cost per sqm ratio of \$6.83 (industry benchmark)
- **Insurance** - quantified using a cost per sqm ratio of \$6.50 (industry benchmark)
- **Security** - quantified using a cost per sqm ratio of \$6.50 (industry benchmark)
- **Administration** - A nominal amount has been used to estimate administration costs.
- **Pool Assets (Maintenance, water, electricity, chemicals)** – quantified using a cost per sqm ratio (WT Partnership OPEX estimates using benchmarked facilities)
- **Food & beverage** - cost of goods sold (COGS) has been estimated at 30% of total food & beverage revenue.
- **Capital Lifecycle Costs** – As provided by WT Partnership above

Costs	Option 4	Option 5	Option 6
Staff	\$1,460,210	\$1,758,518	\$1,067,859
Cleaning	\$133,080	\$144,414	\$137,506
Maintenance	\$211,357	\$239,002	\$220,314
Utilities	\$144,982	\$146,802	\$155,682
Pest Control	\$7,141	\$8,177	\$7,248
Fire Protection	\$23,087	\$27,967	\$23,703
Marketing	\$37,497	\$27,265	\$28,959
Insurance	\$35,685	\$25,948	\$27,560
Security	\$35,685	\$25,948	\$27,560
Administration	\$40,000	\$40,000	\$40,000
Pool Assets	\$712,612	\$263,578	\$557,770
F&B COGS	\$70,090	\$84,409	\$51,257



Capital Lifecycle Costs	\$606,336	\$569,896	\$589,016
Total Operational Costs	\$3,517,762	\$3,361,924	\$2,934,434

It is projected that a new facility will cost to operate between \$2.9 million (Option 6) and \$3.5 million (Options 4) per year.

Staffing is the largest operating cost for the new facility, ranging from 36% and 52% of overall costs, followed by maintaining the pool assets (i.e. water, electricity for heating, repair and chemicals) which account for approximately 20% of total operating costs for the aquatic facilities.

3.3 Demand Analysis

Demand analysis was also undertaken to assess the utilisation at the activity level in line with the former facility and Devonport. The activities are consistent with aquatic facilities across Australia.

Activity	GWMP Usage	Devonport Usage	Option 4	Option 5	Option 6	Comments
Membership - Aquatic Only	2,040		16,728	4,080	12,546	4 times the members (also 12-month Utilisation)
Adult (16+) – Casual use	14,015	57,556	51,800	28,030	38,850	Consistent with Devonport
Children (5-15) – Casual Use			2,878	1,402	2,158	Consistent with Devonport
Spectator			2,878	607	2,158	Consistent with Devonport
10 pass card	1,701		7,870	3,615	5,903	GWMP (12% of casual use)
Carnival cost per day			5,600	2,800	5,600	28-day season - 200 avg students
Lane Hire per hour		7,950	7,950	3,975	9,938	Same as Devonport (25% higher for Indoor)
Spa / Sauna - Casual Use			3,600	3,600	3,600	10 casual entries per day
LTS Private		64,928	66,000	43,996	43,996	1375 for 48 weeks a year (Dev) - 95% capacity
LTS School			17,500	11,666	11,666	14 schools, 125 kids, 10 lessons
Program pool per hour / Group fitness / aquarobics			11,890	5,967	5,967	6 hrs, 5 days a week, 8 ppl capacity - 95% capacity
Aquatic Usage	17,756	130,434	194,696	109,736	142,381	
Gym Member (Full Centre)		102,101		76,576		Industry benchmark – 8% of catchment / 30% share
Gym - Casual Use				7,658		10% of membership
Casual court hire				40,500		15 hrs per day x 2 courts x 25% utilisation (15 ppl each)
Total Usage	17,756	232,535	194,695	234,469	142,381	

It is projected that Option 4 will see an estimated 194,695 people using the facility per year with nearly 100,000 using the main pool facilities and a further 95,000 using the learn to swim and program pool facilities. Overall, it is a significant uplift compared the existing GWMP due to attracting far broader user groups to the facility.



The community and school survey results as well as the stakeholder engagements justify this uplift with the following key insights:

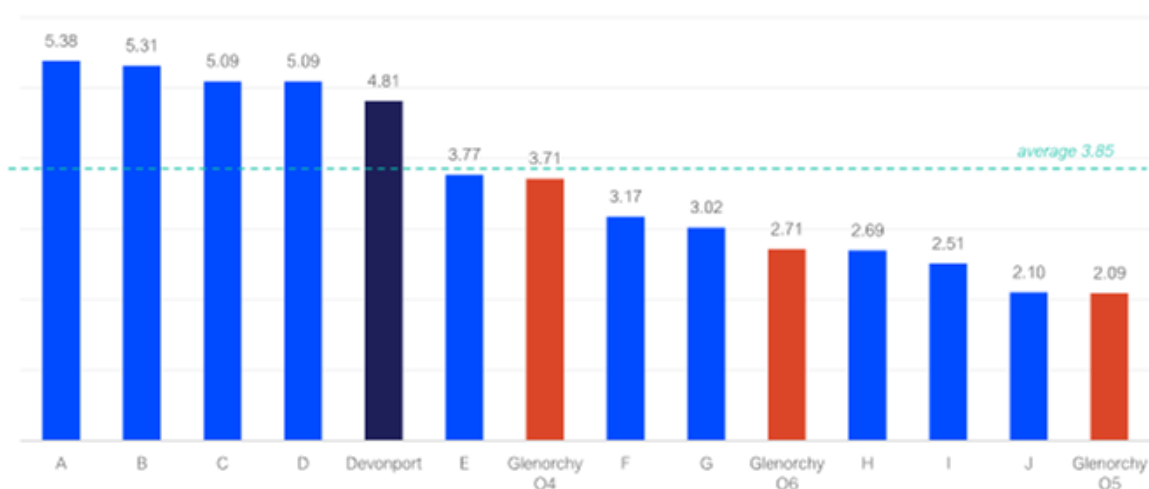
- Those visiting community pools between Oct 2022 and March 2023:
 - GWMP accounted for 60% of total visits
 - 55% of GWMP visitors also visited other pools
- GWMP only opened for 6 months of the year, while the shortlisted options will provide year-round access
- 40% of those that didn't use GWMP when it was open was due to being either unaware of the pool or believe it was too cold / poor quality facilities / amenities
 - 85-95% of non GWMP users said they would visit a new facility sometimes or frequently
- 50% of local schools said they would increase usage at a new facility either through LTS programs and carnivals
- Stakeholder engagement suggested sufficient demand for warm water activities (LTS, rehab), carnivals and squad swimming.

It is also projected to see a 50% uplift in the aquatic use compared to the Devonport facility which is justified with a significantly larger catchment population (52,466 vs 27,124) and whilst the catchment is almost double the size, the usage is only projected to be 50% greater due to the competing facilities in adjoining areas.

Option 5 will see the most utilisation from the three options, although 125,000 is due to the gymnasium and the indoor courts. Although there is a larger catchment population compared to Devonport, a more conservative estimate has been used for gym membership use due to increase competition in the Glenorchy area. The estimate is based off 1,200 members attending on average 1.23 times per week. Court usage is based on a conservative utilisation of 25%, consistent with the nearby Glenorchy Y Centre.

Overall aquatic usage has been benchmarked against similar facilities across Australia. The average annual utilisation per catchment population is 3.85. Option 4's overall utilisation of 194,695 ensures a ratio of 3.71, which appears in line with the industry average. Options 5 and 6 are at the lower end of the industry range demonstrating lower expected use of an outdoor 25m pool and indoor 50m pool compared to the preferred outdoor 50m and indoor 25m pool option.

Annual Utilisation to Catchment Population Ratio





3.3.1 Operating Revenues

Utilising the demand projections and Hobart Aquatic Centre benchmark fees for each activity, the annual revenue generated for each option can be determined.

Fees per Activity

Activity	Fee
Annual Membership - Aquatic Only	\$650.00
Adult (16+) – Casual use	\$7.50
Children (5-15) – Casual Use	\$6.00
Spectator	\$2.00
10 pass card	\$70.00
Carnival cost per day	\$2,400
Lane Hire per hour	\$12.50
Spa / Sauna - Casual Use	\$15.00
LTS Private per session	\$20.00
LTS School per session	\$7.00
Program pool per session (Group fitness / aquarobics)	\$17.00
Annual Gym Membership (Full Centre)	\$900.00
Gym - Casual Use	\$23.50
Casual court hire per hour	\$50.00

In addition to aquatic, gymnasium and court revenue generating activities, each option considers the inclusion of a café / kiosk. Food & beverage revenue is calculated using an industry benchmark of \$1.20 per attendee.

Annual Revenue Projections per Option

Activity	Option 4	Option 5	Option 6
Membership - Aquatic Only	\$104,550	\$25,500	\$78,413
Adult (16+) – Casual use	\$388,503	\$210,225	\$291,377
Children (5-15) – Casual Use	\$17,267	\$8,409	\$12,950
Spectator	\$5,756	\$1,213	\$4,317
10 pass card	\$55,092	\$25,303	\$41,319
Carnival cost per day	\$67,200	\$33,600	\$67,200
Lane Hire per hour	\$99,375	\$49,688	\$124,219
Spa / Sauna - Casual Use	\$54,000	\$54,000	\$54,000



LTS Private	\$1,320,000	\$879,912	\$879,912
LTS School	\$122,500	\$81,659	\$81,659
Program pool per hour / Group fitness / aquarobics	\$202,137	\$101,437	\$101,437
Gym Member (Full Centre)	\$0	\$1,080,000	\$0
Gym - Casual Use	\$0	\$179,953	\$0
Casual court hire	\$0	\$135,000	\$0
Food & Beverage	\$233,634	\$281,363	\$170,857
Total Revenue	\$2,670,013	\$3,147,261	\$1,907,659
Annual Attendance	194,695	234,469	142,381
Revenue per visit	\$13.71	\$13.42	\$13.40
Revenue excl F&B per visit	\$12.51	\$12.22	\$12.20

Benchmark analysis suggests that aquatic facilities see an income per attendee / visit of between \$6 to \$12 depending on the available activities and user groups.

Without F&B revenue, the options are projected to generate between \$12.20 and \$12.51 per attendee which is at the higher end of the industry average meaning the shortlisted options are catering for higher yielding user groups including learn to swim, squad swimming and carnivals.

3.4 Cash Flow Analysis

Further analysis was undertaken to determine the cash flow earnings before interest, taxes, depreciation, and amortisation (EBITDA) of the options for the first 5 years of operations, and beyond. It should be noted that the costs below include both the operating costs and ongoing lifecycle maintenance costs.

Option 4

\$AUD (000,000's)	2028	2029	2030	2031	2032	Next 20 Years 2033 - 2052
Total Costs	\$2.60	\$2.95	\$3.21	\$3.49	\$3.74	\$123.10
Total Revenue	\$2.39	\$2.61	\$2.84	\$3.08	\$3.33	\$90.14
Total Operating Surplus (EBITDA)	-\$0.22	-\$0.35	-\$0.38	-\$0.41	-\$0.41	-\$32.97

Option 4 is expected to generate an operating deficit of ~\$350,000 per year in its first 5 years of operations.

However, as lifecycle costs increase over time, option 4 will experience an average operating deficit of \$1.65 million per year from 2033.



Operating Profit per year



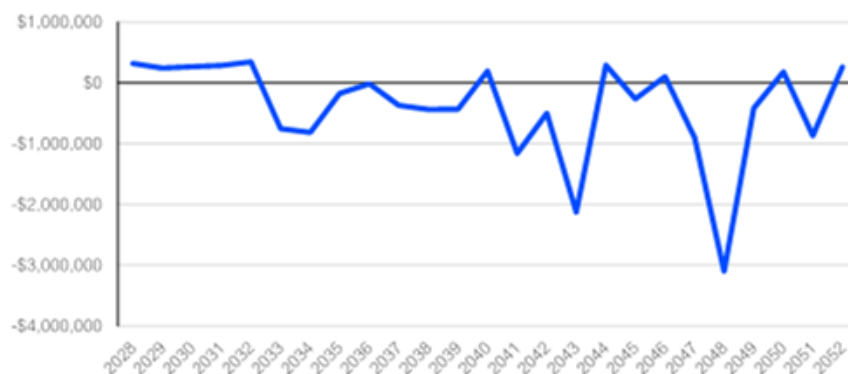
Option 5

\$AUD (000,000's)	2028	2029	2030	2031	2032	Next 20 Years 2033 - 2052
Total Costs	\$2.49	\$2.83	\$3.08	\$3.34	\$3.58	\$117.58
Total Revenue	\$2.81	\$3.07	\$3.34	\$3.63	\$3.93	\$106.25
Total Operating Surplus (EBITDA)	\$0.32	\$0.24	\$0.27	\$0.29	\$0.34	-\$11.33

Option 5 is expected to generate an operating deficit of ~\$290,000 per year in its first 5 years of operations.

However, as lifecycle costs increase over time, option 5 will experience an average operating deficit of \$570,000 per year from 2033.

Operating Profit per year





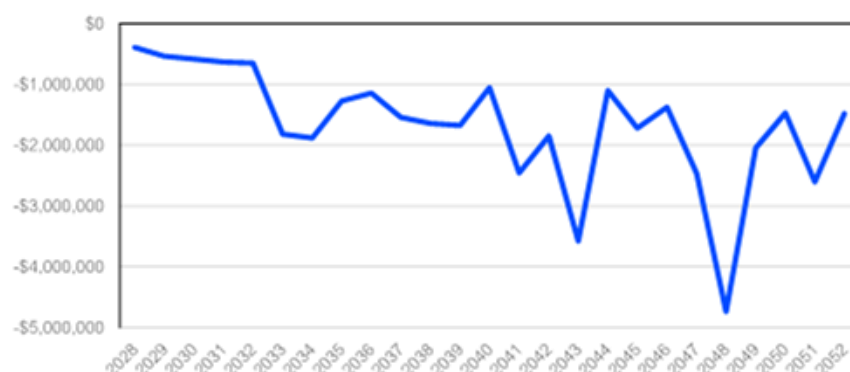
Option 6

\$AUD (000,000's)	2028	2029	2030	2031	2032	Next 20 Years 2033 - 2052
Total Costs	\$2.10	\$2.40	\$2.61	\$2.83	\$3.03	\$103.29
Total Revenue	\$1.70	\$1.86	\$2.03	\$2.20	\$2.38	\$64.40
Total Operating Surplus (EBITDA)	-\$0.39	-\$0.53	-\$0.58	-\$0.63	-\$0.65	-\$38.89

Option 6 is expected to generate an operating deficit of ~\$560,000 per year in its first 5 years of operations.

However, as lifecycle costs increase over time, option 6 will experience an average operating deficit of \$1.94 million per year from 2033.

Operating Profit per year



3.5 Cost Benefit Analysis

This section represents the economic appraisal of the project options. The economic appraisal is an important component of the decision-making process. It provides decision-makers with a complete view of the net socio-economic impacts, that is, the expected total impact on society welfare that would result from the project. The economic appraisal broadens the analysis to include non-market values, and to capture the economic impact on all relevant stakeholders instead of those directly related to the project. Many of these are not financial in nature, and while the economic analysis quantifies impacts in dollars, these are a measure of social welfare rather than financial value.

3.5.1 Cost-benefit analysis overview

The economic appraisal has been developed in accordance with Infrastructure Australia Guidelines.

The following general assumptions were adopted for this analysis:

- Where necessary the project investment analysis, benefits and costs have not been escalated per annum.



- The benefits and costs have been assessed over a period of 1 January 2025 to 31 December 2052 (i.e. the project evaluation period – 25 years post construction).
- The real social discount rate recommended in the Guide to Cost-Benefit Analysis is 7%
- The analysis of the options is based on the incremental benefits and costs compared to the base case.
- The base case for this assessment considers no facility at the GWMP site therefore not incurring future costs or benefits for the reference group.
- For this project the reference group is considered the community of Tasmania, including residents of the state, locally owned businesses and the Tasmania Government.

The table below outlines the key benefits and costs considered for each option for the purposes of the cost-benefit analysis.

Cost-benefit analysis framework

Costs	Category	Bearer	Description	Method and Source
Construction Costs	Construction	Government	Construction costs of the facility	WT Partnership cost estimates
Life Cycle Costs	Life Cycle	Government	Ongoing annual capital costs of maintaining the facility	WT Partnership cost estimates
Operating Costs	Operating	Government	Operational costs including staff, F&B COGS, utilities, marketing, insurances, security, administration, pool assets etc.	Estimated costs based on benchmark facilities
Benefits	Category	Beneficiary	Description	Method and Source
Facility Revenue	Financial	Government	Estimated operating revenue including memberships, casual use fees, programs, venue / lane hire, F&B	Benchmark data and demand modelling to establish revenue by activity
Consumer Use Surplus	Consumer	Consumers	Consumer user benefits of the new facility	TimeCost Savings Methodology
Consumer Non-Use Surplus	Community	Local Community	Consumer nonuser benefit to local Glenorchy residents includes the option to use an asset, the benefit of an asset facilitating social interaction and well-being, and the benefit of an asset to enhance local amenity for the community	Glenorchy City Council (2028 to 2052) x Consumer nonuser surplus benchmarked against sport infrastructure
Avoided Productivity Cost	Participation	Businesses	Business benefits arising from sport & rec participation (reduced number of workdays off)	Literature study - Economic Benefits of Australian Public Aquatic Facilities Industry Report (Socio-Economic value per visit)
Health Benefits	Participation	Consumers	Consumer benefits arising from sport & rec participation (Quality of life)	Literature study - Economic Benefits of Australian Public Aquatic Facilities Industry Report (Socio-Economic value per visit)
Health Cost Savings	Participation	Government	Government benefits arising from sport & rec participation (Health cost savings)	Literature study - Economic Benefits of Australian Public Aquatic Facilities Industry Report (Socio-Economic value per visit)
Avoided Drownings	Avoided Drownings	Consumers	Benefits arising from learning to swim and avoided drownings (Value of life)	Literature study - Global Report on Drownings World Health Organisation and RSLs 2023 National Drownings Report (Statistical value of life x avoided drownings)
Terminal value	Terminal	Government	Terminal value	Assessment framework 2021 Guide to economic appraisal

The primary economic appraisal metric is the Benefit Cost Ratio (BCR), as specified in Infrastructure Australia Guidelines for Capital Business Cases. The ratio of quantifiable incremental benefits to quantifiable incremental costs.



A BCR greater than one indicates that the benefits of the project exceed the costs of the project over the evaluation period.

Net Present Value (NPV) represents the difference between the present value of the total incremental benefits and the present value of the incremental costs. Projects with a positive NPV indicate that the benefits of the project exceed the costs of the project over the evaluation period.

3.5.2 Quantifying Financial Benefits

Financial benefits were quantified as per the operating model and detailed in section 3.3.1.

	Option 4	Option 5	Option 6
Total Revenue	\$2,670,013	\$3,147,261	\$1,907,659

3.5.3 Quantifying Consumer Benefits

Consumer surplus is regarded as the benefit to local consumers over and above the total economic cost of consuming a good or service.

This benefit is typically measured by the amount the consumer is willing to pay for the experience above the price paid for the experience (i.e. the ticketing price or user fee).

The travel cost method is a way of calculating this for community sport & recreation. This method involves collecting data on the costs incurred by each individual in travelling to the recreational site or amenity. This 'price' paid by visitors is unique to each individual and is calculated by summing the travel costs from each individual's original location to the amenity. By aggregating the observed travel costs associated with a number of individuals accessing the amenity a demand curve can be estimated, and as such a price can be obtained for the non-price amenity.

Consumer Surplus Calculation	Option 4	Option 5	Option 6
Utilisation (double due to round trip)*	378,189	294,872	273,562
Avg visits per year**	134,110	104,564	97,008
Total Consumer Surplus	\$886,992	\$691,582	\$641,604

* Total demand excluding school carnival and gym visits

**Assumed 1.41 passengers per car (ATAP) and half of the visits would not occur if not for a new facility

Based on a total benefit of \$6.61 per visit, the annual consumer benefit has been calculated as \$887,000 for Option 4, \$692,000 for Option 5 and \$642,000 for Option 6.

3.5.4 Quantifying Community Benefits

A number of global literature studies have found evidence of a community benefit from the development of sport infrastructure.

Community benefit (i.e. consumer non-use surplus) can be derived from three sources. These include:

- Option value – the benefit of having the option to use an asset;



- Social value – the benefit of an asset facilitating social interaction and well-being; and
- Passive value – the benefit of an asset to enhance local amenity for the community.

For the purpose of this analysis, the catchment population that would receive a community benefit is considered the population of Glenorchy City Council.

Recently completed CBAs for sport facilities in Australia have been assessed for appropriateness to use as a proxy for the shortlisted options.

- Benchmarked facility A (low levels of non-use community support) – \$1.22 per resident
- Benchmarked facility B (average levels of non-use community support) – \$2.77 per resident
- Benchmarked facility C (high levels of non-use community support) – \$4.75 per resident

Facility C has been used as proxy for all options due to it being a well-supported community facility amongst potential non-user and therefore comprises the most aligned benchmark as indicated from the community online survey during the initial engagement phase of this study.

	All options
Community benefit per resident	\$4.75
2028 catchment population	53,814
Total 2028 community benefit surplus	\$255,616
Average population growth per annum	0.57%

3.5.5 Quantifying Participation Benefits

For the purposes of determining the socio-economic benefits arising from participating in aquatic and non-aquatic activities, a benefit transfer approach in line with Treasury Guidelines has been utilised. The existing study "Economic Benefits of Australia's Public Aquatic Facilities – Industry Report" commissioned by Royal Life Saving Society Australia and the Australian Government was used as a proxy to quantify the socio-economic benefits of an individual aquatic visits by measuring links between an increase in physical activity from an average pool visit and reduced risk of mortality, morbidity and health care expenditure, as well as reduced absenteeism (i.e. increased productivity).

Improving quality of life

A person who is affected by a chronic disease and mental health issues has a lower quality (and potentially length) of life, than a person who is not. With a strong relationship between physical inactivity and chronic disease and mental health issues, there is a personal health benefit that can be captured by improving quality and length of life through physical activity.

The report identifies that for each visit to an aquatic facility generates benefits of \$22.59 (AUD\$2024) in improved health outcomes.

Cost savings to the health system

Every case of chronic disease brings a cost not only to the individual sufferer but also to the health system as a whole. In addition to the other benefits, there is also a cost saving associated with the greater treatment of mental illness through physical and social activity. By reducing the incidence of these diseases and reducing the mental health related burden on the health system, participation supports savings in the health system.

The report identifies that for each visit to an aquatic facility generates benefits of \$1.88 (AUD\$2024) in health care cost savings.



Avoided productivity cost / Reduced Absenteeism

Studies have proven individuals to be mentally and physically healthier and achieve enhanced cognitive performance through participating in sport and social programs, and as a result the economy is, on average, more productive. The increased productivity is captured through lower absenteeism from work and lower presenteeism which is where employees come to work but are not performing at their best due to illness or other conditions as a result of a lack of physical inactivity.

The relationship between inactivity and a negative impact on productivity in Australia is outlined in the report which identifies that each visit to an aquatic facility generates benefits of \$6.90 (AUD\$2024) in avoided productivity cost through reduced absenteeism.

Participation Benefits	Option 4	Option 5	Option 6
Total Visits	194,695	234,469	142,381
Visits excluding Parents, spa and gym	188,217	146,029	136,623
Avoided Productivity Cost (Absenteeism)	\$1,298,936	\$1,007,787	\$942,871
Health Benefits (Quality of life)	\$4,251,062	\$3,298,213	\$3,085,760
Health Cost Savings	\$354,255	\$274,851	\$257,147
Total Participation Benefits	\$5,904,253	\$4,580,851	\$4,285,778

Option 4 will deliver \$5.9 million in participation benefits per year, while Options 5 and 6 will deliver \$4.6 million and \$4.3 million in participation benefits respectively.

3.5.6 Quantifying Avoided Drownings Benefits

The National Drowning Report (2023) issued by the Royal Life Saving Australia states that there are 279 drowning deaths in Australia each year across the past 10 years, with 45 of these under the age of 18 years. It is estimated that 40% of children under the age of 18 in Australia cannot swim proficiently, which equates to 2.4 million kids and an estimated drowning rate of 0.002%.

Those under the age of 18 years account for 19% of the Glenorchy population (10,225). Using the same swim proficiency ratios, it is estimated that 4,090 of the Glenorchy youth population cannot swim proficiently and projected annual drownings in Glenorchy for under 18 years is therefore 0.08 people.

All three options provide intervention and prevention measures such as improved swimming facilities including dedicated learn to swim programs and spaces. These facilities will assist in reducing the number of youths that cannot swim proficiently and as a result, the annual projected drownings. Via private and school based learn to swim programs, Option 4 is projected to cater for 1,500 children per year, while Options 5 and 6 are projected to cater to 1,000 children per year. These programs are therefore expected to reduce the projected drownings to 0.05 for Option 4 (savings of 0.03 drownings per year) and 0.06 for Options 5 and 6 (savings of 0.02 drownings per year).



Literature studies have estimated the value of statistical life¹ at \$240,875 in 2024 dollars. The average years of a child's life is 73.5 years quantifying a total value of life of \$17.7 million. Using the potential life savings of 0.02 and 0.03 per year, it is estimated that Option 4 will deliver \$499,599 in socio-economic benefits per year, and Options 5 and 6 delivering \$333,033 in benefits per year.

Avoided Drownings Benefits	Option 4	Option 5	Option 6
Potential Drownings Glenorchy (<18yrs)	0.08	0.08	0.08
Individuals (<18yrs) LTS Programs	1,500	1,000	1,000
Potential Drownings Glenorchy (<18yrs) – Post Project Development	0.05	0.06	0.06
Avoided Drownings per year	0.03	0.02	0.02
Total Benefits	\$499,599	\$333,033	\$333,033

3.5.7 Quantifying the Terminal Value

The terminal value benefit of the project represents the economic value of the new facility at the end of the evaluation period. The value is estimated for the remainder of the economic life of the asset that extends beyond the evaluation period and is included as a benefit in the final year of the evaluation period.

For the purposes of this analysis, it is assumed that the new facility will have a 40-year economic useful life (sport & entertainment benchmark). This equates to 15 years longer than the 25 operational years evaluation period.

The net benefit includes the total financial, consumer, community and participation benefits minus the ongoing lifecycle costs and operational costs.

¹ <https://oia.pmc.gov.au/resources/guidance-assessing-impacts/value-statistical-life>



3.5.8 Cost-benefit analysis summary

The table below details the outputs of the cost-benefit analysis using a 7% real discount rate.

SAUD (000,000's)	Option 4		Option 5		Option 6	
Costs	Nominal Value	Present Value	Nominal Value	Present Value	Nominal Value	Present Value
Construction costs	\$64.52	\$54.54	\$61.48	\$51.97	\$62.78	\$53.06
Life Cycle Capital Costs	\$15.16	\$4.84	\$14.25	\$4.55	\$14.73	\$4.70
Operational Costs	\$71.33	\$26.66	\$68.40	\$25.56	\$57.46	\$21.47
Total Costs	\$151.01	\$86.03	\$144.13	\$82.08	\$134.96	\$79.24
Benefit	Nominal Value	Present Value	Nominal Value	Present Value	Nominal Value	Present Value
Financial Benefit	\$65.42	\$24.45	\$77.11	\$28.81	\$46.74	\$17.47
Consumer Benefit	\$21.73	\$8.12	\$16.94	\$6.33	\$15.72	\$5.87
Community Benefits	\$6.87	\$2.56	\$6.87	\$2.56	\$6.87	\$2.56
Participation Benefit	\$144.65	\$54.06	\$112.23	\$41.94	\$105.00	\$39.24
Avoided Drownings Benefit	\$12.24	\$4.57	\$8.16	\$3.05	\$8.16	\$3.05
Terminal value	\$71.67	\$10.78	\$60.84	\$9.15	\$49.25	\$7.41
Total Revenue	\$322.58	\$104.54	\$282.16	\$91.85	\$231.74	\$75.60
Net Benefit / NPV	\$171.58	\$18.51	\$138.02	\$9.77	\$96.77	-\$3.64
BCR	1.22		1.12		0.95	

Investment in a new facility is considered value for money, with Option's 4 and 5 delivering positive net benefits (NPV) and a BCR >1. Option 4 yields to most positive return of \$18.5 million in net benefits and a BCR of 1.22.

Participation and health benefits account for 58% of all socio-economic benefits delivered by Option 4, while financial benefit accounts for 26%, consumer benefits 9%, avoided drownings 5% and non-user community benefits 3%.



3.6 Integrated summary of assessment

The table below summarises the assessment across the three shortlisted options in order to assist in identifying the preferred option moving forward. The assessment includes:

- Delivering on financial, economic and social requirements including a positive NPV and BCR; and
- Meeting the overall project objectives / selection criteria.

Options Analysis and Ranking

	Option 4	Option 5	Option 6
Construction Costs	\$72.7M	\$69.2M	\$70.7M
Economic Appraisal			
Net Benefits (NPV)	\$18.5M	\$9.8M	-\$3.6M
BCR	1.22	1.12	0.95
Cash Flow / Operations			
Annual Revenue	\$2.7M	\$3.1M	\$1.9M
Annual Expenses	\$3.5M	\$3.4M	\$2.9M
Annual Profit (Deficit)	(\$845,000)	(\$215,000)	(\$1,025,000)
Selection Criteria			
Delivering Community Benefit	4 / 5	4 / 5	4 / 5
Community usage, benefit and preferences	5 / 5	4 / 5	5 / 5
Delivering Benefit to Schools	4 / 5	3 / 5	5 / 5
Estimated Cost to Build (i.e. level of funding required)	2 / 5	2 / 5	2 / 5
Revenue Generating Opportunities	4 / 5	4 / 5	3 / 5
Ongoing Operational Costs	2 / 5	2 / 5	3 / 5
Regional Asset - delivering out of region visitation	5 / 5	4 / 5	2 / 5
Alignment with Council Strategic Plan	3 / 5	4 / 5	2 / 5
Overall Selection Criteria Score	29 / 40	27 / 40	26/40
Option Ranking	1	2	3



3.7 Identified recommended option

Option 4 has been assessed as the option returning the most positive outcomes based on:

- Delivering net economic benefits of \$18.5 million and a BCR of 1.22
- Delivering annual revenue of \$2.7M
- Delivering a greater social outcome (i.e. participation and health benefits)
- Delivering the highest score across the selection criteria (29 / 40)

Further stakeholder engagement was undertaken to test the shortlisted options with key stakeholders and user groups including Friends of Glenorchy War Memorial Pool Incorporated, Save the Glenorchy War Memorial Pool, Belgravia Leisure and local Glenorchy Schools.

