



The City with Spirit

NOTICE OF MEETING

Notice is hereby given that a **Governance, Finance & Community Service Committee** meeting of the Devonport City Council will be held in the Council Chambers, on Monday 17 July 2017, commencing at 5:30pm.

The meeting will be open to the public at 5:30pm.

QUALIFIED PERSONS

In accordance with Section 65 of the *Local Government Act 1993*, I confirm that the reports in this agenda contain advice, information and recommendations given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

Paul West
GENERAL MANAGER

12 July 2017

**AGENDA FOR A MEETING OF THE GOVERNANCE, FINANCE & COMMUNITY SERVICE
COMMITTEE OF DEVONPORT CITY COUNCIL HELD ON MONDAY 17 JULY 2017
AT THE COUNCIL CHAMBERS AT 5:30PM**

Item	Page No.
1.0 APOLOGIES	1
Ald AL Rockliff	
2.0 DECLARATIONS OF INTEREST	1
3.0 PROCEDURAL	2
3.1 PUBLIC QUESTION TIME	2
3.2 QUESTIONS ON NOTICE FROM ALDERMEN	2
4.0 GOVERNANCE REPORTS	3
4.1 Council Policies - Biennial Review (D471037)	3
4.2 Local Government Association of Tasmania - Annual General Meeting and General Meeting - 26 July 2017 (D479415)	158
4.3 Elected Members' Expenditure Report - May-June 2017 (D480061)	166
5.0 FINANCE REPORTS	
Nil	
6.0 COMMUNITY SERVICES REPORTS	169
6.1 Sports Carnivals Association of Tasmania - Application for Funding (D470479)	169
6.2 Devonport Community House Partnership Agreement (D479459)	182
7.0 INFORMATION REPORTS	190
7.1 Governance & Finance Report (D478398)	190
7.2 Community Services Report - July 2017 (D478399)	203
8.0 CLOSED SESSION - CONFIDENTIAL MATTERS	213
Out Of Closed Session	214
9.0 CLOSURE	214

Agenda of a meeting of the Devonport City Council's **Governance, Finance & Community Service Committee** to be held at the Council Chambers, 17 Fenton Way, Devonport on Monday 17 July 2017 commencing at 5:30pm.

PRESENT

		Present	Apology
Chair	Ald Rockliff		✓
	Ald C D Emmerton		
	Ald G F Goodwin		
	Ald A J Jarman		
	Ald S L Martin		
	Ald T M Milne		

In circumstances where the Chairman is absent from a Committee meeting, either the Mayor or Deputy Mayor (if they are members of that Committee) will assume the role of Chairman for that meeting. If the Mayor or Deputy Mayor are not members of that Committee, the members of the Committee will appoint a member as Acting Chairman for the meeting.

IN ATTENDANCE

All persons in attendance are advised that it is Council policy to record Council Meetings, in accordance with Council's Audio Recording Policy. The audio recording of this meeting will be made available to the public on Council's website for a minimum period of six months. Members of the public in attendance at the meeting who do not wish for their words to be recorded and/or published on the website, should contact a relevant Council Officer and advise of their wishes prior to the start of the meeting.

1.0 APOLOGIES

The following apology was received for the meeting.

Ald A L Rockliff	Leave of Absence
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2.0 DECLARATIONS OF INTEREST

3.0 PROCEDURAL

3.1 PUBLIC QUESTION TIME

Members of the public are invited to ask questions in accordance with the following resolution of Council (Min Ref 54/16):

1. Public participation shall take place at Council meetings in accordance with Regulation 31 of the *Local Government (meeting Procedures) Regulations 2015*.
2. Public participation will be the first agenda item following the formal motions; Apologies, Minutes and Declarations of Interest.
3. A maximum period of time of 30 minutes in total will be allowed for public participation.
4. A maximum period of time of 3 minutes will be allowed for each individual.
5. A member of the public may give written notice to the General Manager 7 days before an ordinary meeting of Council of a question to be asked at that meeting.
6. A member of the public will be entitled to ask questions relating to the activities of Council, giving an explanation that is necessary to give background to the question and ask supplementary or follow up questions relating to that specific matter that may come to light as a result of the answer.
7. Questions do not have to be lodged prior to the meeting, however they would be preferably provided in writing.
8. A question by any member of the public and an answer to that question are not to be debated.
9. The Chairperson may refuse to accept a question. If the Chairperson refuses to accept a question, the Chairperson is to give reason for doing so.

3.2 QUESTIONS ON NOTICE FROM ALDERMEN

At the time of compilation of the agenda no questions on notice from Aldermen were received.

4.0 GOVERNANCE REPORTS

4.1 COUNCIL POLICIES - BIENNIAL REVIEW

File: 26315 D471037

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 5.3.1 Review and amend governance structures, policies and procedures to adapt to changing circumstances

SUMMARY

To review all existing Council policies to ensure that they are current, up to date and relevant.

BACKGROUND

Council policies are in place to facilitate and ensure effective and consistent administration of operations, legislation and practices.

To guarantee the relevance, practicality and currency of Council policies (including uniformity in content and format), documents are regularly reviewed. Council is committed to a two-yearly review of its policies.

To streamline the process, the majority of Council policies will have the same review date (irrespective of when they are/were originally adopted). This assists in ensuring that policies are reviewed within a designated timeframe and ensures that review timeframes do not lapse, which may be the case with various individual dates of review.

A small number of Council policies are not included in the review process however, as they require review in line with external factors, such as local government elections. This includes policies such as Code of Conduct Policy; Gifts and Benefits Policy; and Payment of Aldermen's Allowances, Expenses and Provision of Facilities Policy.

If there are significant changes to legislation, processes or scope relating to a policy within the two-year review cycle, changes to the policy may be made as required – the date of next review will however, remain in line with all other Council policies.

STATUTORY REQUIREMENTS

There are no specific statutory requirements which relate to this report. Some policies are based on best practice provisions, whilst some are mandated under legislation.

DISCUSSION

A review of Council policies has been undertaken and revised policies are attached.

A number of other policies, including the Dog Management Policy, are reviewed in line with legislative directive or local government requirements. Any policies reviewed in the last two months are also not included but will be included in the next two year review.

Any changes to the Policies have been highlighted in the attached but summarised below as follows:

Asset Management Policy:

- Updated at 1.2 – figure relating to written down value of Council owned and utilised assets, from \$375M to \$410M.

Audio Recording Policy:

- Changed title of Document Controller and Responsible Manager;
- Removal of reference to street address for Council Chambers;
- Amended title of Governance & Finance Committee, to Governance, Finance and Community Services Committee;
- Deleted reference to Community Services Committee;
- Updated reference to relevant legislation from 2005 Regulations to 2015 Regulations
- Removed 3.3 "Those parts of meetings which are closed to the public in accordance with Regulation 15(2) will not be recorded", as stipulated in previous paragraph;
- Removed wording (in respect to Committee meetings) in third paragraph;
- Removed wording of Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* in the Legislation and Related Documents section – now refers only to Regulation and Regulation Number;
- Amended clause numbering, added page numbering and minor format changes;
- Minor grammatical amendments.

Boundary Fencing Policy:

- Policy reviewed - no changes required.

Commemorative Seat Policy:

- Policy reviewed - no changes required.

Community, Childcare & Commercial Lease Policy:

- Minor grammatical changes made that do not alter Policy's intent;
- Removed reference to caring for children at 2.1 - "...whom are eligible to access benefits under the Child Care Benefit and Child Care Rebate schemes", as this may not apply to all child care centres, nor children cared for in these facilities;
- Amended required Public Liability Insurance coverage from \$10 million to \$20 million in line with insurance industry standards at 7.1;
- Added at 8.1 – "BMS documents will be reviewed every five years in line with the term of the agreement, or as required, i.e. following significant building or infrastructure amendments";
- Added that lessees of commercial properties will be responsible for all outgoings at 11.1;
- Deleted reference to "TasWater" regarding water usage charges at 11.1;
- Added at 11.2 that Council will be responsible for 100% of annual rates charges for community groups and 50% of annual rates charges for child care facilities; and land tax for community groups and child care facilities;
- Expanded reference to include "under represented" sport and recreational activities at 12.1 (from unrepresented community activities only).

Community Engagement Policy:

- Updated title of Responsible Manager;
- Minor wording edits in Scope;
- Minor word deletion in Definition section;
- Moved last paragraph at Clause 1, relating to information obtained in submissions to Council being regarded as public, and integrating into new Clause 4 – Privacy - which relates to Privacy of information received by Council as a result of community engagement and public submissions, and information management and reporting in accordance with the *Personal Information Protection Act 2004* and *Public Interest Disclosures Act 2002*;
- Deleted Draft Social Media Policy and Code of Conduct from Legislation and Related Documents; and deleted year reference (2011) from Communication and Media Policy.

Complaint Handling Policy:

- Policy reviewed – no content changes required; minor formatting changes.

Credit Card Policy:

- Updated title of Document Controller and Responsible Manager;
- Replaced reference to Caltex Fuel Card with Corporate Fuel Card at 1.8;
- Re-worded Clause 1.9 to define that infringements and fines incurred are not to be paid for by Council credit card, as they are the responsibility of the individual who incurred the fine;
- Rewording of Clause 2.1;
- Updated clause – reconciliation of credit card statement to be returned to Finance Team, previously referred to Assistant Accountant;
- Re-worded 3.2 regarding allocation of transactions to relevant ledger account and responsibility for this by cardholder – previously referred to cost numbers being written on credit card statement for each transaction;
- Minor edit at 3.7;
- Removed reference to “Assistant” in Accountant’s position title at 5.2 & 5.3;
- Merged and amended previous clauses 6.3 & 6.4 – the cardholder is to contact the Accountant (rather than the previous version whereby the cardholder contacted the merchant directly) when there are unauthorised or suspected fraudulent transactions, for such transactions to be disputed with credit card provider;
- Removed reference to “Assistant” in Accountant’s position title at 7.1.

Customer Service Charter:

- Added Clause 5 – Provision of Advice and Information – relates to the provision of general advice and technical and/or expertise advice.

Dealing with Difficult Customers Policy:

- Policy reviewed – no content changes required; minor formatting changes.

Dilapidated Buildings Policy:

- Policy reviewed - no changes required.

Driveway Policy:

- Wording addition at Clause 5 – second paragraph, end of sentence – Council may install an ‘asphalt wedge’ or other improvement in accordance with the Tasmanian Standard Drawings, (added) “if Council believes it will assist in resolving the reported issue”.

Equal Employment Opportunity (EEO) & Diversity Policy:

- Amended Responsible Manager from Executive Manager – Corporate & Business to General Manager;
- Amended reference to “Devonport City Council” in Scope section to “Council”;
- Updated reference from “Employee Code of Conduct” to “Staff Code of Conduct” in Legislation and Related Documents Section.

Financial Assistance Policy:

- Updated title of Document Controller and Responsible Manager;
- Separated “Definitions” section, and minor wording changes to definitions.

Fitness for Work Policy:

- Amended Document Controller from Safety Committee to Risk & Compliance Coordinator;
- Amended references to Risk Management Coordinator to Risk Management Department;

- Removed reference to Best Street Office, and updated to Administration Building, in respect of self-testing breathalyser locations;
- Deleted at Clause 16 of Procedure – “Reporting of test results summary provided by the testing organisation shall be made available to the Safety Committee and the Consultative Committee every three months”;
- Amended document review date from every 12 months to every 2 years (in line with Council policy review timeframe).

Harassment, Bullying & Anti- Discrimination Policy:

- Policy reviewed – no changes required.

Investment Policy:

- Word change at Clause 2 – Quotations on Investments – amended wording from “At least three quotations” to “At least three comparisons”, as quotations may not always be obtained.

Permanent Art Collection Policy:

- Significant amendments to policy – refer to track-changed version of policy in report attachment.

Personal Information Protection Policy:

- Grammatical changes made which do not alter Policy’s intent;
- Added documents to Legislation and Related Documents Section (DCC Disciplinary Procedure, Staff Code of Conduct, Guidelines for the Disclosure of Personal Information. Removed reference to DCC Performance Policy in this section – redundant document).

Purchasing Policy:

- Policy reviewed - no changes required.

Recruitment & Selection Policy:

- Minor typographical changes (misspelt words);
- Amended Responsible Manager from Executive Manager – Corporate & Business to General Manager;
- Updated reference from “Employee Code of Conduct” to “Staff Code of Conduct” in Legislation and Related Documents Section and amended title of “DCC Police Check Policy” to “DCC Police Check and Working with Children Check Procedure”;
- Amended requirement at 1.14 of Procedure to include criminal check “and or Working with Children Registration”, previously referenced criminal check only.

Related Parties Disclosure Policy:

- Newly adopted Policy (March 2017) – review not required given its recent adoption.

Rooke Street Mall Policy:

- Updated Document Controller and Responsible Manager;
- Minor typographical amendment to last dot point at Clause 1.

Sponsorship Policy:

- Significant revision of Policy. Refer to marked up version for changes.

Sport & Recreation Groups Lease Policy:

- Changed references to “Tenant” to “Lessee”;
- Minor grammatical changes made that do not alter Policy’s intent;
- Amended required Public Liability Insurance coverage from \$10 million to \$20 million in line with insurance industry standards at 4.1;

- Added at 5.1 – “BMS documents will be reviewed every five years in line with the term of the agreement, or as required, i.e. following significant building or infrastructure amendments”;
- Deleted reference to “TasWater” regarding water usage charges at 8.1;
- Expanded reference to include “under represented” sport and recreational activities at 9.1 (from unrepresented sport and recreational activities only).

Street Trading Policy:

- Changed Document Controller from Senior Environmental Health Officer to Risk & Compliance Coordinator;
- Amended required public and products liability figure from \$10 million to \$20 million – in line with insurance industry standards.

Subdivision Maintenance Bond Policy:

- Policy reviewed - no changes required.

Subdivision Outstanding Works Bond Policy:

- Policy reviewed - no changes required.

Tree Policy:

- Abbreviated reference in Scope to trees located on Crown land Council leases and controlled land to Council owned, leased or managed land;
- Added at Clause 1 – benefits of trees to include aesthetic benefits and community goodwill from tree planting projects;
- Re-arranged a number of clauses into order of importance;
- Minor re-wording at 2.2; 2.8; and 2.10;
- Added Tasmanian Standard Drawings to 2.11 in respect of standards required to carry out maintenance in accord with;
- Added Tree Species Register and Significant Tree Register at Legislation and Related Documents.

COMMUNITY ENGAGEMENT

There has been no community engagement undertaken as a result of this report. Community engagement may be undertaken as part of the policy's original development.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

RISK IMPLICATIONS

Without policies in place, Council is exposed to the risk of inconsistent and ineffective management and operations, and may fail to comply with legislation or standards that subsequently affect operations, service provision and compliance. Likewise, out of date or defunct policies pose a risk to Council's performance, direction and operations, particularly if they are no longer aligned with legislative or best practice requirements or that do not support community expectations.

CONCLUSION

All Council policies required to be reviewed as part of the biennial review cycle are presented for re-adoption.

ATTACHMENTS


- [1.](#) Asset Management Policy
- [2.](#) Audio Recording Policy
- [3.](#) Boundary Fencing Policy
- [4.](#) Commemorative Seat Policy and Procedure
- [5.](#) Community, Childcare & Commercial Lease Policy
- [6.](#) Community Engagement Policy
- [7.](#) Complaint Handling Policy
- [8.](#) Credit Card Policy
- [9.](#) Customer Service Charter
- [10.](#) Dealing with Difficult Customers Policy
- [11.](#) Dilapidated Buildings Policy
- [12.](#) Driveway Policy
- [13.](#) Equal Employment Opportunity (EEO) and Diversity Policy
- [14.](#) Financial Assistance Policy
- [15.](#) Fitness for Work Policy & Procedure
- [16.](#) Harassment Bullying Anti-Discrimination Policy
- [17.](#) Investment Policy
- [18.](#) Permanent Art Collection Policy
- [19.](#) Personal Information Protection Policy
- [20.](#) Purchasing Policy
- [21.](#) Recruitment & Selection Policy
- [22.](#) Related Party Disclosures Policy
- [23.](#) Rooke Street Mall Policy
- [24.](#) Sponsorship Policy
- [25.](#) Sport and Recreation Groups Lease Policy
- [26.](#) Street Trading Policy
- [27.](#) Subdivision Maintenance Bond Policy
- [28.](#) Subdivision Outstanding Works Bond Policy
- [29.](#) Tree Policy

RECOMMENDATION

That it be recommended to Council that the following reviewed Council policies be adopted with immediate effect:

1. Asset Management Policy
2. Audio Recording Policy
3. Boundary Fencing Policy
4. Commemorative Seat Policy and Procedure
5. Community, Childcare & Commercial Lease Policy
6. Community Engagement Policy
7. Complaint Handling Policy
8. Credit Card Policy
9. Customer Service Charter
10. Dealing with Difficult Customers Policy
11. Dilapidated Buildings Policy
12. Driveway Policy
13. Equal Employment Opportunity (EEO) & Diversity Policy
14. Financial Assistance Policy
15. Fitness for Work Policy & Procedure
16. Harassment, Bullying & Anti-Discrimination Policy
17. Investment Policy
18. Permanent Art Collection Policy
19. Personal Information Protection Policy
20. Purchasing Policy
21. Recruitment & Selection Policy
22. Related Parties Disclosure Policy
23. Rooke Street Mall Policy
24. Sponsorship Policy
25. Sport & Recreation Groups Lease Policy
26. Street Trading Policy
27. Subdivision Maintenance Bond Policy
28. Subdivision Outstanding Works Bond Policy
29. Tree Policy

Author:	Karen Hampton	Endorsed By:	Paul West
Position:	Governance Coordinator	Position:	General Manager


		<h2>ASSET MANAGEMENT POLICY</h2>	
POLICY TYPE (COUNCIL OR MANAGEMENT)	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM)
Council	25 May 2015	100/15	D367491
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Infrastructure & Works Manager	Deputy GM – Infrastructure, Works & Development	2.3.5 – Develop and maintain long term Strategic Asset Management Plans and Capital Improvement Program	June 2017
PURPOSE	<p>To set guidelines for implementing consistent asset management processes throughout Devonport City Council.</p> <p>To ensure adequate provision is made for the long-term replacement of major assets by:</p> <ul style="list-style-type: none"> • Ensuring that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service for residents, visitors and the environment. • Safeguarding Council assets including physical assets and employees by implementing appropriate asset management strategies and appropriate financial resources for those assets. • Creating an environment where all Council employees take an integral part in overall management of Council's assets by creating and sustaining asset management awareness throughout the organisation by training and development. • Meeting legislative requirements for asset management. • Ensuring resources and operational capabilities are identified and responsibility for asset management is allocated. • Reporting on asset and asset management performance. <p>Demonstrating transparent and responsible asset management processes that align with demonstrated best practice.</p>		
SCOPE	<p>This Policy applies to all asset classes which are owned and maintained by Council. This includes:</p> <ul style="list-style-type: none"> • Roads, Stormwater, Buildings, Public Open Space, Other Infrastructure, Plant and Fleet, Land, Office and other equipment, Art and Cultural assets. 		
POLICY	<p>1. Background:</p> <p>1.1. Council is committed to implementing a systematic asset management methodology in order to apply appropriate asset management best practices across all areas of the organisation. This includes ensuring that assets are planned, created, operated, maintained, depreciated, renewed and disposed of in accordance with Council's priorities for service delivery.</p> <p>1.2. Council owns and uses assets with a written down value of approximately \$410 million to support its core business of delivery of service to the community.</p>		

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	<p>1.3. Asset management practices impact directly on the core business of the organisation and appropriate asset management is required to achieve our strategic service delivery objectives.</p> <p>1.4. Adopting asset management principals will assist Council in achieving its Strategic Longer-Term Plan and Long Term Financial objectives.</p> <p>1.5. A strategic approach to asset management will ensure that the Council delivers the highest appropriate level of service through its assets. This will provide positive impact on:</p> <ul style="list-style-type: none"> • Members of the public and staff. • Council's financial position. • The ability of Council to deliver the expected level of service and infrastructure. • The political environment in which Council operates. • The legal liabilities of Council. <p>2. Policy Details:</p> <p>2.1. Asset Planning and Budgeting: Council is committed to implementing asset management practices to ensure that all assets are planned, created, operated, maintained, renewed and disposed of in accordance with identified priorities and in line with the objectives of the adopted Long Term Financial Plan and Asset Management Plans by:</p> <ul style="list-style-type: none"> • Ensuring the asset renewal and maintenance programs will be met prior to any new or additional assets being considered. • Managing assets based on a life-cycle perspective whereby all capital investment expenditure is only approved in conjunction with a clear understanding of what the impact will be on identified recurrent operational expenditure budgets. • Undertaking preventative maintenance programs to ensure that the lowest life-cycle cost is achieved and asset values are maintained. <p>2.2. Asset Operations and Maintenance: To ensure Councils assets are maintained and operated properly Council will:</p> <ul style="list-style-type: none"> • Undertake appropriate planned maintenance regimes to assist its assets in meeting their expected design lives in the most cost effective manner. • Ensure maintenance plans are designed to incorporate a cost benefit approach. • Capture information about the activities undertaken to assist it in the analysis of current and/or future expenditure requirements. <p>2.3. Asset Accounting and Costing: The asset accounting and costing arrangements at Council will allow for:</p> <ul style="list-style-type: none"> • Keeping detailed asset registers on all assets owned or under the control of Council.
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	<ul style="list-style-type: none"> • Effective economic lives will be given to each of Council's assets with the written down value and depreciation value determined in accordance with current accounting standards and requirements. • Depreciation will be calculated on an appropriate basis with the objective being to use a method that best reflects the consumption of the asset or provides an indication of future cash flows necessary to sustain the asset condition to the required level of service. • Assets to be revalued at regular intervals, not greater than 3 years and in accordance with the Asset Revaluation Procedure. • Planned asset acquisitions, modifications or disposals will proceed in accordance with the Council's capitalisations and disposal procedures. <p>3. Principles:</p> <p>3.1. A consistent Asset Management Strategy must exist for implementing systematic asset management and appropriate asset management best-practice throughout all Departments of Council.</p> <p>3.2. All relevant legislative requirements together with political, social and economic environments are to be taken into account in asset management.</p> <p>3.3. Asset management principles will be integrated within existing planning and operational processes.</p> <p>3.4. Asset Management Plans will be developed and maintained for major service/asset categories. The plans will be informed by financial planning and reporting.</p> <p>3.5. An inspection regime will be used as part of asset management to ensure agreed service levels are maintained and to identify asset renewal priorities.</p> <p>3.6. Asset renewals required to meet agreed service levels and identified in adopted asset management plans and long term financial plans will form the basis of annual budget estimates.</p> <p>3.7. Service levels defined in adopted asset management plans will form the basis of annual budget estimates.</p> <p>3.8. Asset renewal plans will be prioritised and implemented progressively based on agreed service levels and the effectiveness of the current assets to provide that level of service.</p> <p>3.9. Asset renewals should consider climate change impacts and adhere to Council's Climate Change Policy when adopted.</p> <p>3.10. Systematic and cyclic reviews will be applied to all asset classes and are to ensure that the assets are managed, valued and depreciated in accordance with appropriate best practice and applicable Australian Accounting Standards and industry guidelines.</p> <p>3.11. Future life cycle costs will be reported and considered in all decisions relating to new services and assets and upgrading of existing services and assets.</p> <p>3.12. Future service levels will be determined with consideration of feedback from the community.</p>
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	<p>3.13. Training in asset and financial management will be provided for Alderman and relevant staff.</p> <p>Aldermen are responsible for adopting the policy, allocation of resources, providing high level oversight of the delivery of the organisation's asset management strategy and plan and maintaining accountability mechanisms to ensure that organisational resources are appropriately utilised to address the organisations strategic plans and priorities.</p> <p>The General Manager has overall responsibility for developing an asset management strategy, plans and procedures and reporting on the status and effectiveness of asset management within Council.</p>
LEGISLATION AND RELATED DOCUMENTS	<p>Local Government Act 1993 – S70C (1) and (2). Local Government Division, 2014. Local Government (Contents of Plans and Strategies) Order 2014, Clause 8 (2) Local Government Association Tasmania – Practice Summary 2. Strategic Plan 2009-2030 Asset Management Strategy Asset Management Plans Asset Management Manual Property, Plant and Equipment Accounting Policy Long Term Financial Plan Asset Capitalisation Procedure (PR TF CI AS 007 v2) Asset Depreciation Procedure (PR TF CI AS 005 v2) Asset Revaluation Procedure (PR TF CI AS 004 v2) Asset Disposal Procedure (PR TF CI AS 006 v2)</p>
ATTACHMENT/S (IF APPLICABLE)	<p>N/A</p>

 <h2 style="text-align: center;">AUDIO RECORDING POLICY</h2>			
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	25 February 2015	34/15	D361313
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Executive Manager Corporate, <u>Community & Business Services</u>	Executive Manager Corporate, <u>Community & Business Services</u>	Review and amend governance structures, policies and procedures to adapt to changing circumstances	June 2017
PURPOSE	This policy provides the Council adopted guidelines for the transparent management of the audio recording of Council and Council Committee meetings.		
SCOPE	<p>1. This policy applies:</p> <p>1.1. To all formal Council meetings (including special meetings) held at the Council Chambers.</p> <p>1.2. To all formal meeting (including special meetings) and the following committees:</p> <ul style="list-style-type: none"> • Governance, Finance <u>and Community Services</u> Committee • Infrastructure, Works & Development Committee <p>This policy does not apply to any other meetings at Council.</p>		
POLICY	<p>2. All meetings of the Council and its Committees (refer to 1.1) shall be recorded and the audio file made available on Council's website as soon as practicable following the meeting (usually the next business day).</p> <p>In accordance with regulation 33 of the <i>Local Government (Meeting Procedures) Regulations 2015</i>, audio recordings will be made of all meeting proceedings except for the proceedings of meetings or parts of meetings closed to the public in accordance with Regulation 15(2).</p> <p><u>At the commencement of each meeting, the Mayor or chairperson shall notify those present, including members of the public, that an audio recording will last the length of the open meeting unless terminated in accordance with this policy.</u></p> <p>A Council Officer will be responsible for the operation of the audio recording equipment including the commencement and termination of the recording in accordance with meeting procedures or as directed by the Mayor or Chairperson.</p> <p>The Mayor or Chairperson has the discretion and authority at any time to direct the termination of the audio recording of the meeting. Such direction however shall only be given in exceptional circumstances (e.g. if a person's safety may be placed at risk by the continuation of the audio recording).</p> <p>The original recordings of meetings are to remain unmodified and stored for a period of not less than 6 months from the date of the recording. A compressed version of the original audio recording shall be created (preserving adequate voice quality) and made available</p>		

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	<p>for download from Council's website and also archived in Council's Electronic Content Management (ECM) system as the authoritative published version.</p> <p>There may be situations where due to technical difficulties, audio recording will not be available. If such circumstances occur, the Mayor or Chairperson will advise those present that audio recording is not available. In the event that an audio recording file becomes corrupt for any reason and is therefore not available in Council's archives, this information will be displayed on the website.</p>
GUIDELINES	<p>3. The closed session section of any meeting (refer to 1.1) will not be recorded.</p> <p>The audio recording of a meeting (refer 1.1) may be used by staff in the preparation of minutes or by Council (at the discretion of the Mayor or Chairperson) during the 'Confirmation of Minutes' section of a subsequent meeting to clarify a matter relating to the minutes being confirmed.</p> <p>In relation to <u>the above</u>, audio recording of the previous meeting should be accessible at the meeting where the minutes will be confirmed.</p> <p>The audio recording of a meeting does not supersede the written minutes, therefore a direct transcript (text version) of the recording will not be prepared.</p> <p>Audio recordings shall be removed from Council's website after a period of six months from the date of recording. Any subsequent request to access an archived file must be <u>made in writing</u> to the General Manager detailing the basis for the request.</p> <p>In response to a formal request from an appropriate authority (ie Ombudsman, Tasmania Police, Integrity Commission), archived audio recordings are to be made available, providing such requests are permissible under the laws of the State of Tasmania.</p> <p><u>Unlike Parliament, Council meetings are not subject to parliamentary privilege and both Council and the individual may be liable for comments that may be regarded as offensive, derogatory and/or defamatory.</u></p>
LEGISLATION AND RELATED DOCUMENTS	<p><u>Local Government (Meeting Procedures) Regulations 2015 (Regulation 33)</u></p>
ATTACHMENT/S (IF APPLICABLE)	<p>N/A</p>

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 33. Audio recording of meetings¶
 A council may determine that an audio recording is to be made of any meeting or part of meeting.¶
 If the council so determines, the audio recording of a meeting or part of a meeting that is not closed to the public is to be - ¶
 retained by the council for at least 6 months; and¶
 made available for listening on written request by any person.¶
 the minutes of a meeting, once confirmed, prevail over the audio recording of the meeting.¶
 A council may determine any other procedures relating to audio recording of meetings it considers appropriate.¶
 Unlike Parliament, Council meetings are not subject to parliamentary privilege and both Council and the individual may be liable for comments that may be regarded as offensive, derogatory and/or defamatory.