Feedback received was that Option 4 is the preferred option of these key groups due to the facility providing a 50-metre outdoor pool with sufficient areas for social activities which is considered a unique proposition for greater Hobart, particularly with the twin views of Mount Wellington and Mount Direction. This option also offers all year-round functionality with the indoor 25-metre pool while also catering for new user groups with a dedicated program pool to deliver much needed learn to swim and rehab / aquarobics facilities.

In order to deliver more commercial benefits and reduce the subsidy required to offset the annual deficit the facility is likely to generate, consideration should be made to include a gymnasium, as per Option 5. Splash Devonport Aquatic & Leisure Centre is an example where a tired underutilised outdoor 50 metre pool and waterslide was redeveloped to include a 25 metre eight-lane indoor swimming pool, an indoor learn to swim/warm water exercise pool with water play features, an outdoor water play splash pad and a fully equipped Health Club with a Gymnasium and a Group Exercise Studio. The high utilisation of the gymnasium has ensured success of this facility and the deficit subsidised by local Council is minimised and sustains an excellent community facility.

Whilst the inclusion of gym/health club facilities to Option 4 will result in increases to the capital cost, it will also result in significantly increased visitation and revenue projections and thereby improving the projected viability and operational costs deficit. This inclusion would further strengthen the case for Option 4, which is already rated as the preferred option. For these reasons the recommended option to proceed to the final stage of analysis is Option 4 plus the inclusion of gym/health club facilities.



4 Next Steps

A preferred option will seek endorsement by Glenorchy City Council and proceed to the next phase including:

- Detailed concept planning
- Detailed cost planning
- Refined demand, financial and economic modelling
- Risk assessment
- Funding opportunities.

A final report including the above as well as the case for investment, engagement summary and the shortlisted options assessment will be delivered to finalise the Glenorchy War Memorial Pool Options Assessment scope of work.



Disclaimer

MI has prepared this report in conjunction with and relying on information provided by third parties through the engagement process. We do not imply, and it should not be construed that we have performed any audit or due diligence procedures on any of the information provided to us.

Accordingly, MI do not accept any responsibility for errors or omissions, or any loss or damage as a result of any persons relying on this report for any purpose other than that for which it has been prepared.

The report shall not be manipulated or altered by anyone without the prior written consent of MI.

MI disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages and costs any party might incur as a result of the information being inaccurate or incomplete in any way, and for any reason.



Thank you

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GLENORCHY CITY COUNCIL CULTURAL CELEBRATION GRANTS - APPLICATION FORM 2024/2025

Applicant information

Glenorchy City Council would like to assist you to celebrate the unique cultural diversity within our Glenorchy municipality. This grant program seeks to empower organisations to design and deliver events to celebrate cultural diversity and strengthen community connection in the City of Glenorchy municipality.

Our Cultural Celebration Grant Program is provided to support community groups and not-for-profit organisations to present free, inclusive cultural events and activities.

Glenorchy City Council Cultural Celebration Grant activities are expected to connect the broader community with Glenorchy's unique cultural diversity ... and to have some fun, too!

Glenorchy City Council Cultural Celebration Grants activities must be delivered within the Glenorchy local government area and be completed by 31 May 2025.

Grant recipients are responsible for all aspects of the activity. All activities are to be delivered in a way that is safe and compliant with WHS criteria. Before completing this application form, you should have read the Glenorchy City Council Cultural Celebration Grants guidelines.

Incomplete applications and/or applications received after the closing date will not be considered. This section of the application form is designed to help you, and us, understand if you are eligible for this grant. It is important that you complete these questions before any others to ensure you do not apply for an unsuitable grant.

Please return your completed application form to Council's Customer Services area, post to PO BOX 103, Glenorchy 7010 or email gccmail@gcc.tas.gov.au. Applications close 31 March 2025, and funded projects must be completed by 31 May 2025.

Please outline your group/organisation details:

Applicant Name:

Street Address:

Postal Address:

What is your group/organisation's purpose?

ABN details

Does your group/organisation have an ABN?

☐ Yes

☐ No

Information from the Australian Business Register

ABN

Entity Name

ABN Status

Entity Type

GST

DGR Endorsed

ATO Charity Type

ACNC Registration

Tax Concessions

Main Business Location



374 Main Road, Glenorchy
PO Box 103, Glenorchy TAS 7010
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GLENORCHY CITY COUNCIL CULTURAL CELEBRATION GRANTS - APPLICATION FORM 2024/2025

Public Liability Insurance details (please attach)

Contact Person

Title:	First name:	Last name:
<hr/>		
Position:		
<hr/>		
Phone number:	Email:	
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Activity details

Activity name:
<hr/>
Amount of funding requested inclusive of breakdown:
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Activity start date and time	Date (DD/MM/YYYY)	Time (AM/PM)
Activity finish date and time	Date (DD/MM/YYYY)	Time (AM/PM)



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GLENORCHY CITY COUNCIL CULTURAL CELEBRATION GRANTS - APPLICATION FORM 2024/2025

Please describe your event

How does your event/activity bring the community together to embrace multicultural diversity?

How does your event encourage community pride and promote positive engagement within the community?

What are the outcomes from your event/activity that will be delivered in the Glenorchy City Council local government area?

The proposed event/activity is open to members of the public

☐ Yes ☐ No

The proposed event/activity has no entry or participation fee

☐ Yes ☐ No



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GLENORCHY CITY COUNCIL CULTURAL CELEBRATION GRANTS - APPLICATION FORM 2024/2025

Activity location

Location(s) of the activity(ies)	Capacity of venue	Is location / venue operated by Glenorchy City Council?
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

Expected number of participants:

Agreement

Workplace health and safety

I agree to meet all relevant compliance / health and safety legislative requirements and deliver any activities in a way that is safe and compliant with any relevant legislation.

☐ Yes ☐ No

Permissions

If the activity is held on Council land, I agree to obtain all appropriate land use and place of assembly permissions.

☐ Yes ☐ No

Acknowledgement

I agree to acknowledge the Glenorchy City Council as the funder of the activity in all written and spoken promotional material in relation to the activity and use the approved Glenorchy City Council logo in all written promotional material. I agree to have any promotional material referencing Glenorchy City Council approved by Council prior to publication.

☐ Yes ☐ No

Acquittal

I agree to fully acquit the grant provided inclusive of completing a report sent to me by Council by 30 June 2024, providing copies of receipts associated with the event and to return any unexpended funds.

☐ Yes ☐ No

Media and Promotion

I agree to media and other promotion of the event where applicable. I agree to provide a minimum of three (3) images to Council (with signed photo permissions from any people included in the photos) as part of the acquittal process.

Assessment:

I understand that depending on the amount of funding, that activities may be subject to agreed milestones and assessment.

☐ Yes ☐ No



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GLENORCHY CITY COUNCIL CULTURAL CELEBRATION GRANTS - APPLICATION FORM 2024/2025

Cancellation

I agree to notify Council if the planned activity does not go ahead and return the full amount of the grant.

☐ Yes ☐ No

COVID-19

I agree to deliver the activity in a manner that is in compliance with direction given by the Australian and Tasmanian Governments.

☐ Yes ☐ No

Name of Authorised Person:

Signature:

Date: / /



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GLENORCHY CITY COUNCIL CULTURAL CELEBRATION GRANTS - GUIDELINES 2024/2025

This document outlines the application process, eligibility and assessment criteria for Glenorchy City Council's Cultural Celebration Grants Program 2024/2025.

Overview

Glenorchy City Council wants to empower organisations to design and deliver events to celebrate cultural diversity and strengthen community connection in the Glenorchy municipality.

The Cultural Celebration Grants align with Council's Community Goal "Building Image and Pride" and the objective "We nurture and celebrate our proud and vibrant City with its strong sense of belonging". The associated strategy for this objective is to "Deliver or facilitate events to strengthen our community's sense of pride and belonging".

Activities supported through the grants should aim to break down barriers by showcasing cultural diversity and welcome people from different cultures. Activities could include cultural events, musical performances, cultural demonstrations or workshops, food stalls or cultural cooking classes, etc.

What can you apply for?

Our Cultural Celebration Grant Program is provided to support community groups and organisations to present free, inclusive events and activities that celebrate the rich diversity of culture in our Glenorchy municipality.

Event organisers are responsible for all aspects of the event/activity delivery, and all activities must be delivered in a way that is safe and compliant with any legislation.

The activity must occur by 31 May 2025.

Available Funding

Maximum funding of up to **\$25,000** grants are available.

The grant request should be commensurate with the scale of the proposed activity and consider expected audience numbers and/or participants involved.

Key dates

Applications Open – August 2025

Applications Close – Round 1: 31 October 2024, Final: 31 March 25

The grant will reopen after 31 October 2024 if funding is not expended. Funding will remain available until expended.

Activity Timeframe – funded projects must be completed by **31 May 2025**

Acquittals need to be finalised by **30 June 2025**

WHO CAN APPLY?

Eligible applicants must:

- Be a legal entity like, an incorporated association, company, business sole trader or partnership.
- Have fulfilled the conditions of any previous GCC grants by the due date and have no overdue debts to Council.
- Have Public Liability Insurance to the value of \$20 million.

Ineligible applicants:

- Current employees or staff contracted to Council, or a person appointed to a role within Council (e.g. elected members).
- Political Parties.
- Federal, state or local government agencies.

Applications made after the closing date (31 March) will not be considered for this grant round.

More Information

If you would like to speak to us before you apply so we can help you with tips for your application, please contact us on 6216 6800 or gccmail@gcc.tas.gov.au

ACTIVITY ELIGIBILITY

Application for the Glenorchy Cultural Celebration Grants must demonstrate that the activity;

- Brings the community together to embrace multicultural diversity.
- Promotes intercultural exchange.
- Encourages community pride and promotes positive engagement within the community.
- Features authentic cultural celebration and has outcomes that are delivered in the Glenorchy City Council local government area.
- Is open to the public and has no entry or participation fee or charge (including gold coin donations or entry fee).
- Can be held safely and is well planned - suitably skilled people are involved and that the applicant and the activity are financially viable.
- Demonstrates value for money for the level of funding request and positive community impact.
- Demonstrates a clear promotional strategy.



374 Main Road, Glenorchy
PO Box 103, Glenorchy TAS 7010
(03) 6216 6800 | gccmail@gcc.tas.gov.au
www.gcc.tas.gov.au
ABN 19 753 252 493

ACTIVITY INELIGIBILITY

Applications are ineligible if the request for support is:

- Commercial or has the potential to make significant profit,
- Part of ongoing administration or operational costs of the applicant,
- Includes costs associated with the employment of teaching or support staff and/or delivery of curriculum, in the case of registered schools and training organisations.

HOW TO APPLY

We will try and make this easy for you.

- Go to Council's website at **www.gcc.tas.gov.au** to complete an online form or the download the Application Form.
- Pick up a hard copy from **Council's Customer Services area**, 374 Main Road Glenorchy, between 8:30am-5pm, Monday to Friday.
- Pick up a hard copy from the **Moonah Arts Centre**, 23-27 Albert Road, Moonah, between 10am-5pm Tuesday to Friday, or 10am-2pm Saturday.
- Pick up a hard copy from the **Multicultural Hub**, 65 Hopkins St, Moonah between 10.00am - 3.00pm Monday-Friday. 03 6170 9196 or e-mail **hub@mcot.org.au**
- If you require assistance with your application, including Translation Services, please call Council's Customer Services area on 6216 6800 or email **gccmail@gcc.tas.gov.au**

Return your completed application form to Council's Customer Services area, post to PO BOX 103, Glenorchy, 7010 or email to gccmail@gcc.tas.gov.au

ASSESSMENT

Assessment of the Glenorchy Cultural Celebration Grant applications are undertaken by an internal panel of Council Officers and Elected Members with relevant experience in the subject matter. Panel recommendations are reported to the General Manager or delegate, for approval.

Each eligible application will be assessed on its individual merit against the activity and applicant eligibility.

SUCCESSFUL APPLICATIONS

Agreement

A formal agreement will be sent to successful applicants. Inability to comply with the agreement may result in withdrawal of support.

Applicants who do not meet their obligations under the grant agreement may not be eligible to apply for further grant support from Glenorchy City Council.

Payment and GST

Payment information will be provided with the letter of offer.

Grants will be paid upon receipt of a tax invoice or Council can generate a receipt created tax invoice (RCTI).

Organisations registered for GST should add GST to the grant amount.

Progress payments dependent on successfully meeting agreed project milestones may be negotiated with successful applicants.

Successful applicants will need to provide their bank details for payment of the grant funding.

Recognition of assistance

Successful applicants must acknowledge the Glenorchy City Council for their funding support at the activity and in any promotional material in relation to the activity. Promotional material must be approved by Glenorchy City Council prior to the event/activity.

Activity Variations

If there are significant changes to the funded activity, applicants must contact Council to confirm that the variation is acceptable prior to the activity.

This includes but is not limited to, change in the nature of the activity, activity start and/or end dates, or change of venue.

Acquittal

Upon completion of the activity, successful applicants will be required to acquit their grant, providing evidence of the execution of their activity, expenditure and outcomes. The acquittal must be completed by 30 June 2025.

Organisations that do not satisfactorily acquit their grant may not be eligible for future funding from Council and may be required to return the funds allocated to their activity.

UNSUCCESSFUL APPLICATIONS

Unsuccessful applicants are encouraged to arrange a feedback session with Council to discuss the results.

INFORMATION AND ENQUIRIES

If you have trouble accessing information or completing the application form, please contact Council for assistance on 6216 6800.

CULTURAL CELEBRATION GRANTS

FREQUENTLY ASKED QUESTIONS (FAQs)

General Information

What is the Cultural Celebration Grants Program?

The Glenorchy City Council (Council) Cultural Celebration Grants aim to support community groups and not for profit organisations to present free, inclusive cultural events and activities that celebrate cultural diversity and strengthen community connection.

What types of projects can be funded?

Projects that can be funded include, but are not limited to:

- Visual and performing arts
- Cultural festivals and events
- Cultural demonstrations or workshops

Events and activities must have free entry for participants, although organisers can charge for specific elements of the activity (such as food).

Projects that involve a wide range of participants, rather than focussing on specific communities, will be highly regarded.

I would like to apply for a project that is outside of the Glenorchy Local Government area, but involves Glenorchy residents – is this eligible?

No—funded projects must be delivered in the Glenorchy Local Government area.

What is the application deadline?

Applicants can apply at any time before 31 October. If the funding is not fully allocated, an additional round will be opened with applications due 31 March. **Applications will close once funding is fully allocated.** It is recommended that you submit your application as early as possible to ensure it can be considered.

How much funding can I receive?

Maximum funding is up to \$25,000 (plus GST for registered groups) per project.

Our organisation does not have public liability insurance – can we still apply?

All applicants must have public liability insurance to the value of \$20M. If you do not have public liability insurance, it is recommended that you work with another organisation to auspice your event/activity.

My proposed event is being held on Council land – will this be provided free of charge if my application is successful?

Applicants will be required to pay any applicable fees for Council venues, including any hall hire or Tolosa Park costs. Some Council venues do not have hire fees. It is recommended that applicants visit <https://www.gcc.tas.gov.au/discover-glenorchy/venues-and-facilities/> for more information on Council venues and facilities.

Event on Council land fees will also apply – more information can be found at <https://www.gcc.tas.gov.au/discover-glenorchy/events/submit-an-event/>

Applicants can include any hire fees or event on Council land costs as part of their application.

Application Process

How do I apply for a Cultural Celebration Grant?

To apply, you must complete the application form available on the Council website or contact Council for a hard copy application form. You will need to provide detailed information about your project, including its goals, budget, timeline, and anticipated outcomes. Once completed, submit your application noting that applications will close once funding is fully allocated.

All applicants should read the grant guidelines which form part of the application form.

What documents are required for the application?

- A completed application form
- A project proposal
- A project budget
- Letters of support or references (if applicable)

Can I submit more than one application?

Yes, you may submit multiple applications for different projects; however, each application will be evaluated independently, and funding is not guaranteed.

Can I submit a joint application?

Joint applications for activities can be considered. Please contact the Events Officer to discuss your proposal.

Is there an application fee?

No, there is no application fee to apply for a Cultural Celebration grant.

Evaluation and Selection

How are grant applications evaluated?

Applications are evaluated based on several criteria, including:

- How the event/activity will bring the community together to embrace multicultural diversity
- How the event/activity will encourage community pride and positive community engagement within the community
- Event/activity outcomes for the Glenorchy local government area
- Feasibility and clarity of the project plan
- Financial and operational sustainability



Who reviews the grant applications?

Applications are reviewed by the Cultural Celebrations Working Group, an internal panel of Council officers and elected members. The Working Group recommendations are based on the evaluation criteria.

When will I be notified of the decision?

Applicants will be notified of the decision as soon as possible after each assessment round, which are in November 2024, January 2025 and April 2025.

What happens if my application is successful?

If your application is successful, you will receive a grant agreement outlining the terms and conditions of the funding. Upon signing the agreement, the grant funds will be disbursed according to the agreed-upon schedule.

What happens if my application is unsuccessful?

You will be notified if your application is unsuccessful. Unsuccessful applicants are welcome to arrange a meeting with Council's Events Officer for feedback.

Post-Grant Obligations

What are my obligations if I receive a grant?

Grant recipients are required to:

- Use the funds solely for the approved project
- Maintain accurate financial records
- Submit a final report detailing the project's outcomes and impact
- Acknowledge the Cultural Celebration Grants Program in any

promotional materials related to the project

Can I request an extension if my project is delayed?

Yes, if your project is delayed, you may request an extension. However, extensions are not guaranteed and must be justified with a valid reason.

Can I change the details of my project?

If there are significant changes to the funded activity, including nature of the project, start/finish dates or change of venue, you must contact Council's Events Officer to confirm that the change is acceptable prior to the activity taking place.

What happens if I am unable to complete the project?

If you are unable to complete the project, you must notify Council's Events Officer as soon as possible. Depending on the circumstances, you may be required to return unused funds.

Contact Information

Who can I contact for more information?

For more information or assistance with your application, please contact the Council's Events Officer at:

- Email: tim.douglass@gcc.tas.gov.au
- Phone: (03) 6216 6800
- Office Address: 374 Main Road, Glenorchy

You can also find more information at: <https://www.gcc.tas.gov.au/services/community/grants-sponsorships-and-funding/>



P 6216 6800 **E** gccmail@gcc.tas.gov.au
W [gcc.tas.gov.au](https://www.gcc.tas.gov.au) **FB** GlenorchyCityCouncilOfficial
O 374 Main Road, Glenorchy | Mon-Fri: 8.30am to 5pm

25%	75%
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Interest Earned on Account			
FY22	19.13	2.73	
FY23	5,700.19	589.09	
FY24	14,146.65	1,062.40	
FY25			
Total interest	19,065.97	1,554.22	
Total - should balance to bank account	626,114.67	173,039.56	

COUNCIL POLICY

Media and Communications**BACKGROUND**

This Policy is part of a Media and Communications Suite. There are four parts to the Suite including:

- this public-facing Policy that sets out the rules for how Council communicates with stakeholders
- an internal staff Directive that sets out the rights and obligation of Council staff, as private citizens, when engaging with the media
- a Framework that outlines Council's plan for achieving its media and communications goals
- a Toolkit of resources to provide staff and elected members with media and communications support and guidance.

PURPOSE

The purpose of this Policy is to define the way that Council communicates with stakeholders to make sure those communications are simple, transparent, consistent and timely.

SCOPE

This policy applies to all Council's media and communications activities. It applies to all elected members, Council staff, contractors, volunteers, and other people communicating with stakeholders for, or on behalf of, Council.

RELATED DOCUMENTS

- Elected Member Code of Conduct
- Code of Conduct
- Social and Other Media Directive
- Media and Communications Plan
- Media and Communications Toolkit
- Child Safety Policy (TBA)
- Access and Inclusion Policy (TBA)
- Community Engagement Policy

STATUTORY REQUIREMENTS

Acts	<i>Local Government Act 1993 (Tas)</i>
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DEFINITIONS

Communications Team: The business unit responsible for managing and co-ordinating Council's media and communications.

Media: Includes established or traditional media channels such as film, television, radio, or print publishing and social media channels such as websites and applications that enable users to create and share content or to participate in social networking. These may include Facebook, Instagram, YouTube, on-line forums and discussion boards and blogs.

Stakeholders: All stakeholders to Council, including external (Local, State and Federal Governments, regulators, media outlets, ratepayers, residents, business/industry, community organisations, schools, sporting organisations and visitors to Glenorchy) and internal (staff, elected members, contractors and volunteers).

POLICY STATEMENT

Objectives

Council commits to build and maintain trust with all its stakeholders by communicating with them in a simple, transparent and consistent way and to ensure that there are clear roles and responsibilities for Council's elected members and staff when it comes to the media and communications.

This Policy aims to ensure Council's communications:

- protect, maintain and enhance Council's brand, reputation and values, and follow Council's corporate style guidelines
- are fact-based to educate and inform stakeholders
- are appropriately monitored and regulated
- are lawful and do not breach copyright, defamation or other laws
- are accessible, inclusive and respectful of other's views, opinions and privacy.

Media Statements

The Mayor is responsible for the approval of all statements for print and media interviews. The Mayor may consult with elected members, the General Manager or Council staff in the preparation of a media statement. When drafting media statements, members of the Communications Team will liaise regularly with the Mayor and General Manager.

Copies of all media statements released by Council will be provided to elected members, the General Manager, directors and managers and placed on Council's website as soon as practicable after they are released.

Media Requests

All staff members who receive media requests must pass the request on to the Communications Team.

All verbal or written comments, digital information and Council documents that are released to the media must be endorsed by the Mayor.



Social media

Social media is one of Council's communications channels. It is used in conjunction with other communications methods such as print, television and radio, to deliver key messages and important information to our community and to protect and enhance Council's brand and reputation.

The Communications Team is responsible for leading the implementation of Council's social media strategy and curating and moderating all social media content. However, the Communications Team may authorise staff from other areas of Council to post or moderate social media content as Administrators.

Council will generally only monitor social media and respond to posts during business hours.

Council reserves the right to remove content from its social media pages if that content:

- is offensive or abusive (including containing offensive language)
- makes any kind of threat towards council staff or elected members
- breaches copyright or intellectual property laws
- incites or encourages an illegal act
- contains unreasonable criticism of Council or its staff as determined by page administrators
- does not relate to issues impacting on Council or the Glenorchy community.

Where possible, Council will clearly outline what unacceptable content is and how it will be moderated on each of its social media platforms.

ROLES and RESPONSIBILITIES

The Mayor

Section 27 of the *Local Government Act 1993* provides that the Mayor is the official spokesperson of Council. The Mayor is the only person authorised to speak on behalf of Council. This function is not shared with the Deputy Mayor, other elected members or the General Manager unless the Mayor delegates it.

The Mayor may authorise the Deputy Mayor, an elected member or the General Manager to communicate on behalf of Council as the Mayor considers appropriate. Under law, this must be done by way of a written delegation for a specified period.

Any person delegated by the Mayor to act as Council's spokesperson must put Council's official position accurately.

Committee Chairs

Elected members appointed by Council as committee chairs are responsible for reporting committee minutes, recommendations, and events to Council for discussion and, if necessary, resolution. Committee matters are regarded as Council business. The appointment of an elected member as chair of a committee does not give authorisation to engage with media regarding Council business.

The Mayor may delegate a committee chair to communicate on behalf of Council on matters relevant to the committee. This delegation must be in writing and detail the subject matter to be communicated as well as being for a specified period. All such communications are to be consistent with any official position adopted by Council.



Elected Members

Elected members have a right to engage in public debate, speak with, or appear in the media. However, elected members must not act as spokesperson for Council without written delegation from the Mayor.

Whenever speaking with or appearing in the media, elected members must put Council's position accurately when asked to comment on Council's position on any matter; and when asked for their opinion on a matter and they put forward their personal view, they must clearly state that their opinion is personal and not the official position of Council. Personal opinions must not bring Council into disrepute.

When talking publicly about Council decisions, if a final decision of Council conflicts with the private view of an elected member, they should refrain from expressing a view that is contrary to the formal position of the Council. Expressing a view that opposes the agreed position of Council can lead to confusion and can lead the community to believe that council is divided. Elected members have the opportunity to express their views in the lead-up to a decision and during debate.

Communications Team

Council's Communications Team is responsible for coordinating and monitoring Council's media and communications activities. In practice, this includes dealing with the media and overseeing all media communications made on behalf of Council.

The Communications Team reports through the Manager Stakeholder and Executive who liaises with and provides advice on day-to-day communications matters and high-level strategic advice to the General Manager and Mayor.

Members of the Communications Team are the first point of contact for media enquiries. However, these officers are not able to authorise a person to communicate on behalf of Council (see the Mayor section).

Where staff are involved in the preparation of an event which may attract media attention, staff are required to liaise with the Communications Team who will coordinate any media activity associated with the event.

DOCUMENT CONTROL				
Version:		Adopted		Commencement Date
Minutes Reference				Review Period
Previous Versions:	This Policy replaces the Media and Communications 2023 and Social Media 2021 Policies			
Responsible Directorate	Executive Office	Controller:	Manager Stakeholder and Executive	
ECM Document No.:				

Attachment 2

INTERNAL DIRECTIVE

SOCIAL AND OTHER MEDIA



PURPOSE

This Directive sets out Council's position on the rights and obligations of its employees, as private citizens, when engaging with the media, including social media.

SCOPE

This Directive applies to all Council employees. It covers all social and other media channels.

This Directive replaces the Social Media Directive.

RELATED DOCUMENTS

- Media and Communications Policy
- Code of Conduct
- Workplace Bullying and Harassment Directive
- Anti-Discrimination Directive
- Media and Communications Framework
- Media and Communications Toolkit
- Child Safety Policy (TBA)
- Access and Inclusion Policy

STATUTORY REQUIREMENTS

Acts	<i>Local Government Act 1993 (Tas)</i>
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DEFINITIONS

Communications Team: means the Council business unit that manages and coordinates media and communications for Council.

Employees: means all officers, contractors, sub-contractors, volunteers, and work experience students of Council.

Media: Includes established or traditional media channels such as film, television, radio, or print publishing and social media channels such as websites and applications that enable users to create and share content or to participate in social networking. These may include Facebook, Instagram, YouTube, on-line forums and discussion boards and blogs.

DIRECTIVE

Your Rights

Council recognises that its employees, as private citizens, are entitled to engage in public discourse or debate on political and social issues, whether on the radio, the internet, in newspapers, on the television, or social media sites.

Employees are permitted to engage in robust and respectful discourse or debate, including on social media platforms but strictly only in their capacity as a private citizen. Employees are NOT to participate in discourse or debate where it is reasonably likely that their views will be taken to be Council's position, or the position of Council employees generally.

Speaking for the Council

The Mayor is the only official spokesperson for the Council. The Mayor may delegate this role to the Deputy Mayor, other elected members or the General Manager. The delegation must be in writing and for a specified period. Council employees are not to make official statements about the business of Council without the General Manager's approval.

Interacting with the media

Employees must avoid commentary in public (which includes on social media) where they might be perceived to be commenting on Council business or be recognised as a Council employee. This also applies to comments made outside of working hours.

Employees must decline any request to be involved in talking to the media and refer all enquiries to the Communications Team. This ensures that Council delivers clear and consistent messages to the media and the public and that public confidence in the professionalism and impartiality of Council employees is maintained.

An employee must be impartial in their actions or comments in discourse or debate about Council issues. The Code of Conduct further states that an employee must:

- Protect the reputation of GCC.
- Not comment on any Council related matters using social media channels.
- Not post personal opinions that could be interpreted as an official position of GCC on social media.
- Ensure that all private and confidential information is protected.
- Not use information with the intention to cause harm.
- Treat others fairly, equitably and with respect.
- Not engage in bullying, intimidation, or harassment.

**Use of Council Resources or Networks**

Employees are not to use their Council email addresses, logos or other copyrighted material as part of their personal social media activities. Employees must not post images of themselves or any other employee in uniform, or doing Council work, without prior permission from their Director.

Without prior permission, employees are not to use contacts lists, on-line Council networks, or attendance at Council events and functions to promote a policy position or disseminate political, or policy information that are not those of Council.

Confidential or Personal Information

Council employees are not to release to the media any confidential or personal information obtained as an employee of Council.

Employees are not to identify any other employee in the media or publish personal details or images about another employee without their permission.

Content posted on social media

The following apply to all content posted on social media by Council:

- Information disseminated through social media channels is to be accurate and professional.
- Council platforms are not to be used to discuss personal opinions or to conduct personal business.
- Council employees are to uphold the Council values when developing, posting, and responding to content.
- Personal information is to be protected and copyright, privacy and other applicable laws are to be considered when interacting on social media.

Special Care

Employees need to be aware that content posted on social media sites is just as public as if it were published in a newspaper or discussed at a public forum. Inappropriate use of social media, even when an employee is not on duty, will be dealt with in the same way as other breaches of this Policy.

Employees should be especially careful about their private commentary which is:

- made when tired, angry, or frustrated with a work matter
- around Council election times and suggests a preference for a certain Council candidate; or policy about a topical decision, permit, or commercial proposal coming before Council.

Content moderation and removal

Council will generally only monitor social media and respond to posts during business hours.

Employees may be directed to monitor or respond to social media posts outside of business hours in exceptional circumstances, such as during a natural disaster or other crisis or in response to a significant event or announcement.



As a minimum requirement, council employees permitted to use Glenorchy City Council social media channels will monitor content and exchanges at least once daily to establish whether:

- comments require replies or moderation
- current content is factual, accurate and up to date
- posts are relevant
- new information needs uploading.

Council will make use of digital monitoring tools whenever available as part of its evaluation of social media activities.

Council reserves the right to remove content from its social media pages. Administrators have the discretion to remove or delete content in accordance with the Media and Communications Policy.

Copyright

Material which is copyrighted (applications, publications, audio, video, graphics, images, photographs of employees/elected members not owned by Glenorchy City Council) will not be used unless prior consent is obtained from the creator or copyright owner and the original author or source of the material is acknowledged.

Authorised employees will be diligent in their consideration of brand, copyright, fair use and trademarks.

Bullying and Harassment on social media

Bullying and harassment via social media will not be tolerated in the workplace, regardless of whether it occurs on duty, or outside of work hours.

Council employees are not to post any adverse or critical content about any other employee or individual on social media sites, including material which is offensive, obscene, bullying, discriminatory, hateful, racist, sexist, abusive, harassing, threatening or defamatory.

If a bullying or harassing post is made, Council may take disciplinary action against the perpetrator, which could include dismissal. Engaging in this behaviour may also lead to civil proceedings, cause the perpetrator to be sued for damages, or even charged with a criminal offence. Employees may be held personally liable in relation to any ensuing litigation arising from such content being posted.