		BOUNDARY FENCING POLICY																						
POLICY TYPE (COUNCIL OR MANAGEMENT)	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM)																					
Council	25 May 2015	100/15	D367231																					
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW																					
Infrastructure & Works Manager	Deputy GM – Infrastructure, Works & Development	2.1.2 – Provide high quality, consistent and responsive development assessment and compliance processes	June 2017																					
PURPOSE	The purpose of this policy is to ensure that fencing contributions, fence construction requirements and Reserves By-Law provisions are administered in accordance with applicable legislation, in a consistent manner to all property owners within the municipality and within budget allocations.																							
SCOPE	<p>This Policy applies to all:</p> <ul style="list-style-type: none"> • Council property within the municipality which currently, or may in the future as a result of development, border private property. Council property includes considerable areas of public reserve in classifications such as road reserves and public open space. Areas include land leased from the Crown with unlimited public access; and • Public reserves which are undeveloped in so far as buildings are established and access to the public is not hampered in the sense of rostered sports events or similar regular exclusive events, shall be regarded as public reserves for the purposes of compliance with the <i>Boundary Fences Act 1908</i> Section 6. 																							
POLICY	<p>1. Council will make a contribution to an adjoining property owner's fence in accordance with the matrix below:</p> <table border="1"> <thead> <tr> <th>Where a private property abuts:</th> <th>Council contribution is given if requested</th> <th>Compliance</th> </tr> </thead> <tbody> <tr> <td>A road</td> <td>No</td> <td>Boundary Fences Act</td> </tr> <tr> <td>A park or public reserve where public access is unrestricted</td> <td>No</td> <td>Boundary Fences Act</td> </tr> <tr> <td>A walkway between properties leading to a park, reserve or road</td> <td>No</td> <td>Boundary Fences Act</td> </tr> <tr> <td>A park or public reserve with exclusive or periodic exclusive access (e.g. sporting ground or developed property with buildings)</td> <td>Yes</td> <td>Boundary Fences Act</td> </tr> <tr> <td>A Council car park abutting private property</td> <td>Yes – car parks may not be fenced subject to agreement between Council and the property owner. Bollards or other measure may be used to allow public thoroughfares.</td> <td>Boundary Fences Act</td> </tr> <tr> <td>A Council building abutting a private property, e.g. the recreation centre</td> <td>Yes</td> <td>Boundary Fences Act</td> </tr> </tbody> </table>			Where a private property abuts:	Council contribution is given if requested	Compliance	A road	No	Boundary Fences Act	A park or public reserve where public access is unrestricted	No	Boundary Fences Act	A walkway between properties leading to a park, reserve or road	No	Boundary Fences Act	A park or public reserve with exclusive or periodic exclusive access (e.g. sporting ground or developed property with buildings)	Yes	Boundary Fences Act	A Council car park abutting private property	Yes – car parks may not be fenced subject to agreement between Council and the property owner. Bollards or other measure may be used to allow public thoroughfares.	Boundary Fences Act	A Council building abutting a private property, e.g. the recreation centre	Yes	Boundary Fences Act
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	<ol style="list-style-type: none"> 2. Where an application meets the criteria for a Council contribution, Council will contribute funds upon completion, based on the applicable rate published annually as part of Council's fees and charges schedule. Costs for determining the value of Council's contribution will be reviewed and amended annually to remain consistent with current market conditions. 3. Where a proposed fence is of a lesser value than a 1.5 metre high twin rail green hardwood minimum style, e.g. simple bollards, a contribution shall be negotiated but shall not exceed the rate in the current fees and charges schedule. 4. Boundary fences at the rear of properties within new subdivisions that are owned or managed by Council shall not have vehicular access gates unless by written permission of the General Manager. Vehicular access to reserves and open spaces promotes the degradation of reserves through wood cutting and collection in bushland and unregulated motor vehicle use in public open spaces that are not designed for such traffic movement. 5. Where a gate exists in a fenced boundary with a reserve that does not contain bushland, access through the gate will be in accordance with the provisions of the Reserves By-Law. 6. Replacement of fences forming a boundary with a reserve shall not include a gate even if a gate existed in the fence being replaced unless the property owner has written permission from the General Manager. 7. Boundary fences on street corners shall be limited to a maximum height of 1.2 metres. Any fence proposing to exceed this height requires independent assessment and approval by the General Manager. 8. Where access to or from private property maybe gained from a Council car park, fences, or other mechanisms like bollards shall be maintained where: <ol style="list-style-type: none"> 8.1. At the property owners discretion if it is in their interest to do so; 8.2. To reduce risk to the public through trip hazards or the like; 8.3. To reduce the incidence of damage to Council infrastructure resulting from traffic traversing the boundary. 9. Property owners may choose the style of fence appropriate to their needs where Council do not otherwise have a preference. In these circumstances, materials shall be new and the workmanship shall be tradesman-like. In all circumstances, Council's contribution rate shall remain the same. 10. Where required to meet building regulations, property owners must seek appropriate permits before commencing construction.
LEGISLATION AND RELATED DOCUMENTS	<i>Boundary Fences Act 1908</i> <i>Local Government (Highways) Act 1982</i> <i>Devonport City Council 'Reserves, Parks & Gardens By-Law No.1 of 2007'</i> <i>Building Act 2000</i> <i>Building Code of Australia</i> <i>Interim Planning Scheme 2013</i>
ATTACHMENTS (IF APPLICABLE)	N/A

	COMMEMORATIVE SEAT POLICY		
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	28 November 2016	217/16	D447994
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Governance Coordinator	General Manager	5.2.3 - Encourage community action and participation that results in increased well-being and engagement	June 2017
PURPOSE	This Policy stipulates guidelines regarding the placement of a commemorative seat within a public open space in Devonport, that commemorates individuals, organisations, businesses or clubs who have made a significant contribution to the community or to recognise a significant milestone.		
SCOPE	This Policy applies to all applications for Commemorative Seats and/or plaques to be located within Devonport.		
POLICY	<p>1. Objective: This Policy provides an opportunity to:</p> <ul style="list-style-type: none"> • Recognise individuals, organisations, businesses and/or clubs who have made a significant contribution to the Devonport community, or a significant milestone. • To provide a cost effective and meaningful approach to increasing the supply of street furniture. • To ensure a consistent and managed approach to improving public amenity/street furniture and open space. <p>2. Applications: All applications must be submitted in writing using the 'Application for Commemorative Seat' form and will be reviewed by Council's Governance Department. Formal approval will be given by Council. This Policy is discretionary in that no precedent will be set and each application will be determined on an individual basis. Council is under no obligation to accept an applicant's proposal. Applications for Commemorative Seats will not be accepted if a person, event or place is already memorialised.</p> <p>3. Assessment Criteria: Council will consider applications for the installation of a Commemorative Seat where:</p> <ul style="list-style-type: none"> • it recognises individuals, organisations, clubs or businesses who have made a significant contribution to the Devonport community; • the location of the seat does not compromise existing Council policies or development plans for the long term maintenance or upgrading of the respective open space. 		

	<p>An assessment of associated risks involved in commissioning, erecting and maintaining the Commemorative Seat will be undertaken by Council's Risk and Compliance Coordinator, and will form part of the decision-making process.</p> <p>If deemed necessary, stakeholder and community consultation may be undertaken, where relevant, to provide information and enable feedback and advice on the proposed Commemorative Seat.</p> <p>4. Provision of Commemoratives Seats:</p> <p>Sponsorship of the supply of street furniture by a private individual's family, organisations, clubs or businesses for the purpose of a commemoration is encouraged as a way of increasing the supply of street furniture for the community's use.</p> <p>The cost of purchasing and installing the Commemorative Seat shall be borne by the applicant and upon replacement/erection, the Commemorative Seat shall become the property of the Devonport City Council.</p> <p>Council reserves the right to remove the Commemorative Seat, without referral or compensation, should the seat fall into disrepair, become vandalised, or pose a risk to the public.</p> <p>5. Location:</p> <p>Opportunities for the placement of seats includes:</p> <ul style="list-style-type: none"> • Public gathering places; • Places of quiet solitude for individuals; • resting places for pedestrians, especially the aged and parents with children. <p>Seats should be located in positions of relative and perceived safety.</p> <p>Consultation will be undertaken with the applicant to assess preferred siting, however, the siting of infrastructure is to be at the discretion of Council, after giving consideration to master plans, site management plans, traffic and pedestrian mobility, risk and public safety.</p> <p>Any application which includes a proposed specific site for the commemorative seat, must demonstrate justification for the memorial being in that specific location.</p>
LEGISLATION AND RELATED DOCUMENTS	Public Open Space Strategy Public Art Policy "Park Furniture Register" (D444435)
ATTACHMENT/S (IF APPLICABLE)	Commemorative Seat Procedure Commemorative Seat/Plaque Application Form

COMMEMORATIVE SEAT PROCEDURE

	<h2>COMMEMORATIVE SEAT PROCEDURE</h2>
<p>1. Provision of Commemorative Seats/Plaques:</p> <p>A particular location may be requested for the installation of a Commemorative Seat, however final approval rests with Council. All costs associated with the purchasing and installation of the seat are to be borne by the applicant.</p> <p>Council's Infrastructure and Works department will arrange for the purchase and installation of the seat, with associated expenses to be on-charged to the applicant prior to its installation.</p> <p>Where Council allocates a specific location, this location will be held for a period of 60 days.</p> <p>If a plaque is to be mounted on the Commemorative Seat, it must be:</p> <ul style="list-style-type: none"> • restricted to a maximum dimension of 120mm x 80 mm; • made of stainless steel; • up to 3mm in thickness; • limited to 20 words. <p>Costs for purchasing the plaque and its engraving will also be borne by the applicant. Only one plaque per seat is to be affixed, unless Council deems otherwise. Council will be responsible for affixing any plaques to the seating, with the cost being borne by the applicant.</p> <p>2. Specifications for Commemorative Seats:</p> <p>The following conditions will apply to all commemorative seats located within the Devonport municipality:</p> <ul style="list-style-type: none"> • All Commemorative Seats must be approved by Council. • Commemorative Seats must be ergonomically designed to provide comfort and ease of use (particularly for the elderly and very young). Armrests are required. • Materials should maximise comfort, amenity and safety. • Seats should provide for maximum flexibility to enable a variety of configurations (e.g. with/without backrests, straight/curved). • Fixtures and fittings should be unobtrusive and tamper resistant. • Design should minimise opportunities for vandalism and/or graffiti (e.g. accessible surface areas should be minimised and metal rails should not be accessible to discourage skateboard or other non-permitted use). • Commemorative Seats installed in close proximity to the sea/water should consider the corrosive action of sea air and wind. • Pending design elements, the Seat may be assessed against Council's Public Art Policy. <p>3. Location:</p> <p>The positioning of Commemorative Seats should avoid the following:</p> <ul style="list-style-type: none"> • Unwanted proximity between individual users of a single seat. • Forced eye contact between seat users. • Surface treatments surrounding seats should provide ease of access for those with disabilities. Consideration should be given to providing access for wheelchair users to draw up at the end of seats. 	

COMMEMORATIVE SEAT PROCEDURE

Positioning will consider the following:

- A clear 180-degree line of sight when in open space.
- A protected back when in a confined space.
- Safe lighting levels.
- Clear movement areas.

Seats will be located to:

- Maximise available shade in summer.
- Minimise undue noise.
- Minimise prevailing wind conditions.
- Maximise shelter from rain.

Consideration will be given to the outlook, including:

- An interesting outlook/view.
- Views of the "passing parade".
- Options for more than one vista.

Seats should also be located with a clear line of sight to litter bins.

COMMEMORATIVE SEAT APPLICATION FORM



DEVONPORT CITY COUNCIL
COMMEMORATIVE SEAT/PLAQUE APPLICATION FORM

A complete form is to be returned by email or post.

Devonport City Council
 PO Box 604
 Devonport TAS 7310

Email: council@devonport.tas.gov.au

The Devonport City Council provides residents, organisations, clubs or businesses with the opportunity to commemorate significant contributions to the City of Devonport, or recognise significant milestones or achievements through the placement of a Commemorative Seat and/or plaque in a public open space within the Devonport municipality.

APPLICANTS DETAILS			
NAME:			
ADDRESS:			
			POSTCODE:
POSTAL ADDRESS (IF DIFFERENT FROM ABOVE):			
			POSTCODE:
TELEPHONE:			MOBILE:
EMAIL:			

MEMORIAL/COMMEMORATION
NAME OF INDIVIDUAL/S, ORGANISATION, CLUB OR BUSINESS:
CONTRIBUTION TO THE DEVONPORT COMMUNITY:

PLAQUE DETAILS (IF APPLICABLE)
PLEASE DETAIL THE EXACT WORDING YOU WOULD LIKE TO APPEAR ON THE PLAQUE:
NOTE: You may wish to liaise with your local engraver to ensure your chosen wording will fit the plaque size. The Devonport City Council takes no responsibility in this regard and approves this application on the basis that the applicant has taken this into consideration.

DEVONPORT CITY COUNCIL -
 COMMEMORATIVE SEAT/PLAQUE APPLICATION FORM

COMMEMORATIVE SEAT APPLICATION FORM

LOCATION DETAILS
DO YOU HAVE A PREFERRED LOCATION WHERE YOU WOULD LIKE THE COMMEMORATIVE SEAT AND/OR PLAQUE PLACED, AND IF SO, PLEASE PROVIDE JUSTIFICATION FOR YOUR REQUEST:
If location is not deemed suitable by Council due to operational circumstances and Policy compliance, an alternative available site will be suggested for consideration

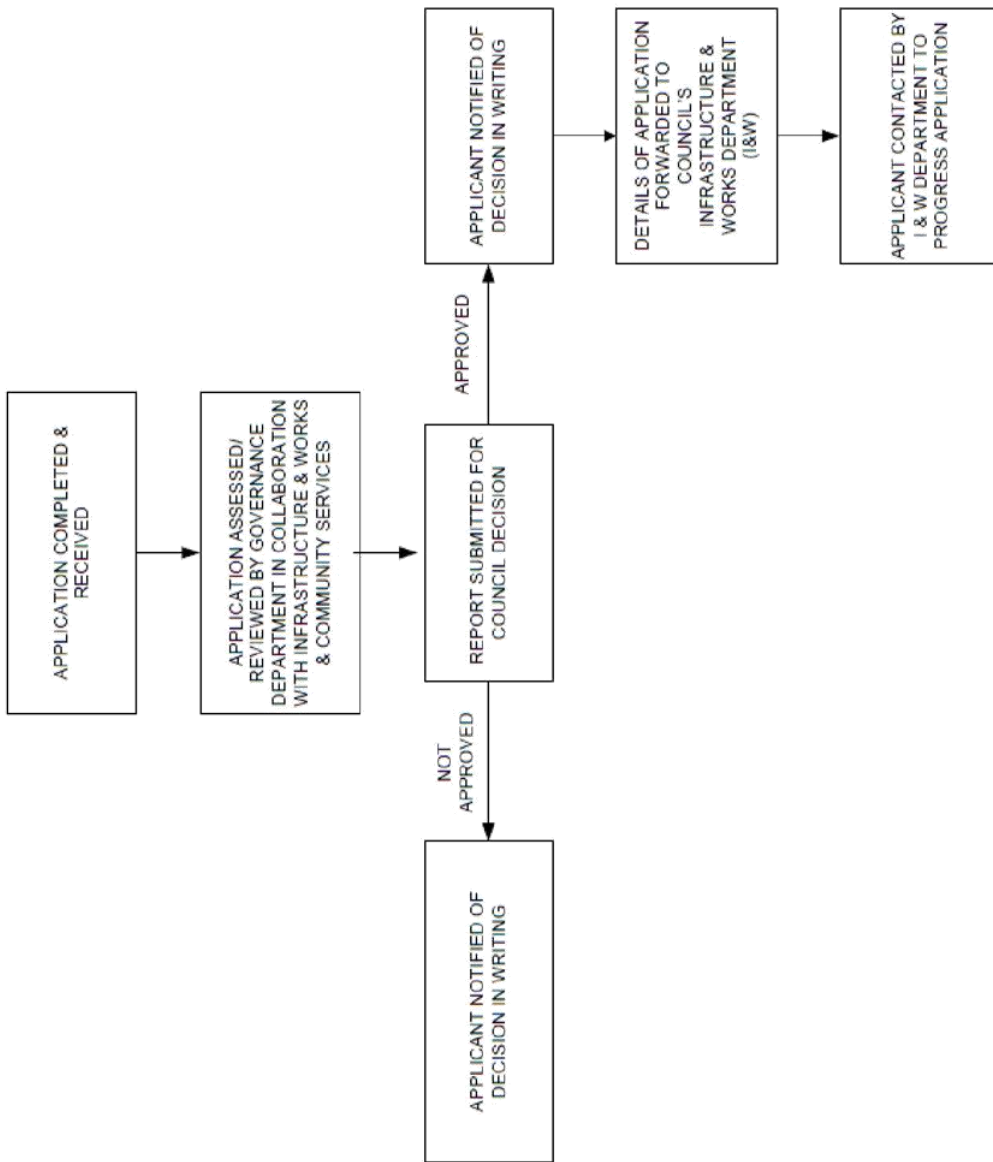
DEVONPORT CITY COUNCIL APPROVAL
This Application has been approved in accordance with the Commemorative Seat Policy and Council Resolution: (Resolution Number and Date Endorsed)
The following additional conditions have also been applied to this Application (if applicable):
The following seat/location has been designated for this plaque, which will be held for a period of 60 days. Should a plaque and this application not be returned to the Council within this timeframe, the Council reserves the right to reallocate this seat and award the location to another applicant, if requested.


AUTHORISATION:
Signed: Date:.....
General Manager

CHECKLIST:			
ACTION:	DATE:	ACTION:	DATE:
Applicant advised of outcome		Council Resolution No & Date of Meeting	
Plaque Wording Approved YES/NO		Plaque returned to DCC	
Location Approved YES/NO		Plaque affixed to Seat	
Application Approved		TRIM Reference:	
Returned to Applicant			



COMMEMORATIVE SEAT APPLICATION FLOWCHART



 <h2 style="text-align: center;">COMMUNITY, CHILDCARE & COMMERCIAL LEASE POLICY</h2>			
POLICY TYPE (COUNCIL OR MANAGEMENT)	POLICY ADOPTED (DATE)	MINUTE NUMBER (IF COUNCIL POLICY)	POLICY DOCUMENT NUMBER (TRIM)
Council	22 June 2015	117/15	DS66669
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Governance Coordinator	General Manager	5.3.1 – Review and amend governance structures, policies and procedures to adapt to changing circumstances	June 2017
PURPOSE	To establish a consistent and equitable approach to the development of leases and licences from Council to community groups, childcare facilities and commercial tenants.		
SCOPE	<p>All community groups and commercial tenants who lease Council owned buildings, or who conduct their operations on <u>or from</u> Council owned or leased land. The terms and conditions of this Policy will be applied to all new lease and licence agreements and upon the renewal of any existing lease or licence arrangements.</p> <p>The conditions of this Policy will not be varied unless it is essential to meet the special needs of the property or <u>lessee</u>.</p>		
POLICY	<p>1. Community Groups and Organisations:</p> <p>1.1. Organisations whose primary objective is to serve the community (including service clubs and community based agencies) are supported by Council. Council recognises the benefit of supporting community groups and organisations.</p> <p>2. Child Care:</p> <p>2.1. Child Care facilities <u>refer</u> to Council owned buildings that are utilised to care for children. <u>Council acknowledges the not-for-profit status of these child care facilities.</u></p> <p>3. Full Commercial Use:</p> <p>3.1. Full Commercial use property <u>refers</u> to Council owned buildings or land intended to generate <u>income</u>. Council has a number of properties that are leased on fully commercial terms.</p> <p>4. Private Licence Agreements:</p> <p>4.1. Businesses, landowners and/or residents who licence Council land for exclusive private purpose, may also be charged a fee.</p> <p>5. Fee Schedule/Determination of Rent:</p> <p>5.1. <u>Community groups:</u> The amount payable for community groups will be reviewed annually and form part of Council's Fees and Charges. This rate will commence at a peppercorn rental (if demanded).</p> <p>5.2. <u>Childcare facilities:</u> Childcare facilities will be charged an amount equalling 50% of the rates charged against the property per annum.</p>		

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	<p>5.3. <u>Commercial properties:</u> Commercial tenants will be charged rental at a market rate determined by Council's external property management advisors.</p> <p>6. <u>Validation of Lease Agreement:</u> 6.1. Council land and/or buildings shall only be occupied pursuant to a formal signed lease. Failure to validate the lease agreement by signature may result in the discontinuation of lease negotiations with the lessee. Once lease terms have been finalised, Council reserves the right to commence rental charges even if the agreement remains unsigned. If the lease remains unsigned for a period of more than 30 days, 90 days notice to vacate the premises (building and/or land) will be given to the tenant who currently occupies the premises.</p> <p>7. <u>Risk Management Obligations:</u> 7.1. <u>Lessees</u> of Council owned or managed buildings will be required to have Public liability insurance for a minimum of \$20 million. A copy of the organisation's Certificate of Currency is to be provided to Council at the commencement of the agreement, upon a lease renewal, and annually for the duration of the lease. It is the responsibility of the <u>lessee</u>, in conjunction with Council, to ensure the minimisation of all risks including public safety, hazardous materials and waste removal. The <u>lessee</u> is also required to comply with emergency evacuation procedures and risk management practices at the direction of Council.</p> <p>8. <u>Maintenance Schedules/Issues:</u> 8.1. Prior to an agreement being made, a condition statement shall be produced to determine the condition of the facility, and maintenance responsibilities determined. Maintenance schedules have been developed to ensure consistency and clarity regarding maintenance of Council premises and stipulate responsibilities of both Council and <u>the lessee</u>. Where an organisation has exclusive use of a Council <u>owned</u> facility, there is an expectation that they assist in funding maintenance costs and contribute towards capital improvement of the facility. Where improvements on the leased land are owned by the lessee, they have sole responsibility for internal and external maintenance.</p> <p>9. <u>Term:</u> 9.1. Lease agreements will be granted for a period of no more than five years, with a further <u>five-year term option offered</u>.</p>	
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		Commented [CJ1]: BMS documents will be reviewed every five years in line with the term of the agreement, or as required, i.e. following significant building or infrastructure amendments
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	<p>10. Rent Reviews/Increases:</p> <p>10.1. Rental fees for community groups and childcare facilities will be reviewed annually in conjunction with budget preparation and the setting of annual rates, fees and charges.</p> <p>Commercial properties may be subject to periodic market reviews/evaluations.</p> <p>Council reserves the right to amend the rental if a lessee gains access to other commercial means of income, other than fundraising, that is generated during the term of the agreement.</p> <p>11. Outgoings:</p> <p>11.1. Lessees will be responsible for the costs of all utilities, including electricity, phone and all other outgoings related to the property including water usage charges. Lessees of commercial properties will be responsible for all outgoings.</p> <p>11.2. Council will be responsible for water and sewerage service charges; rates (100% of annual rate charges for community groups; 50% of annual rate charges for child care facilities); and land tax for community groups and child care facilities.</p> <p>12. Determination of Leases:</p> <p>12.1. When a facility or building premises becomes vacant, Council will consider the ongoing future use of the premises in determining a suitable tenant. Factors to consider include: most appropriate use; local community needs; activities within the community that are unrepresented or under-represented; historical connection to the facility/location; and Council's strategic direction.</p> <p>12.2. Tenancy of Council's commercial properties/premises will be determined by tenders or expression of interests.</p> <p>13. Sub Leases:</p> <p>13.1. Terms and conditions of any sub-lease must be in accordance with the terms and conditions of the head lease, including the length of the lease. Council may require the sub-lessee to contribute to charges incurred by Council from Crown or third party, for the head lease.</p> <p>Lessees who wish to sub-let the leased premises are required to seek written permission from Council prior to making such arrangements.</p> <p>Any group to whom a property is sub-let to must provide Council with a copy of their Certificate of Currency, and must have public liability insurance of at least \$20million.</p> <p>Any subleasing arrangements made must not extend beyond the term of the head lease.</p> <p>14. Other Provisions:</p> <p>14.1. Other lease provisions may be negotiated as required.</p> <p>15. Delegation and Signing:</p>	<p>Deleted: also</p> <p>Deleted: tenant</p> <p>Deleted: Tenants</p> <p>Deleted: Taswater</p> <p>Deleted: remain</p> <p>Deleted: H</p> <p>Deleted: L</p> <p>Deleted: 1</p>
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	<p>15.1. The General Manager is delegated by Council to finalise and sign lease agreements.</p> <p>15.2. An authorised signatory of the <u>lessee</u> will be required to execute the lease and a copy of the agreement, once duly executed by both parties, will be returned to the <u>lessee</u> for their safekeeping. The other copy will be recorded as a Legal Document by Council and placed in the Legal Document Register.</p> <p>16. Legislation and Statutory Compliance:</p> <p>16.1. It is necessary for <u>lessees</u> and Council in the development of lease agreements, to ensure compliance with Council's corporate and statutory responsibilities.</p> <p>Legislative requirements need to be determined and stipulated in the lease. Compliance may also extend to the obtaining of permits from Council; liquor licensing requirements; place of assembly licences; adherence to food handling guidelines; and relevant Council by-laws.</p>
<p>LEGISLATION AND RELATED DOCUMENTS</p>	<p>Local Government Act 1993 Local Government (Building and Miscellaneous Provisions) Act 1993 Building Act 2000 Building Regulations 2004 Public Health Act 1997 Food Act 2003 (if applicable) Place of Assembly Licence (if applicable) Food Licencing (if applicable)</p>
<p>ATTACHMENTS (IF APPLICABLE)</p>	<p>N/A</p>

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 <h2 style="text-align: center;">COMMUNITY ENGAGEMENT POLICY</h2>			
POLICY TYPE (COUNCIL OR MANAGEMENT)	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM)
Council	27 July 2015	152/15	D375756
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Cultural & Community Development Manager	Executive Manager Corporate, Community & Business Services	5.2.1 – Review policies and implement initiatives to ensure meaningful, two-way communication and consultation with the community	June 2019
PURPOSE	To outline a framework for community engagement activities conducted by Council, other than notification and consultation in accordance with statutory requirements.		
SCOPE	This policy applies to <u>Aldermen, employees, volunteers, consultants and contractors in the course of Council's operations requiring community engagement.</u> It outlines the principles underpinning Council's engagement activities with the community and the methods which Council may use.		
DEFINITIONS	<p><u>Definitions:</u> To assist in the interpretation the following definitions shall apply: <u>"Aldermen" shall mean the Mayor and Aldermen of Devonport City Council.</u> <u>"Community Engagement" shall mean a planned process with the specific purpose of working with identified groups of people whether they are connected by geographic location, special interest or affiliation, to address issues affecting their wellbeing. The approach is based on a spectrum of engagement from inform, consult, involve, collaborate and empower, as defined by the International Association for Public Participation (IAP2).</u> <u>"Council" shall mean Devonport City Council.</u> <u>"IAP2" shall me International Association for Public Participation (IAP2).</u> <u>"Stakeholder" shall mean any individual, group of individuals, organisations or entities that have or feel they have an interest, can affect or be affected by an outcome of issue or decision.</u></p>		
POLICY	<p>Council recognises that community engagement and participation processes are an important part of democracy. Effective engagement is good practice and critical to good local government.</p> <p>1. The benefits of engagement include, but are not limited to:</p> <ul style="list-style-type: none"> • Increased community awareness of Council's services, planning and program delivery; • Increased awareness across Council of community views and the issues that should be considered as part of decision making; • Increased awareness of the needs, priorities and diversity of the local community, which in turn ensures that Council's service provision and planning functions are aligned appropriately; 		

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Council's approach to community engagement is based on the following five levels of engagement:¶

- Informing;¶
- Consulting;¶
- Involving;¶
- Collaborating; and¶
- Empowering.

- Increased level of community ownership and acceptance of decisions;
- Council and community working together to address local issues;
- Potential for time, resource and cost savings for Council;
- A tool to assist in managing reputational risk.

The level of community engagement undertaken relates directly to the level of community involvement required, and should always be appropriate to the nature, complexity and impact of the issue, plan or strategy.

Council will endeavour to ensure that its engagement processes are appropriate, accessible, well planned and adequately resourced.

2. Principles:

The following principles will underpin Council's approach to community engagement.

a) Open and inclusive

- Recognise community participation as a right of all citizens and an integral component of informed decision making;
- Create, support and promote opportunities for the community to actively participate;
- Encourages involvement from a wide cross section of the community using engagement processes that are accessible and inclusive;
- Openness and a commitment to ensuring that the community is well informed of Council's service delivery and decision making processes.

b) Mutual trust, respect and accountability

- Treat all participants in the engagement process with respect and dignity;
- Approach engagement from an impartial perspective, free from bias toward any stakeholder involved in the process;
- Is accountable, accessible and ethical in all dealing with the community.

c) Engage early and be clear

- Seek early engagement and regularly involves the community in decision making;
- Communicate clearly the objectives of the engagement process and provide community members with all available and relevant information as part of the engagement process to ensure informed discussions;
- Communicate the parameters of the engagement process with participants from the outset including legislative requirements, Council's sphere of influence, conflicting community views, policy frameworks and context, budget restraints etc;
- Acknowledge that planning is a critical process to deliver successful outcomes and is committed to developing and implementing community engagement plans.


d) Consideration and feedback

- Committed to demonstrating that Council have considered all community contributions and relevant data,

Deleted: In circumstances where the involvement requires members of the public to make submissions to Council, all submissions received will be regarded as public and made available for general access, including personal details (e.g. name, address, email address etc, unless there are overriding public interest considerations against the disclosure of the personal details – refer to Public Interest Disclosure Act 2002).

	<p>prior to making any decisions that affect the local community;</p> <ul style="list-style-type: none"> Committed to providing participants with feedback at key stages throughout the projects and upon completion and how community input influenced the decision. <p>e) Skills and resources</p> <ul style="list-style-type: none"> Endeavour to ensure that sufficient timeframes and adequate resources are allocated to engagement processes; Co-ordinate its community engagement processes where possible to optimise resources ensure efficiency and avoid duplication. <p>3. Community Engagement Framework: <u>This policy forms part of a broader Community Engagement Framework, which includes the following elements:</u></p> <ul style="list-style-type: none"> <u>This Community Engagement Policy;</u> <u>Community Engagement Matrix; and</u> <u>Community Engagement Toolkit.</u> <p>4. Privacy:</p> <p><u>a) General</u> <u>Personal information obtained during and as a result of community engagement will be managed in accordance with the Personal Information Act 2004.</u></p> <p><u>b) Public Submissions</u> <u>In circumstances where the involvement requires members of the public to make submissions to Council, all submissions received will be regarded as public and made available for general access, including personal details (e.g. name, address, email address etc., unless there are overriding public interest considerations against the disclosure of the personal details – refer to Public Interest Disclosure Act 2002).</u></p> <p>5. Reporting <u>Reports submitted to ordinary Council meetings and Council Section 23 Committee meetings shall include a standard reporting section on Community Engagement.</u></p>
<p>LEGISLATION AND RELATED DOCUMENTS</p>	<p>Local Government Act 1993 Public Interest Disclosures Act 2002 Personal Information Act 2004 Quality Assurance Standard For Community and Stakeholder Engagement, IAP2, 2015 Community Engagement Matrix Community Engagement Toolkit Communication and Media Policy Model Code of Conduct Policy Risk Management Framework Customer Service Charter</p>
<p>ATTACHMENTS (IF APPLICABLE)</p>	<p>N/A</p>

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		<h2>COMPLAINT HANDLING POLICY</h2>	
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	27 July 2015	152/15	D378079
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Customer Services Coordinator	Executive Manager Corporate, Community & Business Services	5.4.3 – Manage customer requests and complaints with a view to continual improvement of service delivery	June 2019
PURPOSE	To ensure standardised method of responding to, recording, reporting and using complaints to improve service to the community.		
SCOPE	<p>This Policy recognises that effective complaint handling is central to providing quality service.</p> <p>An organisation is often judged by the way in which complaints are handled. The benefit to Council includes being able to identify areas needing improvement, creating a second chance to provide service to the satisfaction of a dissatisfied customer and an opportunity to strengthen public support for the Council.</p>		
POLICY	<p>1. Why do people complain?</p> <p>Complaints are often made because someone is dissatisfied with a decision, the level of service or the conduct of a Council Officer. Many complaints occur simply because of poor communication or as a result of inadequate publicity about the services provided and the policies of the Council. Many complaints can be resolved in the first instance by explaining how a decision came about or outlining a particular policy. At times it may be appropriate to provide a complainant with a copy of the relevant policy for their information. Most complaints are specific and actionable and can be easily resolved.</p> <p>2. Complaints Defined:</p> <p>A 'Complaint' is defined as an expression of dissatisfaction, however made, about the standard of service, action or lack of action by Council, which can be investigated and acted upon where no right of appeal or review is available under any other legislation. In some instances, legislation specifically makes provision for an appeal, or an internal or external review of a decision.</p> <p>Complaints often fall into one of four basic types:</p> <ul style="list-style-type: none"> • Decisions made by Council; <ul style="list-style-type: none"> a. Complaints alleging a decision was beyond the powers of the Council or that it was made without following due process; or b. Complaints alleging that with knowledge of all available information no reasonable person could have reached the decision made regarding the issue. • The inappropriate behaviour of staff such as rudeness, discrimination or harassment; • Allegations that the stated standard of service of Council has not been met or was of inferior quality; and 		

	<ul style="list-style-type: none"> • Decisions of officers. <p>Most initial contacts with Council are not complaints and can be dealt with through the action request processes. In such instances, the issue will not be registered as a complaint:</p> <ul style="list-style-type: none"> • Requests for services (initial contact with the Council, unless the request is assessed by the relevant Manager that the issue is significantly important or sensitive to warrant immediate registration as a complaint and unless Council officers failed to complete actions to which they had indicated they would complete); • Requests for information or explanations of policies or procedures; • The lodging of an appeal in accordance with standard procedure or policy; • An appeal or request for internal or external review of a decision for which a structured process applies; • An expression concerning the general direction and performance of Council; • Disagreement with a policy of the Council; • Reports of damaged or faulty infrastructure; and • Reports about neighbours, noise, dogs, nuisances, unauthorised building work or similar issues that fall into the regulatory aspect of Council's responsibilities. <p>3. Lodging a Complaint: A formal complaint may be lodged:</p> <ul style="list-style-type: none"> • In person - at the counter or at a prearranged meeting with a relevant Manager; • By phone; and • In writing via email, letter or Council's website. <p>To assist Council in dealing with a complaint a customer should include the following:</p> <ul style="list-style-type: none"> • Name and address (including contact details); • Date, times and location of events; • What happened/ a description of the event; • To whom the customer has spoken to within Council; • Copies or references to letter or documents relevant to the complaint; and • State what the customer hopes to achieve as an outcome to the complaint. <p>4. Complaints Management:</p> <p>4.1. Complaints Management Process In most instances, the Manager of each Department of Council is to handle complaints relevant to their specific area of responsibility.</p> <p>While most problems can usually be resolved promptly, there are times when they may require detailed investigation. If a complaint is of a serious nature, it will be referred directly to the General Manager.</p> <p>For complaints made about a decision of Council an explanation of the facts, policy and reasons for the decision is to be given to the complainant. If the decision is found to have</p>
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	<p>been made without following due process or without all of the available information, it will be referred back to the appropriate manager for review.</p> <p>If an Alderman has submitted a complaint on a customer's behalf a status report will also be provided to the Alderman.</p> <p>Complaints against staff will be handled with discretion and will be notified to the General Manager. Any disciplinary action will be determined as a result of a complaint will be undertaken in line with Council's disciplinary procedures.</p> <p>5. Response Times: Every effort is to be made when dealing with complaints to:</p> <ul style="list-style-type: none"> • Acknowledge the complaint within five (5) working days; and • Resolve the complaint and provide a response within ten (10) working days. <p>If complex investigations are required the response will provide an indication of the timeframes associated with the investigation process and contact information for the complainant to obtain feedback on the status of the complaint.</p> <p>6. Consideration of a Complaint: In considering a complaint the responsible manager will:</p> <ul style="list-style-type: none"> • Examine and analyse the information already available and follow up points requiring clarification; • Review Council policies which might have a bearing on the complaint; • Consider whether or not the Council is at fault; • Consider any necessary action to be taken to correct any issues identified. Ensure that any remedy given to resolve a complaint is appropriate and reasonable; • Consider a review of the Council's procedures to avoid recurrence of any similar complaint in the future if necessary. <p>Where considered appropriate the relevant manager may attempt mediation on a complaint with a view to resolution.</p> <p>7. Treatment of Complainants: Complaints are to be treated, respectfully, professionally and with confidentiality.</p> <p>8. Vexatious Complaints: All complaints received by Council will be treated with seriousness. If a complaint is determined to be malicious, frivolous or generated purely to cause annoyance the matter will be referred to the General Manager for review and response.</p> <p>9. Anonymous Complaints: Anonymous complaints will generally only be acted upon where the matter is considered to be serious and there is sufficient information in the complaint to enable an investigation to be undertaken.</p> <p>10. Protection of Customer: Personally identifiable information concerning the complainant will be available only as needed for the purposes of addressing the complaint.</p>
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	<p>11. Registration and Reporting of Complaints: An integral part of the complaint policy is the requirement for all complaints received by Council to be registered into a central database for tracking and follow-up.</p> <p>Council will be provided with a report at least once a year of the number and nature of complaints received in accordance with section 339F(5) of the <i>Local Government Act 1993</i>.</p> <p>The Executive team will review the complaints register on a regular basis.</p> <p>12. Responsibility for Dealing with Complaints:</p> <p>12.1. Council Officers</p> <ul style="list-style-type: none"> • Receive complaints whether in writing, by facsimile, email, internet, or in person; • Record detailed information of the complaint; • Refer details of the complaint electronically for registration in Council's records system; • Inform the appropriate manager of the receipt of a complaint and any initial action taken; and • Take remedial action as authorised by a manager. <p>12.2. Managers Managers are responsible for the same actions as detailed above, with the addition of:</p> <ul style="list-style-type: none"> • Review remedies carried out and recommended; • Ensuring responses are made within the required times; • Ensuring complaint and responses are appropriately recorded; • Report information or recommendations for changes of policy and procedures to the General Manager; and • If a complaint is directed towards more than one issue, then following registration co-ordinate a combined response so the complainant receives only one reply addressing all of the issues if appropriate. <p>13. Customer Dissatisfaction with Complaint:</p> <p>13.1. Internal Review The majority of complaints can usually be resolved by the relevant manager. However, a person who is not satisfied with the outcome may request a review of the complaint by the General Manager. A request for a review of the complaint by the General Manager is to be in writing.</p> <p>13.2. Further Investigation If a complaint remains unresolved or a customer is dissatisfied with the process in dealing with a complaint other avenues remain for the customer to consider. Customers can also contact external agencies which can review actions and decisions taken by the Council. These include:</p> <ul style="list-style-type: none"> • The Ombudsman who is an officer responsible to Parliament for investigating complaints made about administrative actions (or inactions) of Tasmanian Government Departments, most Statutory Authorities and Local Government. The Ombudsman is located at Ground
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	<p>Floor, 99 Bathurst Street, Hobart, 7000, phone free call 1800001170, email ombudsman@ombudsman.tas.gov.au</p> <ul style="list-style-type: none"> • Local Government Division, Department of Premier and Cabinet, Level 5, 15 Murray Street, Hobart (GPO Box 123 HOBART 7001), phone (03) 6232 7022, email lgsem@dpac.tas.gov.au • Integrity Commission, Surrey House, Level 2, 199 Macquarie Street Hobart (GPO Box 822 Hobart 700), phone 1300 720 289, e mail integritycommission@integrity.tas.gov.au <p>While a customer is entitled to refer a complaint directly to these bodies at any time, customers are encouraged to allow the Council to investigate the complaint first.</p>
LEGISLATION AND RELATED DOCUMENTS	<p><i>Personal Information Protection Act 2004</i> <i>Right to information Act 2009</i> <i>Local Government Act 1993</i> Council's Customer Service Charter Council's Dealing With Difficult Customers Policy</p>
ATTACHMENT/S (IF APPLICABLE)	N/A

		<h2>CREDIT CARD POLICY</h2>	
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM)
Council	25 May 2015	100/15	D369216
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Accountant	Executive Manager Organisational Performance	5.5.1 – Provide financial services to support Council's operations and meeting reporting and accountability requirements	June 2019
PURPOSE	The purpose of this Policy is to provide guidance on the provision and use of Council credit cards.		
SCOPE	This Policy applies to any person who has been issued with a Council credit card.		
POLICY	<p>1. Policy:</p> <p>1.1. The use of Council credit cards is governed by conditions set out in this Policy, the relevant Cardholders' Responsibility Statement issued by the Credit Card Provider and the associated Cardholder Agreement.</p> <p>1.2. Council's Mayor, by virtue of Clause 7.3 of the Payment of Aldermen's Allowances, Expenses and Provision of Facilities Policy, is authorised to be provided with a Council credit card for use on Council business.</p> <p>1.3. This Policy authorises the issue of a Council credit card to the General Manager.</p> <p>1.4. The General Manager is delegated the authority to arrange Council credit cards for relevant members of staff.</p> <p>1.5. Council credit cards are only to be used for purchases directly related to Council business.</p> <p>1.6. Under no circumstances, with the exception of those covered in Clause 1.7, are personal purchases to be made using the Council credit card.</p> <p>1.7. There may be times when hospitality related purchases include a personal component (i.e. meals whilst on official travel for an accompanying partner) and these costs will be recovered from the Cardholder.</p> <p><u>1.8. Council credit cards should only be used for the purchase of fuel in emergency situations (Council obtains a substantial discount off the bowser price when fuel is purchased using a Corporate Fuel Card).</u></p> <p><u>1.9. Infringements and fines are not to be paid for by Council credit card, they are the responsibility of the individual who incurred the fine.</u></p> <p>2. Cardholder Responsibilities:</p> <p><u>2.1. The cardholder is to read and sign the acknowledgement form issued by the Finance Team prior to the Credit Card being issued.</u></p>		

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	<p>2.2. The Cardholder is responsible for all transactions for which their credit card is used.</p> <p>2.3. The Cardholder is responsible to ensure that their Council credit card is maintained in a secure manner and guarded against improper use.</p> <p>2.4. The Cardholder is responsible to ensure that all documentation regarding transactions on their Council credit card is obtained and produced as part of the reconciliation procedure.</p> <p>2.5. The Cardholder is responsible for ensuring that all purchases are made within their delegated expenditure limits.</p> <p>2.6. The Cardholder is responsible to ensure that their credit limit is not exceeded.</p> <p>2.7. The Cardholder is responsible to ensure that purchases on their Council credit card are made in accordance with Council's Code for Tenders and Contracts and Purchasing Policy.</p> <p>2.8. The Cardholder is responsible to ensure that the reconciliation of their credit card statement supplied by the card provider is completed and returned to the <u>Finance Team</u> within seven days of issue.</p> <p>2.9. Cardholders are authorised to allow other employees to use the credit card issued to them. The cardholder remains responsible for ensuring compliance with this policy and ensuring that the card user is made aware of the policy. The card user will provide all documentation relating to the purchase within 3 business days of making the purchase.</p> <p>3. Reconciliation Procedures:</p> <p>3.1. Each transaction is to be supported by a tax invoice stating the type of goods purchased, amount of goods purchased and the price paid for the goods. The tax invoice shall meet the requirements of the A New Tax System (Goods and Services Tax) Act 1999 to ensure an input tax credit can be claimed.</p> <p>3.2. It is the cardholders responsibility to ensure that credit card transactions are allocated to the relevant ledger account.</p> <p>3.3. If no supporting documentation is available, the Cardholder will provide a declaration detailing the nature of the expenditure and must state on that declaration that "all expenditure is of a business nature".</p> <p>3.4. When the Cardholder uses their Council credit card to provide food or beverages at a social function, etc. the number of people attending and the number of those who are employees must be indicated in writing on the tax invoice in order to ensure that Council complies with the Fringe Benefits Tax Assessment Act 1986.</p> <p>3.5. The Cardholder shall sign in the relevant section of the credit card statement.</p> <p>3.6. The Cardholder will ensure that the entire expenditure on the credit card statement is authorised by signature of their direct supervisor.</p>
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3.7. The General Manager's credit card expenditure will be authorised by the Deputy General Manager in the Purchase Card System. The Mayor will also review the General Manager's credit card statement each month.

3.8. The reconciliation process is to be completed by the 24th day of the month or next working day.

4. **Cash Advances:**
4.1. Under no circumstances is a Council credit card to be used for cash advances.

5. **Lost, Stolen and Damaged Cards:**
5.1. The loss or theft of a Council credit card must be reported immediately by the Cardholder to the card provider (i.e. Commonwealth Bank) regardless of the time or day discovered. The relevant telephone number is 132 221.
5.2. The Cardholder must also advise the Accountant of the loss or theft of a Council credit card by no later than the next working day.
5.3. Advice of a damaged card is to be provided to the Accountant who will arrange a replacement.

6. **Disputed Transactions:**
6.1. Council is responsible for paying all accounts on the monthly credit card statements and the provider will debit this amount to the Council's bank account at the end of each month.
6.2. The Cardholder will be personally liable for expenditure that cannot be shown to be related to the business of Council.
6.3. The cardholder must notify the Accountant of any unauthorised or suspected fraudulent transactions to enable the transactions to be disputed with the credit card provider which may result in the cancellation and replacement of the card.
6.4. The General Manager will be the ultimate arbiter of disputed transactions involving staff. Where the disputed transaction involves the General Manager the ultimate arbiter will be the Mayor.

7. **Ceasing Employment:**
7.1. Council credit cards should be returned to the Accountant as soon as they are no longer required. If the Cardholder is leaving the service of Council, the Council credit card should be returned with all supporting purchase documentation no later than the last day of employment. The Human Resources team check the return of property, including credit cards, prior to an employee's departure as part of their exit interview process.

8. **Other:**
8.1. Infractions of the conditions of this Policy will result in cancellation of the related Council credit card and the withdrawal of credit card availability to the Cardholder.
8.2. A Breach of this Policy will lead to disciplinary action against the staff member concerned.