Council reserves the right to request that certain posts and inappropriate comments be removed from an employee's social media site.

Resourcing/training

Council is to ensure all social media activities are adequately resourced to allow for content development, monitoring, interpreting the volume and content of messages and responding, as required.

Training will be provided to Administrators prior to the launch of any new social media page and on an ongoing basis (and on request). Where appropriate, Council may engage external providers to provide social media training.



August 2024

Breaches

All employees are required to comply with this Directive. Employees who fail to comply with this Directive may be subject to counselling, directions to withdraw posted material, or other disciplinary action which may include dismissal.

Own Your Mistakes

If an employee believes that they might have unintentionally breached the Council's policies and Directives, they must immediately notify their Department Manager. Managers are to report any potential breach to their Director, or the General Manager. This will allow time for prompt corrective action to be taken.

Who to Ask?

If you are contacted by the media, ask the person what it is about, when they need a response and their contact information. Refer the request to the Council's Communications Team, or if they are not available your Director or Manager.

Signed:

Tony McMullen
General Manager

DOCUMENT CONTROL

Version:	1.0	Approved		Commencement Date	
Previous Versions:	Replaces the Social and Other Media Directive 2023			Review Period	4 Years from adoption
Responsible Directorate	Executive office		Controller:	Manager Stakeholder and Engagement	
ECM Document No.:					

Attachment 3



Media and Communications Plan 2024 - 2026

Glenorchy City Council acknowledges the Muwinina people as the traditional owners of this Land.

We recognise all Tasmanian Aboriginal people as the original owners and continuing custodians of the land and waters of this island, lutruwita.

We pay our respect to Aboriginal Elders, past and present.

We commit to working for a City that welcomes and respects all Aboriginal and Torres Strait Islander people.



INTRODUCTION

This Media and Communications Plan 2024-26 (Plan) sets out why, with whom, how Glenorchy City Council (Council) communicates with its stakeholders. It also aims to support Council's communications by helping us make transparent and structured decisions about content and messaging.

This Plan covers the life of the current Council – 2024-2026. Following the next General Election in 2026, the Plan will be reviewed and amended accordingly.

The four key objectives of this Plan are to:

1. Inform our community
2. Promote Glenorchy
3. Foster stronger relationships with our community
4. Build awareness of our work

This Plan is one part of an overarching Media and Communications Framework (Framework) that seeks to help Council achieve its overall strategic objectives and to deliver on the community's vision and Council's purpose and values as set out in the:

- Glenorchy City Council Strategic Plan 2023 – 2032
- City of Glenorchy Community Plan 2015– 2040
- Annual Plan Action "Keep the community up to date about what Council is doing and the decisions that are being made".

The Framework of which this Plan is a key part also includes:

- Media and Communications Policy (Attachment 1) that provides objectives and guidelines that govern how we communicate with our stakeholders along with the role of the Mayor as official spokesperson of Council.
- Social and Other Media Directive (Attachment 2) that sets out Council's position about the rights and obligations of our employees when engaging with the media, including social media.
- Media and Communications Toolkit (found on GCC Intranet – staff and Teams Channel – Elected Members) that includes a set of resources that provide practical guidance for Council staff and Elected Members to communicate with our stakeholders. This may include, but is not limited to templates, guides, brand kits and mitigation guidance and advice.



GOAL& OBJECTIVES (the WHY)

The goal of this Plan is to build trust with our stakeholders by making sure we communicate effectively with them about what Council is doing. We also need to ensure that we are meeting our statutory notification obligations through various corporate plans and reports.

We do this by being simple, transparent and consistent in how we communicate and by tailoring our messages to individual audiences and stakeholders, according to their needs.

This Plan sets out Council's communications objectives, how we are working to achieve them, who we are communicating with, what we do when things go wrong and how we know if our communications are working.

We will achieve our goal by working towards the following objectives:

1. **Inform our community** by proactively sharing information with our stakeholders on the "what, when, why and how" of Council decisions, projects, initiatives and issues as appropriate.
2. **Promote Glenorchy** as a diverse city of growth and opportunity to build the City's image, pride, and confidence.
3. **Foster stronger relationships with our community** – by maintaining accessible and consistent messaging to all stakeholders to build and promote a sense of trust between Council and the Glenorchy community.
4. **Build awareness of our work** in the community on the role of local government and the role Council plays in driving positive outcomes for the Council area and broader region.

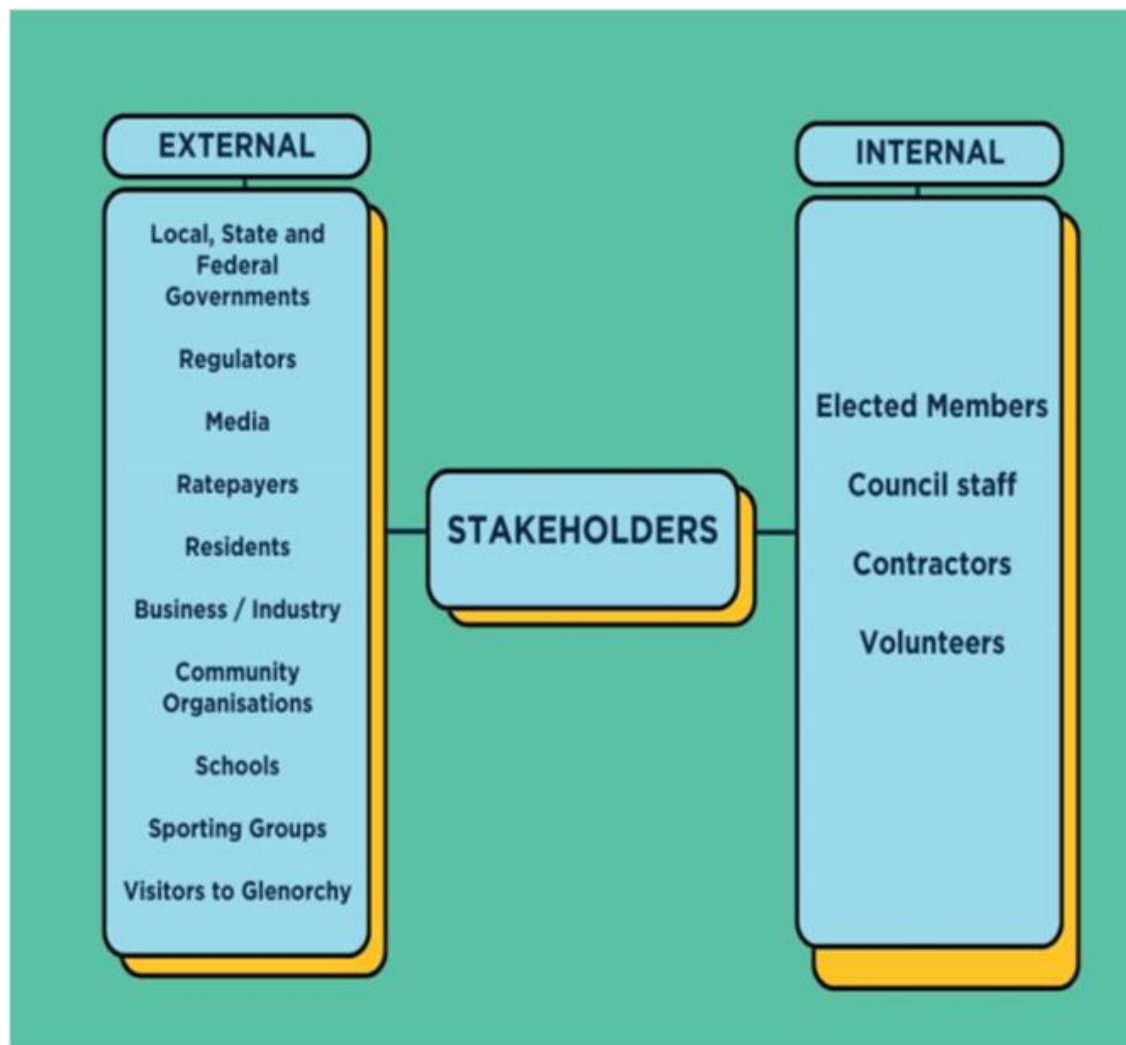
PRINCIPLES (the HOW)

In all communications activities, Council will:

- Build trust by communicating simply, transparently, and consistently.
- Tailor messages to individual audiences and stakeholders, according to their needs.
- Allow communications to flow both ways - both providing information and receiving feedback.
- Be timely in our communications.
- Use a variety of ways to deliver our messages to make sure we reach as many people as possible.

STAKEHOLDERS (the WHO)

Stakeholder Map:



Knowing our stakeholders:

Stakeholder	Priorities	Communications techniques
Business/Industry	<ul style="list-style-type: none"> Glenorchy is open for business Council is looking out for local businesses and wants to see their business succeed Council can work effectively with other levels of government and industry groups and will advocate for things that will help their business succeed Glenorchy is an attractive place to be base, establish or continue business operations 	<ul style="list-style-type: none"> Media releases News articles Corporate reports Images for traditional media Social media posts Video content GCC Websites Printed materials Emails Face-to-face
Community Organisations	<ul style="list-style-type: none"> GCC communicate regularly with community organisations on a case-by-case basis, either digitally or face to face Council frequently promotes the work of organisations who share priorities established in GCC's strategic plan Glenorchy City Council supports community organisations through social media activity, engagement and coordinating events 	<ul style="list-style-type: none"> Media releases News articles Corporate reports Images for traditional media Frequently asked questions Social media posts Video content GCC Websites Printed materials Emails Face-to-face
Contractors	<ul style="list-style-type: none"> Contractors are aware of their requirements for working with GCC Contractors understand the scope and requirements of their projects / work. Contractors feel informed and supported 	<ul style="list-style-type: none"> Media releases News articles GCC Websites Emails Face-to-face



Stakeholder	Priorities	Communications techniques
Council Staff	<ul style="list-style-type: none"> Staff feel informed and supported Council is a great place to work We are making a difference in our community 	<ul style="list-style-type: none"> Media releases News articles GCC Websites GCC Intranet Internal newsletter / GM Update Face-to-face
Elected Members	<ul style="list-style-type: none"> The work Council does in our community is clearly communicated to stakeholders Representing and acting in the best interests of the community Working together to develop and monitor the implementation of Council's strategic plan, budget, policies and programs 	<ul style="list-style-type: none"> Weekly updates at Council Workshops/Meetings Emails GM Update Media releases Media alerts Speaking / interview notes Frequently asked questions Key messages News articles Face-to-face



Stakeholder	Priorities	Communications techniques
Glenorchy Ratepayers	<ul style="list-style-type: none"> Ratepayers receive value for money and a return on the rates they pay (service delivery, infrastructure etc.) Rates revenue is being managed responsibly and effectively by Council 	<ul style="list-style-type: none"> News articles Images for traditional media Video content GCC Websites On-site signage Customer service screen display Public notice boards Banners / posters Printed materials Emails Face-to-face
Glenorchy Residents	<ul style="list-style-type: none"> We are a safe, inclusive, active, and vibrant community Council provides essential services which enables them to go about their lives and business Glenorchy is a good place to live and there are opportunities for the future Council will advocate and take action to ensure everyone is included and needs are met Council is focused on accessibility and inclusion Council is committed to facilitating access for our residents to a diversity of safe, livable, accessible and affordable housing options in our city 	<ul style="list-style-type: none"> News articles Images for traditional media Video content GCC Websites On-site signage Customer service screen display Public notice boards Banners / posters Printed materials Emails Face-to-face



Stakeholder	Priorities	Communications techniques
Government	<ul style="list-style-type: none"> • Council has the expertise and strategic vision to effectively liaise with them and deliver infrastructure and initiatives to the Glenorchy region • Council plays a key role in shaping the future of Greater Hobart • Council understands its city and its residents 	<ul style="list-style-type: none"> • Media releases • News articles • Images for traditional media • Emails • Face-to-face
Media	<ul style="list-style-type: none"> • Council is honest, transparent and consistent in their communications with media • Council will respond to media requests / comments in a timely fashion • The Mayor of Council will act as spokesperson for the organisation 	<ul style="list-style-type: none"> • Media releases • Media alerts • Media interviews • News articles • Images for traditional media • Frequently asked questions • Social media posts • Emails
Regulators	<ul style="list-style-type: none"> • GCC communications with the regulatory bodies is honest, transparent, and timely • GCC prepares and produces required documentation and understand all requirements (like potential interviews or inspections) for communicating with regulatory bodies 	<ul style="list-style-type: none"> • Direct messaging • Printed materials • Emails



Stakeholder	Priorities	Communications techniques
Schools	<ul style="list-style-type: none"> • GCC communicates with schools regularly, either digitally or face to face • Council prioritises youth engagement and works closely with schools across the city • Council works in collaboration with schools on projects that impact schools e.g. sporting facility upgrades 	<ul style="list-style-type: none"> • Media releases • News articles • Images for traditional media • Frequently asked questions • Social media posts • Video content • GCC Websites • Printed materials • Emails • Face-to-face
Sporting Groups	<ul style="list-style-type: none"> • Council communicate with sporting groups in an open, transparent manner regarding: <ul style="list-style-type: none"> ◦ facilities ◦ construction and upgrades ◦ events / competitions on Council assets 	<ul style="list-style-type: none"> • Media releases • News articles • Images for traditional media • Frequently asked questions • Social media posts • Video content • GCC Websites • Printed materials • Emails • Face-to-face



Stakeholder	Priorities	Communications techniques
Visitors to Glenorchy	<ul style="list-style-type: none"> • Council is welcoming, transparent and easily accessible for visitors • Glenorchy is a multicultural city, with artistic and sports focused amenities for visitors • Council will continue to promote the City as a tourist destination, promoting drawcards for tourism and visitors • Council hosts a section on the external facing website for visitors to gather information 	<ul style="list-style-type: none"> • News articles • Images for traditional media • Social media posts • Video content • GCC Websites • On-site signage • Customer Service Screen Display • Banners / posters • Printed materials • Emails • Face-to-face
Volunteers	<ul style="list-style-type: none"> • Volunteers feel informed and supported • We are contributing to community 	<ul style="list-style-type: none"> • Media releases • News articles • Images for traditional media • Frequently asked questions • Social media posts • Direct messaging • Video content • GCC Websites • On-site signage • Customer service screen display • Banners / Posters • Printed Materials • Face-to-face

MANAGING RISK

Managing communications risk involves identifying, assessing, and mitigating potential threats to Council's reputation and Glenorchy's brand. This includes making sure that all information being conveyed to both internally and externally is accurate, consistent and secure.

Effective risk management involves establishing and embedding clear protocols and guidelines for communications, training staff on best practices, and following a clear plan if there is a crisis.

Regular checks and monitoring of communications processes help us to identify issues and address them proactively. By fostering transparency, maintaining stakeholder trust, and preparing for crisis scenarios we can reduce the impact of miscommunication and protect our reputation and operational efficiency, and Glenorchy's brand.

We will manage communications risk by establishing, implementing and embedding all elements of the Media and Communications Framework including:

- Media and Communications Policy
- Social and Other Media Directive
- Media and Communications Plan
- Media and Communications Toolkit

If a communications risk becomes a crisis, Council's Communications Team will work closely with the Executive Leadership Team to undertake the crisis communications sequence as outlined in the Crisis Communications Guide in the Media and Communications Toolkit.

EVALUATION AND MEASUREMENT

It is important to evaluate the effectiveness of communications activities to see whether they have the desired impact. This helps to improve the way we communicate over time by learning from circumstances and mistakes. Data is especially helpful to make informed decisions.

The following key performance indicators (KPIs) will be used to measure and evaluate Council's communications activities.

Page views

The number of visits and views of Council's social media and website pages is a key indication of engaging and effective communications.

Subscribers and registered users

The number of subscribers and registered users who want to receive communications from Council can indicate if the intended communications outcome is being achieved. If the number decreases, it is then mandatory to examine the root causes so that, if necessary, improvements can be made.



Social interactions

On social networks, likes, shares and comments are relevant. It is necessary to identify not only the number but also the content, to interpret feedback, expectations and needs. The Communications Team will create and upkeep a Social Media Post register to record and examine these metrics.

Origin of traffic

Media channel traffic's origin can be:

- organic - traffic that comes from search engines without any payment
- direct - traffic that comes from the insertion of the domain address on the address bar
- paid - traffic that comes from ads which are sponsored on platforms such as Facebook.

This measure allows us to determine if it is necessary to diversify the traffic origins; to not depend on one channel; to know if the investment in advertisement is working; or if our content is being optimised for search engines.

The Communications Team has access to these figures in Meta Business Framework and will measure them accordingly.

Media monitoring

Council employs a media monitoring service to track key words across Tasmania's media landscape. This includes the selection, registration and compilation of the news referring to Council that are published across a variety of media channels.

The Communications Team considers not only the number of published news stories, but also the content that is published and the media in which the news are published.

Version:	1.0	Adopted		Commencement Date	
Minutes Reference				Review Period	End Council Term
Previous Versions:					
Responsible Directorate	Executive Office		Controller:	Manager Stakeholder and Executive	
ECM Document No.:					

MEDIA AND COMMUNICATIONS TOOLKIT – SCHEDULE OF RESOURCES

Resource	Status
Accessible and Inclusive Communications Guide	Final Draft
Brand Style Guide 2020	In use - Due for review
Communications Technique Analysis	Final Draft
Communications Plan Template	In use
Crisis Communications Guide	Final Draft
Elected Member Communications Guide	Under development
Internal Communications Guide	Under development
Internal Memo Template	In use
Key Messages	Final Draft
Printed Materials Guide	Final Draft
Pronunciation Guide	Final Draft
Style Guide for Written Content	In use - Due for review
Website Guide	Under development

Related Documents

Resource	Status	Location
Code of Conduct	Current	GCC Intranet
Elected Member Code of Conduct	Current	GCC Website
Social and Other Media Directive	Draft	GCC Intranet - TBA
Media and Communications Policy	Draft	GCC Website - TBA
Community Engagement Policy	Current	GCC Website

Note: Staff Toolkit will be available on the GCC Intranet. Elected Member Toolkit is available on the Elected Member Teams Channel



Glenorchy City Council
Animal Management By-Law 2024 - Draft

By-Law No. 1 of 2024
Adopted by Council on

Glenorchy City Council

Glenorchy City Council Animal Management By-Law 2024

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Glenorchy City Council Animal Management By-Law 2024

Preliminary

1 Short title

- (1) This By-law may be cited as the Animal Management By-Law.

2 Dictionary

- (1) In this By-law—

animal includes any live vertebrate, other than a human being;

attack includes bite, menace, harass, threaten or chase;

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;
- (b) any other person authorised by the General Manager; or
- (c) a police officer;

Code of Practice means: any relevant and applicable code of practice for the purpose of animal husbandry and welfare and includes the Glenorchy City Council code of practice "Animal Keeping";

Council means: the Glenorchy City Council established under the *Local Government Act 1993* (Tas);

effective control means:

- (a) secured within the boundary of private premises, or
- (b) on a leash and under the direct supervision of a competent person; or
- (c) confined or controlled by such other adequate and/or lawful method that prevents uncontrolled animal activity.

farm animal means: a horse, stock or any other animal that is commonly farmed or grazed;

feral animal means: a non-native animal with no identifiable owner;

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foul means: to excrete on, dig on, or damage;

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

obstruct an authorised officer includes resisting, hindering, assaulting, verbally abusing, threatening, harassing, intimidating, or impeding;

owner includes:

- (a) the person who legally owns, or normally keeps and cares for an animal; or
- (b) a person who accepts responsibility, or adopts duty of care and control, of an animal; or
- (c) if the owner is a minor, that minor's parent or guardian.

occupier means: in relation to premises, includes a person who has, or is entitled to, possession or control of the premises; an adult resident if the property is occupied, or property owner if unoccupied;

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;

permit holder means: the holder of a permit;

pest animal means: a non-native animal with no identifiable owner, including non-native species that cause harm or nuisance to human activities, agriculture, the environment, or native wildlife; a feral animal;

poultry includes chickens (including hens and roosters) and any other commonly farmed or grazed avian species;

public land means: land within the Municipal Area which is owned, vested in, or managed by Council and includes any public place and any local highway;

residential area means: the General Residential, Inner Residential, or Low Density Residential zone of the Tasmanian Planning Scheme (Glenorchy);

rural area means: a Rural Living, Rural Agricultural, or Landscape and Conservation zone of the Tasmanian Planning Scheme (Glenorchy);

road means: a highway in the municipality of Glenorchy and includes, but is not limited to, any part of a —

- (a) local highway as defined by the *Local Government (Highways) Act 1982* (Tas);
- (b) footpath or cycleway;

stable means: any structure, or building, used for the keeping of horses or stock.

Control and Management of Animals

3 Control of Animals

- (1) The owner of any animal must ensure that their animal does not:
- (a) enter, remain on, or foul any private property without the consent of the occupier of such property; or
 - (b) enter, or remain on, any public land unless there is a sign displayed on that land authorising the presence of that kind of animal; or
 - (c) attack another animal or person; or
 - (d) create a noise that persistently occurs or continues to such an extent that it unreasonably interferes with the peace, comfort, or convenience of any person in any premises or public place.

Penalty: Fine not exceeding 5 penalty units.

- (2) Clause 3(1) of this By-Law does not apply to domestic dogs.

4 Maintenance of Premises Used by Animals

- (1) The owner of any animal, in relation to the land where they are kept, must:
- (a) Use adequate materials for any fencing, and keep such fencing maintained, to ensure the effective control of the animal being kept;
 - (b) keep any structures, buildings, enclosures or areas to which animals have access, in a clean and sanitary condition;
 - (c) keep any bedding or floor coverings used by animals, or to which animals have access, in a clean and sanitary condition;
 - (d) regularly maintain any area used for the keeping of animal waste, animal food or manure and keep such

area in a clean and sanitary condition; and

- (e) not use or include any part of an adjoining property fence as part of an animal enclosure.

Penalty: Fine not exceeding 5 penalty units.

- (2) A person must not discharge, deposit, allow, or permit the discharge or deposition of any animal waste, including but not limited to faeces;

(a) onto any other property; and/or

(b) into any water course or drain,

Penalty: Fine not exceeding 5 penalty units.

5 Pest animals

- (1) A person must not feed, encourage, or harbour pest animals.

Penalty: Fine not exceeding 5 penalty units.

6 Keeping of Farm Animals

- (1) Without a permit, a person must not keep, or allow to be kept, a farm animal on any land in a residential area.

Penalty: Fine not exceeding 5 penalty units.

- (2) Without a permit, a person must not allow any farm animal, where they are kept, to approach within 2 metres of a road boundary.

Penalty: Fine not exceeding 5 penalty units.

- (3) Without a permit, a person may keep poultry in a residential area provided that:

(a) no roosters are kept; and

(b) poultry cannot approach within 5 metres of another dwelling house; and

(c) poultry cannot approach within 1 metre of an adjoining property boundary; and

(d) a poultry enclosure is not situated within 3 metres of an

adjoining property boundary; and

- (e) if the allotment size is greater than 400m², but less than 1000 m², the number of poultry being kept does not exceed 6 birds; or
- (f) if the allotment size is 1001 m² or greater and the number of poultry being kept does not exceed 12 birds.

Penalty: Fine not exceeding 5 penalty units.

7 Keeping Bees

- (1) Without a permit, the maximum number of beehives a person can keep on residential land is as follows:
 - (a) up to 400 m² – 0 hives
 - (b) 401m² to 1000m² – 2 hives
 - (c) 1001m² to 3000m² – 5 hives
 - (d) 3001m² and above – 10 hives

Penalty: Fine not exceeding 5 penalty units.

- (2) Without a permit, a person must not keep a beehive within;
 - (a) 4 metres of an adjoining private property boundary; and
 - (b) 25 metres of a road or adjoining dwelling.

Penalty: Fine not exceeding 5 penalty units.

8 Stables

- (1) Without a permit, a stable used for the keeping of a horse or stock must not be situated in a residential area or within 6 metres of a property boundary.

Penalty: Fine not exceeding 5 penalty units.

- (2) An application for a stable permit cannot be considered until:
 - (a) the person applying for the permit has correctly advertised their intention to apply for a Stable Permit in a daily newspaper circulating throughout Council's municipal area; and
 - (b) 28 days since the publication of the notice of intention to apply for a Stable Permit has passed; and

-
- (c) the Application submitted to Council includes a copy of the published Notice of Intention to Apply for a Stable Permit; and
 - (d) the Stable construction meets any requirements under the Tasmanian Planning Scheme (Glenorchy).

Permits

9 Permit applications and transfers

- (1) An application for a permit, must be made in the prescribed form and be accompanied by the prescribed fee.
- (2) The General Manager may request further information from an applicant, when assessing an application for a permit.
- (3) A permit holder may apply to the General Manager to transfer their permit to another person.

10 Permit Approval or Refusal

- (1) The General Manager may approve or refuse a permit application.
- (2) When deciding whether to approve or refuse a permit application, the General Manager will consider factors including, but not limited to:
 - (a) the applicant's previous history of compliance with this By-law and any other law relating to animal management, public health, or environmental protection;
 - (b) whether the premises in the Permit application is suitable for the permit; and
 - (c) the proposed manner in which the animals are to be kept.
- (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) 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.

11 Permit cancellation or suspension

- (1) By providing one month written notice, the General Manager may:
- (a) vary the conditions of a permit;
 - (b) suspend a permit; or
 - (c) cancel a permit.

Seizure and Detention of Animals**12 Seizure and detention by Authorised Person**

- (1) An authorised person who reasonably believes an offence has been committed under this By-law, may enter land, and seize an animal or beehive relating to the commission of that offence.
- (2) As soon as reasonably practicable, the General Manager will provide the owner of any animal or beehive seized under this by-law with written notification of:
- (a) a description of the animal or beehive seized;
 - (b) the alleged offence against this By-law, being the reason for seizure;
 - (c) conditions required to be met or fees required to be paid before the animal or beehive can be released; and
 - (d) the fact that if the requirements of clause 12(12)(c) are not fulfilled and/or the animal or beehive remains unclaimed, it may be rehomed, given away, sold, or humanely ~~destroyed-euthanised~~ after ten working days.
- (3) If the owner of an animal or beehive seized under this by-law cannot be identified, the General Manager may, after three working days, rehome, give away, sell, or humanely ~~destroy-euthanise~~ it.

Notices and Enforcement**13 Direction of Authorised Persons**

- (1) An authorised person may give a direction, verbally or in writing, to a person to—
- (a) cease any conduct or activity which constitutes a breach of this By-law; or
 - (b) take action to prevent or remedy a breach of the By-law.

-
- (2) A direction given under this By-law may be subject to such conditions and requirements and allow such time period as the authorised person may determine.
 - (3) Unless otherwise specified in a direction, a person to whom the direction is given is to comply with the direction at their own cost.
 - (4) 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.

- (5) 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, or to the prescribed standard, in the direction.
- (6) 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.

Penalty: Fine not exceeding 10 penalty units.

- (7) A person must not obstruct an authorised person in the performance of any function, or in exercising any power under this by-law.

Penalty: Fine not exceeding 10 penalty units.

14 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.
- (4) Payment of an Infringement Notice issued under this By-Law must be made to the General Manager within 28 days of the issue of the Infringement Notice to avoid the Infringement Notice being referred to the Director, Monetary Penalties Enforcement Service.
- (5) The *Monetary Penalties Enforcement Act 2005* (Tas) applies to an Infringement Notice issued under this By-Law.

15 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 an infringement notice or failing to appeal an infringement notice within a prescribed time limit.

16 Supply of name and address

- (1) An Authorised Person may require a person to give their 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.

17 Code of Practice

- (1) All animals must be kept in accordance with the Code of Practice, adhering to best practice standards to ensure the highest level of care and welfare.

Schedule 1 Specified Offences

Column 1	Column 2	Column 3
Clause	General description of offence	Penalty units
3	Fail to control animal	1
4(1)	Improper maintenance of premises	1
4(2)	Improper management of animal waste	1
5	Feed, encourage, harbour pest animals	1
6(1)	Keeping of farm animals in a residential area without a permit	1
6(2)	Allow farm animal to approach within 2 metres of a road boundary.	1
6(3)	Keeping poultry in breach of by-law	1
7(1)	Keeping more beehives than permitted	1
7(2)	Keeping beehive in breach of location regulations	1
8	Have a stable on residential land without permit or within 6 metres of a property boundary	1
10(5)	Contravening a permit	1
13(4)	Fail to comply with a direction	4
13(6)	Failure to pay debts incurred from expenses or non-compliant activities	2
13(7)	Obstructing an authorised person	2
16(2)	Fail to supply name or address, or give a false name or address.	1



REGULATORY IMPACT STATEMENT

Animal Management By- Law



Regulatory Impact Statement - Animal Management By-Law 2024

What is a Regulatory Impact Statement (RIS)

A Regulatory Impact Statement ("RIS") is required to be prepared pursuant to section 156A of the *Local Government Act 1993* (Tas) ("the Act") when Council seeks to make a new by-law or significantly amend an existing by-law.

The preparation of the RIS requires the Council to analyse the most effective options available to address particular issues and to identify whether the benefits of any restriction on competition or impact on business imposed by the By-law outweighs the costs. The RIS requires an assessment of the direct and indirect social, economic, and environmental impacts of the proposed by-law and any alternatives considered.

The Council must submit the RIS to the Director of Local Government, Department of Premier and Cabinet for assessment. If satisfied that the RIS meets statutory requirements the Director will issue a certificate to that effect and Council may then commence the public consultation process.



Regulatory Impact Statement - Animal Management By-Law 2024

Objectives of the By-Law

The issue faced by Council is the ability to provide an efficient and effective service ensuring responsible animal ownership in the City of Glenorchy, where nuisances caused by animals is minimised, and animals are kept humanely under effective control.

The objective of this by-law is to provide a mechanism, operating alongside the *Dog Control Act 2000*, *Cat Management Act 2009*, and *Local Government Act 1993*, which will enable Council to manage the keeping of certain other types of animals within the City of Glenorchy. In doing so Council will ensure that the residents of the community enjoy the benefits of animal ownership whilst at the same time will ensure that animals do not detract from the amenity of the community.

The by-law will achieve this objective by:-

- Providing a permit system for the keeping of certain animals,
- Restricting the keeping of certain animals in specific areas,
- Providing a regulatory mechanism for the control, housing, keeping, and waste of animals,
- Acting to promote best practice animal husbandry, and
- Aligning with community expectations, and State Acts in the promotion of responsible animal ownership and management.

Regulatory Impact Statement - Animal Management By-Law 2024

Background to the By-Law

Nestled between mountain and river. A densely built environment and a high quality natural environment coexist with help from our community. Council officers will continue to negotiate this balance, helped by clear expressions of policy.