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If unable to correct the situation, the Cardholder should advise the Assistant Accountant who will attempt to resolve the matter and may have to contact the bank for assistance.¶

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LEGISLATION AND RELATED DOCUMENTS	<i>Local Government Act 1993</i> <i>Local Government (General) Regulations 2005</i> <i>A New Tax System (Goods and Services Tax) Act 1999</i> <i>Fringe Benefits Tax Assessment Act 1986</i> <i>Payment of Aldermen's Allowances, Expenses and Provision of Facilities Policy</i> <i>Code for Tenders and Contracts</i> <i>Purchasing Policy</i>
ATTACHMENTS (IF APPLICABLE)	N/A

	CUSTOMER SERVICE CHARTER POLICY		
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	24 May 2016	98/16	D418485
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Customer Services Coordinator	Executive Manager Corporate, Community & Business Services	5.4 – Council is recognised for its customer service ethos	June 2019
PURPOSE	The Customer Service Charter sets out Council's service standards, and explains what customers can do if we have not delivered a service to that standard. It also provides Council officers with clear standards to adhere to, recognising that a strong customer focus is integral to our work.		
SCOPE	This policy applies to all Council Officers and customers of Council.		
POLICY	<p>1. Who are our Customers: Our customers are any person or organisation that has dealings with Council.</p> <p>2. Our Commitment: Council is committed to engaging with our community, delivering customer focused services that:</p> <ul style="list-style-type: none"> • Are guided by our organisation's values: continuous improvement, innovation, customer satisfaction, leadership, our people, results and accountability; • Are focused on our customer's needs and preferences, as expressed through consultation and feedback; • Ensure information, resources and services are accessible to all; • Respect and protect your personal information and adhere to all legislative privacy requirements; • Are delivered by skilled, motivated and courteous staff; • A standard of presentation and performance which at all times reflects the high quality of service appropriate from Council. <p>3. Helping Us to Help You: To assist in delivering our services we ask customers to:</p> <ul style="list-style-type: none"> • Provide accurate and complete information so we can respond appropriately to your enquiry; • Respect the privacy, safety, needs and rights of other customers; • Respect the community in which we live; • Work with us to solve problems; • Treat our Council officers with courtesy and respect; • Provide us with feedback so we can deliver better services. <p>4. What you can expect from Devonport City Council: At all times we will:</p> <ul style="list-style-type: none"> • Greet you in a polite and friendly manner, and identify ourselves; • Answer and return phone calls promptly; • Serve you promptly at the front counter; • Treat you courteously and with respect; • Listen and respond to your concerns within service standards; • Provide you with necessary and relevant information; 		

- Communicate clearly, and in plain language;
- Act on our commitments in a timely manner;
- Value your privacy by treating all personal information confidentially;
- Be punctual for meetings and appointments;
- Work with you to solve problems and refer you to an appropriate organisation if we are unable to meet your request.

5. Provision of Advice and Information:

Council staff will ensure information and advice to the customer is accurate and current (at the time it is provided), and is provided in accordance with the timeframes set out hereto and complete in form.

Technical, complex or regulatory matters will generally be addressed by senior staff or appropriately qualified staff.

General information and basic enquiries will usually be responded to by the staff member at the point of contact.

Advice will generally be provided by senior or specialist staff with the appropriate knowledge, experience and/or professional accreditation in respect of the subject matter of the advice being offered/provided.

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6. Abusive Customers:

Should you be personally abusive or use bad language, we will terminate the communication with you. If face to face, we may walk away. If by telephone, we may terminate the call. If in email, your address may be blocked.

If we feel threatened by your inappropriate language or behaviour, the Police may be notified.

7. Cessation of Contact:

The General Manager may decide to limit or cease responses to you should you be abusive in your communication with us or if you do not accept that we have done all that we can to assist. A decision of this nature will be communicated to you in writing.

8. Complaint Handling:


Devonport City Council understands that you may be dissatisfied with a level or quality of service, or behaviour of an employee or agent.

Complaints are different from requests for service. Many issues raised with Council are often referred to as 'complaints' when a customer contacts us. The actions we take to resolve many such 'complaints' are 'requests for service' and are an everyday part of Council's role. These will be dealt with separately to the formal complaints management process.

A complaint may be lodged verbally by phone, in person or in writing via a letter, form or email, or via our website.


Complaints are dealt with by the Managers of the relevant area, who will try to resolve the complaint as quickly as possible. Whilst most complaints can be resolved quickly, there are times when detailed investigation is required. If it will take time, we will keep you informed of the progress of your complaint.

	<p>If the complaint is of a particularly serious or complex matter or remains unresolved, then a complaint should be made in writing to the General Manager.</p> <p>Further details on how Council deal with complaints is outlined in our Complaints Handling Policy.</p> <p>9. Our Customer Service Standards: At all times Council will endeavour to meet the following standards:</p> <table border="1" data-bbox="464 483 1305 1294"> <thead> <tr> <th data-bbox="464 483 911 521">REQUESTED SERVICE</th> <th data-bbox="916 483 1305 521">OUR STANDARD</th> </tr> </thead> <tbody> <tr> <td data-bbox="464 528 911 595">Return your phone call</td> <td data-bbox="916 528 1305 595">A response to your telephone message within 3 business days.</td> </tr> <tr> <td data-bbox="464 602 911 692">Reply to written/email/social media/webmaster general requests for service or advice</td> <td data-bbox="916 602 1305 692">Within 10 working days.</td> </tr> <tr> <th data-bbox="464 698 911 736">REQUESTED SERVICE</th> <th data-bbox="916 698 1305 736">OUR STANDARD</th> </tr> <tr> <td data-bbox="464 743 911 804">Any Safety Matter issue reported</td> <td data-bbox="916 743 1305 804">Immediately and up to 24 hours depending.</td> </tr> <tr> <td data-bbox="464 810 911 1099">Complaint Resolution</td> <td data-bbox="916 810 1305 1099">Acknowledged initially and then every effort made to resolve the complaint and provide a response within 10 working days. If complex investigations are required the response we provide you may be delayed, but you will be kept informed of our progress and the relevant contact officer's details.</td> </tr> <tr> <td data-bbox="464 1106 911 1294">Other requests, applications, duties etc with timeframes listed in legislation ie: <i>Local Government Act 1993, Planning Scheme 2013, Food Act 2003, Building Act 2000, Monetary Penalties Enforcement Act 2005, Dog Control Act 2000</i> etc.</td> <td data-bbox="916 1106 1305 1294">Any other requests or timeframes for service that is specified by legislation or Acts etc will be adhered to and where timeframes are not listed, responses will be within 10 days.</td> </tr> </tbody> </table> <p>10. Evaluating and Improving our Performance: Council uses customer satisfaction surveys and community engagement to collect feedback from customers. Council also welcomes feedback at any time. Your feedback helps us monitor and improve our services. You can contact us in person, by phone, email or via our website.</p>	REQUESTED SERVICE	OUR STANDARD	Return your phone call	A response to your telephone message within 3 business days.	Reply to written/email/social media/webmaster general requests for service or advice	Within 10 working days.	REQUESTED SERVICE	OUR STANDARD	Any Safety Matter issue reported	Immediately and up to 24 hours depending.	Complaint Resolution	Acknowledged initially and then every effort made to resolve the complaint and provide a response within 10 working days. If complex investigations are required the response we provide you may be delayed, but you will be kept informed of our progress and the relevant contact officer's details.	Other requests, applications, duties etc with timeframes listed in legislation ie: <i>Local Government Act 1993, Planning Scheme 2013, Food Act 2003, Building Act 2000, Monetary Penalties Enforcement Act 2005, Dog Control Act 2000</i> etc.	Any other requests or timeframes for service that is specified by legislation or Acts etc will be adhered to and where timeframes are not listed, responses will be within 10 days.
REQUESTED SERVICE	OUR STANDARD														
Return your phone call	A response to your telephone message within 3 business days.														
Reply to written/email/social media/webmaster general requests for service or advice	Within 10 working days.														
REQUESTED SERVICE	OUR STANDARD														
Any Safety Matter issue reported	Immediately and up to 24 hours depending.														
Complaint Resolution	Acknowledged initially and then every effort made to resolve the complaint and provide a response within 10 working days. If complex investigations are required the response we provide you may be delayed, but you will be kept informed of our progress and the relevant contact officer's details.														
Other requests, applications, duties etc with timeframes listed in legislation ie: <i>Local Government Act 1993, Planning Scheme 2013, Food Act 2003, Building Act 2000, Monetary Penalties Enforcement Act 2005, Dog Control Act 2000</i> etc.	Any other requests or timeframes for service that is specified by legislation or Acts etc will be adhered to and where timeframes are not listed, responses will be within 10 days.														
LEGISLATION AND RELATED DOCUMENTS	<i>Local Government Act 1993 Personal Information Protection Act 2004 Right to information Act 2009 Council's Complaint Handling Policy</i>														
ATTACHMENT/S (IF APPLICABLE)	N/A														

	DEALING WITH DIFFICULT CUSTOMERS POLICY		
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM)
Council	27 July 2015	152/15	D378100
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Customer Services Coordinator	Executive Manager Corporate, Community & Business Services	5.4.3 – Manage customer requests and complaints with a view to continual improvement of service delivery	June 2019
PURPOSE	<p>Customer satisfaction is one of Council's values however, at times, a customer's demands or expectations may exceed Council's ability to deliver. As a result, this policy explains how Council will deal with customers who:</p> <ul style="list-style-type: none"> • Cannot be satisfied; • Make unreasonable demands; • Constantly raise the same issue with different staff: and/or • Are rude, abusive or aggressive. 		
SCOPE	All employees with potential customer interaction.		
POLICY	<p>1. Customers who cannot be satisfied:</p> <p>Customers who cannot be satisfied include members of the public or groups who do not accept that Council is unable to assist them, provide any further assistance or level of service than has been provided already and/or disagree with the action Council has taken in relation to their complaint or concern.</p> <p>If in the opinion of the General Manager a customer cannot be satisfied and all appropriate avenues of internal review or appeal have been exhausted and the customer continues to write, telephone, email and/or visit Council the following actions may be taken:</p> <p>1.1. The General Manager may write to the customer restating Council's position on the matter if necessary and advising that if the customer continues to contact Council regarding the matter. Council may:</p> <ol style="list-style-type: none"> 1.1.1. not accept any further phone calls from the customer; 1.1.2. not grant any further interviews; 1.1.3. require all further communication to be put in writing; and 1.1.4. continue to receive, read and file correspondence but only acknowledge or otherwise respond to it if: <ul style="list-style-type: none"> • the customer provides significant new information relating to their complaint or concern; or • the customer raises new issues which in the General Manager's opinion, warrant fresh action. 		

	<p>1.2. The General Manager shall advise Aldermen of a person who is deemed to be 'a customer who cannot be satisfied', the customer's concerns, and any proposed management strategy by Council Officers.</p> <p>2. Customers who make unreasonable demands: Customers who make unreasonable demands include members of the public whose demands on Council start to significantly and unreasonably divert Council's resources away from other functions or create an inequitable allocation of resources to other customers. Such demands may result from the amount of information requested, the nature or scale of services sought or the number of approaches seeking information, assistance or service.</p> <p>If in the opinion of the General Manager a customer is making unreasonable demands on Council and the customer continues to write, email, telephone and /or visit the offices the following actions may be taken:</p> <p>2.1. The General Manager may write to the customer advising them of Council's concern and requesting that they limit and focus their requests and that if the customer continues to place unreasonable demands, Council may:</p> <p>2.1.1. not respond to any future correspondence and only take action where, in the opinion of the General Manager the correspondence raises specific, substantial and serious issues; or</p> <p>2.1.2. only respond to a certain number of requests in a given period.</p> <p>2.2. If the customer continues to contact Council after being advised of Council's proposed course of action, the General Manager may, after considering representations from the customer, advise the customer that either or both of points 2.1.1 – 2.1.2 above will now apply.</p> <p>3. Customers who constantly raise the same issue with different staff: If in the opinion of the General Manager a customer is constantly raising the same issues with different staff or elected members the following actions may be taken:</p> <p>3.1. The General Manager may notify the customer that:</p> <p>3.1.1. only a nominated staff member will deal with them in the future;</p> <p>3.1.2. they must make an appointment with that person if they wish to discuss a matter; or</p> <p>3.1.3. all future contact with Council must be in writing.</p> <p>The customer may wish to make a formal complaint in accordance with Council's Complaint Handling Policy.</p> <p>4. Customers who are rude, abusive or aggressive: Rude, abusive or aggressive behaviour may include rude or otherwise vulgar noises, expressions or gestures, verbal abuse of a personal or general nature, threatening or offensive behaviour, physical violence against property or physical violence against a person.</p>
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	<p>If in the opinion of any staff member rude, abusive or aggressive comments or statements are made in telephone conversations or in person, the staff member may:</p> <ol style="list-style-type: none"> 4.1. warn the caller that if the behaviour continues the conversation or interview/meeting will be terminated; 4.2. terminate the conversation or interview/meeting if the rude, abusive or aggressive behaviour continues after a warning has been given. <p>Where a conversation or interview/meeting is terminated, the staff member must notify the relevant Manager of the details as soon as possible.</p> <p>If in the opinion of the General Manager any correspondence to Council contains personal abuse, inflammatory statements or materials clearly intended to intimidate, it will be returned to the sender and not otherwise acted upon.</p> <p>Violence, damage to property or threatening behaviour may be reported to police, depending on the severity of the actions.</p> <p>5. Documentation and reporting:</p> <p>In all of the situations referred to in this policy, adequate documentary records must be made and maintained on the appropriate Council file.</p> <p>If an elected member feels that a Council customer is being difficult in a manner specified in this policy, they must notify the General Manager who will consider taking action as per avenues described above.</p> <p>Where the General Manager determines to limit a customer's access to Council in any of the ways specified in this policy, the General Manager will advise Aldermen as soon as possible of the relevant circumstances and the action taken and forward such advice, where appropriate, to the Department of Premier and Cabinet's Local Government Division and the Tasmanian Ombudsman for information.</p>
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government Act 1993</i> <i>Personal Information Protection Act 2004</i> <i>Right to Information Act 2009</i> Devonport City Council Customer Service Charter Devonport City Council Code of Conduct Policy Devonport City Council Recording of Advice and Information Policy</p>
ATTACHMENTS (IF APPLICABLE)	N/A

	DILAPIDATED BUILDING POLICY		
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM)
Council	17 March 2014	56/14	D298722
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Development & Health Services Manager	General Manager	2.1.2 – Provide high quality, consistent and responsive development assessment and compliance processes	June 2017
PURPOSE	<p>To set a framework for the objective consideration by Council of whether a building notice should be issued by the General Manager specifying any building works that are required to be carried out in respect of a "dilapidated" building or buildings.</p> <p>In Section 3 of the <i>Building Act 2000</i> (the Act) a dilapidated building is defined as a building that because of neglect, disrepair, defacement or damage, is of an appearance that is prejudicial to the visual amenity of its surroundings.</p> <p>A building that is considered to be against the criteria for "dilapidated" may come to the attention of the General Manager by any means, including external notification, observations of Council officers or by a structured building audit program.</p>		
SCOPE	<p>This policy applies to all buildings in Devonport City.</p> <p>Before the General Manager may issue a building notice, they must consider whether a building or building falls within the definition of "dilapidated".</p> <p>It defines the considerations that must be made by the General Manager before they are satisfied that a building notice should be served on a building owner requiring that specified building works are to be carried out to a building.</p> <p>It sets out the matters about which the General Manager must be satisfied before they issue a building notice.</p> <p>This Policy will not apply to Heritage Buildings unless the General Manager first obtains the written approval of the Heritage Council of Tasmania to require specified building works to be carried out to such a building.</p> <p>A building notice under the dilapidated buildings provisions will not be served in instances where the General Manager is of the opinion that a threat to life may arise out of the condition or use of a building or temporary structure. In such cases an emergency order will be issued under the provisions of Section 162 of the Act.</p>		
POLICY	<p>1. Resolution to Commence a Dilapidated Building Action: Before issuing a building notice for a dilapidated building, the General Manager is to provide Council with a report that:</p> <ol style="list-style-type: none"> 1.1. reasonably establishes that the building or buildings in question satisfy the definition of "dilapidated"; and 		

1.2. provides an estimate of the cost to Council to carry out the building works stipulated in the notice in the event that the property owner fails to do so.

The General Manager is not to issue a building notice for the remediation of a dilapidated building or building under the provisions of section 167B of the Act, until Council has resolved that both the action and any likely cost to Council for carrying out the works are acceptable in the circumstances.

2. Determining whether a Building is a Dilapidated Building:

In determining whether a building is of an appearance that is prejudicial to the visual amenity of its surroundings the General Manager may consider, but is not limited to, the following indicators:

- broken windows, or major damage to window screens/external window frames;
- significant damage to roofs, roof coverings or guttering;
- significant damage to exterior building surfaces (for example peeling paint);
- broken exterior doors or major damage to exterior door frames;
- partially completed or partially demolished buildings; or
- excessive graffiti.

Subsection 167A (1) of the Act provides that if the General Manager is of the opinion that a building may be a dilapidated building, then the General Manager may inspect the building and is to prepare a report on the matter. This process may be initiated when the condition of a building is brought to the General Manager's attention, for example, via a complaint from a member of the community.

There is no obligation for the General Manager to act at the behest of community complaints in relation to dilapidated buildings. Subsection 167A(2) provides that the dilapidated building report is to state whether or not the building is a dilapidated building, the building work or other work the General Manager considers necessary to ameliorate the condition of the building and any other relevant matter.

Subsection 167A(3) provides that the General Manager may seek information from a building practitioner, or other person, to assist them in preparing the report. Examples of other people that may have relevant skills and therefore be of assistance in preparing a report are:


- an urban planner who can give advice concerning visual amenity issues;
- a valuer who can give advice on relative property values;
- a heritage expert; and/or
- an architect, engineer, building surveyor or an accredited builder who can give advice on the building or structure.

Section 258 provides that as an authorised person under the Act, the General Manager or their delegate(s) may access and enter any building for the purpose of exercising any power or performing any function under the Act.

	<p>3. Issuing a Dilapidated Building Notice: Section 167B provides that if the dilapidated building report states that a building is a dilapidated building, the General Manager may issue a dilapidated building notice to the building owner.</p> <p>A dilapidated building notice is to be in the form of a 'show cause' notice which provides the owner with the opportunity to express, in writing and within a time nominated in the notice (usually 20 days), why they should not be required to carry out the proposed building work or other work to ameliorate the dilapidated building.</p> <p>The dilapidated building notice is to be accompanied by a copy of the dilapidated building report.</p> <p>The General Manager and the building owner may be able to negotiate an outcome regarding the building that is satisfactory to both parties, before an order is made.</p> <p>4. Serving a Building Order relating to a Dilapidated Building: Section 173A provides that if the General Manager does not revoke the building notice, then they are to serve a building order to the dilapidated building.</p> <p>The building order is to require the owner to carry out building work or other work to ameliorate the dilapidated building.</p> <p>A building order relating to a dilapidated building may be combined with another building order under the Act.</p> <p>Some specific examples of building works that may be included in a building order relating to a dilapidated building include:</p> <ul style="list-style-type: none"> • repairing broken windows, roofs or walls; • boarding up access points (windows) to prevent vandalism entry points; or • partial or complete demolition if required and appropriate; • A building order can also include other relevant types of work, for example; • fencing of a site; • removing graffiti from walls; or • painting. <p>5. Appeal Rights: A building owner may appeal to the Resource Management and Planning Appeal Tribunal against a building order issued in respect of a dilapidated building (Section 211).</p> <p>6. Failure to Comply with a Building Order: A building order is a legal order issued under the Act and compliance with the order is mandatory.</p> <p>Under Section 192, the General Manager is to take all reasonable steps to enforce a building order in the event that a person has failed to comply.</p> <p>If a person fails to comply with a building order, the work may be carried out by the Council.</p> <p>The Council can then recover the costs of carrying out any building works by selling the building for removal or after demolition, any materials on the site (as per Sections 192 and 194) or recovering</p>
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	<p>expenses as a charge on the land and recoverable as if it were rates or charges under the <i>Local Government Act 1993</i> (as per Section 197).</p> <p>Failure to comply with a building order is an offence under Section 170 of the Act and prosecution can result in significant fines. Council also has powers to issue infringement notices for such an offence.</p> <p>7. Amending or Revoking a Building Order relating to a Dilapidated Building:</p> <p>Section 200 provides that if an owner is served with a building order after being issued with a dilapidated building notice and there is a change of circumstances after the original notice was issued, the owner may request the General Manager to amend or revoke the building order. The General Manager may, if he considers it appropriate, then amend or revoke the building order, or revoke or issue an amended dilapidated building notice.</p>
LEGISLATION AND RELATED DOCUMENTS	<p><i>Building Act 2000</i> <i>Local Government Act 1993</i> Building Regulation Advisory Note 01/2014</p>
ATTACHMENTS (IF APPLICABLE)	<p>Show Cause Notice – Dilapidated Building (<i>Building Act 2000</i> Section 167B)</p>


Show Cause Notice – Dilapidated Building

<p>Building Act 2000 Section 167B SHOW CAUSE NOTICE –DILAPIDATED BUILDING</p>	
<p>TAKE NOTICE THAT: You (1) Of (2) as owner Of a (3) On (4) Situated at (5) are invited to show cause why you should not be required to carry out the following building works (6)</p> <p>The Council considers these works should be carried out as it reasonably believes, based on the report attached, that the works are necessary to ameliorate the condition of the building so that it is not of an appearance that is prejudicial to the visual amenity of its surroundings.</p> <p>You may send written representations about this Show Cause Notice to the Council at the following address:</p> <p>The General Manager Devonport City Council PO Box 604 DEVONPORT TAS 7310</p> <p>Your written representations should be marked with the following reference number to assist Council in a prompt consideration of your response: <i>Insert TRIM File No</i></p> <p>Your written representations must be received by Council no later than <i>Insert date</i></p> <p>You may appeal to the Resource Management and Planning Appeal Tribunal against this building order. An appeal must usually be lodged within 14 days of the date of this notice.</p> <p>In the event that you fail to show cause within the time stipulated in this notice, or to lodge an appeal with RMPAT, Council may carry out, or cause to be carried out, the work stipulated in the notice. Council is entitled to recover the costs involved by either sale of materials on site or by levying a charge against the property recoverable as if it were a rate or charge as set out in section 197 of the Local Government Act 1993.</p> <p>Failure to comply with a building order is an offence pursuant to section 170 of the Building Act 2000 and prosecution may result in significant fines. Council is also empowered to issue an infringement notice for such an offence.</p> <p>DATED THISDAY OF2014</p> <p>.....</p> <p>General Manager</p>	

Show Cause Notice – Dilapidated Building

Instructions to complete

- (1) Insert the name of the owner of the land
- (2) Insert the last known address of the owner from a title search, rates record etc
- (3) Insert a description of the building or structure eg "building being a class 1a single detached dwelling
- (4) Insert the real property description of the land on which the building or structure is erected
- (5) Insert the street address of the land on which the building or structure is standing
- (6) Insert brief general description of building works required to be carried out (based on the building report) eg
 - Repair all broken windows to the dwelling
 - Repair all broken roof sheeting to prevent water entry
 - Secure the building by replacing lockable doors to all entries
 - Refix loose, and replace missing weatherboards to prevent water and vermin entry
 - Repaint the exterior of the building to an acceptable standard
 - Obtain a report from a qualified person about any asbestos in the building, and then engage a suitably licensed contractor to demolish the building and remove all resultant building rubble

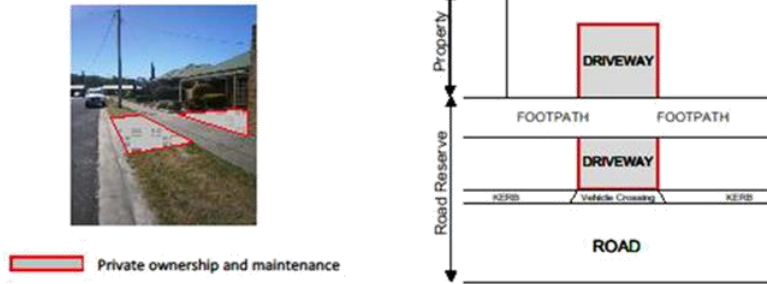
	DRIVEWAY POLICY		
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM)
Council	26 October 2015	219/15	D388405
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
City Engineer	Infrastructure & Works Manager	2.1.2 – Provide high quality, consistent and responsive development assessment and compliance processes	June 2017
PURPOSE	The purpose of this policy is to clearly define the ownership and maintenance responsibility for the various components of a driveway.		
SCOPE	This policy applies to all driveways on Council roads and State Government roads where Council has maintenance responsibility (refer to <i>Roads and Jetties Act 1935</i>).		
POLICY	<p>1. Ownership and Maintenance – Urban: In urban areas, there are up to three distinct parts to a driveway:</p> <ol style="list-style-type: none"> 1.1. Vehicle Crossing – The vehicle crossing serves two purposes. It allows vehicles to safely access the driveway and conveys stormwater along the kerb. The vehicle crossing is a Council asset, the same as the upstream and downstream kerb. Council maintains the vehicle crossing so that it can effectively convey stormwater. 1.2. Driveway – The driveway is a private asset and the property owner is responsible for its maintenance. 1.3. Footpath (if footpath is present) – The section where the driveway crosses the footpath is considered to be part of the footpath. This is a Council asset and Council is responsible for its maintenance. If no footpath exists, then the property owner has full responsibility for the driveway. <p>2. Ownership and Maintenance – Rural: In rural areas there are up to three distinct parts to a driveway:</p> <ol style="list-style-type: none"> 2.1. Driveway Culvert - Driveway culverts are private assets required to allow access over the table drain. The property owner is responsible for its maintenance. 2.2. Endwalls - Endwalls are private assets required to retain fill at the ends of culverts. The property owner is responsible for maintenance of these items. Council is responsible for maintenance of the table drain upstream and downstream of the endwalls. 2.3. Driveway - The driveway is a private asset and the property owner is responsible for its maintenance. <p>3. Council Projects that affect Driveways: If Council undertakes road works which change the level of the footpath or road, then Council is responsible to change any components of the driveway necessary to suit the new levels. The new construction material will be the minimum standard required by the Tasmanian Standard Drawings. A property owner can request to</p>		

	<p>upgrade their driveway at this time, although all additional costs must be borne by the property owner.</p> <p>If a Council project increases flow to a driveway culvert by the redirection of drainage paths, then Council is responsible for upgrading driveway culverts to suit.</p> <p>4. Private Projects that affect Driveways: Any person wishing to undertake construction or modification works to a driveway or property access within the road reserve must obtain a 'Permit to Work in the Road Reserve'. All works must be completed by a suitably qualified and experienced contractor to Council standards, to ensure that it is capable of withstanding vehicle loads and to minimise future maintenance and risk to the public.</p> <p>Generally the number of driveways per property will be restricted to one. However, any person wishing to construct an additional driveway to a property must demonstrate to the satisfaction of Council that the driveway can be used safely, will not increase risk to the public and will not adversely impact parking in the local area.</p> <p>All costs for construction of new driveways are to be borne by the property owner. This may include replacement of the footpath section and utility covers to ensure that the area is suitable for vehicle loads. This may also include construction of a new crossover and reinstatement of kerb to replace a redundant crossover.</p> <p>5. Existing Driveways: Some existing driveways have grades that make access difficult or cause 'scraping'. Addressing this issue is the responsibility of the property owner. Council approval is required prior to any works.</p> <p>The only exception is when the road crossfall is greater than 5%. In these cases, Council may install an 'asphalt wedge' or other improvement in accordance with the Tasmanian Standard Drawings, <u>if Council believes it will assist in resolving the reported issue.</u></p> <p>Some existing property accesses have limited sight distance. Council does not supply, install or maintain mirrors as a sight distance improvement device. If a property owner wishes to install a mirror, they must demonstrate that it will not negatively impact road safety and seek Council approval prior to installation.</p> <p>6. Definitions: For the purposes of this policy, the following definitions will apply:</p> <p>Driveway: the vehicular path that connects the public road with a private property. A driveway may be bitumen sealed, gravel, pavers, concrete or other material.</p> <p>Vehicle Crossing: the section of kerb that is laid back to allow vehicles to drive from the road into the driveway. Also known as the crossover.</p> <p>Table drain: the drain, usually a v-shape that runs parallel to the road.</p> <p>Culvert: a pipe used to convey stormwater underneath a road or driveway.</p>
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	<p>Footpath: a narrow path designed for use by pedestrians, usually parallel to a road that may be directly beside the kerb or at the property boundary.</p> <p>Urban: areas that have kerb at the road edge.</p> <p>Rural: areas that have a table drain at the road edge, not a kerb.</p> <p>Endwall (or headwall): interchangeable terms for the structure that retains fill at either end of the culvert. Many designs and materials are in use.</p>
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government (Highways) Act 1982 – Section 35</i></p> <p><i>Roads and Jetties Act 1935 – Section 11</i></p> <p>Tasmanian Standard Drawings (IPWEA/LGAT)</p>
ATTACHMENTS (IF APPLICABLE)	<p>Diagrams – Urban Driveway, Footpath at Boundary; Urban Driveway, Footpath at Kerb; Rural Driveway</p>

APPENDIX – FOOTPATH EXAMPLES

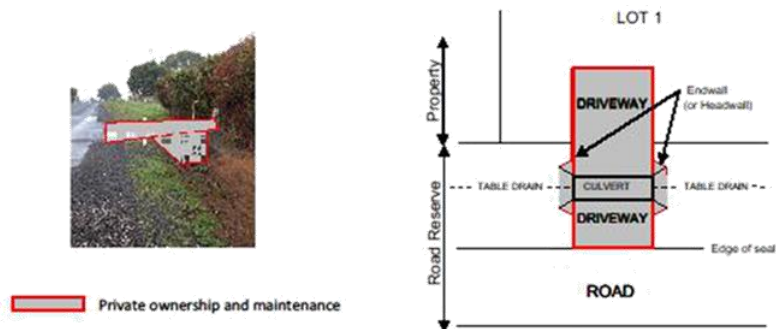
URBAN DRIVEWAY, FOOTPATH AT BOUNDARY




URBAN DRIVEWAY, FOOTPATH AT KERB



RURAL DRIVEWAY




		EQUAL OPPORTUNITY (EEO) AND DIVERSITY POLICY	
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM)
Council	25 August 2014	217/14	D334305
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
HR Coordinator	General Manager	5.7.3 Ensure Human Resource policies, procedures and management systems support effective Council service delivery	June 2017
PURPOSE	<p>The purpose of this policy is to ensure that Council has a workplace which provides equality of opportunity and makes employment decisions which are free from unlawful discrimination. Everyone regardless of gender, race, ethnicity, age, marital or parental status, sexual preference, disability or cultural background and beliefs, among other attributes, have the right to be given fair consideration for employment or employee related benefits.</p>		
SCOPE	<p>This policy applies to all workers (a worker includes an employee, labour hire staff, volunteer, apprentice, work experience student, subcontractor and contractor) and potential applicants for employment at Council.</p>		
POLICY	<p>1. Policy Statement:</p> <p>1.1. The EEO and Diversity Policy is a commitment by the Council to create a workplace that is fair and inclusive and to build a workforce which reflects the diversity of the Devonport community.</p> <p>1.2. Council recognises that in order to be successful, it must attract and retain a variety of people with diverse skills, experience or backgrounds. Council's commitment and awareness of diversity is reflected in its values, policies and practices.</p> <p>1.3. Council acknowledges and is committed to fostering good internal and external relationships by ensuring that the diversity and equal employment opportunity that exists among the workforce, clients and the community is safeguarded and acknowledged.</p> <p>1.4. The principles of EEO and underpinning legislation will ensure that people are selected for positions on merit, as well as being provided with equitable access to employment, professional development and workplace participation.</p> <p>1.5. The EEO and Diversity Policy provides a framework for Council to achieve:</p> <ul style="list-style-type: none"> • A skilled workforce that reflects the diversity of the Devonport community and leads to continuous improvement in service delivery. • A work environment that values and utilises the contributions of workers with diverse skills, backgrounds and experiences 		

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	<p>through improved awareness of the benefits of workforce diversity and successful management of diversity.</p> <ul style="list-style-type: none"> • Awareness for all workers of their rights and responsibilities with regards to fairness, equity and respect for all aspects of diversity. • Its core organisational values of continuous improvement and innovation; customer satisfaction; leadership; results and accountability. <p>2. Procedure:</p> <p>2.1. Roles and Responsibilities:</p> <p>Council is committed to achieving fair and equitable practices in all areas of employment including:</p> <ul style="list-style-type: none"> • Recruitment, selection and promotion practices which are open, competitive and based on merit; • Access for workers for training and development; • Grievance handling procedures that are accessible and deal with workplace complaints promptly, fairly and confidentially; • Communication processes which give workers access to information and allow their view to be heard; and • Management decisions which are fair and reasonable. <p>Council is also committed to ensuring that:</p> <ul style="list-style-type: none"> • Workplace policies and practices are fair and equitable; • All workers are valued and respected and have opportunities to achieve their full potential; • The workforce reflects the diversity of the community; and • The EEO and Diversity Policy and Procedures are communicated to all workers as appropriate. <p>Managers and Supervisors are responsible for creating a working environment where:</p> <ul style="list-style-type: none"> • EEO principles and underpinning legislation are applied in the workplace; • There is acceptance of difference, ensuring all workers are treated fairly, with respect and dignity; • Ensuring all decisions relating to appointment, promotion and career development are made without regard to any matters other than the individual's inherent ability to carry out the job; • Reasonable accommodations are considered and provided where necessary; and • Inappropriate attitudes or behaviours are confronted; Council will treat seriously any instance of inappropriate behaviour and confront attitudes based on inappropriate stereotypes. The Disciplinary Procedure outlines the process for managing inappropriate behaviour. <p>Employees are responsible for:</p> <ul style="list-style-type: none"> • Behaving in a manner which is consistent with the Council's Values and Employee Code of Conduct at all times. • <u>Complying with the terms of this EEO and Diversity Policy.</u>
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	<ul style="list-style-type: none"> • Respecting individual differences and contributions to a workplace that are fair and equitable; and • Promptly informing their manager if there has been a potential breach of the EEO and Diversity Policy (workers are encouraged to address the matter at the local level before it escalates and/or report the matter to the appropriate person). <p>3. Definitions: Equal Employment Opportunity refers to employment practices that are designed so that existing and potential employees are able to compete for, or be awarded, employment, promotions, transfers, training and other employment related benefits on their merits without reference to irrelevant characteristics.</p> <p>Diversity is about inclusiveness. It means understanding that each individual is unique and recognising their individual differences. These can be along the dimensions of race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, religious beliefs or political beliefs. Diversity also refers to the other ways in which people are different, such as educational level, life experience, work experience, personality and marital status.</p>
LEGISLATION AND RELATED DOCUMENTS	<p>Fair Work Act 2009 (Commonwealth) Anti-Discrimination Act 1998 (Tasmania) Sex Discrimination Act 1984 (Commonwealth) Racial Discrimination Act 1975 (Commonwealth) Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth) Disability Discrimination Act 1992 (Commonwealth) DCC Harassment, Bullying & Anti-Discrimination Policy DCC <u>Staff Code of Conduct Policy</u> DCC Enterprise Agreement 2014 DCC Health & Safety Policy DCC Strategic Plan 2009-2030 (supports and reinforces Council's values and actions)</p>
ATTACHMENTS (IF APPLICABLE)	N/A

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		<h2>FINANCIAL ASSISTANCE POLICY</h2>	
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	27 July 2015	152/15	D378901
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Executive Manager Corporate, Community & Business Services	Executive Manager Corporate, Community & Business Services	4.7.3 – Attract and promote equitable distribution and sharing of financial and other resources throughout the community	June 2015
PURPOSE	To provide Council with framework to deal with any approach by a person, group or body for financial assistance. It aims to provide clear guidance to Aldermen, staff and those making an approach for financial assistance and supports the consistent management of the various Grants, Donations and Remissions provided by Council.		
SCOPE	<p>This policy applies to Council as a whole in the provision and representation to any person, group or body approaching Council for financial assistance. Financial assistance is taken to mean the provision of any financial benefit; including but not limited to:</p> <ul style="list-style-type: none"> • A grant of funds: <ul style="list-style-type: none"> o Minor Community Grants; o Major Community Grants; and o Individual Development Grants. • Rate remissions. • Donations. • Subsidised costs. • Any reduction or waving of Council's adopted fees or charges. • Any write-down or write-off of an applied rate, fee or charge. • Provision of plant or equipment. • In the absence of a defined fee or charge, the provision of services or use of facilities at a cost below what would otherwise be commercially provided; or • Any in kind contribution such as works or infrastructure. <p>The following are outside the scope of this policy:</p> <ul style="list-style-type: none"> • Procurement of goods and services from incorporated organisations, other businesses or individuals; • Concessions for Council rates and charges (e.g. pension rates); • Negotiated sponsorship arrangements and/or deals; • Fees and Charges adopted by Council identifying any one group as a discount beneficiary; and • Statutory contributions. 		
DEFINITIONS	<p>Definitions: <u>To assist in interpretation, the following definitions shall apply:</u> Acquittal: shall mean the process by which a recipient demonstrates in writing to the Council that it has expended the funds in accordance with the terms and conditions of the funding agreement on completion of the activity or project.</p>		

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	<p>Auspecting: shall mean that an organisation takes responsibility for ensuring the funds are used as specified in the grant allocation. An auspecting organisation will be responsible for:</p> <ul style="list-style-type: none"> (a) The receipt, banking and administration of all moneys; (b) Project monitoring and completion; (c) Ensuring the applicant acquits the funding within allocated timeframe; and (d) Sign off on the acquittal form. <p>Business: shall mean a person, partnership or organisation which is not a Community organisation, and is engaged in a profit-seeking enterprise or activity.</p> <p>Community Organisation: shall mean an entity that carries on activities for a public purpose; or an entity whose primary objective is not directed at making a profit.</p> <p>Donation: shall mean a cash and/or non-cash contribution to an organisation that may be associated with a particular activity/event/program, purpose or project but does not carry with it any specific requirements for use. In addition, the contribution does not seek benefits in exchange.</p> <p>Grant: a sum of money given to organisations or individuals for a specified purpose.</p> <p>In-Kind Contribution: shall mean the provision of paid and volunteer labour, administrative support, hire-free facilities or donations of materials, equipment or services.</p>	<p>Deleted: Auspecting means</p> <p>Deleted: A</p> <p>Deleted: An</p> <p>Deleted: A donation is</p> <p>Deleted: A grant is</p> <p>Deleted: In-kind contribution includes</p>
<p>POLICY</p>	<ol style="list-style-type: none"> 1. Objective: To provide guidance, clarity and transparency in the application, assessment and provision of financial assistance to any person, group or body who approaches Council for financial assistance. This includes any grants, donations and rate remissions programs Council offers annually. 2. Policy Statement: In adopting the annual budget, Council may approve an allocation of funds and/or in kind contribution to support a range of Grants, Donations and Rate Remissions Schemes for eligible community organisations and individuals. Relevant guidelines will be established for each Grant, Donations or Rate Remissions defining eligibility, assessment and acquittal criteria under which Council funding will be considered. Council may contribute to business or other partnerships where projects, events or activities will contribute significantly to individual, community, cultural, social, economic, recreational and environmental development. Organisations and individuals are expected to apply responsible management of any financial assistance received from Council, which may include acquittal of funds received. Where funding is provided to an individual, the recipient should reside permanently within the Devonport municipal area. 	

	<p>Council will only consider applications from organisations or individuals outside the Devonport municipal area where it can be demonstrated that the project, activity or initiative will benefit the community of Devonport.</p> <p>3. Requirements:</p> <p>The activity/program/event must contribute to and align with the goals and strategies outlined in the Annual Plan for the year in which the financial assistance is proposed to be given.</p> <p>The activity/program/event is accessible to all persons within the municipality or to a significant group of persons within the area. (Charging a fee to participate does not preclude the event being accessible to all persons).</p> <p>Requests are to be submitted in the manner and timeframe prescribed by Council.</p> <p>4. Assessment Process:</p> <p>A proposal to provide or request financial assistance will not be actioned, reported to Council or decided upon unless:</p> <ul style="list-style-type: none"> • Clear and detailed information on all assistance that is proposed or requested is provided in the manner prescribed by Council; • Current financial statements, (and where one should reasonably be available, an audit opinion on these statements), are provided to assist Council in assessing the needs of the proposed/requesting beneficiary. This does not apply to donations and/or Sports Travel Assistance Grants; • The details of any recipients that stand to benefit from the activity/program/event including donations to be made to groups from the proceeds of activity/program/event, are identified in the application. <p>The total amount of assistance provided to any organisation/group/person/ project/event in each financial year is not to exceed, the budgeted financial assistance amount unless otherwise determined by Council. The request can be a mix of cash donation and in-kind support.</p> <p>Staff delegations are in place to simplify the process of approving applications that comply with the principles outlined in the policy. All applications that exceed delegation are to be presented to the relevant Council Committee for assessment, before being presented to Council for consideration.</p> <p>Once the budgeted amount allocated for Financial Assistance has been distributed no further allocations will be made available in that financial year – even if the applicant meets all eligibility requirements, without the approval from Council. Requests may be considered if they form part of a program budget and can demonstrate how they meet the objectives of the funding.</p> <p>5. Conditions:</p> <p>The following conditions apply to assistance issued under this policy:</p> <ul style="list-style-type: none"> • <u> </u> The use of any part of the financial assistance for purposes other than specified in the letter of approval and/or funding contract is not permitted without prior approval in writing by Council;
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	<ul style="list-style-type: none"> • Where specified, successful applicants must ensure that Council is appropriately recognised as a partner; • Any approved assistance will lapse if not claimed within three months following the date of approval; • Assistance to community organisations does not include GST; • No retrospective funding will be granted. <p>6. Notification: Applicants determined as successful/unsuccessful in accordance with the guidelines will be advised accordingly in writing.</p>
LEGISLATION AND RELATED DOCUMENTS	Local Government Act 1993 Devonport City Council Rates and Charges Policy
ATTACHMENT/S (IF APPLICABLE)	Community Small Grants Guidelines, Application Forms and Acquittal Forms; Economic Development and Events Sponsorship Guidelines, Application Forms and Acquittal Forms; Rate Remissions for Non-profit Organisations Guidelines, Application Forms and Acquittal Forms; Donations Guidelines and Application Forms; Sports Travel Assistance Grants, Guidelines, Application Forms and Acquittal Forms; and Sporting Small Grants Guidelines, Application Forms and Acquittal Forms


 <h2 style="text-align: center;">FITNESS FOR WORK POLICY</h2>			
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM)
Council	28 September 2015	198/15	D388253
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Risk & Compliance Coordinator	General Manager	5.6.1 – Ensure safe work practices through adherence to Work Health and Safety Standards	June 2019
PURPOSE	To ensure that the health and safety of all persons is not at risk or adversely affected by anyone attending the workplace while not fit for work.		
SCOPE	<p>This Policy applies to all workers (a worker includes an employee, labour hire staff, volunteer, apprentice, work experience student, sub-contractor, contractor and consultants) employed or engaged by Council at any of its workplaces.</p> <p>The Policy will also apply to Aldermen when attending a Council workplace as part of their role as an elected representative of the community.</p>		
POLICY	<p>1. Responsibility:</p> <p>All workers have a responsibility to ensure that they are fit to perform their duties without risk to the health and safety of themselves and others.</p> <p>Managers, coordinators, supervisors and team leaders are expected to ensure that all employees, contractors, volunteers and students abide by this Policy at all times.</p> <p>Council fully supports and endorses the purpose and scope of this Policy and associated procedures. Council in managing this Policy will ensure, wherever possible, that confidentiality is maintained at all times.</p> <p>Everyone working at, or attending any Devonport City Council workplace must abide by this Policy and supporting procedures to ensure they maintain the capacity to safely perform work.</p> <p>A person's fitness for work may be compromised by:</p> <ul style="list-style-type: none"> • Inadequate or insufficient quality of sleep over an extended period; • The type of work performed and/or the work environment; • Consumption of alcohol; • The use of drugs (prescription, non-prescription, illicit or other); • General level of fitness and/or medical condition; and • Mental health conditions. <p>To meet the Policy objectives Council will:</p> <ul style="list-style-type: none"> • aim to provide a safe and healthy working environment free of work-related injury or illness; • <u>minimise the risks of persons presenting for work or conducting work while impaired;</u> 		

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	<ul style="list-style-type: none"> establish appropriate steps to manage persons who are affected by mental health conditions, alcohol, drugs or other personal concerns; and encourage persons who are not fit for work for any reason to independently seek assistance. <p>Council will also:</p> <ul style="list-style-type: none"> maintain appropriate health and fitness standards to enter the workforce and provide encouragement for employees to sustain their fitness for work; promote and assist the physical, mental and emotional health of people so they can safely undertake and sustain their work requirements; provide the resources necessary to allow for monitoring, testing, education and counselling services within the workplace; and encourage behaviour and attitudes that are conducive to a healthy and safe workplace.
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government Act 1993</i> <i>Devonport City Council Code of Conduct Policy</i> <i>Devonport City Council Rehabilitation Policy</i> <i>Work Health and Safety Act 2012</i> <i>Work Health and Safety Regulations 2012</i> <i>Fair Work Act 2009</i> <i>Risk Management Framework</i></p>
ATTACHMENT/S (IF APPLICABLE)	<p><i>Fitness for Work Procedure</i></p>

FITNESS FOR WORK PROCEDURE

	<h2 style="margin: 0;">FITNESS FOR WORK PROCEDURE</h2>
<p>This Procedure should be read and applied in conjunction with the Fitness for Work Policy.</p> <p>1. Overview: The term 'Fit for Work' means that an individual is in a state of mental, physical and emotional health to complete their assigned tasks competently and in a manner which does not negatively affect or threaten the safety of themselves or others.</p> <p>An individual's fitness for work can be affected in a variety of ways including, but not limited to:</p> <ul style="list-style-type: none"> • illness; • injury; • mental health conditions; • alcohol; • drugs; and • emotional or behavioural issues. <p>This Procedure provides the framework for caring and compassionate management processes that assists workers to address issues of concern and dealing with these difficult and often sensitive issues.</p> <p>Council believes that early intervention can assist people to deal with situations which may otherwise place at risk their own, or others health and safety.</p> <p>2. Responsibilities: Under work health and safety legislation both the employer and workers have "duty of care" obligations.</p> <p>2.1. Duty of Employer – Council Council has a duty of care to ensure, as far as reasonably practicable, that all individuals are fit for work to minimise risk to both themselves and others whilst on Council work sites or undertaking duties on behalf of Council.</p> <p>2.2. Duty of Workers Workers have a 'duty of care' to take reasonable care as to not expose themselves or others to risks.</p> <p>Workers are required to pro-actively address non-work related issues if these issues have the potential to impact on their ability to perform the inherent duties of their position.</p> <p>Workers who believe another worker is at work, or who witness a co-worker, who is not 'fit for work' are required to report the situation to their Manager or Coordinator.</p> <p>No person is to start work, or return to work at a Council workplace while affected by alcohol or other drugs (including intoxication, withdrawal or 'hangover' effects).</p> <p>All workers are required to:</p> <ul style="list-style-type: none"> • Maintain their individual fitness to allow them to meet the requirements of their position; • Attend work in a state which enables them to meet the requirements of their position. 	

Page 3 of 15

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FITNESS FOR WORK PROCEDURE

If a worker believes prior to commencing work or during any part of the day they have become 'unfit' they are required to report the situation immediately to their Manager or Coordinator.

2.3. Duty of Managers and Coordinators

Managers and Coordinators under work health and safety legislation have a responsibility for the health, safety and well-being of all individuals under their control.

Should a Manager or Coordinator believe that a worker is at risk of injuring themselves or others, the Manager or Coordinator should take action that may include:

- Discussing with the worker his/her behaviour, and seek information as to a possible cause of the concerns and effects it may be having;
- Taking immediate and appropriate action to prevent injury to the worker or others (e.g. removing workers from the immediate risk or stopping the activity);
- Contacting the Risk Management Department for direction; originally said Risk Management Coordinator
- Providing information in relation to Employee Assistance Program (EAP);
- Arranging alcohol and other drug testing in accordance with these procedures (if this is appropriate);
- Implementing appropriate other work duties;
- Maintaining confidentiality of the situation.

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2.4. Contractors (includes, contractors, sub-contractors, consultants, labour hire personnel)

Each contractor is responsible for ensuring workers are aware of Council's procedures for fitness for work assessment and are aware they must participate in any random alcohol and other drugs testing.

A contractor, consultant or labour hire staff returning a positive alcohol or drug test will immediately be asked to leave the work site.

Council will advise the respective contractor of the positive test results and request that they address the issue.

3. Education and Training:

Education and training is vital to ensuring that everyone has an understanding of their role and responsibility in respect to this Procedure.

Council's annual Health and Wellbeing Program will include educational sessions designed to raise worker awareness about fitness for work.

Training programs will be provided to all workers covered under this Procedure, as required, to ensure compliance of these procedures is maintained.

4. Assessment of Fitness for Work:

The primary method for assessing an individual's fitness for work environment is through face-to-face discussion between Managers and/or Coordinators and individuals.

Guidance and assistance from the Risk Management Department is available as to when and how to undertake such assessment.

5. Managing Fit for Work:

5.1. An individual's personal problems or behaviour outside work is considered a private matter. Council will only become involved when:

- Personal issues have the potential to interfere with job performance;

Page 4 of 15

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FITNESS FOR WORK PROCEDURE

- An individual's behaviour warrants intervention;
- Due to safety concerns; or
- A worker requests assistance.

A mental health condition (illness) can be defined as a health condition that changes a person's thinking, feelings, or behaviour (or all three) and that causes the person distress and difficulty in functioning.

Where a person has been diagnosed with a mental health condition, they should advise their Manager or Coordinator of the nature of the condition and discuss any changes in their work tasks or attendance that may be required to assist the worker based on the information provided in a medical certificate.

The type of condition may dictate additional management processes to be initiated such as a Case Management Plan, or a requirement for further independent medical examination.

5.2. Workers taking Pharmaceutical Medication

Consumption of legal prescription drugs including over the counter pharmaceutical medicines must be in accordance with the recommended dose or the prescribed dose by the person's doctor.

This does not imply that a person may take prescribed drugs regardless of their impact. They may only attend work where the medication does not cause them to react unsafely.

Particular attention should be paid to the appropriate use of medication.

This requires that individuals:

- Discuss with the prescribing medical practitioner the nature of their duties and ascertain any side effects of the prescribed medication which may impact on their safety or performance at work;
- Notify their Manager or Coordinator of any medication they are using or failing to use, that could affect their safety or performance at work;
- Take any medication strictly in accordance with the medical practitioner's or manufacturer's recommendations; and
- Report any side effects that may impact on their safety or performance at work to their medical practitioner and their supervisor.

Managers or Coordinators shall inform Human Resources for notation on an individual's personnel file in cases of an emergency situation arising and specific treatment is required.

5.3. Alcohol and Other Drugs

5.3.1. Alcohol

The use of alcohol may affect a workers ability to work safely through the loss of motor control, coordination, judgement, alertness and concentration which may lead to increased risk of injury to themselves and others.

While a 0.00 Blood Alcohol Content (BAC) reading would be an ideal level of acceptance, Council is aware that society and personal life style choices do allow certain levels of tolerance.

As a consequence, Council has determined the (BAC) readings that shall be monitored and applied within the workplace and associated activities of council are set out in Section 7 of this Procedure.

FITNESS FOR WORK PROCEDURE

5.3.2. Drugs

Possession and consumption of illicit drugs shall be deemed to be a breach of the Fitness for Work Policy.

No person shall commence work, or return to work at a Council workplace while under the influence of an illicit drug.

Illicit drugs (including, but not restricted to, marijuana, amphetamines, cocaine, hallucinogens, synthetic drugs and heroin) must not be brought onto, consumed or be offered to other workers, at a Council site or facility.

6. Implementation:

The following defines the methods used to manage alcohol and other drugs testing and results:

- Drug tests screening and when required confirmation tests, will be undertaken using an oral swab and in an accredited laboratory in accordance with AS4760 - *Procedures for the collection detection and quantification of drugs in oral fluid*.
- Alcohol tests will be undertaken using alcohol breath analysers in accordance with AS/NZS 3547:1997 *Breath Alcohol testing devices for personal use*.