This By-law has been developed for the purpose of replacing the expired Animal Management By-Law No 1 of 2014 which was previously made under section 145 of the Act for the purpose of managing certain types of animals within the City.

Council routinely receives numerous complaints regarding animals causing disturbances or posing threats to public safety, either through inadequate control or unsuitable housing arrangements. A significant portion of these concerns pertains to specific types of animals ill-suited to urban settings, such as roosters and farm animals, particularly in densely populated areas where residential properties are in close proximity.

Although existing legislation like the Dog Control Act, Cat Management Act, Animal Welfare Act, Local Government Act, Environmental Management and Pollution Control Act, and to a lesser extent the Building Act, offer support in Council's endeavor to regulate animals within the City, none singularly address the precise concerns voiced by the community or effectively empower the management and control of localised issues involving all animal types. Therefore, the maintenance of this By-law is deemed essential to uphold the peaceful and healthy environment of the community.

The scope of the by-law is confined to the City of Glenorchy, yet the issues it addresses hold ramifications for the entire community. Failing to implement this by-law would leave a significant regulatory gap, lacking guidance and control over the keeping of certain unsuitable animals in densely populated urban areas.

Regulatory Impact Statement - Animal Management By-Law 2024

Without such regulation, there would be limited mechanisms to mitigate nuisances, safety hazards, or unhealthy conditions caused by animals. Council's authority to act decisively on behalf of its community would also be severely curtailed, leading to a potential surge in nuisances and a heightened risk of significant conflicts within the community.

This by-law represents a comprehensive revision of prior legislation, incorporating refinements gleaned from over two decades of practical application.

Extensive consultation shaped the development of the expired by-law, involving not only the broader community but also targeted engagement with esteemed organisations such as the RSPCA, the Australian Veterinary Association, and other key stakeholders identified through Council's exhaustive interest register.

This collaborative approach will persist as Council proceeds with consultations on this by-law. Engagement with specific interest groups, pertinent stakeholder organisations, and the wider community will commence promptly upon the Director of Local Government issuing a certificate confirming that the Regulatory Impact Statement (RIS) meets statutory requirements



Regulatory Impact Statement - Animal Management By-Law 2024

Table One – Officer's comments on the need for controls

Activity proscribed by previous and recent draft GCC by-law.	Known examples of relatively recent management issues/complaints	Alternatives	Objective and Means to achieve it
Control of Animals	<ul style="list-style-type: none"> Domestic cats roaming and attacking wildlife, Noise nuisances from cage birds, and certain livestock, Livestock and other animals on roads creating a safety risk, Conformity of animal housing and sanitation. 	Other Acts lack sufficient provisions in providing the finer governance of animal control and management across multiple animal types. It is essential to have statutory provisions available to meet the community's needs in addressing the safety and nuisance concerns caused by animals.	By delineating the diverse mechanisms of animal control as a proactive measure, the By-law ensures its ongoing efficacy in addressing prevalent safety and nuisance issues arising from uncontrolled animals of certain types.
Maintenance of premises used by animal	<ul style="list-style-type: none"> Insufficient controlling of Animals due to inadequate fencing, resulting in animals becoming at large. Accumulation of animal waste in animal enclosures and aviaries, resulting in concerns for animal health and leading to nuisances. Seepage from properties where farm animals are kept leading to odour nuisances. 	The known complaints highlight serious issues, including insufficient animal control, waste accumulation, and seepage from properties housing farm animals. Unfortunately, there are no proactive alternatives to address these concerns other than this animal management by-law. This comprehensive approach remains the most effective means of managing and mitigating these challenges within the community.	The provisions within this by-law have established proactive waste management measures aimed at effectively mitigating nuisances stemming from improper disposal of animal waste, while also incorporating adequate fencing provisions and standards for maintaining animal housing. This comprehensive approach ensures a best practice approach to keeping animals at a high standard.
Pest animals	<ul style="list-style-type: none"> Capture and removal of feral geese and ducks, Pest animal ownership, and responsibility complaints, Fouling of feral ducks and geese, Feeding and encouragement of feral ducks and geese, thus positively enhancing feral animal populations 	Other Acts lack sufficient or any provisions in ensuring community responsibility with regard to pest animal encouragement and harbouring.	In collaboration with re-engaged stakeholders in the management of feral ducks and geese along the Derwent Estuary within Glenorchy Municipality, Council heavily relies on the provisions outlined in this By-law to uphold both natural and community amenity. This involves enforcing measures to deter the feeding of feral ducks and geese, particularly.

Regulatory Impact Statement - Animal Management By-Law 2024

Activity proscribed by previous and recent draft GCC by-law.	Known examples of relatively recent management issues/complaints	Alternatives	Objective and Means to achieve it
	in areas of natural values.		
Keeping of farm animals	<ul style="list-style-type: none"> Community requests to keep farm animals in residential areas, Sheep and goats introduced to small sized properties to act as "lawnmowers" in eating grass and other vegetation, whilst often causing persistent noise concerns. 	Other Acts lack sufficient provisions in providing community based rules responsible keeping of farm animals in residential areas.	Public requests to introduce farm animals into residential areas are common, though they can disrupt quality of life to others. While some requests are reasonable, others may be impractical. The by-law's permit provisions addresses these concerns on a case-by-case basis, aiming to ensure that farm animals may be kept, and in a manner that does not create nuisances.
Keeping Poultry Specifically	<ul style="list-style-type: none"> Roosters being kept which creates noise nuisances to neighbours, Too many poultry kept on small land sizes. 	Other Acts lack sufficient provisions to establish guidelines that promote responsible poultry keeping, which ultimately fails to proactively mitigate potential nuisance impacts.	The By-law aims to establish community provisions and governance for the responsible keeping of poultry in residential areas. This involves preventing residential blocks from becoming overcrowded with poultry. Individuals may need to apply for a permit to regulate their poultry keeping activities.
Keeping bees	<ul style="list-style-type: none"> Beehives kept in excess, Concerns with bee flight paths over neighbouring properties of those with bee sting allergies. 	While the Code of Practice for Urban Beekeeping in Tasmania provides valuable guidance, it lacks statutory measures to prevent bees from adversely affecting neighbors, particularly concerning their proximity to other dwellings. This is especially pertinent for individuals with allergies to bee stings.	This by-law aims to facilitate and regulate the increasingly popular practice of beekeeping. It ensures that beehives are maintained with consideration for community well-being, taking into account factors such as hive numbers relative to land size and proximity to neighboring dwellings.
Stables	<ul style="list-style-type: none"> Horses kept in residential areas creating a nuisance in the absence of imposed conditions. 	Other Acts lack sufficient provisions in providing certain conditions for the keeping of horses and stock in residential areas.	Conditional Stable Permits may be issued under the By-law to ensure compliance in aim of ensuring animal care and minimising residential impacts.

Regulatory Impact Statement - Animal Management By-Law 2024

Activity proscribed by previous and recent draft GCC by-law.	Known examples of relatively recent management issues/complaints	Alternatives	Objective and Means to achieve it
Permits	<ul style="list-style-type: none"> Residents flagrantly keeping farm animals on property within a residential zone has raised concerns due to its inappropriate nature, leading to nuisance complaints. 	Other Acts lack sufficient and proactive provisions to establish clear guidelines for the keeping of farm animals in certain locations.	The implementation of permits, integrated within the by-law, not only upholds high standards for keeping animals but also serves as a proactive enforcement tool to mitigate nuisance impacts. This permit system facilitates council's ability to monitor the locations of specific types of animals kept, enabling the imposition of both routine and specific conditions on permit approvals. Such conditions may include enforcing the proximity of animals to other dwellings, regulating animal numbers, and specifying the types of animals permitted to be kept.
Seizure and detention of Animals	<ul style="list-style-type: none"> Persistent noncompliance with the By-law regarding the keeping of poultry in residential areas, The apprehension and confinement of stray and roaming animals found on privately owned properties where they have strayed or been captured. 	<p>Currently, there is a lack of comprehensive and effective legislation for the management of seized and impounded animals throughout all stages, particularly in cases involving ongoing irresponsible ownership.</p> <p>Although the Act permits the return of animals to their owners upon payment of costs, it lacks mechanisms that impose the ongoing effective management of these owned animals.</p>	The by-law will fulfill a longstanding need for comprehensive tools to effectively manage seized or impounded animals from start to finish. Furthermore, it aims to deter future offences by enhancing enforcement measures related to animal control. For instance, clause 12(1)(c) allows owners to reclaim their seized animals under specific conditions. This conditional return is primarily intended to ensure measures are taken to securely contain the animal.
Notices and Enforcement	<ul style="list-style-type: none"> The physical control of animals hinges entirely on owners taking responsible action or cooperating with Council enforcement efforts. 	The <i>Animal Welfare Act 1993</i> is the sole legislation that authorises instructions issued by Authorised Persons, focusing solely on animal welfare-related directives rather than fundamental animal control	This aspect of the by-law seeks to equip Council with a proactive tool to implement an additional layer of reasonable and equitable enforcement measures on specific animal owners, ensuring adequate control of their animals.

Regulatory Impact Statement - Animal Management By-Law 2024

Activity proscribed by previous and recent draft GCC by-law.	Known examples of relatively recent management issues/complaints	Alternatives	Objective and Means to achieve it
	<ul style="list-style-type: none"> Council's proactive approach to preventing avoidable animal-related incidents has arisen due to some animal keepers neglecting to implement preventative measures, such as effective control, adequate fencing, and maintenance, The tangible adverse impacts of uncontrolled animals on the community can often lead to life-altering health and safety issues. 	<p>measures. However, it is imperative to underscore the proactive role of the by-law as a strategic tool in addressing the impacts on community amenity and safety, thereby promoting a more comprehensive approach to animal management and welfare.</p> <p>Monetary penalties may be applicable under alternative legislation for certain animal types; however, they do not adequately address the management of other categories of animals, including farm animals, domestic birds, and pest species.</p>	The primary goal is to prevent avoidable incidents that could potentially harm individuals or other animals within the community. The by-law operates on the principle of fairness and procedural equity, aiming to be an effective and balanced regulatory instrument.

Does the By-Law Restrict Competition/ Impact on competition and the conduct of Business?

The intent of the by-law is to establish a framework for managing animals within the City of Glenorchy, focusing on animal control, public safety, and addressing nuisances related to animal housing or treatment. Additionally, it provides for a permit system for certain types of animals.

While the stable permit conditions and associated fees may appear to restrict competition, the low number of licenses issued in 2023 and the moderate fees suggest that the restriction is not significant. It's worth noting that the decrease in the number of stable permits issued over the years is primarily due to horse trainers relocating from built-up areas like Glenorchy to more open areas such as Brighton and the Derwent Valley, rather than any restrictions or fees imposed by Council.

These permits are issued to ensure compliance with appropriate standards of animal care and to protect the animals for the benefit of the community, rather than to control entry into the business. Importantly, the by-law has no impact on any other business operations

Regulatory Impact Statement - Animal Management By-Law 2024

Costs and Benefits

The community of Glenorchy will continue to benefit from this by-law as it provides the mechanism to guide individuals to what are considered acceptable standards for the keeping of animals. These benefits are by virtue of:

- Providing a permit system for the keeping of certain animals,
- Prohibiting or restricting the keeping of certain animals in specific areas,
- Providing a regulatory mechanism for the control and housing of animals,
- Providing an enforcement tool for uncontrolled, pest, or nuisance animals, and
- Acting as a guide to best practice in animal husbandry.

The negative impacts of keeping animals in a densely populated urban area will be minimised by this by-law and the resultant benefits to the whole community are significant.

The introduction of this amended by-law will not impose any significant restrictions on competition and is expected to have minimal impact on businesses. Therefore, it is deemed that regulation is the most practical approach to achieving the desired objectives, ensuring the greatest overall benefit for the community.

The regulation embodied in this by-law, offering substantial overall benefits, is bolstered by the absence of other regulations precisely aligned with Council's objectives as outlined in this Regulatory Impact Statement (RIS). Vetted by a certified legal practitioner, the by-law is designed to impose the least possible regulatory burden on the community while effectively fulfilling its intended purpose.



Other Options Considered

Council has historically maintained various iterations of animal management by-laws since the 1960s. The proposed by-law represents a thorough review of the previous Animal Management By-Law No 1 of 2014, incorporating several enhancements.

In considering alternatives, Council has concluded that maintaining the current approach to animal management within the City is essential. The absence of a by-law would permit individuals to establish their own standards for animal keeping, potentially leading to discrepancies with community expectations. For instance, unregulated practices such as keeping pigs on standard residential properties or housing roosters in densely populated areas could become commonplace, resulting in a decline in overall standards and an increase in environmental and social nuisances or safety concerns.

The community of Glenorchy has become accustomed to the controls and regulations provided by this by-law, appreciating the mechanism it offers to address negative animal-related issues with Council. Through its enforcement provisions, the by-law grants Council the authority to intervene as necessary to ensure compliance and maintain a healthy and harmonious community environment.

While there are associated costs for individuals as a result of the by-law, these are primarily directed at those who violate its requirements. Council emphasises the provision of reasonable notification and warnings, reserving the issuance of penalties as a last resort to secure compliance.

The animal management by-law has proven highly effective in guiding and encouraging responsible animal ownership over the years. Since 2009, only sixty-one infringement notices have been issued, with thirty-two of these serving as a tool to promote responsible practices and subsequently being withdrawn.

Justification of Public Interest including the costs and benefits of the proposed by-law

The implementation of the By-law serves to enhance public safety and improve the overall quality of life within the municipality.

It seeks to promote responsible animal ownership while simultaneously establishing measures to protect the community from the adverse effects often associated with irresponsible practices.

Empowered by the By-law, Council officers are equipped to effectively advocate for responsible animal care and establish clear standards for animal husbandry.

Regulatory Impact Statement - Animal Management By-Law 2024

Furthermore, the By-law adopts a graduated enforcement approach, allowing for the issuance of warnings to non-compliant individuals before escalating enforcement actions in cases of persistent breaches that threaten community well-being.

The provisions outlined in the By-law align with the current procedural responsibilities of officers tasked with addressing public complaints related to the negative impacts of animals. Their expertise has been instrumental in refining the By-law, ensuring greater clarity in animal control measures and proactive prevention of community harm. Ultimately, the By-law aims to empower the community to make responsible choices from the outset, thereby fostering a safer and more harmonious environment for all.



ASSESSMENT OF DIRECT AND INDIRECT ECONOMIC, SOCIAL AND ENVIRONMENTAL IMPACT

The following table assesses the economic, environmental and social impacts of the By-Law in more detail:

Table Two – Summary Assessment of costs and benefits

Activity restricted	Benefits	Costs	Solution on balance
Control of animals	<ul style="list-style-type: none"> Enhance local amenity Minimise nuisances Prevent the abandonment of unwanted animals 	<ul style="list-style-type: none"> Increased responsibility on individuals Construction of Infrastructure for animal 	<ul style="list-style-type: none"> Enhanced citywide amenity and safety Enhanced control and decreased population growth of pest animals

Regulatory Impact Statement - Animal Management By-Law 2024

	<ul style="list-style-type: none"> Foster greater community harmony and reduce conflicts Decrease the risk of short and long term injury to people or other animals Elevate quality of life Decrease instances of property damage. 	<ul style="list-style-type: none"> housing and effective control Enforcement and administrative expenditures (Council) Penalties imposed for non-compliance 	<ul style="list-style-type: none"> Augmented attractiveness of Glenorchy as a desirable residential and occupational destination Preservation of acceptable community standards Appreciation in property values due to sustained municipal appeal for residential and occupational purposes.
Maintenance of premises used by animal	<ul style="list-style-type: none"> Decrease in nuisances occurring Enhanced local amenity Promotion of best practices in animal care Enhanced community cohesion (reduced conflicts) Improved quality of life Decreased instances of property damage 	<ul style="list-style-type: none"> Increased control and regulation Construction and maintenance of appropriate animal housing and effective control. Fees for relevant animal permits Increased responsibility on individuals Penalties imposed for non-compliance Enforcement and administrative expenditures (Council) 	<ul style="list-style-type: none"> Enhanced citywide amenity and safety Augmented attractiveness of Glenorchy as a desirable residential and occupational destination Preservation of acceptable community standards Appreciation in property values due to sustained municipal appeal for residential and occupational purposes. Enforcement of non-compliance
Pest animals	<ul style="list-style-type: none"> Appropriate control and management of stray and pest animals Minimise nuisances Improved local amenity Enhanced lifestyle Reduced incidence of damage to property Elevate quality of life Reduction of pollution 	<ul style="list-style-type: none"> Increased responsibility on individuals to not harbour or encourage pest animals Penalties imposed for non-compliance 	<ul style="list-style-type: none"> Enhanced city wide amenity Preservation of acceptable community standards State participation in the management and reduction of pest animals Augmented attractiveness of Glenorchy as a desirable residential and occupational destination Appreciation in property values due to sustained municipal appeal for residential and occupational purposes. Enforcement of non-compliance
Keeping of farm animals	<ul style="list-style-type: none"> Enhanced human lifestyle through 	<ul style="list-style-type: none"> Increased control and regulation 	<ul style="list-style-type: none"> Improved city wide amenity Augmented attractiveness of Glenorchy as a desirable

Regulatory Impact Statement - Animal Management By-Law 2024

	<ul style="list-style-type: none"> responsible animal keeping Reduction in nuisance Decreased emission of pollutants such as noise, waste, and odours Appropriate animal housing provisions for permitted animals Reasonable confinement of specific animals away from neighboring properties Reduced incidence of damage to property. 	<ul style="list-style-type: none"> Construction and maintenance of appropriate animal housing and effective control Increased responsibility on individuals Enforcement and administrative expenditures (Council) Penalties imposed for non-compliance. 	<ul style="list-style-type: none"> residential and occupational destination Preservation of acceptable community standards Appreciation in property values due to sustained municipal appeal for residential and occupational purposes. Enforcement of non-compliance.
Keeping poultry specifically	<ul style="list-style-type: none"> Enhanced human lifestyle through responsible animal keeping (home egg production) Decrease in nuisances occurring Enhanced community cohesion (reduced conflicts). 	<ul style="list-style-type: none"> Increased control and regulation Penalties imposed for non-compliance Reduced ability to keep certain animals i.e., roosters Increased responsibility on individuals Enforcement and administrative expenditures (Council). 	<ul style="list-style-type: none"> Enhanced community cohesion (reduced conflicts) Improved city wide amenity Maintain acceptable community standards Augmented attractiveness of Glenorchy as a desirable residential and occupational destination Enforcement of non-compliance.
Keeping bees	<ul style="list-style-type: none"> Enhanced human lifestyle through bee keeping Appropriate location of beehives from neighbouring properties Reduction in bee nuisances. 	<ul style="list-style-type: none"> Increased control and regulation Increased responsibility on individuals Enforcement and administrative expenditures (Council) Penalties imposed for non-compliance. 	<ul style="list-style-type: none"> Enhanced city wide amenity Preservation of acceptable community standards Enforcement of non-compliance.
Stables	<ul style="list-style-type: none"> Enhanced human lifestyle through responsible animal keeping Reduction in nuisances Reduced pollutant emission i.e., noise, waste, odour Maintenance of appropriate housing 	<ul style="list-style-type: none"> Fees for stable permits Increased control and regulation Penalties imposed for non-compliance Construction of Infrastructure for animal housing / control etc. 	<ul style="list-style-type: none"> Maintain acceptable community standards Enforcement of non-compliance Augmented attractiveness of Glenorchy as a desirable residential and occupational destination Appreciation in property values due to sustained municipal appeal for

Regulatory Impact Statement - Animal Management By-Law 2024

	and welfare conditions for permitted animals <ul style="list-style-type: none"> • Reduced incidence of damage to property 	<ul style="list-style-type: none"> • Increased responsibility on individuals. 	residential and occupational purposes. <ul style="list-style-type: none"> • Enforcement of non-compliance.
Permits	<ul style="list-style-type: none"> • Enhanced human lifestyle through responsible animal keeping • Reduction in nuisances • Decreased emission of pollutants such as noise, waste, and odours • Appropriate animal housing provisions for permitted animals • Reasonable confinement of specific animals away from neighboring properties • Reduced incidence of damage to property. 	<ul style="list-style-type: none"> • Increased control and regulation • Construction and maintenance of appropriate animal housing and effective control • Increased responsibility on individuals • Enforcement and administrative expenditures (Council) • Penalties imposed for non-compliance. 	<ul style="list-style-type: none"> • Enhanced city wide amenity • Preservation of acceptable community standards • Augmented attractiveness of Glenorchy as a desirable residential and occupational destination • Appreciation in property values due to sustained municipal appeal for residential and occupational purposes. • Enforcement of non-compliance.
Seizure and detention of Animals	<ul style="list-style-type: none"> • Enhanced local amenity • Reduced incidence of damage to property • Decrease the risk of short and long term injury to people or other animals • Improved community harmony (less conflict) • Maintenance of appropriate housing and welfare conditions for permitted animals • Reduction in nuisances. 	<ul style="list-style-type: none"> • Increased responsibility and cost on individuals to keep animals responsibly • Fees associated with animal reclamation • Costs of improving Infrastructure to control animal. • Penalties imposed for non-compliance. 	<ul style="list-style-type: none"> • Enhanced city wide amenity • Preservation of acceptable community standards • Augmented attractiveness of Glenorchy as a desirable residential and occupational destination • Appreciation in property values due to sustained municipal appeal for residential and occupational purposes. • Enforcement of non-compliance.
Notices and Enforcement	<ul style="list-style-type: none"> • Enhanced local amenity • Reduced incidence of damage to property • Decrease the risk of short and long term injury to people or other animals • Improved community harmony (less conflict) • Maintenance of appropriate housing 	<ul style="list-style-type: none"> • Increased responsibility and cost on individuals to keep animals responsibly • Fees associated with animal reclamation • Costs of improving Infrastructure to control animal. • Penalties imposed for non-compliance. 	<ul style="list-style-type: none"> • Enhanced city wide amenity • Preservation of acceptable community standards • Augmented attractiveness of Glenorchy as a desirable residential and occupational destination • Appreciation in property values due to sustained municipal appeal for residential and occupational purposes.

Regulatory Impact Statement - Animal Management By-Law 2024

	and welfare conditions for permitted animals <ul style="list-style-type: none">• Reduction in nuisances.		<ul style="list-style-type: none">• Enforcement of non-compliance.
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Regulatory Impact Statement - Animal Management By-Law 2024

The Public Consultation Process

Following certification of the RIS, further public consultation will occur with relevant stakeholders. Once the Council passes a motion that it intends to make the By-Law and the RIS has been approved, Council will:

- 1) The Council will publish notice of that resolution that it intends to make the By-Law:
 - 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.

- 2) 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.
- 3) Council will consider all submissions that have been made to it concerning the By-Law and, if it decides to amend it as a result of any of these submissions, it will do so by absolute majority. Council does not intend to give further public notice unless an amendment substantially changes the purpose or effect of the proposed By-Law.
- 4) Council will then pass, by an absolute majority, a resolution to formally make the By-Law.
- 5) The By-Law will then be submitted to a legal practitioner for certification and signed by the General Manager.
- 6) Council will then cause the By-Law to be gazetted within 21 days of being made.
- 7) Council will also submit the By-Law to the Subordinate Legislation Committee within seven working days of gazettal, and to both Houses of Parliament within ten sitting days of gazettal.
- 8) Finally, Council will send to the Director of Local Government a signed, sealed and certified original, together with a statement of purpose and effect and the outcome of public consultation.

Regulatory Impact Statement - Animal Management By-Law 2024

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 twenty one (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 Council's Senior Legal Counsel & Coordinator, Michael Jacques, on (03) 6216 6483.



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Responsible Directorate	Community and Corporate Services	Controller:	Procurement and Contracts Coordinator.		
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Introduction

This Code for Tenders and Contracts provides a statement of the principles, process and ethics that underline best practices for Procurement at Glenorchy City Council, it applies to anyone with a role in the acquisition of goods, services and/or works on Council's behalf and to suppliers and contractors seeking or doing business with Council. Council may, from time to time, make or approve policies that amend or supplement the Code. Where this is the case, they will be issued as addenda to the Code and provided on Council's website.

Definitions

Council Buyer means any officer, official, office bearer, consultant or agent that participates in a Council Procurement activity.

Conflict of Interest means any financial or non-financial or familial or other close personal relationship or interest that is, or which may be perceived as being, in conflict with a Council Buyer's official duties in respect of a Procurement process or contract in a Service Provider participating in a Procurement process or being awarded a contract.

Council's Requirements means any type of:

- equipment, materials, goods and/or services; and
- building and construction and civic and civil works, maintenance and services.

Dumped Goods means goods that are brought into Australia at a price below the price charged in the country of manufacture or below the cost of manufacturing the product

Indigenous Business means a business that is verified as an Indigenous business or an Indigenous business enterprise by Supply Nation.

Legislative Requirements includes any Acts, Regulations, local laws and by-laws, Codes of Practice and any other instruments made under any Act or subordinate legislation, whether State or Federal.

Local Business means a business which has a permanent presence and workforce located within the Glenorchy municipality, southern Tasmania or the state of Tasmania as a whole.

Modern Slavery includes:

- human trafficking;
- slavery;
- child labour;
- servitude;
- forced labour;
- debt bondage;
- deceptive recruiting for labour or services;
- forced marriage; or
- any other practices which Council, acting reasonably, determines to be exploitative or a violation of an individual's dignity and human rights.

Procurement means any process whereby Council seeks to acquire any goods or services, including building, construction and civic and civil works and services.

Service Provider includes prospective suppliers and contractors seeking to do business with Council and suppliers and contractors engaged by Council to provide goods, services and/or works.

Sham Contracting means disguising an employment relationship as a contractor relationship.

Subsidised Goods means goods that are supplied by an exporter that benefits from government assistance in the country of export allowing the exporter to sell the goods to Australia at a lower price which causes material injury to the Australian industry.

Legislative Requirements

Acts	Sections 333A and 333B of the <i>Local Government Act 1993</i> (Tas) (the 'Act') require compliance with this Code when acquiring goods and/or services for Council.
Regulations	The information contained in the Code must be consistent with the requirements of the <i>Local Government (General) Regulations 2015</i> (Tas) (the 'Regulations').

Council's Procurement approach

Council Procurement is largely devolved. This means Procurement responsibilities and accountabilities are shared between individual Council departments and Council's Procurement and Contracts section.

Routine and low complexity Procurements valued less than \$100,000 (excluding GST) are the responsibility of the department which requires the goods, services and/or works. The department which makes the purchase is responsible for ensuring processes are in place to comply with the Code.

Procurements valued at \$100,000 or higher (excluding GST) are managed by Council's Procurement and Contracts section. Procurements valued at less than \$100,000 may be managed by the Procurement and Contracts section if warranted due to complexity or risk.

Procurement Principles

Council purchasing must be conducted legally and by encouraging fair and open competition between Service Providers. The Regulations require Council Procurement to promote the principles of:

- Open and effective competition.
- Value for money.
- Enhancement of the capabilities of local business and industry.
- Ethical behaviour and fair dealing.

Open and effective competition

Through open and effective competition, Council ensures that purchasing decisions are impartial, open and transparent and that competitive tenders and quotes are encouraged. For Council Buyers this means:

- using well documented, transparent, open purchasing procedures, so Service Providers and the public can have confidence in Council Procurement;
- ensuring records keeping practices enable audit and review of purchasing and procurement decisions and actions;
- providing a diversity of Service Providers with the opportunity to compete for Council business, including not making repeated purchases from the same Service Providers without testing the market compliant with Procurement thresholds;
- avoiding use of biased specifications and wherever possible not exclusively purchasing or specifying a particular brand or product;
- adopting transparent, open purchasing procedures and treating Service Providers consistently and equitably by:

- ensuring Service Providers are provided with the same information about Council's requirements including circulating any amendments and clarifications to all prospective Service Providers;
- allocating a common deadline date and time for submission of tenders or quotes, applying it equally to all Service Providers and not opening tenders or quotes until the deadline has lapsed;
- ensuring the same amount of time to prepare and submit a tender or quote (including any additional time) is provided to all prospective Service Providers;
- evaluating all tenders and quotes against the same predetermined evaluation criteria and ensuring the same criteria (including any applicable weightings) are disclosed to prospective Service Providers;
- giving all Service Providers that submitted a tender or quote have the same opportunity to clarify or correct, or not to clarify or correct, unintentional errors; and
- if requested, de-briefing unsuccessful Service Providers; and
- being mindful of the cost of bidding and not:
 - knowingly inviting quotes or tenders without a genuine intention or the financial capacity to proceed with a purchase, contract or project; or
 - requiring Service Providers to undertake undue unpaid design work or provide unnecessary information in order to lodge tender or submit a quote.

For Service Providers, promoting open and effective competition means not engaging in uncompetitive behaviour, or other practices, which are intended to deny legitimate access to, or discourage other Service Providers from, competing for Council business.

Value for money

The objective of Council Procurement is to ensure that goods and services purchased by Council are fit for purpose and satisfy Council's Requirements at the most competitive price available. Achieving value for money does not always mean buying at the lowest price.

Council Buyers are required to weigh up the quality and other relevant non-price factors against the purchase price to ensure value for money.

The relevant value for money considerations should be considered when planning the purchase and before testing the market. These include:

- Reasons for the purchase. For example, why Council needs the goods and/or services who will use them and how often, what community and other benefits the purchase generates or supports.
- Potential to encourage or enhance Local Business participation.
- Possibility of meeting the need at reduced risk and enhanced value for money by:
 - sharing services with another council or councils;
 - utilising an existing Council standing contract or multiple-use register; or
 - acquiring Council's Requirements through a strategic procurement arrangement established by or through the Local Government Association of Tasmania or a Tasmanian Government common use contract.

- Potential to achieve efficiency and productivity improvements through consolidation or aggregation of Council's Requirements.
- Relevant commercial and cost factors such as:
 - income generation;
 - cost escalation and indexation;
 - recurrent costs;
 - maintenance and upgrading requirements;
 - useable life, obsolescence, and replacement cost; and
 - residual value.
- Fitness for purpose, quality and performance requirements.
- Required Service Provider capacity and capability requirements. For example, management and technical capability, physical and human resources, relevant experience and work health and safety management capability.
- Contribution to achieving Council's policy and strategic objectives.
- Impact on the environment and opportunities to achieve environmental benefits. For example:
 - reduced carbon emissions and/or energy conservation;
 - improved waste management through the purchase of reusable, compostable and recyclable products; and
 - promoting reduction in the demand for products that have a direct negative impact on the environment and carbon emissions reduction.
- Potential for social benefits. For example, acquiring Council's Requirements through Indigenous Business or the not for profit sector.

Enhancing the capabilities of local business and industry

Local Businesses

Where the required industry capability exists, Council will actively seek to engage with Local Businesses and encourage their participation in Council Procurement. For Council Buyers, this means ensuring that Local Businesses are not unnecessarily precluded from competing for Council business by:

- considering the capability for Local Businesses to fulfil Council's Requirements and the benefits of acquiring Council's Requirements from one or more Local Businesses before making a purchase or inviting quotes;
- wherever possible and without compromising value for money and ethical behaviour and fair dealing principles:
 - specifying or giving preference to Tasmanian sourced and manufactured goods;
 - encouraging tenders and quotes from Local Businesses, particularly from those that have previously requested the opportunity to compete for Council business;
 - ensuring that specifications do not unnecessarily preclude Local Businesses from competing for Council business;
 - for low value purchases (less than \$25,000 in value excluding GST), approaching Local Businesses first, where there is local capacity and capability;

- for purchases valued at \$25,000 and less than \$100,000 (excluding GST), limiting the invitees to Local Businesses if possible; and
- for purchases valued at \$100,000 and higher (excluding GST), where it is appropriate and beneficial, including suitably weighted evaluation and selection criteria relating to a Service Provider's status as a Local Business and the contribution made by the Service Provider to the municipal, regional and Tasmanian economy and community.

The weight applied to consideration of Service Providers' status as a Local Business and contribution made to the economy and community will not exceed 40% of the total weightings for a Procurement.

Indigenous Businesses

Priority or preference may be given to acquiring goods and services from Indigenous Businesses. For purchases valued at less than \$250,000 (excluding GST), subject to value for money considerations and with approval at the director level or higher, this may include inviting fewer than the normally required number of quotes for the purpose of limiting the invitees to capable Indigenous Businesses or directly engaging an Indigenous Business.

Ethical behaviour and fair dealing

Adoption of ethical and fair behaviours and practices

Council will not engage in or seek to benefit from practices that are dishonest, unethical or illegal. To that end, Council has established the following ethical standards and procedures for Procurement.

Council Buyers must adopt the following ethical standards of behaviour:

- Complying with Legislative Requirements and not exposing Council to sustainable allegations of impropriety, unwarranted preference or unfair dealings.
- Acting in good faith in dealings with Service Providers, including:
 - not knowingly or deliberately engaging in unreasonably harsh, oppressive, deceptive, misleading or dishonest practices;
 - acting in a manner that is ethical to all parties involved, including not engaging in reverse auctions, playing a Service Provider's prices off against those of other Service Providers or misusing any information included in a tender or quote or supplied by a Service Provider;
 - complying with Council's Fraud Control and Corruption Prevention and Conflicts of Interest policies and Code of Conduct; and
 - not inappropriately intervening in or exerting inappropriate influence over the outcomes of procurement process and in particular the evaluation of quotes and tenders and selection and engagement of suppliers and contractors, or attempting to do so.
- Making decisions in the best interest of Council and the public, and not based on personal bias or preference, self-interest or for convenience.
- Ensuring Service Providers are given time to fully understand all the terms of the contract or transaction which they are agreeing to. This includes notifying Service Providers of applicable terms and conditions of contract, where applicable.
- Complying with Council's Gifts and Benefits Policy and not seeking or accepting any payments, gifts, gratuities, entertainment, hospitality and other benefits offered by a Service Provider for the discharge of official duties.
- Avoiding any situation which is, or which may become, or which may be perceived as being in conflict with the officer's duties in respect of the Procurement.

- Avoiding any relationship with a Service Provider, financial or otherwise, which could be perceived as unfair or as exerting improper influence on their decision-making.
- Ensuring Council meets its obligations and discharges its liabilities under a contract and being honest and reasonable in dealings with suppliers and contractors.

Service Providers, and any persons representing them must:

- in so far as is reasonably practicable, apply the principles and procedures required by this Code in their dealings with suppliers and subcontractors;
- comply with Legislative Requirements;
- not engage in unconscionable behaviour in dealings with Council and Council Buyers, or any subcontractors and suppliers;
- ensure they are acquainted with Council's Requirements and the procurement documentation and only submit a tender or quote if they genuinely believe they are financially and otherwise capable of performing Council's Requirements;
- not engage in any uncompetitive practices, which deny or reduce legitimate business opportunities to other potential Service Providers or Council, including:
 - the creation or formation of bidding cartels;
 - making payments in return for, or otherwise incentivising another party to, not submit a quote or tender; or
 - submission of an artificially high price on the assumption that the tender or quote will not be accepted in order to benefit another Service Provider or disadvantage Council;
- not collude with other Service Providers or Council Buyers to influence the outcomes of a Procurement process by illegal, illegitimate or dishonest agreements or other means;
- comply with the provisions of awards and workplace arrangements, which have been certified, registered or approved under relevant industrial relations legislation;
- not deliberately or knowingly engage in:
 - practices amounting to any form of Modern Slavery or Sham Contracting; or
 - the supply of Dumped Goods and Subsidised Goods;
- not offer money, gifts, gratuities, entertainment, hospitality and other benefits to a Council Buyers in exchange for the discharge of their official duties; and
- notify Council of any breach by a Council Buyer of the ethical standards.

Service Providers may be required to attest to the probity of their tender or quote, either at lodgement or before being awarded a contract.

Conflicts of Interest

Council Buyers with a role in evaluating tenders and quotes and engaging Service Providers must:

- declare any actual or potential Conflicts of Interest they may have;
- declare that they are not aware of any Conflicts of Interest where instructed; and
- ensure that any Conflicts of Interest are effectively managed.

Service Providers must:

- advise Council if they are aware of any actual or potential Conflicts of Interest when submitting tenders and quotes; and
- immediately notify Council if any Conflict of Interest arises or comes to the Service Provider's attention during a Procurement or contract.

Protection of commercial in confidence information

Council Buyers must protect commercially sensitive or valuable and proprietary information which is included in a tender or quote. This means that Council Buyers must:

- ensure that tenders and quotes are treated as confidential until a contract is awarded;
- not provide or disclose any information in a tender or quote to another Service Provider; or
- only reproduce and use the information supplied by a Service Provider for legitimate purposes, related to the Procurement process.

Once a contract is awarded, the terms of the contract, including the final or estimated contract sum, but excluding detailed prices or pricing, are no longer confidential and may be published:

- as required for Council to meet and comply with any Legislative Requirements;
- as otherwise required by law; or
- as required to meet any reporting, disclosure, governmental and transparency obligations.

Council may, on a confidential basis, disclose the contents of a tender, quote or a contract, including commercially sensitive or valuable and proprietary information, to professional advisers in order to obtain advice about the Procurement or contract.

The prices and other information supplied by one Service Provider must not be disclosed to another Service Provider for the purpose of obtaining, or attempting to obtain, lower prices.

Where a tender or quote includes commercially sensitive, valuable or proprietary information, Council may, on a case by case basis, consider any request by a Service Provider for the information to be treated as confidential after the award of a contract. Council will make commitments to maintain confidentiality only when they are appropriate and do not prevent Council from meeting Legislative Requirements or any reporting, disclosure, governmental and transparency obligations.

Breaches of ethical requirements

Council will take all reasonable steps to ensure compliance with the standards of ethics in the Code. However, Council will not be liable in any way to a Service Provider for any breach of the Code.

If any employee of the Council, or a body controlled by the Council, breaches the ethical standards, Council may, in its absolute discretion, apply its normal human resources policy and procedures in respect of performance management and disciplinary action.

If a Service Provider commits a breach of the ethical standards, Council may, in its absolute discretion, act against that Service Provider. Such action may include, as determined by the General Manager:

- giving a warning to Service Provider;
- the Service Provider's suspension from participating in Council tenders, quotes and contracts and/or the supply of goods, services and/or works to Council for a specified time;
- a reduction in future opportunities for that Service Provider to compete for Council business;
- reporting of the breach to a statutory, professional or other relevant body; and/or
- legal action against the Service Provider.

Procedures applicable to all Procurement

Procurement thresholds

Council has established the following Procurement Thresholds to set out the minimum Procurement methods at certain purchase values. All values are GST exclusive:

Purchases valued less than \$25,000

A single price is acceptable. For purchases valued at \$2,000 or more the price must be in writing.

Purchases valued \$25,000 and less than \$50,000

At least two prices will be sought before committing Council to a purchase. The prices will be sought and received in writing. Unless otherwise agreed or required by Council, Council's Standard Goods and Services Terms published on the internet will apply.

Purchases valued at \$50,000 and less than \$100,000

At least three prices will be sought before committing Council to a purchase. The prices will be sought and received in writing through a properly documented request for quotes which includes a specification or other description of Council's Requirements and any essential terms and conditions of contract.

Purchases and contracts valued \$100,000 and less than \$250,000

A limited tender process, where Council invites formal written tender submissions from at least three prospective tenderers known to have the ability to provide goods and services of the type required or to undertake the required project, will be completed before a contract is entered into. The limited tender process will be administered by Council's Procurement and Contracts section. Tenders must be received in writing and made in accordance with the requirements and instructions specified in the procurement documentation. A secure electronic facility for lodgement will be provided.

Purchases and contracts valued \$250,000 and higher

A public tender process with no restriction on the number of potential participants will be completed before a contract is entered into. The public tender process will be administered by Council's Procurement and Contracts section. The procurement documentation will be publicly accessible and any essential contract terms and conditions will be included or specified. Tenders must be made and received in writing and lodged in accordance with the conditions and instructions in the procurement documentation. A secure electronic facility for lodgement will be provided.

Valuing Procurements

Transaction splitting to avoid adopting a procurement threshold is not allowed. Council Buyers must not divide a purchase into smaller or multiple contracts, transactions or purchase orders, nor underestimate the expected value, for the purpose of avoiding the requirement to invite an appropriate number of quotes or undertake a public tender process.

The expected value of a Procurement must be estimated before a decision is made on whether a purchase should proceed and the Procurement method adopted. The expected value must be the maximum value excluding GST over the life of the proposed contract or entire duration of the need.

Where the maximum value cannot be estimated, there must be a call for public tenders.

Rejection of bids

In respect of any Procurement process, Council is not necessarily obliged to accept the lowest or any other tender or quote.

On the conclusion of a Procurement process:

- the unsuccessful Service Providers will be notified of the outcome, including the name of the successful Service Provider (the price or prices in the successful tender or quote will not be disclosed to the unsuccessful Service Providers); and
- if a decision is made not to accept any tender or quote, all parties that made a submission will be notified of the decision and the reasons, and the information included in a tender or quote will not be used as the basis for any re-call.

Amending or clarifying procurement documents after issue

Before the specified closing date and time has elapsed, Council may amend or clarify the procurement documents by issuing an addendum or a notice to all prospective Service Providers that are known to have been issued with or obtained the procurement documents by legitimate means.

Late offers

The closing date and time will be specified in the procurement documents and equally applied to all prospective Service Providers. A tender or quote which is received after the specified closing time will not be accepted unless Council is satisfied that:

- the lateness was due to mishandling on the part of Council or a failure in the electronic or other tendering system or procedures specified the lodgement of tenders or quotes; and
- accepting the late tender or quote will not provide an unfair advantage to the Service Provider that lodged it.

Non-conforming offers

Council may reject any tender or quote which:

- is not submitted in accordance with the mandatory requirements and conditions for participation or tendering specified in the procurement documentation; or
- requires Council's agreement to any terms, conditions or requirements not allowed or required by the procurement documentation.

Alternative proposals

An alternative proposal is a tender or quote that proposes a different approach to meeting Council's Requirements than specified in the procurement documentation. Wherever possible, Council will enable submission of alternative proposals. The procurement documentation will specify any conditions and requirements for submission of alternative proposals. Where a Service Provider submits an alternative proposal, Council Buyers will not seek comparable prices for the alternative from other Service Providers or use the alternative as the basis for any recall of tenders or quotes.

Evaluating offers

Systematic and consistent tender and quotation evaluation is essential to ensure the fair and equal consideration of the Service Providers involved. Therefore, the evaluation criteria and method which will be used to evaluate offers and select the successful Service Provider will be advised to potential Service Providers and applied equally to all of the tenders or quotes received.

Negotiations

Before a tender or quote can be awarded, it may be necessary for Council Buyers to enter into negotiations with a preferred Service Provider to finalise the commercial and other terms of a contract. However, Council Buyers will:

- not enter into negotiations before the evaluation process is complete and a preferred Service Provider has been identified;
- not attempt to trade off Service Providers' prices against each other in order to seek lower prices; and
- exhaust negotiations with the original preferred Service Provider before negotiating with an alternative Service Provider.

If none of the tenders or quotes received are acceptable, negotiations for an amended offer may be conducted.

Debriefing unsuccessful Service Providers

Debriefings are offered to promote improvement of submissions provided to Council by prospective Service Providers. This is achieved by offering unsuccessful Service Providers advice regarding their performance relative to the Council's requirements and by identifying opportunities for improvement in future tenders and quotes. All Service Providers that lodged a tender or quote are entitled to a debrief. The debriefing process is not to be seen or used as a means of contesting the outcomes of a Procurement process or to explore the merits of any other Service Provider's submission.

Additional requirements and procedures for public tenders

Invitation to tender

At least one advertisement will be placed in the daily newspaper for southern Tasmania. Placements in additional publications and multiple placements may sometimes be made. Tender advertisements will include the following minimum information:

Identification details	Unique reference number and title.
Description	A brief description of Council's Requirements.
Tender documentation	Instructions on how to obtain the procurement documentation.
Place for Lodgement	The website for lodgement of tenders.
Enquiries	Contact point or person.
Time or period for lodgement	Closing date and time.

Tenderers will usually be required to demonstrate they have the necessary competence and capability to perform Council's Requirements. This may include the requirement for a tenderer to meet and respond to essential and/or mandatory criteria specified in the procurement documentation.

For some tenders, Council may make it a tendering eligibility requirement that a tenderer is prequalified to the level specified in the procurement documentation under the:

- Tasmanian Department of Treasury and Finance Prequalification Scheme (for building and construction works or services and consultants); or
- National Prequalification System for Civil (Road and Bridge) Construction.

In recognition of the time and cost to industry, Council will avoid the requirement for tenderers to price multiple rounds of the same tender process or multiple tender options.

Closing date and time

At least 14 clear days must be provided for tender preparation and lodgement. Tender lodgement will not be required:

- on a Saturday, Sunday, Monday or Friday;
- before 2.00pm; or
- on a day immediately following a statutory public holiday in southern Tasmania or on 24 December.

Tenderer's obligations

A Service Provider making a tender must:

- do so in writing;
- specify the goods, services and/or works tendered for;
- lodge the tender within the period specified in the notice;
- provide any mandatory information required by the procurement documentation; and
- comply with any conditions of tendering or conditions of participation stated in the procurement documentation.

Tender methods

Tenders will be invited by one of the methods provided for in the Regulations, being:

- an open tender under regulation 24;
- establishment of a multiple-use register under regulation 25; or
- a multiple-stage tender under regulation 26.

The procurement documentation will, at a minimum, meet the requirements of the Regulations.

Where Council has established a multiple-use register:

- a minimum of three suitably pre-registered Service Providers will be invited to quote on Council's Requirements when the expected value is \$100,000 and less than \$250,000 (excluding GST); and
- when the expected value is \$250,000 or higher (excluding GST) all suitably pre-registered Service Providers will be invited to quote on Council's Requirements or Council may make approval for inclusion on the multiple-use register a tendering eligibility requirement.

Opening tenders

The opening of tenders will not be in public. All tender submissions, regardless of the value, will be opened by more than one Council officer and a record of the tenders received and the date and time the tender box was opened will be made and signed by the opening officers. The record will not be made public or provided to tenderers.

Tender process review

Before an RFT is issued to the market, the General Manager or responsible director must give authorisation to undertake the tender process.

For all Procurements valued at \$250,000 and above (excluding GST), the General Manager has established a tender review committee to review each Procurement process and advise whether:

- a fair and equitable process was followed;
- the process was carried out legally and in compliance with the Legislative Requirements;
- the process was in accordance with this Code;
- submissions were evaluated against the criteria set out in the procurement documentation;
- the supporting records and documentation include sufficient information to justify the decisions made and the outcome is reasonable based on the available information; and
- checks were undertaken to ensure that the recommended supplier is a legal entity, financially viable, and has the experience/ability required.

The tender review committee will also consider all proposals for non-application of the public tender processes before a recommendation is put to the Council.

Standing offers

Council may establish standing offers where a single or multiple Service Providers are contracted to provide Council with specific goods, services and/or works for a fixed duration. If the total value of transactions under a standing offer is likely to equal or exceed \$250,000 (excluding GST), or if the value cannot be accurately estimated, an open tender process is required.

When a suitable standing offer is in place, Service Providers do not have to repeatedly respond to bid requests and Council Buyers can purchase directly from a contracted Service Provider or providers without being required to repeatedly seek multiple prices. This is because the standing offer has already been the subject of an open and competitive Procurement process.

Contract extensions

Council may extend a contract entered into under the following conditions:

Extensions under the terms of the original contract

If the terms of the original contract include a clause that provides for extension options(s), and if the extension options in the contract have not already been exercised, the contract can be extended without the need for a Council resolution.

Before exercising a contract extension:

- the Service Provider's performance must be reviewed to ensure it is satisfactory; and
- consideration must be given to whether:
 - there is still a requirement for the specified goods and/or services;
 - the contract is fit for purpose and reflects the true nature of Council's Requirements;
 - there has been any substantial change in the market or the nature of Council's Requirements since the previous Procurement process;
 - there has been any change in Legislative Requirements, duty of care obligations or compliance requirements, which are not addressed by the contract; and
 - the contract still achieves value for money.

Extensions pursuant to Council resolution

If a contract does not include a clause which provides for it to be extended, or if the extensions provided for under the contract are exhausted, the department proposing extension of the contract must prepare a report to Council recommending that the contract is extended and giving the reasons why the extension is justified. Extensions by Council resolution should only enable a short-term solution due to unforeseen exceptional circumstances.

Excluded purchases and exceptional circumstances**Excluded purchases**

Contracts and transactions for the following are not covered by this Code:

- acquisition, sale or leasing of real property;
- the disposal or sale of surplus or obsolete plant, equipment, materials or goods, other than sale by way of trade-in or part exchange;
- grants; and
- donations.

By virtue of Section 333(1)(3) of the Act, and under regulation 27(j) of the Regulations, the requirement to invite tenders does not apply to contracts of employment with a person as an employee of the Council.

Non-application of the Public Tender process*Exemptions by the General Manager's emergency powers*

The General Manager may authorise non-application of the tender process by exercising the powers given to the position by virtue of section 333(1)(3) of the Act, and under regulation 27(a) of the Regulations, being an emergency situation, if, in the opinion of the General Manager, there is insufficient time to invite tenders for the goods or services required in that emergency.

Statutory exemptions

The following contracts are exempt from the requirement to call for Public Tenders by virtue of section 333(1)(3) of the Act and under regulations 27(b) to 27(h) inclusive of the Regulations. That is when the contract is a contract for goods or services:

- supplied or provided by, or obtained through, an agency of a State or of the Commonwealth;
- supplied or provided by another council, a single authority, a joint authority or the Local Government Association of Tasmania;
- obtained as a result of a tender process conducted by:
 - another council;
 - a single authority or a joint authority;
 - the Local Government Association of Tasmania;
 - any other local government association in this State [i.e. in Tasmania] or in another State or a Territory; or
 - any organisation, or entity, established by any other local government association in this State [i.e. in Tasmania] or in another State or a Territory;
- a contract for goods or services in respect of which a council is exempted under another Act from the requirement to invite a tender;

- a contract for goods or services that is entered into at public auction;
- a contract for insurance entered into through a broker; or
- a contract arising when a council is directed to acquire goods or services due to a claim made under a contract of insurance.

Exemptions by Council resolution

By virtue of section 333(1)(3) of the Act, and under regulation 27(i), under exceptional circumstances, contracts may be exempted from the requirement to call for Public Tender if Council resolves by absolute majority and states the reasons for the decision, being that a satisfactory result would not be achieved by inviting tenders because of:

- extenuating circumstances;
- the remoteness of the locality; or
- the unavailability of competitive or reliable tenderers.

Exemptions by Council resolution under the provisions of the Act and Regulations must only be sought when all other available Procurement methods have been thoroughly considered and there are justifiable reasons that a satisfactory result would not be achieved by inviting tenders.

The most open and effective competitive Procurement process should be adopted. Unless Council's Requirements can only be supplied by a particular Service Provider, competition by inviting a reduced number of multiple quotations must be adopted in preference to a single submission.

Before committing Council to a contract or purchase on the grounds of extenuating circumstances, Council Buyers must obtain a resolution of the Council by absolute majority. Therefore, a recommendation to the Council, which is progressed through Council's standard operating procedures for requesting decisions of the Council, must be made. The report must, at a minimum, include the following:

- The justification for inviting a limited number of suppliers to quote, or for sourcing from a single supplier instead of calling for public tenders.
- The expected purchase value and value for money considerations.
- The market research completed to verify the absence of sufficient competition or other reasons not to undertake a public tender or another competitive Procurement process including why a public tender process would not result in a satisfactory outcome.
- The name, Australian Business Number and business address of the proposed Service Provider(s).
- The due diligence reviews and checks undertaken to establish that the proposed Service Provider(s) have the necessary financial capacity, technical, resource and management capabilities to properly perform Council's requirements.
- Disclosure of any dealings or relationship between any of the Service Providers and the Council Buyer seeking the resolution which could be perceived as having a bearing on the recommendation.
- A declaration by the Council Buyer that they do not have any known actual or perceived Conflicts of Interest in any relationship with any of the Service Provider(s) standing to benefit from the non-application of the public tender process.

Grounds for exemption of purchases and contracts valued less than \$250,000

Where the value is less than \$250,000 (excluding GST), the normally required competitive Procurement process must be completed unless one or more of the following applies:

- The required number of quotes were sought and:
 - no responses were submitted;
 - no responses were submitted that conformed to the essential requirements specified in the Procurement documentation; or
 - no Service Providers satisfied the essential requirements.
- Council's Requirements can be supplied only by a particular Service Provider and no reasonable alternative or substitute exists:
 - because the requirement is for works of art;
 - because Council's Requirements are of a specialised nature, which a limited number of suppliers are capable of supplying or carrying out;
 - for the protection of patents, copyrights, or other exclusive rights, or proprietary information; or
 - due to an absence of competition for technical reasons.
- The purchase is for additional supplies by the original Service Provider, or its authorised representative, which were not included in the initial Procurement and where a change of Service Providers:
 - cannot be made for technical reasons, such as requirements of interchangeability or interoperability with existing software, services or installations procured under the initial Procurement, or due to conditions under original licensing requirements or supplier warranties; or
 - a change in Service Provider would cause significant disruption to business continuity or substantial duplication of costs for Council.
- In so far as is strictly necessary where, for reasons of urgency brought about by unforeseeable events, Council's Requirements could not be obtained in time using normal competitive market test.
- Council's Requirements were acquired from an Indigenous Business.

Approval to directly engage a Service Provider or to seek fewer than the required number of quotes must be approved at the Director level or higher before committing Council to the purchase. The Council Buyer seeking the approval must make and maintain auditable documents and records regarding the request, these must:

- specify the applicable exceptional circumstances and the reasons they apply;
- include the market research completed to establish there is no viable alternative approach;
- include the initial and total purchase value and value for money considerations;
- provide sufficient information to justify the request;
- state the name, Australian Business Number and business address of the proposed Service Provider or Providers;
- disclose any prior dealings between the supplier and the Council officer or officers making the recommendation; and

- include the Council Buyer's declaration that they do not have any Conflict of Interest.

Reporting where a public tender or quotation process is not used

Instances of non-application of the normally required tender or quotation process will be included in the reports made to Council at all ordinary Council meetings and must be reported soon as possible after a purchase is made or the contract is executed. The information reported will include:

- the purchase or contract value (or estimate);
- the reasons the purchase was made or contract was entered without having the required number of quotes being sought or public tenders invited;
- the date approval was given to engage the supplier or contractor; and
- if applicable, the sub-regulation under regulation 27 of the Regulations relied on for not having invited public tenders.

Annual reporting in relation to tenders and contracts

Council's annual report will include the following information in respect of contract entered into during the financial year to which the report relates:

- Contracts for the supply or provision of goods or services valued at or exceeding \$250 000 (excluding GST) entered into or extended under regulation 23(5)(b):
 - a description of the contract;
 - the period of the contract;
 - the periods of any options for extending the contract;
 - the value of any tender awarded or, if a tender was not required, the value of the contract (excluding GST); and
 - the business name and address of the successful contractor.
- Instances where regulation 27(a) and regulation 27(i) were applied:
 - a brief description of the reason for not inviting public tenders;
 - a description of the goods or services acquired;
 - the value of the goods or services acquired; and
 - the business name and address of the supplier or contractor.
- Contracts valued at or exceeding \$100 000, but less than \$250 000 (excluding GST) entered into or extended:
 - a description of the contract;
 - the period of the contract;
 - the periods of any options for extending the contract;

- the value of the contract (excluding GST); and
- the business name and address of the successful contractor.

Enquiries and feedback

Enquiries about Council Procurement and from Service Providers with an interest in competing for Council business should be directed to Council's Procurement and contracts section by email procurement.enquiries@gcc.tas.gov.au.

Procurement complaints

If a Service Provider is concerned the Code may not have been followed, they can make a complaint. Procurement complaints should be made in writing and sent to gccmail@gcc.tas.gov.au. A complaint should include all of the relevant details and identify the why the complainant believes the Code was not met. Complaints are referred to Council's Director Corporate and Community Services for investigation.

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Title	Code for Tenders and Contracts
Minutes Reference	Council Meeting, 28 September 2020, Item 13
Responsible Directorate	Community and Corporate Services Governance
Due for Review	Four (4) years from Council Meeting Date
Strategic Plan Reference	4.1 — Govern in the best interest of our community 4.1.1 — Manage Council for maximum efficiency, accountability and transparency 4.2 — Prioritise resources to achieve our communities' goals 4.2.1 — Deploy the Council's resources to effectively deliver value
ECM	Council Policy

Commented [GH1]: Inappropriate reference. The requirement for a council to adopt and follow a code for tenders and contracts is a legislative requirement.

Introduction

Purpose

This Code for Tenders and Contracts (~~"Code"~~) provides a statement of the principles, process and ethics that underline best practices for Procurement at Glenorchy City Council, it applies to anyone with a role in the acquisition of goods, services and/or works on Council's behalf and suppliers and contractors seeking or doing business with Council.

Scope and Application of Code

The Code applies to:

- ~~Council and its employees~~
- ~~Third parties, such as consultants~~
- ~~Bidders for Council contracts~~
- ~~Service Providers~~

The Code applies to all transactions which result in the acquisition of Commodities.

~~In so far as is reasonably possible, Service Providers engaged by Council should apply the principles and ethics in the Code when seeking offers from subcontractors and suppliers. Council may, from time to time, make or approve policies that amend or supplement the Code. Where this is the case, they will be issued as addenda to the Code and provided on Council's website.~~

Definitions

Defined terms and expressions have the meanings given to them in the body of the Code, otherwise, the following definitions apply.

Bidder means any Person that lodges an Offer to provide Council with Commodities, and where the context so permits includes a reference to "tenderer".

Business Day means any day on which authorised deposit-taking institutions, as defined in the Banking Act 1959 (Cth), are open for business in the City of Glenorchy.

Council Buyer means any Council officer, official, office bearer, consultant, or agent that participates in a Council Procurement activity.

Council's Requirements ~~Commodities~~ means any type of:

- equipment, materials, goods and/or , consultant and non-consultant services; and
- , including building and , construction and civic and civil works, maintenance and services.

Dumped Goods means goods that are brought into Australia at a price below the price charged in the country of manufacture or below the cost of manufacturing the product

Indigenous Business means a business that is verified as an Indigenous business or an Indigenous business enterprise by Supply Nation.

Cover Bid means the act of submitting an artificially high price on the assumption that the Offer will not be accepted, to benefit another Bidder or disadvantage Council.

Direct Sourcing means where Council engages after receiving an Offer from one prospective Service Provider, including by negotiations.

Electronic Tender Box means the electronic facility for the lodgement of Offers, which is located on, and is accessible through, the Electronic Tendering System.

Electronic Tendering System means either Council's Tenderlink.com e-tendering portal website or the Vendor Panel e-tendering portal website as applicable to a Procurement and notified to potential Bidders in the tender advertisement or by notice.

Commented [GH2]: Superseded by addition to the paragraph.

Commented [GH3]: Deleted because was repeated procurement principles.

Commented [GH4]: Added to allow for deletion of under policy and procedure.

Commented [GH5]: Not longer required in reformat and simplified Code.

Commented [GH6]: RAP related. See Enhancing the capabilities of local business and industry principle.

Commented [GH7]: Definitions not required.

Expression of Interest means the 1st stage of a Multiple Stage Tender process.

Legislative Requirements includes any Acts, Regulations, local laws and by-laws, Codes of Practice and any other instruments made under any Act or subordinate legislation, whether State or Federal.

Local Business means a business which has a permanent presence and workforce located within the Glenorchy municipality, southern Tasmania or the state of Tasmania as a whole.

Modern Slavery includes:

- human trafficking;
- slavery;
- child labour;
- servitude;
- forced labour;
- debt bondage;
- deceptive recruiting for labour or services;
- forced marriage; or
- any other practices which Council, acting reasonably, determine to be exploitative or a violation of an individual's dignity and human rights.

Offer means a tender or quotation in response to an invitation issued by Council.

Open Tender, Multiple Stage Tender and Multiple-use Register have the meanings given to them in the Local Government (General) Regulations (Regulations), under Regulations 24, 25 and 26.

Procurement means any process whereby Council seeks to acquire goods or services, building, construction and civic and civil works.

Public Tender means a Procurement where Council invites tender offers without restriction on the potential tenderers by placing a public advertisement.

RFQ means Request for Quotation, being the documents comprising an invitation to a limited number, group or category of potential Bidders inviting them to compete for Council's requirements.

RFT means Request for Tender, being the documents issued by Council and on which prospective tenderers are to base their tender offers.

Service Provider includes prospective suppliers and contractors seeking to do business with Council and suppliers and contractors engaged by Council to provide goods, services and/or works means businesses engaged to provide Council with Commodities.

Sham Contracting means disguising an employment relationship as a contractor relationship.

Subsidised Goods means goods that are supplied by an exporter that benefits from government assistance in the country of export allowing the exporter to sell the goods to Australia at a lower price which causes material injury to the Australian industry.

Tender Evaluation and Probity Plan means the planning and control document for a Procurement and in conducting the evaluation of tenders received in response to an RFT.

Legislative Requirements

Acts	In accordance with Part 16, Division 2A, Sections 333A and 333B of the Local Government Act 1993 (Tas) (the "Act"), Council must comply with this Code when acquiring goods and/or services for Council.
Regulations	The information contained in the Code must be consistent with the requirements of the Local Government (General) Regulations 2015 (Tas) (the "Regulations"); regulations 23 through 29 (inclusive).