6.1. General Alcohol Testing

Anyone who refuses to be tested or leaves the workplace without undertaking a test or tampers with a sample or falsifies a test will be managed as if they have a positive result.

A respective Manager will be notified of any positive results but will not include any reading or details of substance found.

Alcohol Testing Steps:

- Prior to a test, workers will be requested to provide some identification which could include Council ID card or driver's license plus the name of their Manager or Coordinator;
- The person being tested must refrain from taking any fluid or substance during the waiting period prior to a test - this includes smoking;
- The person being tested will be required to supply an air sample from their lungs directed into an approved breath analysis instrument (Mobile Hand Unit). The sample shall be sufficient to obtain a valid reading on the instrument;
- A worker may request the presence of, and consult with an employee representative or a colleague at any stage prior to, during or post testing;
- Management of positive results are covered in Section 8.3 of these procedures.

6.2. Pre-Employment

The preferred candidates are required to undertake a pre-employment health assessment including a urine sample system for drug screening and a breath test for alcohol.

The candidate will be advised of the results at the time, and the testing organisation will advise a Human Resource Officer as soon as practicable.

6.3. With Cause – Reasonable Suspicion

"With Cause" (including notifiable incidents) testing shall be undertaken following a serious incident, or where required by legislation, or as part of incident investigation, or it has been determined a possible root cause of the incident can be associated with alcohol or other drugs by the worker.

FITNESS FOR WORK PROCEDURE

Testing for alcohol and other drugs will be arranged by the Risk Management Department.

"With Cause" testing shall be carried out by the approved testing organisation.

6.3.1. Reasonable Suspicion Impairment

Where anyone is concerned that a person may be impaired by a personal issue or by the consumption or use of alcohol or drugs, they must immediately notify their Manager or Coordinator.

Reasonable suspicion includes where any evidence is found of possible alcohol or other drugs has contributed to an incident, or drug paraphernalia or alcohol containers have been found at the workplace or in work vehicles.

Initially a Manager or Coordinator should talk to/observe the worker in question.

"Reasonable Suspicion" can also be established through an observation of the impairment.

Observations of impairment may include one or more of the following:

- A smell of alcohol.
- Suffering a hangover or signs thereof are displayed.
- Slurred, confused or incoherent speech.
- Enlarged, pinpoint pupils, watery/bloodshot eyes.
- Irregular breathing - with no medical related reasons.
- Flushed, pale or sweaty skin.
- Abnormal balance or other movements; including swaying, staggering, clumsiness or deliberate/slow movements.
- Abnormal attitude or behaviour such as aggressive, hostile, abnormally quiet or subdued.

Where a worker has been observed under the above reasonable suspicion guide, the Manager or Coordinator shall arrange any follow up tests or investigations with the Risk Management Department.

For reasonable suspicion testing, the Risk Management Department can carry out a BAC breath test.

Management of positive results are covered in Section 8.3 of these procedures.

6.4. Random Testing

A non-discriminatory program that will randomly select when testing will occur and which random job site/group/individuals will be tested. Council will provide the names and site locations of all persons to the testing organisation.

Random alcohol and other drug testing will be conducted by an independent, appropriately qualified and competent service provider ("the Tester").

The organisation will ensure the complete random selection of any work group or persons to be tested at any Council work site.

Random selection may, for operational purposes, be a work group or number of smaller work groups on a day that is tested.

The random testing could be conducted on a 24 hour per day basis in the workplace.

The testing will be done privately and with due respect and professionalism to the worker.

FITNESS FOR WORK PROCEDURE

Testing will include breath for alcohol and / or saliva sampling for drugs.

Random testing will be conducted in an appropriate area which contains adequate facilities for testing.

The Risk Management Department shall coordinate all random testing and liaison with the testing organisation.

Management of positive results are covered in Section 8.3 of these procedures.

6.4.1. How Workers are selected for Random Testing

The external testing organisation will manage the random selection process using data supplied by Council.

Selected workers will be notified and be required to attend the designated area for the tests to be undertaken. Workers may request a support person to accompany them, i.e. a Health and Safety Representative, or a work colleague.

Workers will be required to enter the testing area one at a time to undertake the test.

Prior to the test, workers will be requested to provide some identification which could be their Council ID card or driver's license plus the name of their Coordinator or responsible Manager.

Workers should declare any prescription or over the counter medication that they may be taking to the tester before taking the test.

The Tester will advise each person of their tests results prior to them leaving the testing area.

The random selection process will be reviewed regularly by the Safety Committee to ensure that its application meets the impartiality and non-selective requirements for random testing.

7. Alcohol Limits & Testing:

The following limits apply in relation to alcohol:

- **Heavy Vehicle Plant & Equipment use:**
Drivers of vehicles with gross vehicle mass exceeding 4.5 tonnes such as trucks, backhoes, excavators and all provisional licence drivers by law must have a 0.00 BAC level whilst at work.
- **Marine Vessels – Julie Burgess:**
Master and crew of the Julie Burgess or any other marine vessel by law must have a 0.00 BAC level whilst at work or operating the vessel.
- **Motor Vehicle use:**
It is acknowledged that current Tasmanian laws allows for motor vehicle to be operated on Tasmanian roads with a BAC of 0.05, therefore when operating any Council motor vehicle, the same level of 0.05 BAC applies.

Alcohol & Drugs Act 1970 Section 6(1) (Driving with excessive concentration of breath or blood alcohol) conditions apply at all times when operating a Council vehicle.

Other activities:

Because Council has a diverse range of work activities with varying levels of risk, the following BAC reading applies:

- A BAC reading of 0.02 will be the base level that applies to normal work activities;

FITNESS FOR WORK PROCEDURE

- Where a BAC reading is between 0.02 and 0.05 it shall be the respective Manager or Coordinators responsibility to allocate the worker to a reduced risk work task until the worker records a BAC at 0.02 or lower. Example: A worker may use an item of plant such as lawn mower/brush cutter/chain saw etc, as part of their normal work task, a less risk task would mean not using any items of plant until such time as a 0.02 BAC reading has been achieved;
- Once the BAC level has been recorded at 0.02 or below the worker can resume normal work duties.

Where a worker has a BAC reading of 0.05 or above, it would be deemed a breach of the Fitness for Work Policy and additional consultation and appropriate management will be implemented with the worker.

7.1. Voluntary Self-Testing Alcohol

A person can measure their alcohol BAC level with a simple handheld device.

Council will provide an alcohol self-testing breathalyser at the following locations with instructions and training in their use:

- Works Depot
- Administration Building was previously Best Street Offices

Where practicable, Council will provide facilities for other workers to self-test prior to presenting for work.

A worker makes use of a Council approved hand held breathalyser and takes note of the reading from the breath sample provided.

The reading should be checked against the following guide and actions noted should be followed.

The worker has the choice of not attending work, (chooses to go home), or is allocated to a reduced risk work task by their Manager or Coordinator.

Workers must seek assistance to be transported home where a reading of 0.05 or above is recorded.

If the worker does not report the reading and continues to work, and a random or reasonable suspicion test confirms a breach of the Policy, they will be subject to disciplinary processes.

8. Drug Testing:

- Workers must inform the tester if they are taking any prescription or over the counter medication, and shall have it recorded on the Chain of Custody/Consent form;
- The person being screened will be required to supply an oral swab sample from the mouth in the appropriate testing device provided to them by the Tester. The sample shall be sufficient to obtain a valid reading on the instrument;
- If a negative screen result is returned, the collected specimen will be disposed of and the person may return to their normal duties;
- Where the initial test is positive, the sample shall be forwarded to a qualified external testing facility for verification and confirmation;
- A worker may request the presence of, and consult with, an employee representative or a colleague at any stage prior to, during or post testing.

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FITNESS FOR WORK PROCEDURE

Management of positive results are covered in Section 8.3 of these procedures.

8.1. Drug Testing Guide.

Positive Reading Actions

Council Workers;

- Where a worker returns a positive screening result, they will be required to remain with the Tester.
- The tester will contact the person's Manager or Coordinator if a worker.
- The tester will contact the General Manager if it is a Manager or Coordinator.

Contractors;

- The tester will notify the Risk Management Department who will then manage the situation in accordance with this Procedure part 2.4.
- The Risk Management Department will notify the General Manager of the reading and breach of the Policy has occurred.

Visitors;

- The tester will notify the Risk Management Department who will then manage the situation by removal of the visitor from the worksite.
- The Risk Management Department will notify the General Manager of the reading and breach of the Policy has occurred.

8.1.1. Medication – Positive Test Results

When a positive reading is recorded and the person had declared prior to the sample being taken that they are on medication, the results will await confirmation from an external testing facility.

- The Tester will advise the Risk Management Department that the results are either in agreement with the medication drug classification or not;
- Where the drug identified is within the drug classification of the medication noted by the worker, and confirmed by the Tester, the worker shall return to normal duties and the results will be recorded as pending confirmation;
- The sample shall be sent for further confirmation;
- Should the confirmation results indicate that the drug was not within the medication classification, (Different to what was declared by the worker); the Risk Management Department shall contact Human Resources and the worker's Manager, and will be subjected to Council's disciplinary procedures. A breach shall be recorded on the workers personnel file.
- Should the medication be confirmed then no further action will be required and nothing recorded.

An appropriate chain of custody procedure will be followed in the administration of the tests by the Tester and confirmation with the results provided to the Risk Management Department.

Where the results of the drugs test are found to be positive, the results will be placed on the respective workers' personnel file by Human Resources.

8.2. Other Alcohol or Drug Concerns

Where, on a first occasion, a worker "self declares" to Council that they have a concern relating to alcohol or drugs, which places them in contravention of this Policy/Procedure, Council may offer assistance to address their issues through a Case Management Plan process.

In cases of continual breaches occurring, they will be covered under the Council's Disciplinary Procedures.

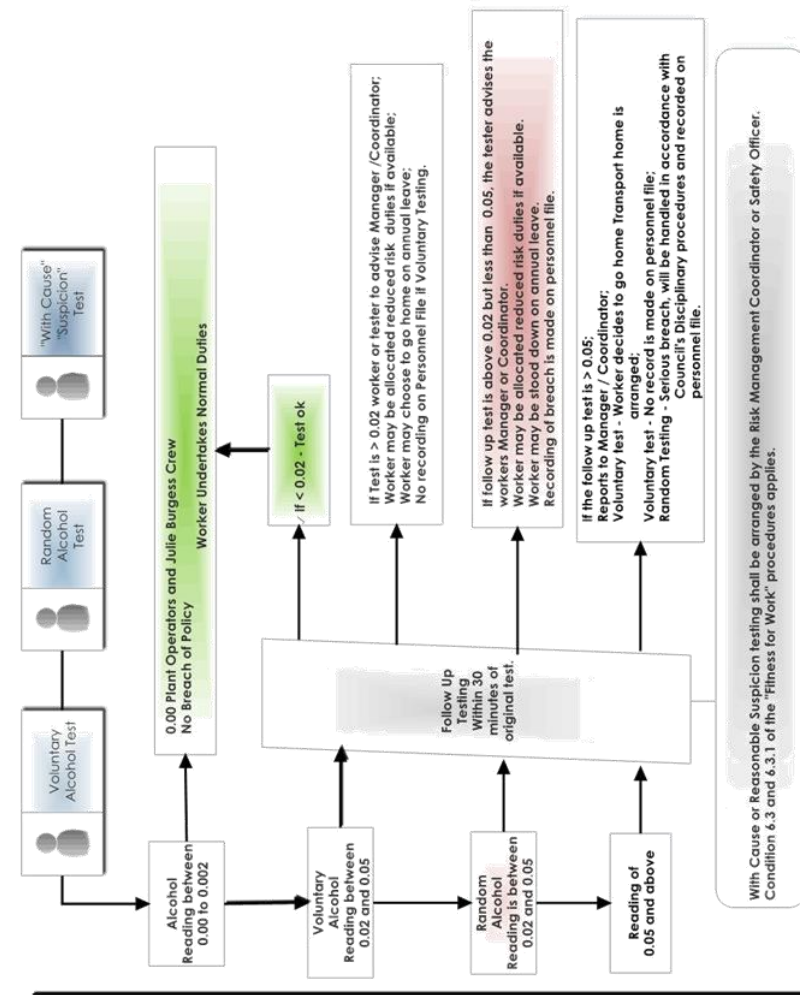
FITNESS FOR WORK PROCEDURE

Anyone who returns a positive confirmation test result for drugs will be subject to additional follow up random testing for drugs over the next twelve month period.

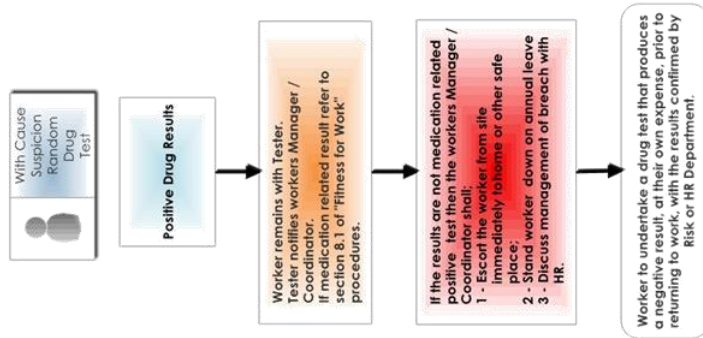
If no further positive results are reported in the follow-up period of twelve months, the worker will be placed back into the usual random selection pool of all workers.

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TESTING MANAGEMENT GUIDE



Section 8.3 - Testing Management Guide



FITNESS FOR WORK PROCEDURE

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8.3.1 Testing Results Management

Where an initial screening test returns a non-negative (positive) recording for drugs and the worker has incurred a penalty as set out in Section 8.3 (i.e. stood down on annual leave), and the confirmation results from the independent laboratory confirms that the initial screening was incorrect, any penalty imposed will be reversed.

9. Managing Fit for Work - People Issues:

Council's desire is to assist workers to address their fit for work concerns, this involves open communication, honesty and collaboration by each party.

9.1. Mental Health and Personal Conditions

When an individual presents with a mental health or personal condition or impairment which is covered by the Fit for Work Procedure, consideration may be given to use any annual leave entitlements available or, depending on the nature of the concern, to provide alternative duties whilst being reviewed.

Consultations shall take place between the individual workers, respective Manager and Human Resources to determine how to manage the worker's personal condition.

The condition may dictate additional management processes to be initiated such as a Case Management Plan, and referred to external medical providers or Human Resources.

Where appropriate the worker may be referred to other organisations such as "Beyond Blue" or "Life Line" or Council's EAP provider.

10. Case Management Plan and Rehabilitation Policy:

A Case Management Plan can be initiated by a Coordinator, Manager or Human Resources in consultation with a worker.

If assistance is required, and with the consent of the worker, Human resources will facilitate a case management plan in consultation with the Workers Manager or Coordinator, and medical practitioners.

Development of a Case Management Plan should be considered where:

- Any initial consultation and agreed actions do not achieve a satisfactory result;
- A worker requests for a Case Management Plan through their relevant Manager.

The Plan should set out agreed goals and outcomes, acceptance of responsibilities and accountabilities and shall be signed by the individual worker and the relevant Manager.

Development and implementation of any rehabilitation process should be referenced with Council Rehabilitation's Policy.

11. Employee Assistance Program:

Council provides a voluntary and confidential Employee Assistance Program (EAP).

The program provides employees and members of their immediate family with personal counselling and support relating to personal, family or work related problems which may affect their work performance or quality of life.

12. Zero Tolerance:

This Policy/Procedure provides for zero tolerance of illicit drugs which constitutes a criminal offence that has potential to adversely affect the health and safety of Council's workers and others in the workplace or the conduct of Council's operations.

13. Disciplinary Procedures:

A breach of this Procedure or a case management plan may have disciplinary consequences.

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FITNESS FOR WORK PROCEDURE

Discipline will be handled in accordance with Council's Disciplinary Procedure.

14. Employee Social Functions and the Responsible Serving of Alcohol:

Alcohol is not to be consumed by workers at any Council work site or facility without the prior approval of the General Manager or Deputy General Manager.

As an employer, Council will implement controls to ensure responsible consumption of alcohol at council approved social functions.

Controls may include:

- Alcohol to be served by a person with RSA Certificate;
- Non-alcoholic drinks including water will be available;
- Food may also be served;
- Time limits may apply.

It is expected that all workers attending any approved function/event where alcohol is served will ensure they act in a responsible and reasonable manner at all times.

15. Retaining Records – Confidentiality:

Management safeguard for testing information to protect the privacy of the individual(s) is paramount.

Type of records:

- Information recorded of a personal nature that should be placed on a workers personnel file by HR Department. i.e. breaches of policy or procedures including management plans.
- Information collected as part of the implementation of this Policy and Procedure that is of a management nature (i.e. number of test completed and results).

Records from the testing organisation shall be maintained by the Risk Management Department, but does not include information that will be attached to a workers' personnel file.

Individual test results shall not be released to anyone who is not directly involved in the testing process.

Exceptions may be:

- The worker authorises the transfer of information in writing;
- The worker has signed a release form for rehabilitation or a case management plan in which the results of the test must be known to facilitate further action concerning the worker;
- When the results of the test become the subject of a dispute, the information may be released to other parties on a "need to know" basis;
- When complying with any legal requirement;
- The worker's manager may require access to information pertinent to likely management issues such as duty of care to the individual and other workers and required knowledge to assist in the decision-making process.

Every effort will be made to carry out all actions under this Policy/Procedure in a manner which respects the dignity and confidentiality of those involved.

16. Disputes:

Any disputes in the implementation of this Procedure should in the first instance be referred to **Risk Management Department**. ~~Change of Title and below~~

The **Risk Management Department** shall notify the General Manager and the Human Resource Coordinator of the reasons and issues that may be in dispute.

17. Associated Council Policies and Procedures:

- Risk Management Framework
- Vehicle Policy

Deleted: Reporting of tests results summary provided by the testing organisation shall be made available to the Safety Committee and the Consultative Committee every three months.¶

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FITNESS FOR WORK PROCEDURE

Devonport City Council Enterprise Agreement
Health and Well Being Program
Code of Conduct Policy
Recruitment and Selection Policy
Disciplinary Procedures
Harassment, Bullying & Anti-Discrimination Policy
Employee Assistance Program
Health and Safety Policy
Rehabilitation Policy


18. Document Review:


The Policy/Procedure should be reviewed every two years. Now only reviewed every 2 years instead of 12 months.

19. Communication:

Should policies, procedures or forms be updated, created or altered, this must be communicated to relevant audiences.

The **Risk Management Department** will oversee the Fitness for Work Policy and Procedure.

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 <h2 style="text-align: center;">HARASSMENT, BULLYING AND ANTI-DISCRIMINATION POLICY</h2>			
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	23 March 2015	55/15	D362146
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
HR Coordinator	General Manager	5.7.3 – Ensure human resource policies, procedures and management systems support effective Council service delivery	June 2017
PURPOSE	<p>Council values diversity in the workplace and, as such, is committed to ensuring it provides and maintains a safe and positive workplace, free from unlawful discrimination, harassment and bullying. Council is committed to compliance with the provisions of the <i>Anti-Discrimination Act 1998 (Tas)</i>, the anti-discrimination provisions of relevant legislative instruments and the provisions of Section 63 (2) of the <i>Local Government Act 1993</i> which states:</p> <p>(1) The general manager of a council may –</p> <ol style="list-style-type: none"> a) appoint persons as employees of the council; and b) allocate duties to employees; and c) control and direct employees; and d) suspend or dismiss employees. <p>(2) The general manager is to develop human resource practices and procedures in accordance with policies of the council to ensure employees of the council receive fair and equitable treatment without discrimination.</p>		
SCOPE	<p>This policy applies to all workers (a worker includes an employee, labour hire staff, volunteer, apprentice, work experience student, subcontractor, and contractor) and Aldermen of the Devonport City Council.</p>		
POLICY	<p>1. In committing to this policy, Council aims to:</p> <ul style="list-style-type: none"> • Create a working environment which is free from discrimination, harassment and bullying and where all workers are treated with dignity, courtesy and respect; • Continue training and awareness sessions to ensure that all workers know their rights and responsibilities; • Encourage the reporting of behaviour which breaches this policy; • Provide an effective procedure for complaints based on the principles of natural justice; • Treat all complaints in a sensitive, fair, timely and confidential manner; • Protect workers from victimisation and reprisals for making complaints; and • Promote appropriate standards of conduct at all times. <p>Council is an Equal Opportunity Employer. Council promotes a working environment where equality of access is merit based, and the recognition and acceptance of diversity within the workplace is facilitated. Principles of Equal Opportunity are embedded in internal employment practices, from training, promotion and recruitment, and</p>		

an environment where workers can work effectively without fear of discrimination, bullying or harassment is fostered. Whilst roles within the Council and their intrinsic requirements vary, an inherent component of each role is the expectation that all workers be treated with dignity and respect. As an Equal Opportunity Employer, the Council acknowledges its responsibility in ensuring the rights of everyone within the workplace is protected. The expectation includes, but is not limited to, the right to be physically and psychologically safe within the workplace, and to be treated equally, fairly and respectfully.

2. Definitions:

2.1. Bullying: Bullying is defined as behaviour that is offensive, abusive, intimidating, malicious or insulting. Bullying is often repetitive, persistent and systematic behaviour, whereby an individual or group of people abuse their power or position to undermine, disempower, degrade, threaten or humiliate another person or group of people. Whilst generally overt and obvious in nature, bullying can also include the intentional withholding of information, isolation of a person within the workplace, exclusion from decision-making processes, or any activities that they would usually be involved with.

2.2. Direct Discrimination: Direct discrimination occurs when a person treats another person, on the grounds of an actual or perceived attribute or characteristic, less favourably than a person without that attribute or characteristic. Under Section 16 of *Anti-Discrimination Act 1998*, a person must not discriminate against another person on the ground of any of the following attributes:

- race
- age
- sexual orientation
- lawful sexual activity
- gender
- gender identity
- intersex
- marital status
- relationship status
- pregnancy
- breastfeeding
- parental status
- family responsibilities
- disability
- industrial activity
- political belief or affiliation
- political activity
- religious belief or affiliation
- religious activity
- irrelevant criminal record
- irrelevant medical record; or
- association with a person who has, or is believed to have, any of these attributes.