Commented [GH8]: Added to allow further definition enable differentiation as to the degree of locality.

Commented [GH9]: Enables addition of ethical requirement.

Commented [GH10]: Definition obsolete.

Commented [GH11]: Definition obsolete.

Commented [GH12]: Definition obsolete.

Commented [GH13]: Definition obsolete.

Commented [GH14]: Definition obsolete.

Commented [GH15]: Provides greater clarity.

Commented [GH16]: Enables addition of ethical requirement.

Commented [GH17]: Enables addition of ethical requirement.

Commented [GH18]: Obsolete definition.

Policy and procedure

Policies	Council may, from time to time, make or approve policies that amend or supplement the Code. Where this is the case, they will be issued as addenda to the Code and provided on Council's website and e-tendering system portal.
Procurement Instructions	In addition to the requirements and procedures in the Code, the General Manager issues Procurement Instructions. These are internal instructions to Council buyers on the systems and activities to implement the requirements and procedures in the Code. A list is included at the end of the Code.

Commented [GH19]: Relocated to introduction as t

Commented [GH20]: Reference to specific procurement instructions is no longer required. The content of these instructions will be configured in the incoming enterprise solution.

Council's Procurement approach

Council Procurement is largely devolved. This means Procurement responsibilities and accountabilities are shared between individual Council departments and Council's Procurement and Contracts Section.

Routine and low complexity Procurements valued less than \$100,000 (excluding GST) are ~~usually managed by the responsibility of the department which requires the goods, services and/or works~~ Commodities, and the department which makes the purchase is responsible for ensuring processes are in place to comply with the Code.

Commented [GH21]: Enhances clarity.

Procurements valued at \$100,000 or higher (excluding GST) are managed by Council's Procurement and Contracts Section. Procurements valued at less than \$100,000 may be managed by the Procurement and Contracts ~~Council's Procurement~~ Section if warranted due to o high complexity or ~~or risk~~ s involved.

~~Procurements valued at less than \$100,000 may be managed by Council's Procurement Section if warranted due to high complexity or risks involved.~~

~~For devolved Procurements (i.e. Procurements which are not managed by Council's Procurement Section), the department purchasing the commodities is responsible for ensuring processes are in place to comply with the Code.~~

Commented [GH22]: Made obsolete by other change

Procurement Principles

Council purchasing must be conducted legally and by encouraging fair and open competition between Service Providers seeking to do business with Council. ~~The core objective of any Council Procurement process is to achieve the required outcomes and obtain value for money. The Regulations require Council Procurement to must~~ promote the principles of:

Commented [GH23]: Not necessary.

- Open and effective competition ~~(page 7).~~
- Value for money ~~(page 8).~~
- Enhancement of the capabilities of local business and industry ~~(page 9).~~
- Ethical behaviour and fair dealing ~~(page 10).~~

Enquiries and ~~feedback~~

Commented [GH24]: Relocated to later in the document

~~Enquiries about Council Procurement and from Service Providers with an interest in competing for Council business should be directed to Council's Procurement Section by email.~~

Procurement ~~complaints~~

Commented [GH25]: Relocated to later in the document

~~If a Bidder or Service Provider is concerned the Code may not have been followed, they can make a complaint. Procurement complaints should be made in writing and sent to geemail@gcc.tas.gov.au. A complaint should include all of the relevant details and identify the why the complainant believes the Code was not met.~~

The complaints process in Council's Customer Service Charter will be followed. The Customer Service Charter can be downloaded from the Customer Services page of Council's website. Complaints are referred to either Council's Manager Corporate Governance, or Director Corporate Services for investigation.

Open and effective competition

Through open and effective competition, Council ensures that purchasing decisions are impartial, open and transparent and encourage competitive Offers tenders and quotes. For Council Buyers this means:

- Using well documented, transparent, open purchasing procedures, so Service Providers and the public can have confidence in Council Procurement;
- Ensuring records keeping practices enable audit and review of purchasing and procurement decisions and actions
- Providing a diversity of Service Providers with the opportunity to compete for Council business, including not making repeated purchases from the same Service Providers without testing the market, compliant with Procurement thresholds.
- Avoiding use of biased specifications and wherever possible not exclusively purchasing or specifying a brand or product.
- Adopting transparent, open purchasing procedures and treating Service Providers consistently and equitably by:
 - ensuring Service Providers Bidders are provided with the same information about Council's requirements including circulating any amendments and clarifications to all prospective Service Providers Bidders;
 - allocating a common deadline date and time for submission of Offers tenders or quotes, applying it equally to all Service Providers Bidders and not opening Offers tenders or quotes until the deadline has lapsed;
 - ensuring the same amount of time to prepare and submit a tender or quote (including any additional time) is provided to all prospective Service Providers Bidders;
 - evaluating all offers tenders and quotes against the same predetermined evaluation criteria and ensuring the same criteria (including any applicable weightings) are disclosed to prospective Service Providers potential Bidders;
 - giving all Service Providers that submitted an tender or quote have Bidders the same opportunity to clarify or correct, or not to clarify or correct, unintentional errors in their Offers; and
 - if requested, de-briefing unsuccessful Service Providers Bidders.
- Being mindful of the cost of bidding and not
 - knowingly inviting quotes or tenders without a genuine intention or the financial capacity to proceed with a purchase, contract or project; or
 - requiring Service Providers to undertake undue unpaid design work or provide unnecessary information in order to lodge tender or submit a quote.

Commented [GH26]: Encourages better practice.

Commented [GH27]: Replaces Cost to Bidders.

For Service Providers, promoting open and effective competition means not engaging in uncompetitive behaviour, or other practices, which are intended to deny legitimate access to, or discourage other Service Providers from, competing for Council business.

~~Cost-to-Bidders~~

~~Council acknowledges that the cost of competing for Council business can be a barrier to open and effective competition. Therefore, Council will not call for Bids unless there is a firm intention to proceed with the purchase (or project) and funds are available. Additionally, Council will avoid the requirement for Bidders to price multiple rounds of the same Procurement or multiple options.~~

Value for ~~m~~Money

The objective of Council Procurement is to acquire Commodities that are fit for purpose and which best satisfy Council's requirements at the most competitive price available. Achieving value for money does not always mean buying the required commodities at the lowest price.

Excluding low value, routine purchases of Commodities (valued at less than \$25,000 (excluding GST)), Council Buyers are required to weigh up the quality and other relevant non-price factors against the purchase price to ensure value for money.

The relevant value for money considerations should be considered when planning the purchase and before testing the market. These include:

- Reasons for the purchase. For example, why Council needs the commodities, who will use them and how often, what community and other benefits does the purchase generate or support.
- Potential to ~~enhance the capabilities of Tasmanian businesses encourage or enhance Local Business and industry participation.~~
- Possibility of meeting the need ~~at reduced risk and enhanced value for money~~ by:
 - ~~sharing services with another council or councils;~~
 - ~~utilising an existing Council standing contract or multiple-use register; or~~
 - ~~acquiring Council's Requirements through a strategic procurement arrangement established through the Local Government Association of Tasmania or Tasmanian Government common use contract.~~
- Potential to achieve efficiency and productivity improvements ~~through consolidation or aggregation of Council's Requirements.~~
- ~~Residual or disposal value. Relevant commercial and cost factors such as:~~
 - ~~income generation;~~
 - ~~cost escalation and indexation;~~
 - ~~recurrent costs;~~
 - ~~maintenance and upgrading requirements;~~
 - ~~useable life, obsolescence, and replacement cost; and~~
 - ~~residual value.~~
- ~~Financial sustainability and risk. For example, price or cost escalation, the cost of maintaining and/or using the commodities, interest payments or licensing costs and royalties.~~
- Fitness for purpose, quality and performance requirements.
- ~~Warranty and support services, upgrades and the related ongoing costs.~~

Commented [GH28]: Adds clarity.

Commented [GH29]: Simplification.

Commented [GH30]: Simplification.

Commented [GH31]: Adds clarity.

Commented [GH32]: Adds clarity.

Commented [GH33]: Obsolete.

Commented [GH34]: Obsolete.

- ~~Useable life of a product before market re-testing is required.~~
- Required Service Provider capacity and capability requirements. For example, management and ~~technical capability, and physical/ human physical and human resources, relevant experience and work health and safety management capability.~~
- Contribution to achieving Council's policy and strategic objectives.
- Impact on the environment and opportunities to achieve environmental benefits. For example:
 - reduced carbon emissions and/or energy conservation;
 - improved waste management through the purchase of reusable, compostable and recyclable products; and
 - promoting reduction in the demand for products that have a direct negative impact on the environment, carbon emissions.
- Potential for social benefits. For example, acquiring Council's Requirements through an Indigenous Business or Social Enterprise, the Commodities from an organisation that primarily exists to provide the services of people with a disability.

Commented [GH35]: Adds clarity.

Enhancing the cCapabilities of lLocal bBusiness and iIndustry

Local Businesses

Where ~~the required industry capability local capacity~~ exists, Council will actively seek to engage with ~~Tasmanian businesses~~ Local Businesses and encourage their participation in Council Procurements. For Council Buyers, this means ensuring that Local Businesses are not unnecessarily precluded from competing for Council business by:

- ~~Considering the capability for Local Businesses to fulfil Council's Requirements and the benefits of acquiring Council's Requirements from one or more Local Businesses before making a purchase or inviting tenders or quotes.~~
- Wherever possible and without compromising value for money and ethical behaviour and fair dealing principles:
 - specifying or giving preference to Tasmanian sourced and manufactured goods;
 - encouraging tenders and quotes from Local Businesses, particularly from those that have previously requested the opportunity to compete for Council business;
 - ensuring that specifications do not unnecessarily preclude Local Businesses from competing for Council business;
 - for low value purchases (less than \$25,000 in value excluding GST), approaching Local Businesses first, where there is local capacity and capability;
 - for purchases valued at \$50,000 and less than \$100,000 (excluding GST), limiting the invitees to Local Businesses if possible; and
 - for purchases valued at \$100,000 and higher (excluding GST), where it is appropriate and beneficial, including suitably weighted evaluation and selection criteria relating to Service Providers' status as a Local Business and the contribution made by the Service Provider to the municipal, regional and Tasmanian economy and community.

The weight applied to consideration of Service Providers' status as a Local Business and contribution made to the economy and community will not exceed 40% of the total weightings for a Procurement.

Commented [GH36]: See addition to Enhancing the capabilities of local business and industry principle.

Commented [GH37]: Simplified and clarified.

Commented [GH38]: The requirement for the weight be at least 20% has been removed due to issues with it taking away from the importance of technical and price considerations.

Indigenous Businesses

Priority or preference may be given to acquiring goods and services from Indigenous Businesses. For purchases valued at less than \$250,000 (excluding GST), subject to value for money considerations and with approval at the director level or higher, this may include inviting fewer than the normally required number of quotes for the purpose of limiting the invitees to capable Indigenous Businesses or directly engaging an Indigenous Business.

Commented [GH39]: RAP aligned inclusion.

Ethical behaviour and fair dealing

Adoption of ethical and fair behaviours and practices

Council will not engage in or seek to benefit from practices that ~~are~~ ~~may be~~ dishonest, unethical or illegal. ~~To that end,~~ Council has established the following ethical standards and procedures ~~which apply to Council Buyers for Procurement. Council has also established minimum standards of ethics which apply to Service Providers.~~

Commented [GH40]: Amendments for improved cl

Council Buyers

Council Buyers must adopt the following ethical standards of behaviour:

- ~~Complying with Legislative Requirements and not exposing Council to sustainable allegations of impropriety, unwarranted preference or unfair dealings.~~
- ~~Acting in good faith in dealings with Service Providers, including:~~
 - ~~not knowingly or deliberately engaging in unreasonably harsh, oppressive, deceptive, misleading or dishonest practices;~~
 - ~~acting in a manner that is ethical to all parties involved, including not engaging in reverse auctions, playing a Service Provider's prices off against those of other Service Providers or misusing any information included in a tender or quote or supplied by a Service Provider;~~
 - ~~complying with Council's Fraud Control and Corruption Prevention and Conflicts of Interest policies and Code of Conduct; and~~
 - ~~not inappropriately intervening in or exerting inappropriate influence over the outcomes of procurement process and in particular the evaluation of quotes and tenders and selection and engagement of suppliers and contractors, or attempting to do so.~~
- Making decisions in the best interest of Council and the public, and not based on ~~personal bias or preference,~~ self-interest or for convenience.
- ~~Acting in good faith in dealings with Bidders and Service Providers and not engaging in harsh or oppressive behaviour, beyond hard commercial bargaining.~~
- Ensuring Service Providers are given time to fully understand all the terms of the contract or transaction which they are agreeing to. This includes notifying Service Providers Bidders of applicable terms and conditions of contract, where applicable.
- Complying with Council's Gifts and Benefits Policy and not seeking or accepting any payments, gifts, gratuities, entertainment, hospitality and other benefits offered by a Service Provider for the discharge of official duties.
- Avoiding any situation which is, or which may become, or which may be perceived as being a ~~C~~onflict of ~~i~~nterest with the officer's duties in respect of the Procurement.
- Avoiding any relationship with a ~~S~~ervice ~~P~~rovider, financial or otherwise, which could be perceived as unfair or as exerting improper influence on their decision-making.
- ~~Not behaving illegally or to expose Council to sustainable allegations of impropriety, unwarranted preference or unfair dealings.~~

- ~~Not attempting to inappropriately intervene in or exert self-interest or other inappropriate influence over the outcomes of a Procurement process.~~
- Ensuring ~~that~~ Council meets its obligations and discharges its liabilities under ~~its~~ contract with a Service Provider and being honest and reasonable in dealings with suppliers and contractors.
- ~~Being honest and reasonable when applying contract terms and conditions.~~

Service Providers

Bidders and Service Providers, and any persons representing them must observe the following:

- ~~In so far as is reasonably practicable, apply the principles and procedures required by this Code in their dealings with suppliers and subcontractors.~~
- Complying with Legislative Requirements.
- Not engaging in unconscionable behaviour in ~~their~~ dealings with Council, subcontractors or suppliers.
- ~~Ensure ing—they are acquainted with Council's Rrequirements and the procurement documentation s, matters relating to the RFT or RFQ and the proposed contract and only submit a tender or quote if they genuinely believe they are financially and otherwise capable of performing Council's Requirements.~~
- ~~Not submitting an Offer unless they have a genuine interest in providing Council with the specified Commodities, including not submitting or assisting in the submission of any form of Cover Bid.~~
- Not engaging in any uncompetitive behaviour practices, which deny or reduce legitimate business opportunities to other potential ~~Service Providers Bidders~~ or Council, including the:
 - ~~creation or formation of bidding cartels;~~
 - ~~making of payments in return for, or otherwise incentivising another party to, not submit a quote or tender; or~~
 - ~~submission of an artificially high price on the assumption that the tender or quote will not be accepted in order to benefit another Service Provider or disadvantage Council.~~
- Not colluding with ~~other er Bidders~~, Service Providers or Council Buyers to influence the outcomes of a Procurement process by illegal, illegitimate or dishonest agreements or other means.
- ~~Complying with the provisions of awards and workplace arrangements, which have been certified, registered or approved under relevant industrial relations legislation.~~
- ~~Not deliberately or knowingly engaging in:~~
 - ~~practices amounting to any form of Modern Slavery or Sham Contracting; or~~
 - ~~the supply of Dumped Goods and Subsidised Goods.~~
- Not offering ~~money, soliciting or accepting~~ gifts, gratuities, entertainment, hospitality and other benefits to a Council Buyers ~~in exchange~~ for the discharge of their official duties.
- Notifying Council of any breach by a Council Buyer of the ethical standards.

~~Service Providers Bidders~~ may be required to attest to the probity of their ~~tender or quote~~ Offers, either when lodging the ~~tender or quote~~ ~~in Bids~~ or before being awarded a contract.

Conflicts of Interest

Council Buyers

~~Council Buyers must comply with Council policy and procedures in relation to Conflicts of Interest and declare any Conflicts of Interest.~~

Council Buyers with a role in evaluating tenders and quotes ~~Offers~~ and engaging ~~selecting the successful~~ Service Providers must:

- ~~_____~~ declare any actual or potential Conflicts of Interest they may have;
- ~~_____~~ declare that they are not aware of any Conflicts of Interest where instructed; and matter or current or past dealings with a Bidder which could be
- ~~_____~~ perceived as inappropriately influencing their decision-making ensure that any Conflicts of Interest are effectively managed;

~~Any actual or potential Conflicts of Interest (pecuniary and/or non-pecuniary), which arise during a Procurement process, or during the course of a contract, must be declared and appropriately managed.~~

Bidders

~~When submitting Offers, Service Providers Bidders must:~~

- ~~_____~~ advise notify Council if they are aware of any actual or potential matter which is, may lead to, or could be perceived as being a Conflicts of Interest in the Bidder submitting an Offer or being awarded a contract when submitting tenders and quotes; and
- ~~_____~~ immediately notify Council if any Conflict of Interest arises or comes to the Service Provider's attention during a Procurement;

Service Providers

~~Service Providers must immediately notify Council if any matter arises which is, may lead to, or could be perceived as, a Conflict of Interest in the continued performance of a Council contract. When notifying Council of a Conflict of Interest, the Service Provider must also advise Council of the strategies and other measures the Service Provider intends to implement in order to manage the Conflict of Interest.~~

Protection of commercial in confidence information

Council Buyers must protect commercially sensitive or valuable and proprietary information which is included in Offers a tender or quote. This means that

Council Buyers must:

- ~~_____~~ ensure that tenders and quotes Offers are treated as confidential until a contract is awarded;
- ~~_____~~ This means that Council Buyers must not provide or disclose any information in a tender or quote Offer to another Bidder or Service Provider; or
- ~~_____~~ and must only reproduce and use the information supplied by a Service Provider included in an Offer for legitimate purposes, which are related to the Procurement process, process, including evaluation of Offers and selection of the successful Service Provider.

Once a contract is awarded, the terms of the contract, including the final or estimated contract sum, but excluding detailed prices or pricing, are no longer confidential and may be published:

- ~~_____~~ as required for Council to meet and comply with any Legislative Requirements;
- ~~_____~~ as otherwise required by law; or

- ~~as required to meet any reporting, disclosure, governmental and transparency obligations in annual reports, Council reports, on the internet and elsewhere.~~

Council may, on a confidential basis, disclose the contents of a ~~tender, quote or a contract~~, including commercially sensitive or valuable and proprietary information, to professional advisers in order to obtain advice about the ~~Offer Procurement or contract, including its evaluation, the Bidder, contract or Service Provider.~~

The prices and other information ~~supplied by one Service Provider in an Offer~~ must not be disclosed to another ~~Bidder or Service Provider~~ for the purpose of ~~obtaining, or attempting to obtain, playing one off against another to obtain lower prices.~~

Where a ~~tender or quote or a contract~~ includes commercially sensitive, valuable or proprietary information, Council may, on a case by case basis, consider any request by a Service Provider for the information to be treated as confidential after the award of a contract. Council will make commitments to maintain confidentiality only when they are appropriate and do not prevent Council from meeting ~~Legislative Requirements or any reporting, disclosure, governmental and transparency obligations any of its reporting, disclosure and transparency obligations.~~

Breaches of ethical requirements

Council will take all reasonable steps to ensure compliance with the standards of ethics in the Code. However, Council will not be liable in any way to a ~~Bidder, Service Provider~~ or any other person for any breach of the Code.

If any employee of the Council, or a body controlled by the Council, breaches the ethical standards, Council may, in its absolute discretion, apply its normal human resources policy and procedures in respect of performance management and disciplinary action.

If a ~~Bidder or Service Provider~~ commits a breach of the ethical standards, Council may, in its absolute discretion, act against that Service Provider. Such action may include, ~~as determined by the General Manager:~~

- ~~giving a warning to the Bidder or Service Provider;~~
- ~~the Service Provider's suspension from participating in Council tenders, quotes and contracts and/or the supply of goods, services and/or works to Council for a specified time;~~
- ~~a reduction in future opportunities for that Bidder or Service Provider to compete for Council business;~~
- ~~reporting of the breach to a statutory, professional or other relevant body; and/or~~
- ~~legal action against the Bidder or Service Provider.~~

Procedures applicable to all Procurements

Procurement thresholds

Council has established the following Procurement Thresholds to set out the minimum Procurement methods, ~~and number of Offers which must be sought,~~ at certain purchase values. ~~All values are GST exclusive;~~

~~Purchases valued less than \$25,000~~

~~A single price is acceptable. For purchases valued at \$2,000 or more the price must be in writing.~~

Purchases valued \$25,000 and less than \$50,000

At least two prices will be sought before committing Council to a purchase. The prices will be sought and received in writing. Unless otherwise agreed or required by Council, Council's Standard Goods and Services Terms published on the internet will apply.

Purchases valued at \$50,000 and less than \$100,000

At least three prices will be sought before committing Council to a purchase. The prices will be sought and received in writing through a properly documented request for quotes which includes a specification or other description of Council's Requirements and any essential terms and conditions of contract.

Purchases and contracts valued \$100,000 and less than \$250,000

A limited tender process, where Council invites formal written tender submissions from at least three prospective tenderers known to have the ability to provide goods and services or undertake the required project, will be completed before making a contract is entered into. The limited tender process will be administered by Council's Procurement and Contracts section. Tenders must be received in writing and made in accordance with the requirements and instructions specified in the procurement documentation. A secure electronic facility for lodgement will be provided.

Purchases and contracts valued \$250,000 and higher

A public tender process with no restriction on the number of potential participants will be completed before a contract is entered into. The public tender process will be administered by Council's Procurement and Contracts section. The procurement documentation will be publicly accessible and any essential contract terms and conditions will be included or specified. Tenders must be made and received in writing and lodged in accordance with the conditions and instructions in the procurement documentation. A secure electronic facility for lodgement will be provided.

	EXPECTED VALUE (EXCLUDING GST)		
	Less than \$25,000	\$25,000 and less than \$50,000	\$50,000 and less than \$250,000
Market-test	Direct Sourcing	Informal RFQ	Formal RFQ
Minimum number of Offers	One	Two	Three
	All Offers must be sought from service providers that have the capability and capacity to fulfil Council's requirements.		
Guidance for Council Buyers	<p>Purchase orders</p> <p>Where the value exceeds \$2,000 (excluding GST), a purchase order is required.</p> <p>Where the value exceeds \$5,000 (excluding GST), the offer is sought and made in writing and the accepted offer is attached to the purchase order in Council's finance system.</p> <p>Purchases valued at \$25,000 and less than \$50,000</p> <p>A Council purchase order is required for goods and services. A purchase order is acceptable for very low risk works only. A minor works contract is required for all other works.</p> <p>Offers are sought and received in writing. The invitation accepted offer and any contract terms and conditions are attached to the purchase order in Council's finance system.</p>		

Commented [GH41]: Including the level of procedural detail in the deleted table and paragraph is no longer required. The thresholds will be configured in the inco enterprise solution. Therefore, they have been replaced by the descriptions above.

Purchases valued at \$50,000 and less than \$250,000

Council's precedent Deliverables Agreement, suitable construction or design and construct conditions are required.

The RFQ should include details of the conditions for participation and commercial terms. A contract file in Council's records management system is required. Detailed records must be kept.

The above Procurement thresholds are minimum and not default requirements. Council Buyers may invite more than the number of Bids required by the thresholds at their discretion.

In respect to purchases valued at or over \$250,000 (excluding GST), Council will undertake a Public Tender by adopting one of the methods provided for under Part 3 Division 1 of the Regulations, being:

- Open Tender
- Multiple Stage Tender
- Multiple-use Register

Valuing Procurements

Transaction splitting

Transaction splitting to avoid adopting a ~~the~~ Procurement threshold ~~s~~ is not allowed.

Council Buyers must not divide a purchase into smaller or multiple contracts, transactions or purchase orders, nor underestimate the expected value for the purpose of avoiding the requirement to ~~invite~~ seek an appropriate number of ~~quotes or undertake a public tender process~~. Bids or call for Public Tenders.

Valuation

The expected value of a Procurement must be estimated before a decision is made on whether a purchase should proceed, and the Procurement method adopted.

The expected value must be the maximum value (excluding GST) ~~allowing for all transactions, options, extensions, renewals or other mechanisms that may be executed over the life of the proposed contract or entire duration of the need~~, must include all forms of remuneration and the total (actual or estimated) GST-exclusive value of the commodities being procured.

When a Procurement is to be conducted in multiple parts or requires multiple transactions, contracts or purchase orders, with one or more Service Providers, the expected value must be the maximum value of all the parts, transactions, contracts or purchase orders.

Where ~~en~~ the duration of the contract or maximum value of a Procurement over its entire duration cannot be estimated, ~~there must be~~ Commodities must be acquired as a result of a call for Public Tenders.

Time for lodgement of Offers

Bidders should be provided with adequate time between issuing the request to the market and the closing time for submission of bids. Unless Council's operational needs require otherwise, the following minimum amounts of time for bid preparation and lodgement apply.

	Expected value (excluding GST)			
	Less than \$25,000	\$25,000 and less than \$100,000	\$100,000 and less than \$250,000	Over \$250,000
Minimum Time	No less than 24 hours	No less than 7 Business Days	No less than 10 Business Days	At least 14 Business Days

The counting of days excludes the day on which the RFT is issued and begins on the first Business Day immediately following the date the RFT is issued to the market.

The closing date and time may be added to prior to Council receiving any Offers. If additional time is provided for one potential Bidder all other Bidders must also be provided with the same amount of additional time. This will be achieved by issuing a notice to all prospective Bidders, which are known to Council as having been issued with or obtained the RFT or RFQ by legitimate means.

Procurements valued at \$100,000 or more (excluding GST)

Use of an Electronic Tendering System is required for Procurements which are valued at \$100,000 or more (excluding GST).

If the Procurement method is Public Tender, the website address where the RFT can be obtained must be included in the advertisement.

An Electronic Tender Box must be provided for the lodgement of Offers. The website address where the Electronic Tender Box is located and instructions for the electronic submission of Offers must be notified to prospective or invited Bidders in the RFT or RFQ.

Commented [GH42]: Amendments for simplicity and improved clarity.

Commented [GH43]: Obsolete.

- The Electronic Tender System must prevent the opening or viewing of Offers before the specified closing date and time;
- At least two Council officers must open the Electronic Tender Box;
- A record of the Offers that were received in the Electronic Tender Box is generated by the Electronic Tender System;
- The Offers received plus any accompanying Bid information must be recorded and retained in accordance with Council's record-keeping procedures;

Procurements valued at less than \$100,000 (excluding GST)

The use of an Electronic Tendering System and Electronic Tender Box is not always required for Procurements valued at less than \$100,000 (excluding GST);

The department undertaking the Procurement must:

- Allocate and enforce a common date and time by which all Bidders must have lodged their Offers (the closing date and time must be specified when Offers are invited);
- Provide a facility for lodgement and storage of the Offers received and the supporting Bid information;
- Comply with Council's record-keeping procedures and ensure that the Offers received and Bid information are recorded and stored accordingly;

Rejection of ~~bids~~ Offers

In respect of any Procurement process;

Council is not ~~necessarily~~ obliged to accept the lowest or any other ~~tender or quote~~ Offer.

- ~~Council may reject all Offers at its discretion;~~

On the conclusion of a Procurement process:

- ~~If a decision was made to award a contract as a result of the Procurement process, the unsuccessful Service Providers, all the Bidders who submitted unsuccessful Offers will be notified of the outcome, including the name of the successful Service Provider (the price or prices in the successful tender or quote Offer will not be disclosed advised to the unsuccessful Service Providers Bidders); or,~~
- ~~if a decision is made not to accept any tender or quote Offer, all parties that Bidders who made a submission submitted Offers will be notified of the decision and the reasons, and the information included in a tender or quote will not be used as the basis for any re-call for Council not accepting any Offers or awarding a contract as result of the Procurement process.~~
- ~~The information included in an Offer will not be used as the basis for any re-call of Bids in a future RFT or RFQ.~~

Amending or clarifying ~~procurement documents after issue~~ the RFT or RFQ after it is issued

Before the specified closing date and time has elapsed, Council may amend or clarify ~~the procurement documents an RFT or RFQ~~ by issuing an addendum or a notice to all prospective ~~Service Providers e Bidders~~ that are known to have been issued with or obtained the ~~procurement documents RFT or RFQ~~ by legitimate means.

Commented [GH44]: Amendments for improved cl

Late ~~o~~Offers

The closing date and time must be specified in the ~~procurement documents~~ ~~RFT or RFQ~~ and ~~equally~~ applied to all ~~prospective Service Providers~~ ~~Bidders~~. ~~An tender or quote offer which is received after the specified closing time must not be accepted unless Council is satisfied that the Bidder submitting the offer can:~~

- ~~• show that the lateness was due to mishandling on the part of Council or a failure in the electronic or tendering other tendering system or procedures specified for use in the lodgement of tenders or quotes of offers; and~~
- ~~• accepting the late Offer tender or quote will not provide an unfair advantage to the Service Provider that Bidder lodged it.~~

~~An offer which is received after the specified closing time must not be accepted unless the Bidder submitting the offer can:~~

- ~~• show that the lateness was due to mishandling on the part of Council or a failure in the e-tendering system specified for use in the lodgement of offers; and~~
- ~~• accepting the late Offer will not provide an unfair advantage to the Bidder lodging it.~~

Non-conforming ~~o~~Offers

Council may reject any ~~tender or quote~~ ~~Offer~~ which:

- is not submitted in accordance with the mandatory requirements and conditions for participation or tendering specified in the ~~procurement RFT or RFQ~~ documentation; or
- requires Council's agreement to any terms, conditions or requirements not allowed or required by the ~~procurement RFT or RFQ~~ documentation.

~~Offers which contains qualifications, exclusions, incorrect assumptions or clarifications may be rejected.~~

Alternative ~~proposals~~Offers

An alternative ~~proposal~~ ~~Offer~~ is a ~~tender or quote~~ ~~response to an RFT or RFQ~~ that proposes a different approach to meeting the Council's ~~R~~requirements than specified ~~in the procurement documentation~~. Wherever possible, Council will enable submission of alternative ~~proposals~~ ~~Offers~~.

The ~~procurement RFT or RFQ~~ documentation will specify ~~any~~the conditions and requirements for ~~and any limitations placed on~~ submission of alternative ~~proposals~~ ~~Offers~~.

Where a ~~Service Provider~~ ~~Bidder~~ submits an alternative ~~proposal~~ ~~Offer~~, Council Buyers will not seek comparable prices for the alternative from other ~~Service Providers~~ ~~Bidders~~ ~~or and will not use the alternative as the basis for any recall of tenders or quotes~~ ~~Offers~~ without first obtaining the written consent of the Bidder which submitted the alternative.

Evaluating ~~o~~Offers

~~The systematic and consistent tender and quotation evaluation of Bids is essential to ensure the fair and equal consideration of the Service Providers involved all Offers. Therefore, the evaluation criteria and method which will be used to evaluate offers and select the successful Service Provider will must be advised to potential Service Providers Bidders and must be applied equally to all of the tenders or quotes the Offers received.~~

~~The evaluation method which is most appropriate to the value, complexity and risk involved in the Procurement process should be applied. Appropriate evaluation and selection methods are as follows~~

Commented [GH45]: Amendments for improved cla

Commented [GH46]: Will be superseded by proced embedded in the procurement module of the incoming enterprise solution.

Least-cost

The least-cost method is suitable for Direct Selection and simple, low value (e.g. less than \$50,000) purchases. Selecting the successful Service Provider involves choosing the lowest price Offer that meets all of the essential conditions and requirements.

Numerical (unweighted) scoring

This methodology is suitable for evaluating moderately complex purchases where each of the non-cost evaluation criteria are of equal importance and is most often applicable to goods and services Procurements.

A numerical rating is allocated against each non-cost evaluation criterion depending on each Bidder's level of compliance with the specified requirements and non-price criteria.

The scores are totalled and a value for money assessment is then made by comparing the total scores, whole-of-life costs and associated risks.

Numerical (weighted) scoring

This methodology is useful for evaluating purchases where the evaluation criteria are of differing importance. It is suitable when achieving value for money, or the required outcomes relies heavily on the selected Service Provider's capabilities. It is most often applied to Procurements for works and technical consultancies.

Before inviting Bids or calling for Public Tenders, suitable non-price evaluation criteria are identified, and weightings are allocated to each non-price criterion, as well as the price.

Upon receipt of submissions and after screening out non-compliant Offers, each Bidder is allocated a score between 0 and 10 points for each non-price criterion.

The score is weighted by multiplying the predetermined weighting factor by the score. The weighted scores are then totalled, allowing for comparison between Offers.

This method also involves normalising the non-price criteria and the price before applying the weightings, to allow for the true effect and advantage of the weighting system.

Negotiations

Before a tender or quote n-RFT or RFQ can be awarded, it may be necessary for Council Buyers to enter into negotiations with a preferred Service Provider Bidder to finalise the commercial and other terms of a contract. However, Council Buyers will not enter into negotiations before the evaluation process is complete and a preferred Service Provider Bidder has been identified.

Negotiations will commence only after the General Manager (or delegated Council officer) has approved the preferred Bidder and the negotiations.

In negotiations, Council Buyers:

must not attempt to trade off different Service Providers Bidders' prices against each other in order to seek lower prices and and

must exhaust negotiations with the original preferred Service Provider Bidder before negotiating with an alternative Service Provider Bidder.

If none of the tenders or quotes Offers received are acceptable, negotiations for an amended Offer may be conducted.

Debriefing unsuccessful Service Providers Bidders

Debriefings are offered to promote improvement of submissions provided to Council by prospective Service Providers. This is achieved by offering unsuccessful Service Providers Bidders advice regarding their performance relative to the Council's requirements and by identifying opportunities for

Commented [GH47]: Minor amendments for added clarity.

improvement in future ~~tenders and quotes~~Bids. All Service Providers that lodged a tender or quote ~~Bidders~~ are entitled to a debrief.

The debriefing process is not to be seen or used as a means of contesting the outcomes of a Procurement process or to explore the merits of any other Service Provider's ~~other Bidder's~~ submission, ~~s-with an unsuccessful Bidder.~~

Additional ~~r~~Requirements and ~~p~~Procedures for ~~p~~Public ~~t~~Tenders

The following apply in addition to the preceding requirements of the Code:

Invitation to tender ~~Calls for Public Tenders~~

At least one advertisement is placed in the daily newspaper for southern Tasmania. Tender advertisements are normally placed on ~~a the Saturday preceding release to the market~~. Placements in additional publications and multiple ~~placements~~ can ~~sometimes~~ be made. Tender advertisements ~~will~~ must include the following minimum information:

Identification details allocated to the contract	Unique reference number and The Council contract number allocated for the RFT and the contract or project title.
Description	A brief description of Council's Requirements, description of the Commodities required under the RFT,
Tender RFT documentation	Where and how to obtain the procurement documentation, documents comprising the RFT,
Place for Lodgement	The website address of the Electronic Tendering System for lodgement of tenders <u>Offers</u> .
Enquiries	Contact point or person, How clarification or additional information about the RFT can be obtained,
Time or period for lodgement <u>Closing time</u>	The closing time is the deadline for receipt of submissions. It defines the period (date and hour) within which Tenders, applications or Expressions of Interest must be lodged. Closing date and time.

~~Tenderers will usually be required to demonstrate they have the necessary competence and capability to perform Council's Requirements. This may include the requirement for a tenderer to meet and respond to essential and/or mandatory criteria specified in the procurement documentation.~~

~~For some tenders, Council may make it a tendering eligibility requirement that a tenderer is prequalified to the level specified in the procurement documentation under the:~~

- ~~• Tasmanian Department of Treasury and Finance Prequalification Scheme (for building and construction works or services and consultants); or~~
- ~~• National Prequalification System for Civil (Road and Bridge) Construction.~~

~~In recognition of the time and cost to industry, Council will avoid the requirement for tenderers to price multiple rounds of the same tender process or multiple tender options.~~

Rules for setting the closing date and time

At least 14 clear days Business Days must be provided for ~~t~~ Tender preparation and lodgement. ~~The closing Tender time lodgement will not be required;~~

Commented [GH48]: Simplified section. The original of detail is no longer required because of continuous improvements in tender documentation and processes

- ~~on a Saturday, Sunday, Monday or Friday;~~
- ~~before 2.00pm; or~~
- ~~on a day immediately following a statutory public holiday in southern Tasmania or on 24 December.~~

~~should be on Tuesday, Wednesday or Thursday;~~

~~Tender lodgement must not be required before 2.00pm and must not fall on a day immediately following a statutory public holiday in southern Tasmania or the 24th December.~~

~~If the RFT is building and construction industry related, the closing time must not be during or less than 6 Business Days after the recognised construction industry Christmas shutdown period in Tasmania.~~

Tenderer's obligations

A ~~prospective~~ Service Provider making a tender ~~Offer in response to an RFT~~ must:

- do so in writing;
- specify the goods, services and/or works ~~Commodities~~ tendered for;
- lodge the tender ~~Offer~~ within the period specified in the notice;
- provide any mandatory information required by the procurement documentation ~~RFT~~; and
- ~~comply lodge the tender Offer in accordance with any specified mandatory conditions of tendering or conditions of participation stated in the procurement documentation.~~

Tender methods

Open Tenders

~~Council calls for tender Offers by public advertisement without limiting the potential number of Bidders who can respond to the RFT.~~

~~Council normally requires Bidders to prove they have the required resources, competence, and capabilities by using compliance and weighted evaluation criteria.~~

~~The compliance and evaluation criteria are tailored to the contractor or project requirements and are specified in the RFT documents.~~

~~Council will avoid the requirement for tenderers to price multiple rounds of the same RFT or multiple tender options.~~ Tender methods

Tenders will be invited by one of the methods provided for in the Regulations, being

an:

- open tender under regulation 24;
- establishment of a multiple-use register under regulation 25; or
- a multiple-stage tender under regulation 26. ~~In addition to the information above, advertisements for open tenders must include a description of the nature of the required Commodities.~~

The procurement documentation will, at a minimum, meet the requirements of the Regulations.

Where Council has established a multiple-use register:

- a minimum of three suitably pre-registered Service Providers will be invited to quote on Council's Requirements when the expected value is \$100,000 and less than \$250,000 (excluding GST); and
- when the expected value is \$250,000 or higher (excluding GST) all suitably pre-registered Service Providers will be invited to quote on Council's Requirements or Council may make approval for inclusion on the multiple-use register a tendering eligibility requirement.

Opening tenders

The opening of tenders will not be in public. All tender submissions, regardless of the value, will be opened by more than one Council officer and a record of the tenders received and the date and time the tender box was opened will be made and signed by the opening officers. The record will not be made public or provided to tenderers.

Tender process review

Before an RFT is issued to the market, the General Manager or responsible director must give authorisation to undertake the tender process.

For all Procurements valued at \$250,000 and above (excluding GST), the General Manager has established a tender review committee to review each Procurement process and advise whether:

- a fair and equitable process was followed;
- the process was carried out legally and in compliance with the Legislative Requirements;
- the process was in accordance with this Code;
- submissions were evaluated against the criteria set out in the procurement documentation;
- the supporting records and documentation include sufficient information to justify the decisions made and the outcome is reasonable based on the available information; and
- checks were undertaken to ensure that the recommended supplier is a legal entity, financially viable, and has the experience/ability required.

The tender review committee will also consider all proposals for non-application of the public tender processes before a recommendation is put to the Council.

The RFT documents will, at a minimum, include the following:

Conditions of Tendering

These provide terms and conditions under which Council will receive and evaluate tender Offers. The Conditions of Tendering must:

- Include a reference to the Code.
- Specify any mandatory conditions for participation and compliance criteria.
- Specify any conditions for submission and consideration of alternative proposals.
- Specify any general or Procurement specific conditions regarding late tender Offers as well as the treatment of tender Offers which do not fully satisfy the requirements of the RFT.
- Specify the evaluation criteria and weightings (if weightings are applicable) and methodology for evaluating tenders Offers against the criteria.
- Identify the place, method and time for lodgement of tender Offers.
- Identify the contact person for enquiries about the RFT, their contact details and method for lodging requests for information.
- Include the procedures for:
 - extending the closing time;
 - responding to requests for information from prospective tenderers;
 - electronic lodgement of tender Offers; and
 - how to obtain assistance with problems encountered with electronic lodgement.

Commented [GH49]: Obsolete. The original level of is no longer required because of continuous improvement in tender documentation and processes.

Conditions of Contract

The RFT documentation will include or specify the terms and conditions of the contract that the successful tenderer(s) will be required to sign, including the time for delivery, completion or duration of the contract and the commercial risk allocation.

Specification

The Specification will include reasonable details of the required Commodities, so tenderers do not have to undertake unreasonable unpaid design or excessively costly pre-tender preparatory work.

Multiple-stage Tenders

Council invites Expressions of Interest from potential Service Providers for prequalification to tender on a specific contract, project or projects. Expressions of Interest are evaluated and the prospective Service Providers, which meet the required criteria, are invited to submit tender Offers.

Prospective tenderers should not be required to price multiple rounds of the same tender process. Therefore, Council will not seek prices in the Expression of Interest stage of a Multiple-stage Tender.

Prospective tenderers' intellectual property contained in Expressions of Interest must be protected. Therefore, the content of an Expression of Interest must not:

be disclosed to any other prospective tenderers;

be used to obtain information for use in the RFT under a subsequent stage of the Multiple-stage Tender; or

be used to obtain information for use in any other Procurement process.

Under normal circumstances a contract will not be awarded as a result of an Expression of Interest. However, if only one Expression of Interest is received, or if only one prospective Service Provider meets the criteria for invitation to tender, Council may enter into a contract:

after a tender from the prospective Service Provider; or

~~a decision by absolute majority of the Council to enter into a contract with the prospective Service Provider.~~

~~In addition to the information above, advertisements for Multiple-stage Tenders must include a description of the nature of the required Commodities.~~

~~The RFT documents for Multiple-stage Tenders will, at a minimum, include the following:~~

~~Conditions for Participation~~

~~These are the terms and conditions under which Council will receive and evaluate expressions of interest. They must include:~~

~~A reference to the Code.~~

~~The criteria for evaluating Expressions of Interest;~~

~~the method of evaluating Expressions of Interest against the criteria and selecting the prospective Service Providers which are invited to make tender Offers.~~

~~Details of any further stages in the Multiple-stage Tender process.~~

~~Consistency of the criteria used at each stage of a Multiple-stage Tender must be maintained. Therefore, the Conditions for Participation will also include:~~

~~the method for shortlisting prospective Service Providers to arrive at those who are invited to participate in a subsequent stage; and~~

~~method, criteria and, if applicable, weightings that will be used to evaluate tender Offers received in a subsequent stage of the Multiple-stage Tender.~~

~~Description of Council's Requirements~~

~~The expression of interest documentation must provide details of the required Commodities and should include a precise description of any essential and desirable quality, functional and performance requirements.~~

Standing offers~~Ongoing supply arrangements~~

~~Standing Offers~~

Commented [GH50]: Section simplified and clarity a

Council may establish ~~s~~Standing ~~o~~Offers, where ~~a~~ single or multiple Service Providers are contracted to provide Council with specific ~~goods, services and/or works~~ Commodities for a fixed duration, ~~as specified in the contract terms.~~

~~Where there are multiple contractors engaged under a Standing Offer to provide the same specified Commodities it is called a "Panel Contract". Service Providers listed on a Panel Contract will be selected as and when the need arises following an evaluation process.~~

If the total value of transactions under ~~a~~the standing offer ~~is likely to will~~ equal or exceed ~~the prescribed amount of \$250,000 (excluding GST), or if the value cannot be accurately estimated, an open tender process is required.~~ ~~a call for Public Tenders is required to establish a Standing Offer.~~

When a suitable ~~s~~Standing ~~o~~Offer is in place, Service Providers do not have to repeatedly respond to bid requests, and Council Buyers can purchase directly from a contracted Service Provider or providers without being required to repeatedly seek multiple prices. This is because the ~~s~~Standing ~~o~~Offer has already been the subject of an open and competitive Procurement process.

Contract extensions

Council may extend a contract entered into under the following conditions:

Extensions under the terms of the original contract

If the terms of the original contract include a clause that provides for extension options(s), and if the extension options in the contract have not already been exercised, it can be extended without the need for a Council resolution.

~~Extensions under the terms of the original contract must be approved at the Director level or higher.~~

Before exercising a contract extension:

- ~~t~~The ~~Service Provider's~~supplier's performance ~~must should~~ be reviewed to ensure it is satisfactory; ~~and,~~
- ~~c~~Consideration must be given to whether:
 - the contract is fit for purpose and reflects the true nature of Council's requirements
 - there has been any substantial change in the market or the nature of the Commodities since the previous Procurement process;
 - there has been any change in Legislative Requirements, duty of care obligations or compliance requirements, which are not addressed by the contract; and
 - the contract still achieves value for money.
- ~~P~~The ~~underlying principles of promoting~~ open and effective competition ~~and transparency in Council purchasing should also be considered taken into consideration.~~

Extensions pursuant to Council resolution

If a contract does not include a clause which provides for it to be extended, or if the extensions provided for under the contract are exhausted the department proposing extension of the contract must prepare a report to Council recommending that the contract is extended and giving the reasons why the extension is justified. Extensions by Council resolution should only enable a short-term solution due to unforeseen exceptional circumstances.

~~Extensions by Council resolution should only enable a short-term solution due to unforeseen exceptional circumstances.~~

Tender process review

Before an RFT is issued to the market, the Council Buyer must complete a Tender Evaluation and Probity Plan. The Tender Evaluation and Probity Plan must be submitted to the responsible Director or General Manager for authorisation to undertake the tender process.

For all Procurements valued at \$250,000 and above (excluding GST), the General Manager has established a management committee to review each Procurement process and evaluation before any indication as to the successful Bidder is given, negotiations are commenced with a preferred Bidder, or a contract is awarded. The purpose of the review is to confirm:

- a fair and equitable process has been followed;
- the process was carried out legally and in compliance with the Legislative Requirements;
- the process was in accordance with this Code;
- there was compliance with best practice guidance material in the Procurement Instructions;
- submissions were evaluated against the criteria set out in the tender documentation;
- the evaluation report and supporting documentation includes sufficient information to justify the decisions made;
- the outcome is reasonable based on the evaluation report and supporting information; and
- checks were undertaken to ensure that the recommended supplier is a legal entity, financially viable, and has the experience/ability required.

The management committee will also review all proposals for non-application of tender processes before a recommendation is put to the Council.

Excluded pPurchases and eExceptional cCircumstances

Excluded purchasesThe following transaction types are not covered by the Code

Contracts and transactions for the following are not covered by this Code:

- acquisition, sale or leasing of real property;
- the disposal or sale of surplus or obsolete plant, equipment, materials or goods, other than sale by way of trade-in or part exchange;
- grants; and
- donations.

are not covered by the Code.

By virtue of Section 333(1)(3) of the Act, and under Regulation 27(j) of the Regulations, the requirement to invite tenders does not apply to contracts of employment with a person as an employee of the Council.

Non-application of the Public Tender process

Exemptions by the General Manager's emergency powers

The General Manager may authorise non-application of the tender process by exercising the powers given to the position by virtue of Section 333(1)(3) of the Act, and under Regulation 27(a) of the Regulations, being an emergency situation, if, in the opinion of the General Manager, there is insufficient time to invite tenders for the goods or services required in that emergency.

Commented [GH51]: Relocated to earlier in the document and simplified.

Commented [GH52]: Section amended for added clarity and simplicity. See enabled consequential deletions and amendments later in the document.

Statutory exemptions

The following contracts are exempt from the requirement to call for Public Tenders by virtue of Section 333(1)(3) of the Act, and under regulations 27(b) to 27(h) inclusive of the Regulations. That is when the contract is a contract for goods or services:

- supplied or provided by, or obtained through, an agency of a State or of the Commonwealth;
- supplied or provided by another council, a single authority, a joint authority or the Local Government Association of Tasmania;
- obtained as a result of a tender process conducted by:
 - another council; or
 - a single authority or a joint authority; or
 - the Local Government Association of Tasmania; or
 - any other local government association in this State [i.e. in Tasmania] or in another State or a Territory; or
 - any organisation, or entity, established by any other local government association in this State [i.e. in Tasmania] or in another State or a Territory;
- a contract for goods or services in respect of which a council is exempted under another Act from the requirement to invite a tender;
- a contract for goods or services that is entered into at public auction;
- a contract for insurance entered into through a broker; or
- a contract arising when a council is directed to acquire goods or services due to a claim made under a contract of insurance.

Exemptions by Council resolution

By virtue of Section 333(1)(3) of the Act, and under regulation 27(i), under exceptional circumstances, contracts may be exempted from the requirement to call for Public Tender if the Council resolves by absolute majority and states the reasons for the decision, being that a satisfactory result would not be achieved by inviting tenders because of:

- extenuating circumstances; or
- the remoteness of the locality; or
- the unavailability of competitive or reliable tenderers.

Exemptions by Council resolution under the provisions of the Act and Regulations must only be sought when all other available Procurement methods have been thoroughly considered and there are justifiable reasons that a satisfactory result would not be achieved by inviting tenders.

The most open and effective competitive Procurement process should be adopted. Unless the goods or services can only be supplied by a particular Service Provider, competition by inviting a reduced number of multiple quotations~~Offers, through a Formal RFQ process,~~ must be adopted in preference to a single submission~~Direct Selection~~.

Before committing Council to a contract or purchase on the grounds of extenuating circumstances, Council Buyers must obtain a resolution of the Council by absolute majority. Therefore, a recommendation to the Council, which is progressed through Council's standard operating procedures for requesting decisions of the Council, must be made. The report must, at a minimum, include the following:

- The justification for inviting a limited number of suppliers to quote, or for sourcing from a single supplier instead of calling for public tenders.
- The expected purchase value and value for money considerations.
- The market research completed to verify the absence of sufficient competition to undertake Public Tender and that another competitive Procurement process would not result in a satisfactory outcome.
- The name, Australian Business Number and business address of the proposed Service Providers.
- The due diligence reviews and checks undertaken to establish that the proposed Service Providers have the necessary financial capacity, technical, resource and management capabilities to properly perform Council's requirements.
- Disclosure of any dealings or relationship between any of the Service Providers and the Council Buyer seeking the resolution, which did could be perceived as having, a bearing on the ~~recommendation Council Buyer recommending a Formal RFQ or Direct Selection rather than undertaking the normally required Public Tender process.~~
- A declaration by the Council Buyer that they do not have any known actual or perceived Conflicts of Interest in any relationship with any of the Service Providers which may benefit from the non-application of the Public Tender process.

~~Grounds for exemption of purchases and contracts valued at less than \$250,000 the prescribed amount~~

Where the value is less than \$250,000 (excluding GST), the normally required competitive Procurement process must be completed unless one or more of the following ~~applies; exceptional circumstances apply;~~

- The required number of ~~quotes~~ ~~Offers~~ were sought and:
 - no responses were submitted;
 - no responses were submitted that conformed to the essential requirements specified in the Procurement documentation; or
 - no Service Providers satisfied the essential requirements.
- The Commodities can be supplied only by a particular Service Provider and no reasonable alternative or substitute exists:
 - because the requirement is for works of art;
 - the Commodities are of a specialised nature, which a limited number of suppliers are capable of supplying or carrying out;
 - for the protection of patents, copyrights, or other exclusive rights, or proprietary information; or
 - due to an absence of competition for technical reasons.
- The purchase is for additional supplies by the original Service Provider, or its authorised representative, which were not included in the initial Procurement and where a change of Service Providers:
 - cannot be made for technical reasons, such as requirements of interchangeability or interoperability with existing software, services or installations procured under the initial Procurement, or due to conditions under original licensing requirements or supplier warranties; and

- would cause significant disruption to business continuity or substantial duplication of costs for Council.

- In so far as is strictly necessary where, for reasons of urgency brought about by unforeseeable events, the Commodities could not be obtained in time using normal competitive market test.
- Council's Requirements were acquired from an Indigenous Business.

Approval to directly engage a Service Provider for Direct Sourcing or to seek fewer than the required number of quotes Offers, must be approved at the Director level or higher before committing Council to the purchase.

The Council Buyer proposing to seek fewer than the required number of Offers seeking the approval must make and maintain auditable documents and records regarding the request approval, these -The documents and records must:

- specify the applicable exceptional circumstances and the reasons they apply;
- include advise the -market research completed to establish there is no viable alternative approach;
- include -the initial and total purchase value and value for money considerations;
- provide sufficient information to justify the request the use Direct Sourcing or seeking fewer than the required number of Offers;
- state the name, Australian Business Number and business address of the proposed Service Provider or Providers;
- disclose any prior dealings dealings or relationship between the supplier and the Council officer or officers making the recommendation seeking the exemption; and, which have, or which could be perceived to have, an influence on the recommendation; and
- include the Council Buyer's declaration that they do not have any actual, or perceived, Conflict of Interest, or close personal relationship with the Service Provider.

Reporting where a public tender or quotation process is not used

Commented [GH53]: Addition to clarify and simplify

Instances of non-application of the normally required tender or quotation process will be included in the reports made to Council at all ordinary Council meetings and must be reported soon as possible after a purchase is made or the contract is executed. The information reported will include:

- the purchase or contract value (or estimate);
- the reasons the purchase was made or contract was entered without having the required number of quotes being sought or public tenders invited;
- the date approval was given to engage the supplier or contractor; and
- if applicable, the sub-regulation under regulation 27 of the Regulations 2015 relied on for not having invited public tenders.

Annual reporting in relation to tenders and contracts

Commented [GH54]: Addition to clarify and simplify

Council's annual report will include the following information in respect of contract entered into during the financial year to which the report relates:

- Contracts for the supply or provision of goods or services valued at or exceeding \$250 000 (excluding GST) entered into or extended under regulation 23(5)(b);
 - a description of the contract;

- the period of the contract;
- the periods of any options for extending the contract;
- the value of any tender awarded or, if a tender was not required, the value of the contract (excluding GST); and
- the business name and address of the successful contractor.
- Instances where regulation 27(a) and regulation 27(i) were applied:
 - a brief description of the reason for not inviting public tenders;
 - a description of the goods or services acquired;
 - the value of the goods or services acquired; and
 - the business name and address of the supplier or contractor.
- Contracts valued at or exceeding \$100 000, but less than \$250 000 (excluding GST) entered into or extended:
 - a description of the contract;
 - the period of the contract;
 - the periods of any options for extending the contract;
 - the value of the contract (excluding GST); and
 - the business name and address of the successful contractor.

Enquiries and feedback

Enquiries about Council Procurement and from Service Providers with an interest in competing for Council business should be directed to Council's Procurement and contracts section by email procurement.enquiries@gcc.tas.gov.au.

Procurement complaints

If a Service Provider is concerned the Code may not have been followed, they can make a complaint. Procurement complaints should be made in writing and sent to gccmail@gcc.tas.gov.au. A complaint should include all of the relevant details and identify the why the complainant believes the Code was not met. Complaints are referred to Council's Director Corporate and Community Services for investigation.

Annexures

Annex-A	<u>Procurement Reporting Requirements</u>
Annex-B	<u>List of Procurement Instructions—Guidance for Council Buyers</u>

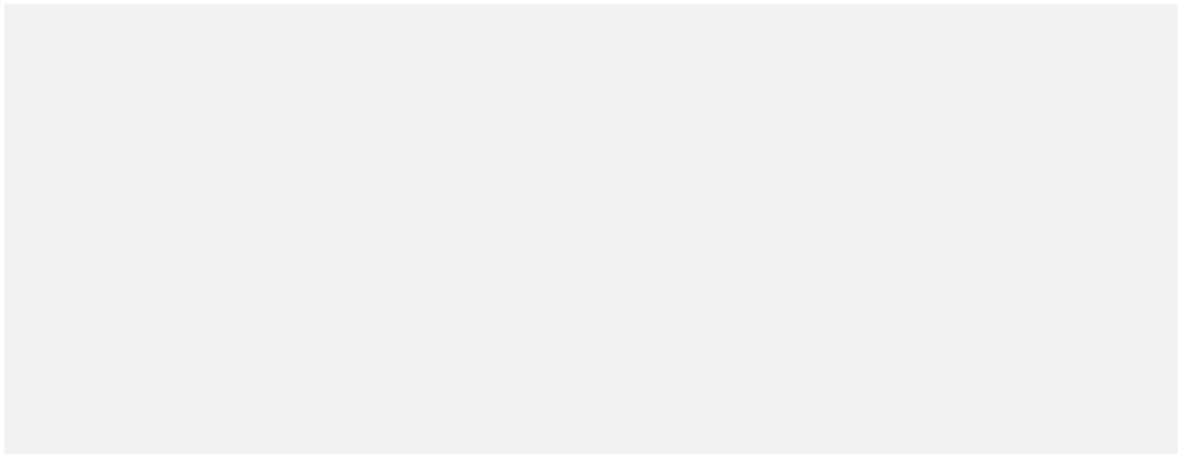
Commented [GH55]: Deleted Annexures are obsolete

Annex C	Relevant Delegations for Awarding Tenders and Contracts — Summary Guidance for Council Buyers
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Annex A – Procurement Reporting Requirements			
General Manager's Reporting			
Local regulation 28 sub regulation (f)	Government	(General)	Regulations 2015,
<p>The General Manager is required to report to the Council any purchases in circumstances where a normally required public tender or quotation process is not used. Instances of non-application of the normally required quotation or public tender process will be reported at ordinary Council meetings as soon as possible after a contract is executed or a purchase order is issued. The information reported for each contract or purchase order will include:</p> <ul style="list-style-type: none">the contract or purchase order value (excluding GST);the circumstances for engaging the contractor or supplier without seeking the required number of quotes;the date approval was given to engage the contractor or supplier;the date of the contract or purchase order; andif the contract or purchase order was as a result of a prescribed situation or prescribed contract under regulation 27 of the Local Government (General) Regulations, the sub regulation relied on for not calling for public tenders;			
ANNUAL REPORTING			
Local regulation 30, sub regulation (1)	Government Act 1993,	Section 72(3)(e) and local Government (General) Regulations 2015,	
<p>For goods or services contracts valued at, or exceeding, \$250,000 (excluding GST) entered into or extended by Council resolution, Council's Annual Report will include:</p> <ul style="list-style-type: none">a description of the contract;the period of the contract;the periods of any options for extending the contract;the value of any tender awarded or, if a tender was not required, the value of the contract (excluding GST);the business name of the successful contractor; andthe business address of the successful contractor;			

Commented [GH56]: Superseded by simplified inclusions under Excluded purchases and exceptional circumstances and Annual reporting in relation to tenders and contracts.

2



Local Government Act 1993, Section 72(1)(e) and Local Government (General) Regulations 2015, regulation 29, sub-regulation (2)
Council's Annual Report will include all instances where regulation 27(a) and (f) were applied, with the following details:
<div><div><div></div><div>a brief description of the reason for not inviting public tenders;</div></div><div><div></div><div>a description of the goods or services acquired;</div></div><div><div></div><div>the value of the goods or services acquired; and</div></div><div><div></div><div>the name of the service provider.</div></div></div>
Local Government Act 1993, Section 72(1)(e) and Local Government (General) Regulations 2015, regulation 29, sub-regulation (3)
For goods or services contracts valued at or exceeding \$100,000 (excluding GST) but less than \$250,000, that was entered into or extended, Council's Annual Report will include:
<div><div><div></div><div>a description of the contract;</div></div><div><div></div><div>the period of the contract;</div></div><div><div></div><div>the periods of any options for extending the contract;</div></div><div><div></div><div>the value of the contract (excluding GST);</div></div><div><div></div><div>the business name of the successful contractor; and</div></div><div><div></div><div>the business address of the successful contractor.</div></div></div>

Annex B – list of Procurement Instructions – Guidance for Council Buyers
The Procurement Instructions are internal documents.

Instruction No.	Title	Content
0001A	Source to Pay Diagram	Provides an overview of Council's Procurement process.
001	Pre-Procurement plan and authorisation for purchases \$250,000 or higher (excluding GST)	Provides the procedure for obtaining pre-Procurement approval and the Tender Evaluation and Probity Plan for Procurements with a value of \$250,000 or higher (excluding GST).
002	Pre-Procurement plan for purchases less than \$250,000	Provides the procedure and forms for obtaining pre-Procurement approval for purchases with a value less than \$250,000 (excluding GST).
003	Purchasing Thresholds	Sets out in detail the thresholds and required market approaches and engagement methods when purchasing goods and/or services.
004	Undertaking an Open Tender	Open Tenders.
005	Undertaking Multiple-stage Tender processes	Sets out the internal workflow to initiate and progress calls for Expressions of Interest.
006	Establishing Multiple-use Registers	Sets out the internal workflow to initiate and progress establishment of Multiple-use Registers.
007	Using Multiple-use Registers	Sets out the business rules that apply when making purchases from Multiple-use Registers.

Commented [GH57]: Annex B and the referenced procurement instructions are rendered obsolete. The processes and procedures they provide will be configure the incoming enterprise solution.