For direct discrimination to occur, it is not necessary to demonstrate that the attribute is the solitary reason for the unfavourable treatment. Furthermore, it is unnecessary for the person who discriminates to

	<p>regard the behaviour or treatment as discriminatory, or have any particular motive in discriminating. All that has to be identified is that a person's attribute was, at the least, a partial reason for the particular treatment of the other person. Even if genuine motives are the reason for the alleged discrimination, these do not and cannot excuse the behaviour.</p> <p>2.3. Indirect Discrimination: Indirect discrimination occurs when a person imposes a condition, requirement or practice that is unreasonable in the circumstances and has the effect of disadvantaging a member or group of people based on the above attributes who:</p> <ul style="list-style-type: none"> • share, or are believed to share, a prescribed attribute; or • share, or are believed to share, any of the characteristics imputed to that attribute more so than a person who is not a member of that group. <p>For indirect discrimination to be proven, it is not necessary for the person who discriminates to be aware that the condition, requirement or practice that is in question actually disadvantages the group of people.</p> <p>2.4. Defamation: Defamation occurs when a person or group of people intentionally damage a person or group's reputation by stating or writing derogatory or negative things about them which are untrue or baseless.</p> <p>2.5. Harassment: Harassment is defined as behaviour that makes someone feel intimidated, insulted or humiliated because of certain attribute they possess - including ethnicity, gender, disability, sexual preference. It can be intentional or unintentional. Harassment is also said to occur if the environment in which the person is working is 'hostile' or intimidating.</p> <p>Harassment may include behaviours, including:</p> <ul style="list-style-type: none"> • Telling jokes about particular racial groups; • Sending explicit or sexually suggestive emails; • Displaying offensive or pornographic posters or screen savers; or • Making derogatory comments or taunts about someone's race or religion. <p>Harassment can range from serious to less severe levels; however one-off incidents can still constitute harassment. Where behaviour is persistent, such behaviour can undermine the standard of conduct within a work area, eroding the well-being of the individual or group being targeted. Workplace harassment must not be confused with respectfully delivered legitimate comment and advice (including relevant negative comment or feedback) from managers and supervisors on the work performance or work related behaviour of an individual or group.</p> <p>2.6. Sexual Harassment: The <i>Anti-Discrimination Act 1998</i> stipulates that sexual harassment has taken place when a person:</p> <ul style="list-style-type: none"> • Subjects another person to an unsolicited act of physical contact of a sexual nature – such as touching, brushing up against, kissing, massaging, stroking hair; • Makes an unwelcome sexual advance or an unwelcome request for sexual favours to another person;
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	<ul style="list-style-type: none"> • Makes an unwelcome remark or statement with sexual connotations to another person or about another person in that person's presence; • Makes an unwelcome gesture, action or comment of a sexual nature; • Making unwelcome oral or written statements of a sexual nature to a person in the presence of a person; • Displaying matter of a sexual nature that relates to a prescribed attribute. <p>Mutual and welcome attraction of a sexual nature between consenting adults does not constitute sexual harassment.</p> <p>2.7. Intimidatory Harassment: Intimidatory harassment occurs when there is deliberate and intentional use of physical or operational power to coerce a person to perform a particular task, subjecting them to a feeling of humiliation or intimidation. The scope of Intimidatory harassment does not include legitimate comment or feedback regarding work performance or behaviour from a supervisor, if given in a reasonable and fair manner. Intimidatory harassment may manifest itself as coercive behaviour, persistent following or stalking, and incessant, unjustified and unnecessary comments regarding a person's capabilities within the workplace.</p> <p>2.8. Victimisation: Victimisation occurs when a person subjects, or threatens to subject, another person or an associate of that other person to any detriment. Section 18 of the <i>Act</i> states:</p> <p>Victimisation must not occur when that other person has:</p> <ul style="list-style-type: none"> • made, or intends to make, a complaint under the <i>Anti-Discrimination Act 1998</i>; or • gave or intends to give, evidence or information in connection with any proceedings under the <i>Anti-Discrimination Act 1998</i>; or • alleged, or intends to allege, that any person has committed an act which would amount to a contravention of the <i>Anti-Discrimination Act 1998</i>; or • refuses or intends to refuse to do anything that would amount to a contravention of the <i>Anti-Discrimination Act 1998</i>; or • has or does anything in relation to any person under or by reference to the <i>Anti-Discrimination Act 1998</i>. <p>2.9. Inciting Hatred:</p> <p>The <i>Anti-Discrimination Act 1998</i> prohibits a person, by a public act, inciting hatred towards, serious contempt for, or severe ridicule of, a person or a group of persons on the ground of:</p> <ul style="list-style-type: none"> • The race of the person or any member of the group (colour; nationality; descent; ethnicity; status of being or having been an immigrant); or • The religious belief or affiliation or religious activity of the person or any member of the group (holding or not holding a religious view or belief; attending or not attending religious services or festivals; taking part or not taking part in religious customs or rituals; wearing or not wearing garments associated with religious belief, affiliation or activity) • Any disability of the person or any member of the group (physical disability, mental disability, total or partial loss of a part of the
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	<p>body; illness or disease; malfunction, malformation or disfigurement; learning and behavioural disorders; reliance on devices such as hearing aids, canes or guide dogs)</p> <ul style="list-style-type: none"> Sexual orientation or lawful sexual activity of the person or any member of the group (heterosexuality; homosexuality; bisexuality; trans-sexuality).
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government Act 1993 (in particular S63(1) & 63(2))</i> <i>Anti-Discrimination Act 1998</i> <i>Equal employment Opportunity Act 1984 (Commonwealth)</i> <i>Racial Discrimination Act 1975 (Commonwealth)</i> <i>Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)</i> <i>Disability Discrimination Act 1992 (Commonwealth)</i> <i>Fair Work Act 2009 (Commonwealth)</i> <i>Sex Discrimination Act 1984 (Commonwealth)</i> <i>Work Health and Safety Act 2012</i> Devonport City Council Equal Employment Opportunity (EEO) and Diversity Policy Devonport City Council Code of Conduct Policy Devonport City Council Enterprise Agreement 2014 Devonport City Council Recruitment and Selection Policy Devonport City Council Gender Equity Policy</p>
ATTACHMENT/S (IF APPLICABLE)	<p>Harassment, Bullying and Anti-Discrimination Procedure</p>

APPENDIX – PROCEDURE

	HARASSMENT, BULLYING AND ANTI-DISCRIMINATION PROCEDURE
<p>1. Roles and Responsibilities:</p> <p>1.1. The Aldermen will: Ensure that discrimination does not arise from decisions with respect to their practices and policies and will adhere to policy and their relevant code of conduct.</p> <p>1.2. The General Manager will:</p> <ul style="list-style-type: none"> • Ensure that discrimination does not arise from decisions with respect to policies, practices, training, promotion, remuneration and general conditions of employment. • Guarantee that selection and recruitment processes provide for equal opportunity and comply with relevant legislation. • Provide adequate resources and procedures to effectively administer reports of alleged discrimination, harassment and bullying. • Ensure Managers understand Section 104 of the <i>Anti-Discrimination Act 1998</i> to communicate rights and responsibilities to staff and to act on any complaints as quickly as possible. • Ensure all complaints are treated seriously and managed in a timely and equitable manner. • Ensure, as far as practicable, that all workers adhere to the policy and code of conduct. • Ensure reasonable steps to ensure the safety and health of workers in any work related context, including but not limited to conferences, work functions or social functions. This includes a duty of care under Health and Safety and Equal Employment Opportunity legislation to provide an environment free from discrimination, harassment and bullying whether or not the function is held in an offsite or onsite location. • Be proactive by communicating clearly the appropriate standards of behaviour expected during work functions. • Ensure resource materials are made available and promote Council's nominated Contact Officers to ensure workers have access to information and support needed to prevent harassment, bullying and discrimination in the workplace or to deal with it appropriately if it occurs. • Integrate relevant training regarding harassment, bullying and discrimination into all levels of training including inductions, awareness sessions and recruitment practices. • Management will appoint and provide training to Contact Officers. The Officers are trained to provide workers with support and confidential information about their options to deal with work-related discrimination, harassment or bullying. <p>1.3. Supervisors and Managers are responsible for:</p> <ul style="list-style-type: none"> • The recruitment, promotion, training, development and transferring of staff based exclusively on merit and performance, and free from any discrimination or bias. • Guaranteeing that all Human Resources practices, including recruitment, are applied equitably, consistently and free of bias. 	

APPENDIX – PROCEDURE

- Implementing reasonable measures to prevent discrimination, harassment, bullying and victimisation in the workplace.
- Treating grievances with the utmost seriousness, confidentiality and immediacy in rectifying.
- Providing confidential guidance, advice and information to workers, including the investigation of grievances, complaints or disputes that have been made by a worker.
- Treating all workers involved in a complaint or dispute impartially and equitably.

1.4. Workers are responsible for:

- Understanding, respecting and complying with this policy and Council's Code of Conduct.
- Ensuring discrimination, harassment and bullying are not tolerated within the workplace and informing the relevant Supervisor if such behaviour occurs.
- Ensuring they do not partake in behaviour that could be considered as discriminatory, harassment or bullying and discourage others from behaving in such ways.
- Attempting to amicably resolve any personal harassment or discrimination issues with the worker/s or Supervisor/s involved in the matter prior to raising it with management, if practical.
- Supporting anyone who is being subjected to harassment, bullying or discrimination and directing them to where they can obtain advice and assistance.
- Ensuring that confidentiality is maintained if they are in any way involved in the investigation of a complaint.
- Report any concerns or issues to relevant Supervisor.
- Report any issues or concerns with discrimination, bullying and harassment from members of the public towards fellow staff members or themselves.

1.5. Contact Officers have a responsibility to:

- Provide workers whom have a grievance relating to discrimination, harassment and/or bullying with an opportunity to discuss their grievance informally, in private and confidentially.
- Provide workers with information relating to discrimination, harassment and bullying.
- Provide support to the complainant and/or respondent through listening and informing, advising of the complaints procedure, informing them of the Employee Assistance Provider and seeking further information, as deemed necessary.
- Ensure information collated from the complainant/respondent is compiled in a non-judgemental way.
- Ensure confidentiality of records of discussion, and forwarding information on to relevant parties if a complaint is lodged.
- Ensure follow up with complainant/respondent is made in regards to outcomes/resolution.

2. Investigation and Breaches of Policy:

Council has a duty of care to take a pro-active approach to managing disputes regarding discrimination therefore any reports of discrimination or harassment will be treated seriously and investigated promptly, confidentially and impartially:

- Any person, who without authorisation from the General Manager, passes on confidential information, to a third party, regarding an investigation under this policy may face disciplinary action.

APPENDIX – PROCEDURE


- As part of the resolution of any dispute regarding discrimination Council will seek, where possible, to resolve it in the least adversarial way.
- Council accepts that in some cases the parties may wish to meet and discuss the dispute in an attempt to resolve the matter. Council will accommodate this in a professional and non-judgemental manner.
- All complaints received will be treated confidentially and with serious consideration. If a worker is found to have made false accusations or a vexatious complaint for malicious reasons, they will be subjected to disciplinary action, which may include termination of employment.
- Any worker who engages in discriminatory practices, bullies or harasses, will be subjected to disciplinary action which may include termination of employment.
- Any actions which are of a criminal nature may be reported immediately to the police, regardless of whether an internal investigation is to eventuate.

3. Confidentiality:

Allegations of discrimination, harassment, bullying or victimisation will be treated confidentially. Any records or evidence produced or made during the investigatory process will be stored securely. Investigatory recordings will not be placed on an worker's personnel file, unless a formal investigation process has identified a breach of this policy which has resulted in the undertaking of disciplinary action.

4. Conflict of Interest:

It is imperative that the person involved in dealing with a matter relating to harassment, bullying or discrimination under this policy, not expose themselves to a conflict of interest. If a conflict of interest arises, they must immediately advise the most senior person dealing with the complaint or human resources of the conflict and remove themselves from the process. This will ensure that faith in the process is guaranteed.

	INVESTMENT POLICY		
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	27 July 2015	152/15	D377884
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Executive Manager Corporate & Business Services	Executive Manager Corporate & Business Services	5.5.1 – Provide financial services to support Council's operations and meet reporting and accountability requirements	June 2017
PURPOSE	The purpose of this Policy is to authorise and regulate the investment of Council's surplus funds so as to maximise earnings from investments whilst ensuring security of fund placement.		
SCOPE	This Policy applies to all activities undertaken by Council involving the investment of funds surplus to immediate operational requirements. It is not intended to cover interests in associated entities such as joint ventures.		
POLICY	<p>1. Delegation of Authority: Authority for the implementation of the Investment Policy is delegated by Council to the General Manager in accordance with the <i>Local Government Act 1993</i>.</p> <p>The General Manager may in turn delegate the day-to-day management of Council's investments. An Officer delegated authority to manage Council's investments shall be required to acknowledge that they have received a copy of this Policy and understand their obligations in relation to it.</p> <p>2. Direct Investments: Council may deposit funds with any Australian authorised deposit-taking institution having a rating as prescribed in Section 6.</p> <p><u>Quotations on Investments:</u> At least three comparisons shall be obtained from relevant institutions whenever an investment is proposed. The quote should take into account minimum and maximum balances, interest rate, term of investment, administrative and banking costs as well as the limits set in the Policy when determining the most favourable quote.</p> <p>Council shall only invest money (on the basis that all investments must be denominated in Australian Dollars) in the following forms of investment:</p> <ul style="list-style-type: none"> (a) any public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory; (b) Interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution (as defined in the <i>Banking Act 1959 (Cwth)</i>), but excluding subordinated debt obligations; (c) A deposit with the Tasmanian Public Finance Corporation. 		

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3. Prohibited Investments:

This Policy prohibits any investment carried out for speculative purposes, including but not limited to:

- (a) Derivative based instruments;
- (b) Principal only investments or securities that provide potentially nil or negative cash flow;
- (c) Stand-alone securities issued that have underlying futures, options, forward contracts and swaps of any kind; and
- (d) The use of leveraging (borrowing to invest) of any investment.

4. Prudent Person Standard:

The investments shall be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, officers are to manage Council's investment portfolios to safeguard the portfolio in accordance with the spirit of this Investment Policy, and not for speculative purposes.

5. Ethics and Conflict of Interest:

Officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the General Manager. If engaged, independent advisors shall also be required to declare that they have no actual or perceived conflicts of interest.

6. Risk Management Guidelines:

Investments are to comply with the following criteria:

- (a) **Preservation of Capital** - all reasonable measures are to be taken to prevent losses in portfolio value (considering the time value of money);

(b) Institutional Diversification:

- (i) Not less than three (3) quotations shall be obtained from authorised institutions when an investment is proposed.
- (ii) All term deposit investments are to be made with authorised deposit taking institutions authorised under the Banking Act 1959 and with an investment grade credit rating.
- (iii) The maximum holding limit in each rating category and the target credit quality weighting for Council's total portfolio shall be:


Total Portfolio Limits		
Long Term credit Rating (or Moody's, Fitch, S&P or equivalent)	Short Term Credit (S&P or Equivalent)	Maximum Holding
AAA-AA category	A1+	100%
A Category	A1-A2	80%
BBB Category	A2-A3	40%

- (c) **Maturity Risk** - the investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Return to Maturity		
Portfolio % <1 Year	Min 40%	Max 100%
Portfolio % > 1 Year	Min 0%	Max 60%
Portfolio % > 3 Year	Min 0%	Max 30%
Portfolio % > 5 Year	Min 0%	Max 20%

	<p>(d) Liquidity Risk -</p> <ol style="list-style-type: none"> a. Matching investments with cash flow requirements. b. Ensure access is available within seven (7) days to at least \$1,000,000 or 10% of value of total investments, whichever is greater. <p>If any of Council's investments are downgraded such that they no longer fall within the investment policy requirements, they will be divested as soon as practicable but in a manner that does not give rise to an unnecessary loss to Council.</p> <p>Investments for greater than 12 months are to be approved by Council and reviewed on a regular term and invested for no longer than 5 years.</p> <p>7. Performance Benchmarks: The performance of the investment portfolio shall be against the industry standard 11am Cash Rate for cash investments and BBSW 90 Day Swap Rate for direct investments.</p> <p>8. Reporting and Responsibilities of Council Officers:</p> <ol style="list-style-type: none"> (a) The Responsible Accounting Officer shall reconcile the investment register on a monthly basis ensuring sufficient records are maintained, including: <ol style="list-style-type: none"> (i) the source and amount of money invested; (ii) particulars of the security or form of investment in which the money was invested; (iii) the term of the investment; and (iv) if appropriate, the rate of interest to be paid, and the amount of money earned, in respect of money invested. (b) A report shall be provided to the Governance & Finance Committee of Council, detailing the investment portfolio in terms of performance, investment institution and amount of each investment. (c) The report should also detail each actual percentage against the performance benchmark rates. (d) For audit purposes, certificates must be obtained from financial institution confirming the amounts of investment held on the Council's behalf at 30th June each year. (e) The documentary evidence must provide Council legal title to the investment. <p>9. Investment Advisor: Should Council engage an investment advisor, the advisor must be approved by the General Manager and licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of the investment policy.</p> <p>The independent advisor is required to provide written confirmation that they do not have any actual or potential conflicts of interest in relation to the investments they are recommending or reviewing, including that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed.</p>
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	<p>10. Review of Policy: This policy shall be reviewed every two years and any amendments, if necessary shall be approved by resolution of Council.</p>
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government Act 1993</i> <i>The Trustee Amendment (Investment Powers) Act 1997</i> <i>Local Government (General) Regulation 2015</i> <i>Australian Accounting Standards</i></p>
ATTACHMENT/S (IF APPLICABLE)	N/A

 <p style="text-align: center;">PERMANENT ART COLLECTION POLICY</p>			
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	16 March 2009		D377930
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Gallery Director	Convention and Arts Centre Manager	4.2.3 – Develop and implement an integrated approach to art	JUNE 2019
PURPOSE	<p>To ensure sound management of the Devonport City Council's Permanent Art Collection. Key objectives of the policy are to:</p> <ul style="list-style-type: none"> • Conserve, document and develop the Collection in accordance with International Council of Museums (ICOM) Code of Professional Ethics. • Develop a Collection that is cohesive, focused and significant within Tasmania. • Provide an effective, open and accountable system of acquiring and de-accessioning of works. • Preserve, protect and conserve its assets through effective management of the Collection. • Provide and advocate access to the collection through public programs and exhibitions. • Provide guidelines for the expenditure of the annual allocation of funds for the acquisition of new artworks. 		
SCOPE	The policy applies to all artworks in the Collection, including artworks that are currently on display in public buildings.		
DEFINITIONS	<p><u>Definitions:</u> <u>To assist in the interpretation the following definitions shall apply:</u> <u>"Artworks" shall mean various art mediums including paintings, drawings, prints, photographs, ceramics, sculpture, textiles and electronic media.</u> <u>"Advisory Board" shall mean Devonport Regional Gallery Advisory Board</u> <u>"Collection" shall mean City of Devonport Permanent Art Collection</u> <u>"Council" shall mean Devonport City Council.</u> <u>"Gallery" shall mean Devonport Regional Gallery</u></p>		

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Deleted: Collecting art on behalf of the community contributes to the development of services that enhance the quality of life offered in the city. ¶ The Collection Policy is intended to bring together the disparate elements of the existing Collection by assessing the relevance of each item in accordance with the Collecting Guidelines outlined below. The Policy will support the growth of a collection of significant Tasmanian works of art, craft and design that embodies the best of contemporary practice within the state. ¶ The Devonport Regional Gallery will acquire significant works by Tasmanian artists. Focus will be on collecting works by practising, contemporary artists, with the aim that over time the Collection will become a strong, accumulative record of serious artistic activity and development within the state. The Collection will be unique owing to its representation of Tasmanian practitioners, and hence will have state, national and international significance.

POLICY	<p>The Devonport Regional Gallery will acquire significant works by Tasmanian artists. Focus will be on collecting works by practising, contemporary artists, with the aim that over time the Collection will become a strong, accumulative record of serious artistic activity and development within the state. The Collection will be unique owing to its representation of Tasmanian practitioners, and hence will have state, national and international significance.</p> <p><u>The policy is intended to bring together the disparate elements of the existing Collection by assessing the relevance of each item in accordance with the Collecting Guidelines outlined below. The Policy will support the growth of a collection of significant Tasmanian works of art, craft and design that embodies the best of contemporary practice within the state.</u></p> <p><u>The Collection benefits Devonport in the following ways:</u></p> <ul style="list-style-type: none"> • <u>Identifies the City's heritage and honours the region.</u> • <u>Assists in building a community identity.</u> • <u>Collecting art on behalf of the community contributes to the development of services that enhance the quality of life offered in the city.</u> • <u>Integrates works of art into the community so the community is regularly exposed to quality art.</u> • <u>Reflects the culture and interests of the community and the state of Tasmania.</u> • <u>Provides an educative function which allows residents to enjoy a range of quality art, thereby enriching lives.</u> • <u>Provides access to key aspects of the development of contemporary art, craft and design in Tasmania.</u> • <u>Is a valuable drawcard for cultural tourism.</u> • <u>Acts as an important reference point for art studies for children, art students, curators, researchers and residents.</u> • <u>Maintains the tradition established by the foresight of past Gallery Directors, Committee members and Aldermen.</u> <p><u>The Collection is held in trust by Council for the community and the proper stewardship for this asset will provide maximum exposure, utilisation and benefits for the community, the Devonport Regional Gallery and Council.</u></p> <p><u>Collection Profile</u></p> <p><u>The Collection is managed by the Gallery.</u></p> <p><u>The Gallery was founded as The Little Gallery by Mrs Jean Thomas in 1966. During the late 1960s and 1970s the Gallery's exhibition program supported emerging, contemporary Tasmanian artists and Thomas' decision to purchase one work from each exhibition formed the genesis of Council's permanent collection.</u></p> <p><u>In 1979, Council purchased The Little Gallery and gained custodianship of the Collection. The Collecting focus has varied between Directors since Council began managing the Gallery and hence the Permanent Collection comprises a number of disparate components, including:</u></p> <ul style="list-style-type: none"> • <u>Art Collection – approximately 1300 items including works by Tasmanian and Australian artists.</u> 	<p>Deleted: s</p> <p>Deleted: , within the Customers and Community Portfolio of the Council</p> <p>Deleted: the Devonport City</p> <p>Deleted: the Devonport City</p>
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	<ul style="list-style-type: none"> • <u>Ceramic Collection – 400 items.</u> • <u>Robinson Photographic Collection – over 40,000 photographic negatives.</u> • <u>Davis Collection (DC) - items of old technology, includes televisions and gramophones.</u> • <u>Moon Collection (MC) - historic household items and clothes from the Devonport-based Moon family.</u> <p><u>The strategic management of the Collection will ensure its potential significance is realised as individual items are acquired, de-accessioned, and maintained according to the guidelines outlined in this document.</u></p> <p><u>Devonport Regional Gallery Advisory Board</u> <u>The Advisory Board's role in relation to the Collection is to provide advice and recommendations to Council on the following:</u></p> <ul style="list-style-type: none"> • <u>Endorse recommendations from the Gallery Director for the acquisition of art works;</u> • <u>Provide input and advise on art related policy development;</u> • <u>Act as ambassadors for the Gallery, actively advocating on behalf of and promoting the Gallery initiatives and the permanent art collection at local, state and national levels;</u> • <u>Engage the local Devonport and regional community in Collection exhibitions, activities and programs; and</u> • <u>Support Council efforts to attract funding and other resources in accordance with identified needs and the strategic direction of the Gallery.</u> <p><u>ACQUISITION</u></p> <p><u>Acquisition Criteria</u></p> <p><u>It is recommended that works of art, craft, and design acquired by Council for accessioning into the Collection by purchase, commission, gift or donation fulfil the following criteria:</u></p> <ul style="list-style-type: none"> • <u>The artist is Tasmanian or has been living and working in Tasmania for at least two years as a practising artist;</u> • <u>The artist demonstrates a strong connection to Tasmania;</u> • <u>The artist demonstrates a professional history in visual arts practice or, in the case of emerging artists, the realistic potential for establishing a long-term career in the visual arts;</u> • <u>The proposed art work must be significant within the realm of the artist's practice at the time of purchase, and not considered to be a minor work or study;</u> • <u>The acquisition supports and builds on existing work by a recognised Tasmanian artist in the Collection;</u> • <u>Works of art must be at no risk of damage or deterioration in the Gallery's existing display and storage facilities;</u> • <u>Purchases for the Collection must be accompanied by a Certificate of Authentication from the Vendor/Gallery where the work was purchased or an equivalent signed document from the artist.</u> <p><u>Exceptions</u></p> <ul style="list-style-type: none"> • <u>i to provide an opportunity that is outside the Collection policy parameters, artworks may be acquired where it can be</u>
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	<p><u>demonstrated that there would be significant value in acquiring a certain piece of artwork due to its cultural relevance and benefit to the Collection and City of Devonport.</u></p> <ul style="list-style-type: none"> • <u>ii In accordance with Exception (i) the winning entry of Tidal: City of Devonport National Art Award, which may not originate from Tasmania, will be acquired to build a valuable collection for the community of Devonport.</u> <p><u>Acquisition Procedure</u></p> <p><u>All works of art proposed for acquisition will have been pre-assessed for relevance to the Acquisition Criteria by the Gallery Director and Curator of Collections prior to presentation to the Advisory Board.</u></p> <p>The provenance of all artworks approved for acquisition will be checked and approved by the Gallery Director and Curator of Collections prior to purchase.</p> <p>The legal title of all works will remain with Council.</p> <p><u>Copyright of acquired works remain with the artist. (Generally, copyright is valid for the life of the artist plus 70 years, refer to the Copyright Act 1968). At the time of acquisition, the Gallery will seek the artist's permission to publish images of the work for reasons solely related to the promotion of the Gallery, the Council, and the Collection. This will be undertaken according to the Copyright Act 1968.</u></p> <p><u>All proposals must be assessed against the Collection Policy and receive endorsement by the Devonport Regional Gallery Advisory Board. Acquisitions will be reported to Council.</u></p> <p>All artworks approved for acquisition will be officially accessioned into the Collection.</p> <p><u>Donations</u></p> <p><u>Encouragement of philanthropy is a strategic approach to support the realisation of specific targets and goals of the Collection. The Gallery has Deductible Gift Recipient Status, which assists in encouraging donations of artworks.</u></p> <p><u>The "Cultural Gifts Program" encourages gifts of significant cultural items to public art galleries by offering donors a tax deduction for the market value of their gifts. Artworks accepted as a donation for the Collection must have cultural importance relative to the Collection and therefore meet the Acquisition Criteria. It is the responsibility of the donor to have the artwork assessed by two valuer's and arrive at an average based on these two assessments. This value will be used for the purpose of insurance and recorded on the Collection data base. The donor can use this information to claim an income tax deduction.</u></p> <p><u>Exceptions</u></p> <ul style="list-style-type: none"> <u>a. to provide for the exceptional Gift or opportunity that is outside the Collection policy parameters, artworks may be accepted where it will benefit the Collection and the City. Gifts to the Collection will be encouraged with a view to enhancing the congruence of the Collection. The Gallery Director, in</u>
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	<p><u>consultation with the Advisory Board will accept or refuse such offers of gifts as they occur and report them to Council</u></p> <p><u>DEACCESSION AND DISPOSAL</u></p> <p><u>Deaccessioning is the formal process of removal of an object from the collection register, catalogue or database.</u></p> <p><u>Disposal is the physical removal of the object from the organisation by the process decided upon by the Advisory Board. Objects identified and approved for disposal must remain in the Collection for a minimum period of 12 months after the deaccessioning approval has been granted.</u></p> <p><u>Deaccession decisions, like acquisition decisions, are based on objective criteria and not personal taste. The Director and Curator of Collections shall determine whether a work of art warrants deaccessioning or disposal of: if the work does not legally belong to the Collection; is damaged or inappropriate for the Collection or does not relate to the Collection Policy. The proceeds from any sale of a deaccessioned work must be reserved and applied only to acquisitions. The proceeds from any sale are to be entered into Council's Assets budget.</u></p> <p><u>Deaccession Criteria</u></p> <p><u>The following classes of works may be considered for deaccession:</u></p> <ul style="list-style-type: none"> • <u>i. Works which may not have been lawfully obtained by the Devonport Regional Gallery or the Devonport City Council or which may legitimately be claimed by an individual or their heirs, trustees or representatives, or by an organisation or institution representing a claimant community or nation;</u> • <u>ii. Works which are in poor physical condition, whether through accidental damage, deterioration or infestation and which are beyond restoration to a level suitable for public display, scholarly use or other appropriate museum purposes;</u> • <u>iii. Works which have been determined to be forgeries, or which have been falsely or wrongly attributed;</u> • <u>iv. Works which fall outside the parameters of the Collection, as defined by the Acquisition Criteria (refer 4.1).</u> <p><u>Restrictions - Works shall not be deaccessioned which are subject to a trust or other legal impediment which forbids deaccessioning. The following works will generally not be considered for deaccessioning:</u></p> <ul style="list-style-type: none"> • <u>Works which were acquired less than ten years prior to the time of the proposed deaccession</u> <p><u>Deaccession Procedure</u></p> <p><u>Based on the Collections Policy, and the Significance Assessment of individual collections within the overall Collection a proposal for deaccessioning shall be initiated by the Director in consultation with the Curator of Collections.</u></p> <p><u>Except in the case of returns (see 5.1 above), the Gallery and Council's clear and unrestricted title in the work shall be established.</u></p> <p><u>A written deaccession proposal shall be prepared by the Director and Curator of Collections for the Advisory Board and the proposal will include:</u></p>
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	<ul style="list-style-type: none"> • <u>Accession number;</u> • <u>Provenance including full details of the circumstances of the work's; acquisition, including any prohibitions or restrictions on deaccessioning, including statutory restrictions;</u> • <u>Reasons for the proposed deaccessioning (see 5.1);</u> • <u>Recommendations for the means of disposal (see 5.3);</u> • <u>Estimated current market value of the work.</u> <p><u>The work shall be approved in principle for deaccessioning on the absolute majority vote of the SIG and Director. Works that have the full support of the Committee for deaccessioning will be recommended to Council.</u></p> <p><u>The object/s identified for deaccession must be placed separately in the storage facility away from the rest of the Collection.</u></p> <p><u>If the object/s is approved for deaccession, the object/s must be removed from the Permanent Collection records including the computer database and hard copy files. The deaccessioning of the object must be recorded in the collection data base. A deaccessioned object's number cannot be used again for another object.</u></p> <p><u>If an object is to be sold at auction, and does not possess a current valuation, a certificate of valuation must be sought.</u></p> <p><u>All items endorsed for deaccessioning must be set aside for a 12 month 'cooling off period' prior to active disposal.</u></p> <p>Methods of Disposal</p> <p><u>Objects identified and approved for disposal must remain in the Collection for a minimum period of 12 months after the deaccessioning approval has been granted. At the end of a 12 month period, the Director, in consultation with the Committee, will determine which of the following methods is most appropriate for disposal of the identified item:</u></p> <ul style="list-style-type: none"> • <u>Return the object to the donor, if donor in agreement.</u> • <u>Transfer to another institution. This will be an institution with a similar collecting area i.e. if a maritime related object, a maritime museum would be appropriate.</u> • <u>Exchange with another institution.</u> • <u>Sale by public art auction or by tender.</u> • <u>Destruction - only to be carried out if the object has irreparable damage.</u> <p>Restrictions</p> <p><u>Under no circumstance shall a deaccessioned work be purchased by or transferred or given to any Trustee or Devonport City Council employee or volunteer of the Devonport Regional Gallery or any member of their immediate families.</u></p> <p>Recording deaccessioned information</p> <p><u>Note on the accession register that the object has been deaccessioned; this information must remain on record. A deaccessioned objects number can never be used again.</u></p>
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	<p><u>All decisions and actions are to be fully documented and recorded on the Collection database and removed from Council's asset management register.</u></p> <p><u>COLLECTION MANAGEMENT</u></p> <p><u>Storage, Valuation and Insurance</u></p> <p><u>The Gallery Director will endeavour to ensure each item in the Collection is housed according to international standards and best practice regarding conservation, handling, storage, cataloguing and security.</u></p> <p><u>Routine monitoring of the Collection will be conducted and reported in the following ways:</u></p> <ul style="list-style-type: none"> • <u>Weekly facility storage check, this includes atmospheric conditions relating to the Robinson Collection.</u> • <u>Monthly assessment of the condition of the collection and co-ordination of actions relating to conservation and maintenance.</u> • <u>Annual assessment of storage requirements. Improvements identified are to be included for consideration by Council in future capital budget projections.</u> <p><u>Revaluation of the Collection is recommended every five years to ensure works are insured according to value. Changes in status of Artists can and does impact on the value of Art works.</u></p> <p><u>The Collection's insurance value is of priority; all works are to be valued by an accredited art valuer. Evidence of the valuer's credentials will be requested and recorded.</u></p> <p><u>Display and Promotion</u></p> <p><u>An important part of the exhibition program is the provision of a Collection known both for its quality and diversity; however the lack of adequate exhibition spaces to showcase the Collection suggests that for most residents it is a little known cultural resource.</u></p> <p><u>The Gallery Director will endeavour to ensure that art works from the Collection are displayed according to international standards and best practice regarding museum and gallery conservation, handling, storage, cataloguing and security.</u></p> <p><u>Gallery staff will promote the Collection by curating collection-based exhibitions on an annual basis.</u></p> <p><u>Alternative exhibition spaces to the Devonport Regional Gallery are required to be secure public areas where works can be shown safely. Criteria for public display of the Collection falls part of the exhibition policy.</u></p> <p><u>All loans from the Collection will be managed by the Gallery Director and a formal loan agreement, including information regarding freight arrangements and insurance details, confirmed before art works leave Council premises.</u></p> <p><u>Works of art will be available for loans in the order of priority listed below:</u></p> <ol style="list-style-type: none"> i) <u>Devonport Regional Gallery exhibitions;</u> ii) <u>Temporary exhibition loans to other galleries and museums, including interstate venues;</u>
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	<p><u>iii) Council offices;</u></p> <p><u>iv) Public and other suitable spaces.</u></p> <p><u>Images and a brief description of selected works of art from the Collection are accessible on www.devonportgallery.com. As an ongoing initiative, Gallery staff will endeavour to upload images to ensure the Collection is represented in the broadest possible context.</u></p> <p><u>Conservation</u> <u>The Gallery will only engage professionally trained conservators to undertake conservation on any work of art from the Collection.</u></p> <p><u>Record Management and Documentation</u> <u>All items in the Collection will be documented within the Devonport City Council asset management system. Details regarding each item will be as specific as possible, including an image of each item, a brief description, provenance, an accession number, artist details, current location update, and a given value. The following numbering system will be used for accessioned items: year the work is acquired i.e. 2012 then a full stop followed by a number in order of acquisition i.e. 2012.002 – (002 denote the second work acquired in 2012).</u></p> <p><u>Access</u> <u>Gallery staff aim to ensure that, wherever possible, the Collection, and information pertaining to it, is available to researchers requesting access. Any access to the collection/storage facility shall be under the supervision of the Gallery Director or nominated staff. Maintenance workers checking equipment and/or building will also need to be accompanied by the Gallery Director or nominated staff.</u></p> <p><u>Priorities</u> <u>Priorities for managing the Collection are developed in consultation with the Advisory Board. Budget restraints will determine what can be achieved in particular timeframes.</u></p> <ul style="list-style-type: none"> • <u>De-accession works with no relationship to the Collection Criteria</u> • <u>Promote the Collection on the Gallery website</u> • <u>Expand the Collection by continued acquisition of new work</u> • <u>Exhibit the Collection</u> • <u>Conservation and Collection Management</u> • <u>Risk Management</u> • <u>Insurance and valuation</u>
<p>LEGISLATION AND RELATED DOCUMENTS</p>	<p><u>Local Government Act 1993</u> <u>Copyright Act 1968</u> <u>Asset Management Policy</u> <u>International Council of Museums Code of Professional Ethics</u> <u>Museum Collections Management Standards</u></p>
<p>ATTACHMENT/S (IF APPLICABLE)</p>	<p><u>N/A.</u></p>