<u>008</u>	Managing Clarifications and Additional Information Given to Prospective Tenderers	Provides the procedures to ensure that all potential suppliers are provided with the same information relating to the requirements of a tender or quotation.
<u>009</u>	Records Keeping for Procurements	Provides the procedures to ensure that adequate records are made for goods and/or services purchases.
<u>010</u>	Monthly Procurement Reporting Requirements / Quotation exemption Requests	Provides the procedures for recording of purchases valued at \$100,000 and over (excluding GST and for recording and reporting approvals to seek less than the normally required number of offers.
<u>010A</u>	Issuing and receiving Tenders and Quotations	Provides the internal process and procedures to receive and record tenders and quotations on receipt.

Instruction No.	Title	Content
011	Evaluating Tenders and Quotations	Provides guidance to Council Buyers, which can be applied when evaluating offers;
012	Awarding Tenders and Quotations	the procedures for obtaining authorisation to award a tender or quotation for contract formation (after authorisation to award a tender or quotation has been obtained);
013	Notifying Unsuccessful Bidders	Provides the procedures for advising unsuccessful bidders; debriefing bidders; and Procurement complaints handling;
013A	Purchase Completion	Provides the procedures for finalising Procurement processes and for reviewing the Procurement;

Annex C Relevant Delegations for Awarding Tenders and Contracts – Summary Guidance for Council Buyers

	Value Excluding GST Up to \$50,000
Authorising officer	In accordance with the expenditure limits contained in Council's Delegations Register
Conditions	The required competitive market test must have been carried out in accordance with the Code. Standard operating procedures for requisitioning and ordering must be followed. The receiving documentation or progress certificate, invoice and purchase order must all match. If there are discrepancies, or if a positive purchase order match cannot be made, Accounts Payable refers the invoice to Corporate Governance (Procurement) for investigation.

	Value Excluding GST	
	\$50,000 and less than \$100,000	\$100,000 and less than \$250,000
Authorising officer	Manager/Supervisor	Director or higher
Conditions	The required competitive market test must have been carried out in accordance with the Code. Standard operating procedures for requisitioning and ordering must be followed. The receiving documentation or progress certificate, invoice and purchase order must all match. If there are discrepancies, or if a positive purchase order match cannot be made, Accounts Payable refers the invoice to Corporate Governance (Procurement) for investigation.	

Commented [GH58]: Unnecessary, no need for the to refer to or duplicate delegations already provided for the Delegations Register and add to the risk of inconsistencies.

VALUE EXCLUDING GST		
	\$250,000 to \$500,000 and less than \$1,000,000	Over \$500,000 to \$1,000,000 and over
Authorising officer	General Manager	Council
Conditions	<p>The General Manager is delegated to expend the funds of Council for the purpose of exercising Council's functions or powers under the Local Government Act 1993 or any other Act within the following limits:</p> <p>(a) a maximum amount of \$500,000, or</p> <p>(b) a maximum amount of \$1,000,000 where all of the following apply:</p> <p>(i) a contract is to be awarded after the completion of a public tender process;</p> <p>(ii) the lowest tender is being accepted; and</p> <p>(iii) both the veracity of the tender process and the recommended tenderer have been reviewed and endorsed by Council's Tender Review Committee, to a maximum amount of \$1,000,000;</p> <p>(c) an unlimited amount where the payment is any of the following:</p> <p>(i) made under a contract or agreement approved by Council where the payments fall within the approved contractual framework (until the total approved value has been reached);</p> <p>(ii) government levies, taxes and contributions; or</p> <p>(iii) expenditure specifically authorised by a resolution of Council.</p>	NOT USED

**GLENORCHY CITY COUNCIL
AUDIT PANEL REPORT 2023-24****BACKGROUND / INTRODUCTION**

Glenorchy City Council's Audit Panel was formally established by a decision of Council. The operation of the Panel is guided by Council's Audit Panel Charter which is based on the requirements of the Local Government (Audit Panels) Order issued by the Minister for Local Government under section 85B (1) of the Local Government Act 1993.

AUDIT PANEL MEMBERSHIP AND MEETINGS

Membership of the Audit Panel comprises two Councillors and three independent members.

Aldermen Sue Hickey and Harry Quick represented Council on the Audit Panel. Alderman Sue Hickey's position on the panel was filled by proxy at three meetings due to legislative requirements relating to her role as Acting Mayor and subsequently her election as Mayor. A new Council representative will be appointed in July 2024.

During 2023-24 the independent members of the Panel for the full year were Mike Derbyshire (Chair) and Ric de Santi. Belinda Webster was an independent member until her resignation from the Panel in December 2023. Heather Salisbury commenced as an independent member in January 2024 (appointed in November 2023).

MEETINGS OF THE PANEL

The Panel met five times during the financial year ending 30 June 2024. In addition to Panel members, meetings were also attended by a range of Council staff including the General Manager, Director Corporate Services, Chief Financial Officer, Manager Corporate Governance, Manager ICT and Minutes Secretary (who acts as secretariat for the Panel).

Representatives from Council's Internal Auditors, WLF and Crowe Australasia, and the Tasmanian Audit Office (TAO) also attended Audit Panel meetings.

ROLE OF THE PANEL

The role of the Audit Panel is to support the elected Council by providing independent assurance and advice in relation to Council's financial reporting and controls, risk management framework and practices, internal controls, legislative compliance, long term planning, fraud control and corruption prevention. Its role is complemented by both internal and external auditors.

The main responsibilities of the Audit Panel include reviewing:

- whether the annual financial statements of the Council accurately represent the state of affairs of Council
- whether and how the Part 7 plans (these include the Strategic Plan, Long Term Financial Plan and Strategic Asset Management Plan) are integrated and the processes by which, and assumptions under which, those plans were prepared
- the accounting, internal control, anti-fraud, anticorruption and risk management policies, systems and controls that the Council has in relation to safeguarding its long-term financial position

- whether the Council is complying with the provisions of the Act and any other relevant legislation, and
- whether the Council has taken any action in relation to previous recommendations provided by the Audit Panel to the Council, and so, what that action was and its effectiveness.

EXTERNAL AND INTERNAL AUDIT

External Audit

As legislated, Council's external audit service is provided by TAO, whose staff attended two Audit Panel meetings during the 2023-24 financial year. During these meetings, the Audit Panel and TAO officers discussed the 2023-24 Financial Year Audit Strategy and Plan and a review of key audit areas identified for the year, as well as the completion report and memorandum of audit findings for the 2022-23 audit. All findings are included in the risk and audit actions register.

The Audit Panel will monitor progress on these matters during 2024-25.

Internal Audit

Internal audits support the work of Council and the Audit Panel by reviewing Council's systems and operations in accordance with an agreed internal audit plan. The plan is based on a risk management approach, is reviewed annually and can be altered should specific issues require attention.

These audits aim to identify how well risks are managed, whether the appropriate processes are in place, whether agreed procedures are being followed and whether improvement can be made.

Recommendations to address issues or to adopt improvements are considered by Council's management. The final report reviewed by the Audit Panel and all recommendations are monitored by the Audit Panel at each ordinary meeting, to ensure they are implemented.

To present the findings and recommendations of the internal audits undertaken during the year, senior staff from WLF and Crowe attended meetings during the year.

The internal audit program for 2023-24 included:

- Events on Council Land
- Long Term Asset Management Plan (completed)
- Management of Enforcement Activities

Audit findings reports were received from WLF for the Information Management Maturity audit and from Crowe for the Risk Management audit in September 2023 and from WLF for the Long Term Asset Management audit in February 2024. All identified risks were included in Council's risk register and audit actions register.

The Audit Panel regularly monitors progress with adopted audit recommendations. As at June 2024 there were 20 recommendations outstanding of which none related to areas identified as being of high, significant or notable risk. This compares to the situation in June 2023 when there were 23 recommendations still to be finalised including 4 recommendations that related to areas identified as being high, significant or notable risk.

While there is some difficulty in comparing year on year progress, as new audit recommendations are added and completed recommendations are removed, the Audit Panel is pleased to note the

significant progress that has been made by Council during the year in addressing outstanding audit recommendations and look forward to further progress in 2024-25.

The Panel would like to acknowledge the funding that was provided in 2023-24 budget by Council to enable the implementation of internal audit recommendations.

OTHER PANEL ACTIVITIES DURING THE REPORTING PERIOD

During the year under review the Audit Panel:

- monitored the roll-out of the legislative compliance process
- monitored and reviewed the Compliance Status Summary Report which records the status of Council's compliance with regulatory obligations on an ongoing basis
- endorsed the internal audit program for 2023-24
- regularly reviewed the Audit Panel annual work plan
- continued to review and advocate for implementation of outstanding audit recommendations
- received and reviewed a report on the 2024-25 budget estimates
- received and reviewed a report on Council's Financial Management Strategy
- reviewed and endorsed the Financial Statements for financial year ending June 2023
- met with TAO to discuss the 2022-23 audit and any issues that arose, and recommendations made
- oversaw the 2023-24 External Audit planning process
- received updates on the Workplace Health and Safety Committee and reviewed the minutes of their monthly meetings
- received a report on Council's WHS Development Framework 2023-2025
- requested and reviewed a report on Council's corporate credit cards and associated controls
- received progress updates on Project Hudson
- received a report on Council's Culture and Engagement Survey 2023
- regularly reviewed and commented on General Manager's Quarterly Report information and issues raised by this information, as well as periodic Financial Performance Reports
- reviewed quarterly status updates on Significant Risk, Insurance and Legal Matters
- received a report on the Risk Management Framework
- received information about the renewal of Council's insurances for 2023-24
- reviewed credit card expenditure incurred by Council's General Manager
- received an assessment and ratings report for Benjafield Childcare Centre
- received updates on the progress of the ongoing Future of Local Government Review, including Council submissions
- received a report on Council's Disaster Recovery and Incident Management Plan testing
- received an update on Council's Strategic and Annual Plans
- received quarterly financial performance reports
- reviewed the Audit Panel Charter and Code of Conduct
- received a report on Council's annual review of Business Recovery and Disaster Recovery Planning
- received a report on Council's annual review of Fraud Controls

Audit Panel members also attend training events run by the Tasmanian Audit Office. In addition, Audit Panel members may attend Council workshops over the course of the year where relevant.

Mike Derbyshire
Chair, Audit Panel
July 2024

Attachment 1



Monthly Financial Performance Report

For the year-to-date ending 31 July 2024

Statement of Comprehensive Income

Glenorchy City Council Financial Report Statement of Comprehensive Income to 31 July 2024					
Year-to-Date (YTD)	Note	2025 Budget \$'000	2025 Actual \$'000	2024 Actual \$'000	2025 Variance Actual to Budget
Operating Revenue					
Rates	1	51,747	51,869	48,994	↑
User charges and licences	2	8,362	8,356	7,878	↓
Interest	3	67	(115)	(21)	↓
Grants	4	279	588	605	↑
Contributions - cash	5	4	41	-	↑
Investment income from Tas Water	6	-	-	-	↔
Other income	7	11	13	10	↑
Total Operating Revenue		60,469	60,752	57,466	↑
Operating Expenditure					
Employment costs	8	1,901	1,654	1,785	↓
Materials and services	9	2,969	2,270	2,058	↓
Depreciation and amortisation	10	1,490	1,330	1,518	↓
Finance costs	11	12	-	10	↓
Bad and doubtful debts	13	-	-	-	↔
Other expenses	14	19	112	(10)	↑
Total Operating Expenditure		6,390	5,366	5,361	↓
Total Operating Surplus/(Deficit)		54,080	55,386	52,106	↑
Non-Operating Revenue					
Contributions – non-monetary assets	15	-	-	-	↔
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	16	-	(2)	1	↓
Capital grants received specifically for new or upgraded assets	17	-	1,175	3,404	↑
Contributions –monetary	18	-	9	-	↑
Total Non-Operating Revenue		-	1,182	3,405	↑
Non-Operating Expense					
Assets written off	12	-	-	-	↔
Total Non-Operating Expense		-	-	-	
Total Surplus/(Deficit)		54,080	56,568	55,511	↑

Operating Revenue

Year-to-date operational revenue is \$60.752m compared to budgeted operational revenue of \$60.469m. This represents a favourable result of \$0.283m or 0.50% against budget.

Note 1 – Rates Revenue

Favourable against the year-to-date \$51.747m budget by \$123k, noting the ending of the rating remission relating to the sale of the Derwent Entertainment Centre \$98k.

Note 2 – User Charges and Licences Revenue

Unfavourable against the year-to-date \$8.362m budget by \$6k, noting minor variations for animal registrations, health licences, landfill fees and child care parent fees.

Note 3 – Interest on Investments

Interest received on at-call accounts received to date \$37k less \$153k partial write-back to 2023/24 for term deposits maturing in 2024/25.

Note 4 – Operating Grants

Favourable against the year-to-date \$279km budget by \$309k, noting unspent grants carried forward \$267k and net child care grants \$40k.

Note 5 – Contributions - Cash

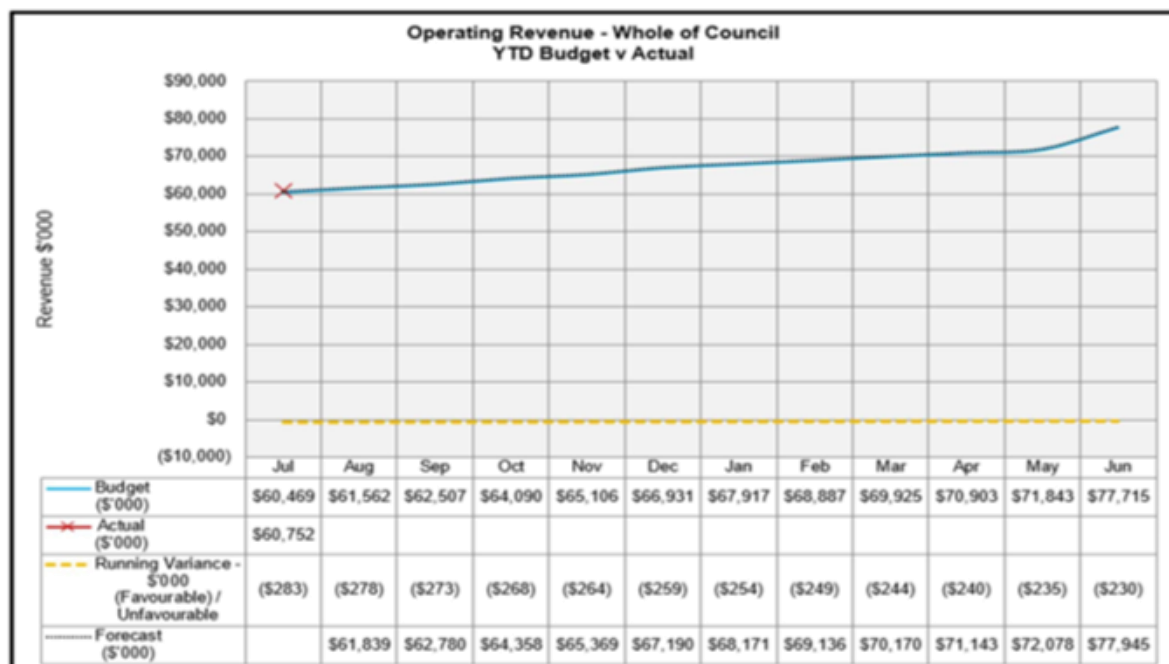
Favourable against the year-to-date \$4k budget by \$37k, noting a cash-in-lieu for open space contribution of \$35k.

Note 6 – Tas Water Income

On track noting the first interim dividend is due to be received in December 2024.

Note 7 – Other Income

Favourable against the year-to-date \$11k budget by \$2k, noting only minor variations across several accounts.



Operating Expenditure

Year-to-date operational expenditure is \$5.366m compared to budgeted expenditure of \$6.390m. This represents a favourable result of \$1.024m or 16.0% against budget.

Note 8 – Employment Costs

Favourable against the year-to-date \$1.901m budget by \$247k, representing position vacancies across the organisation.

Note 9 – Materials and Services Expenditure

Favourable against the year-to-date \$2.969m budget by \$699k, noting timing differences for payment of the election/poll, landfill levy, core systems replacement and utility accounts.

Note 10 – Depreciation and Amortisation

Favourable against the year-to-date \$1.490m budget by \$160k, noting amortisation of fleet leases from Other Expenses is yet to occur.

Note 11 – Finance Costs

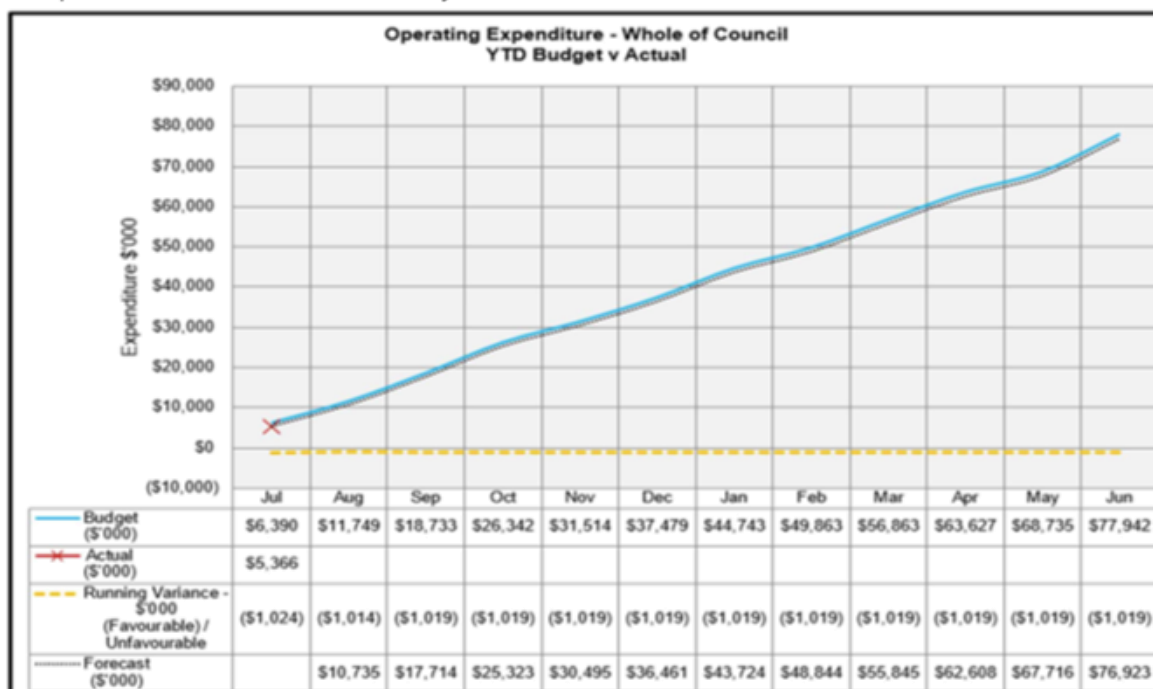
Favourable against the year-to-date \$12k budget, noting amortisation of interest on fleet leases is yet to occur.

Note 13 – Bad and Doubtful Debts

No bad or doubtful debts identified to date.

Note 14 – Other Expenses

Unfavourable against the year-to-date \$19k budget by \$93k, noting amortisation of fleet leases to Depreciation and Amortisation is yet to occur.



Non-Operating Revenue

Note 15 – Contributions – Non-Monetary Assets

No non-monetary assets have been received to date against an annual budget of \$3.675m.

Note 16 – Gain or Loss on Disposal of Assets

Loss on disposal of assets is \$2k against the annual \$375k budget, noting these are expenses in preparing land for sale.

Note 17 – Capital Grants

Capital grant revenue is \$1.174m against the annual \$7.598m budget, noting unspent grants carried forward \$837k and \$337k for Playground Renewals.

Note 18 – Contributions - Monetary

Contributions - Monetary revenue is \$9k against no budget allocation, noting a contribution for stormwater WSUD has been received.

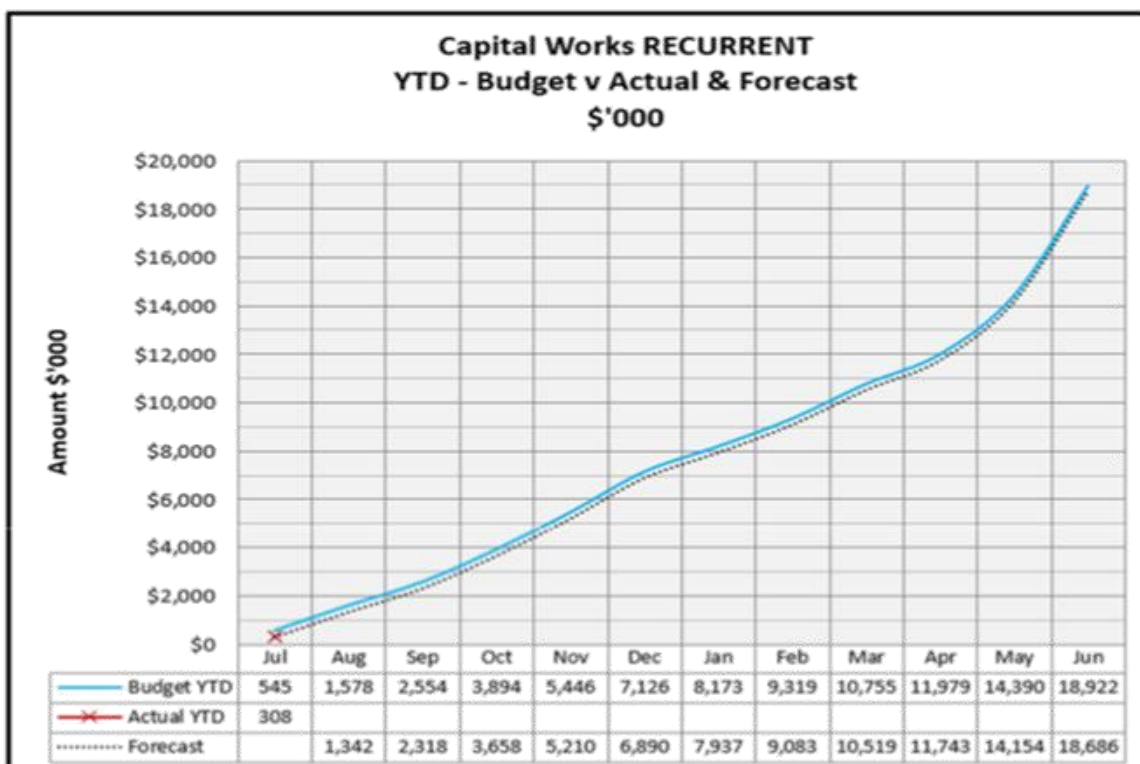
Non-Operating Expenditure**Note 12 – Assets Written Off**

No assets have been written off to date against an annual budget of \$1.700m.

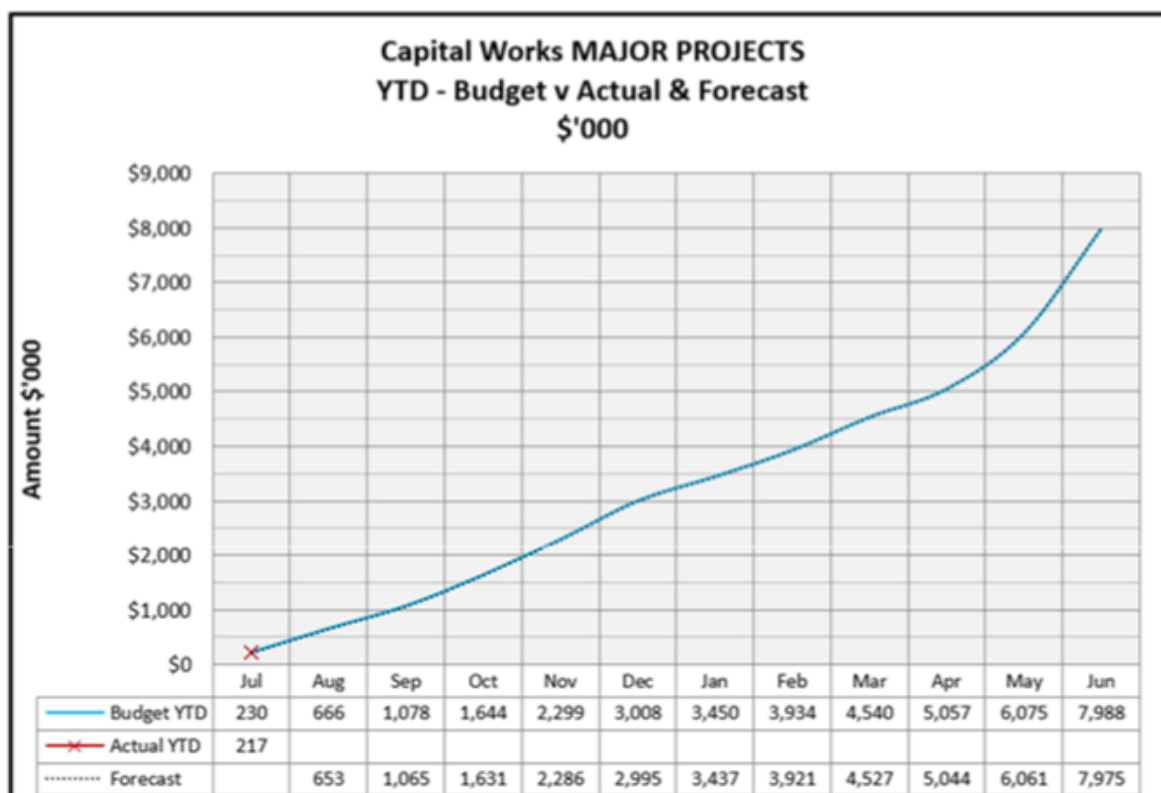
Capital Works

Year-to-date Capital Works expenditure is \$525k against a combined annual budget of \$26.909m. At the end of July, the expenditure split between recurrent and major projects is:

- \$308k or 2% of the annual recurrent budget has been expended
- \$216k or 3% of the major projects budget has been expended

Capital Program – Recurrent

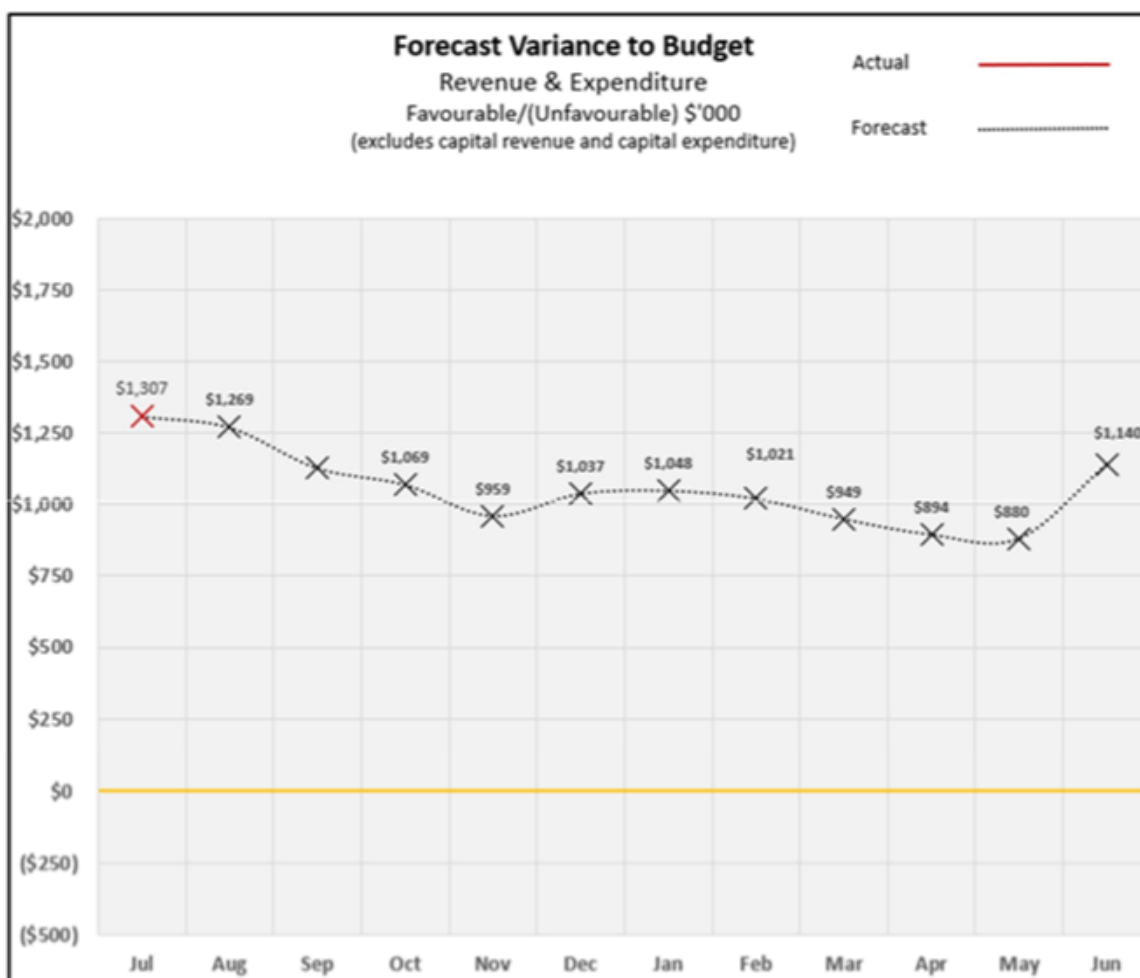
Capital Program – Major Projects*



*The following projects form the Major Projects capital works program:

Project	YTD Actual	ANNUAL Budget	ANNUAL Forecast
101059 - KGV Soccer Design & Construction	\$52,776	\$1,000,000	\$1,000,000
101250 - North Chigwell Football and Community Facility	\$2,755	\$4,000,000	\$4,000,000
101536 - Tolosa Park Dam Rehabilitation	\$27,986	\$200,000	\$200,000
102173 - Landfill Lift	\$0	\$700,000	\$700,000
102174 - Benjafield Child Care	\$0	\$500,000	\$500,000
102175 - Landfill Office	\$0	\$350,000	\$350,000
102176 - Chambers Renovations - Stage 2	\$0	\$200,000	\$200,000
102177 - Roseneath Reserve	\$0	\$440,000	\$440,000
102178 - Lutana Woodland	\$0	\$127,772	\$127,772
102179 - Battersby Drive	\$0	\$90,000	\$90,000
102180 - Coolinda Reserve	\$0	\$380,045	\$380,045
Various Unbudgeted Expenditure	\$133,131	\$0	\$0
TOTALS	\$216,648	\$7,987,817	\$7,987,817

Operating Forecast to 31 July 2024



Adjustments to amounts previously reported

There are instances where ledger adjustments are required in respect of amounts reported in prior periods. These adjustments will be visible when comparing this report against previously presented Financial Performance Reports.