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 <h2 style="text-align: center;">PERSONAL INFORMATION PROTECTION POLICY</h2>			
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	15 December 2014	300	D347218
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Governance Coordinator	General Manager	5.3.1 – Review and amend governance structures, policies and procedures to adapt to changing circumstances	June 2017
PURPOSE	<p>This policy demonstrates Council's commitment to protecting an individual's rights to personal privacy, and compliance with relevant legislative and internal policies that enforce personal information protection. This policy is in accordance with the Personal Information Protection Principles as outlined in Schedule 1 of the <i>Personal Information Protection Act 2004</i> (the "Act").</p>		
SCOPE	<p>This Policy applies to all employees, elected members, contractors, work place participants and volunteers of the Devonport City Council, and covers all personal information held by Council.</p>		
POLICY	<p>1. Collection (Principle 1): Council collects and requests information when it is required to carry out its functions and activities. Personal information shall be obtained from the individual when it is reasonable and practicable to do so, and will be collected by lawful, reasonable and unobtrusive means.</p> <p>There may be circumstances where Council is required or obligated by law to collect personal information. Sensitive information will only be obtained where an individual provides consent or where it is permitted under the Act.</p> <p>Information may include:</p> <ul style="list-style-type: none"> • Name • Address • Telephone contact/s • Date of birth • Occupation • Social Security Number • Bank Details • Vehicle Registration details • ABN details <p>There are various purposes for obtaining of personal information which may include:</p> <ul style="list-style-type: none"> • To provide services, as requested by the individual; • To follow up on complaints/issues; • To confirm attendance at meetings, functions etc; • Where an individual is included on a mailing or distribution list; • To facilitate the collection of fees and charges; • To facilitate payments; • To undertake law enforcement activities. 		

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	<p><u>When collecting personal information, Council will take steps to guarantee the individual is made aware of:</u></p> <ul style="list-style-type: none"> • Council's identity and how to contact it; • The individual's rights in regards to accessing <u>information</u> collected; • The purpose for collecting the information; • The intended recipient/s of the information; • Legislation that requires the information to be collected; and • The <u>consequences, if any, of not providing all or part of that information.</u> <p>Council will utilise the information obtained only for the purpose for which it was collected.</p> <p>Any information collected by a third party will require Council <u>to take</u> reasonable steps to ensure the individual concerned is informed of the commitment above, unless there is a situation whereby doing so could pose a serious threat to the life, safety, health or welfare of any individual, or where it could be prejudicial to an investigation.</p> <p>2. Use and Disclosure (Principle 2):</p> <p>Council will only disclose personal information to a third party or external organisation with the express consent of the individual concerned, or when it is required by law. Any external or third party in receipt of personal information must comply with provisions of the Act. In respect to <u>contractors engaged by Council, it is Council's</u> responsibility to ensure that they are aware of, and comply with <u>the</u> Act (as far as it is reasonably practicable for Council to do so) and other privacy and confidentiality provisions.</p> <p>Some instances where Council is authorised to utilise or disclose personal information to sources outside of Council include:</p> <ul style="list-style-type: none"> • Making contact where services have been requested (i.e. <u>issuing</u> permits, attending to work requests); • Collecting Council fees and charges (i.e. rates notices; infringement notices; bank account details; financial institutions for direct debiting purposes); • Property information (<u>disclosure to the Valuer-General, the Australian Bureau of Statistics, or for</u> subdivision or planning application <u>purposes</u>); • Financial circumstances (Centrelink for confirmation of pensioner rebates, Housing Tasmania); • Legal circumstances/<u>law enforcement obligations</u> (MPES and other debt collection agencies, where fines/rates have not been paid; Courts and Tasmania Police - for example when complying with subpoena requirements); • Employment (if a background or Police Check is required for employment purposes); • Workers Compensation/Public Liability incidents (to forward personal information on to Workers Compensation agents, public liability or professional indemnity insurers); • Emergency circumstances (to contact an individual in the case of an emergency). 	<p>Deleted: After</p> <p>Deleted: the</p> <p>Deleted: main</p> <p>Deleted: taking</p> <p>Deleted: c</p> <p>Deleted: this</p> <p>Deleted:</p> <p>Deleted: issuing</p> <p>Deleted: may be disclosed</p> <p>Deleted: s</p> <p>Deleted: L</p> <p>Deleted: to</p>
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3. **Data Quality (Principle 3):**
 Council seeks to ensure that personal information held by it is accurate, complete and current, and has been provided by the individual or other reliable source. Council provides a simple process for information to be updated or corrected. Reference to amendments and correction of information is included in "Access and Correction (Principle 6)".

4. **Data Security (Principle 4):**
 Council follows all necessary procedures to ensure personal information it holds is stored safely and securely, and is accessible only to those requiring or authorised to use the information.

Employees and elected members are required to protect personal information that they have access to, and ensure that it is kept securely and used for authorised purposes only. Confidentiality must be maintained at all times when handling personal or sensitive information, and must not be disclosed to any unauthorised parties. Both employees and elected members are bound by Section 339 of the Local Government Act 1993, whereby they "must not make improper use of any information acquired".

If requests for personal information are made from government agencies, including the police, the request must be forwarded to the Principal Officer, who under the provisions of the Right to Information Act 2009, may make an assessment on disclosure.

Council files are strictly confidential; are stored securely; and can only be accessed by authorised officers. An employee failing to meet confidentiality and privacy conventions may be subject to disciplinary action, in accordance with internal Council Policy.

Council ensures the maintenance of privacy and confidentiality through the provisions of physical or building security; computer and network security; communications security; and personnel security; in addition to policy and procedures that are compatible with principles of confidentiality and privacy.

Any personal information in the possession of Council that is no longer required will be disposed of by secure means, generally via confidential shredding.

Council also complies with the provisions of the Archives Act 1983, and its legal obligations to retain information for a set period or permanently.

5. **Openness (Principle 5):**
 Council will make this policy available upon request. Upon request, Council will take all reasonable steps to provide the individual with the personal information it holds, collects (and for what purpose/s the information is collected, held, used and disclosed).

6. **Access and Correction (Principle 6):**
 In accordance with Principle 6 of the Personal Information Protection Principles, an individual may access personal information about them that is in Council's possession. Access to documentation containing personal information is managed under the provisions of the Right to

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	<p><i>Information Act 2009. This may relate to activities such as rate notices, fines, planning applications and other information associated with Council's activities and jurisdiction.</i></p> <p>A request for information, clearly stating the information required, must be made in writing and addressed to:</p> <p>The Principal Officer Devonport City Council PO Box 604 DEVONPORT TAS 7310</p> <p>Verification of the individual's identity must be ascertained prior to the provision of information sought.</p> <p>If upon accessing their personal information the individual believes the personal information is incorrect, inaccurate, out of date or misleading, the individual can request the information be corrected or amended. Amendments to personal information are established under the Act. A request to amend information under this Act must be in writing and addressed to the Principal Officer (mailing details <u>listed above</u>).</p> <p>The request must specify an address to which the notice is to be sent; give particulars of the information the person believes is incomplete, incorrect, out of date or misleading; and specify the amendments that the person wants made to that information.</p> <p>If the individual is not satisfied with the outcome of the request or handling of the request for access, they may lodge a formal complaint with the Ombudsman.</p> <p>7. Unique Identifiers (Principle 7): Unique identifiers are assigned to individuals only in circumstances where it is necessary to perform Council's functions and is permissible by law. A unique identifier is a reference that enables identification of an individual, for example a driver's licence number. Council will not adopt as its own a unique identifier, any unique identifier assigned to the individual by another personal information custodian, unless adoption is required in carrying out its functions efficiently, or it has obtained the consent of the individual to use of the unique identifier.</p> <p>8. Anonymity (Principle 8): Individuals have the right to remain anonymous when supplying personal information as part of dealings with Council, however this is only feasible when it is lawful and practical to do so. Remaining anonymous in many cases inhibits Council's ability to process a complaint or follow up on a matter. Council therefore reserves the right not to act upon matters or complaints where the supply of relevant personal information has not been provided to Council, or is insufficient.</p> <p>9. Disclosure of Information outside of Tasmania (Principle 9): Information requested by an individual or organisation outside of Tasmania will only be transferred with the individual's consent or if authorised under legislation. This Principle is designed to protect the</p>	
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privacy of personal information if it is sent to a third party outside of Tasmania.

10. Sensitive Information (Principle 10):
 The collection of sensitive information will only occur with the individual's consent, or in circumstances where it is permitted or required under the *Personal Information Protection Act 2004* or other legislation. Council will ensure that sensitive information or data is treated with the greatest security and confidentiality restrictions, to ensure information is used exclusively for the purpose for which it was collected.

Sensitive information may include:

- Opinions or information relating to ethnicity or racial background;
- Political opinions or associations;
- Religious beliefs or affiliations;
- Trade union membership;
- Criminal record;
- Health information;
- Financial status.

11. Confidentiality Agreement:
 Devonport City Council employees, contractors and work placement participants are encouraged to sign Council's Confidentiality Agreement. This agreement stipulates various confidentiality clauses, including:

- That all information obtained, which may be confidential, harmful or discriminatory in nature must be respected and must not be unduly exposed or leaked;
- Employees must adhere to all relevant Council policies, in particular those regarding personal, private and/or harmful information;
- Confidential information obtained must be gathered for a specific purpose;
- All information obtained must be kept safe and must not be subject to unauthorised access; and
- Employees must not leak any private information regarding Council or any aspect of its administration.

12. Privacy Officer:
 The Council has appointed a Privacy Officer to oversee the operation of the Personal Information Protection Policy. The Privacy Officer will liaise with customers in respect to requests, enquiries, and complaints regarding personal information kept by the Council. It is appropriate that the Principal Officer, appointed under the *Right to Information Act 2009*, be appointed Privacy Officer. This officer will receive customer requests for access to personal information and action these requests; respond to requests in writing; amend personal information; and liaise with relevant Departments in relation to information requests and amendments.

13. Public Interest Disclosures Act 2002:
 Providing confidential information that forms part of a Public Information Disclosure does not constitute a breach of any Act that

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	<p>imposes a duty to maintain confidentiality, Council's Confidentiality Agreement or this Policy, however there are restrictions as to how this information is used and to whom it is granted.</p> <p>The Ombudsman's Guidelines in relation to Public Interest Disclosures state that all reasonable steps shall be made to protect the identity of a discloser, witness, <u>or of the person against whom the disclosure has been made</u>. Section 23 of the Act requires any person who receives information due to the handling or investigation of a protected disclosure not to disclose that information except in <u>limited circumstances</u>. There may be financial or punitive penalties, or both, if information is disclosed in breach of this section.</p> <p><u>Section 90 of the Act exempts the release of documents under the Right to Information Act 2009 to the extent that they contain information regarding a disclosure, or information that is likely to lead to the identification of the person who made the disclosure, or if the person whom is subject of the disclosure, may be realised.</u></p> <p>14. Complaints: Complaints relating to privacy and the provision of personal information must be made in writing and addressed to <u>the Principal Officer (refer to Principle 6 for details)</u>.</p> <p><u>Complaints will be acknowledged in accordance with Council's Customer Service Charter timeframes, with resolution occurring as soon as practicable. The complaint must be received within 6 months from the time the complainant first became aware of the issue. Complaint details will remain confidential and a written response will be provided to the complainant.</u></p> <p>An individual dissatisfied with the outcome of the request or handling of the request for access can also lodge a formal complaint with the Ombudsman.</p>	<p>Deleted: es</p> <p>Deleted: and</p> <p>Deleted: certain</p> <p>Deleted: Furthermore,</p> <p>Formatted: Font: Not Italic</p> <p>Deleted: to</p> <p>Deleted: :</p> <p>Deleted: The Principal Officer Devonport City Council PO Box 604 DEVONPORT TAS 7310</p>
<p>LEGISLATION AND RELATED DOCUMENTS</p>	<p>Local Government Act 1993 Personal Information Protection Act 2004 Right to Information Act 2009 Public Interest Disclosure Act 2002 Customer Service Charter DCC Confidentiality Agreement <u>DCC Disciplinary Procedure</u> <u>Staff Code of Conduct</u> <u>Guidelines for the Disclosure of Personal Information</u></p>	<p>Deleted: DCC Performance Policy</p>
<p>ATTACHMENT/S (IF APPLICABLE)</p>	<p>N/A</p>	

		PURCHASING POLICY	
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	28 November 2016	217/16	D451236
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Executive Manager – Organisational Performance	General Manager	5.5.1 – Provide financial services to support Council's operations and meet reporting and accountability requirements	October 2018
PURPOSE	<p>To establish a framework and control for the purchase of goods and services by Council.</p> <p>Council aims to achieve the purchasing principles of:</p> <ul style="list-style-type: none"> • open and effective competition; • value for money; • enhancement of the capabilities of local business and industry; • ethical behaviour and fair dealing; • environmentally sustainable goods and services are considered; and • recognised accountability standards and risk management considerations are satisfied. 		
SCOPE	<p>This Policy applies to purchases for goods and services up to \$99,999 and is to be read in conjunction with Council's Code for Tenders and Contracts.</p>		
POLICY	<p>1. Definitions:</p> <p>"Authorising Officer" refers to a Council officer who is authorised under this Policy to expend monies on behalf of Council.</p> <p>"Financial Delegations Thresholds" detail the extent to which Council officers are permitted to authorise the procurement of goods and services for Council.</p> <p>"Invitation for Quotation" refers to an invitation by Council for the submission of quotations for works and services.</p> <p>"Project Officer" means an officer of Council assigned responsibility for the project management of a key project initiative which requires the procurement of goods and services based on an approved budget allocation.</p> <p>"Purchasing Officer" means an officer authorised to complete and place Purchase Orders with suppliers for the supply of goods and services.</p> <p>"Purchases" includes the procurement of both goods and services by Council.</p> <p>"Requisitioning Officer" means an officer who has obtained quotes or prices for goods and services and has prepared a Purchase Requisition for authorisation.</p>		

	<p>2. Purchasing Principles: The following provides a brief definition of each principle and what it means in practice to Council.</p> <p>2.1. Open and effective competition Ensuring that the purchasing process is impartial, open and encourages competitive offers.</p> <p>In practice this means that Council will:</p> <ul style="list-style-type: none"> • Ensure specifications are clear and unbiased; • Provide all potential suppliers with the same information; • Treat all suppliers consistently and equitably; and • Evaluate each submission fairly. <p>2.2. Value for money Achieving the required outcome for the best possible price.</p> <p>In practice this means that Council will weigh up the benefits of each purchase against the costs of that purchase. In doing so Council may take the following factors into consideration:</p> <ul style="list-style-type: none"> • how well goods or services meet needs; • price; • maintenance and running costs over the lifetime of the product; • the advantages of buying locally, eg shorter delivery times, local backup and servicing and the availability of spare parts; • disposal value of the goods; and • the capacity of the supplier (e.g. technical abilities). <p>2.3. Enhancing the capabilities of local business and industry Ensuring that local businesses that wish to do business with Council are given the opportunity to do so.</p> <p>In practice this means that Council will, where possible:</p> <ul style="list-style-type: none"> • actively seek bids from local business; • develop documentation to ensure local businesses have the same opportunities as all other suppliers to tender for goods and services; • make documentation available on request at Council offices or via mail or email; and • ensure that sufficient time has been provided to allow prospective suppliers to prepare an adequate quote. <p>2.4. Ethical behaviour and fair dealing Ensuring all purchasing is undertaken in a fair and unbiased way and in the best interests of Council.</p> <p>In practice this means that Council will:</p> <ul style="list-style-type: none"> • be fully accountable for the purchasing practices that it uses and the decisions it makes; • ensure that decisions are not influenced by self-interest or personal gain; • identify and deal with conflicts of interest; • maintain confidentiality; • ensure that all procurement is undertaken in accordance with Council's policies; and
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	<ul style="list-style-type: none"> • ensure compliance with Council's Gifts & Benefits Policy. <p>2.5. Environmental and sustainability considerations</p> <p>Consideration of the potential environmental impact of the product or services to be purchased and the long-term sustainability impacts of the purchase.</p> <p>In practice this means that Council may:</p> <ul style="list-style-type: none"> • undertake an assessment of the life cycle costs of the purchase with a view to minimising the use of energy, fuel and like inputs; and • consider the source of the materials incorporated in the purchase and favour products that are produced using sustainable resources. <p>2.6. Risk management considerations</p> <p>Risks associated with the procurement process and in the actual implementation of the service or use of a product or material are assessed.</p> <p>In practice this will mean:</p> <ul style="list-style-type: none"> • Council contracts will include current, relevant clauses; • security deposits or retentions will be held where appropriate; • technical specifications will be referred to relevant specialists; • use of or reference to relevant Australian Standards; • appropriate dispute management and resolution provisions will be included in contracts; and • effectively managing the contract including monitoring and enforcing performance. <p>3. Purchasing Thresholds and related Quotation Procedures:</p> <p>There are four purchasing thresholds that require different levels of involvement in planning and executing for the procurement of goods and services. These thresholds (GST exclusive) are as follows:</p> <ul style="list-style-type: none"> • Purchases less than \$999 • Purchases between \$1,000 and \$4,999 • Purchases between \$5,000 and \$14,999 • Purchases between \$15,000 and \$99,999 <p>The following outlines the details of the thresholds and summarises the procurement practice and procedures that will be utilised based on the total dollar value of the purchase (ex GST). These requirements will be applied to the procurement of all goods and services except in certain identified circumstances. The circumstances in which the following requirements need not be followed are described under Section 7, <i>Exemptions</i>, and Section 8, <i>Preferred Supplier Arrangements</i>.</p> <p>Purchases less than \$999</p> <ul style="list-style-type: none"> • No formal quotation requirements apply to purchases below this threshold. Approved financial delegation thresholds must be followed. <p>Purchases between \$1,000 and \$4,999</p> <ul style="list-style-type: none"> • The Purchasing Officer is to obtain two verbal quotes, unless it is impractical to do so. If two quotes are obtained, at least one
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	<p>must be sought from a local business providing suitable options exist.</p> <p>Purchases between \$5,000 and \$14,999</p> <ul style="list-style-type: none"> At least two written quotations will be obtained, unless it is documented that this is impractical. If two quotes are obtained, at least one must be sought from a local business providing suitable options exist. <p>The successful quote will be based on the lowest based price quoted unless there are clear reasons for not doing so.</p> <p>Acceptance of other than the lowest quote is to be authorised by the relevant Manager.</p> <p>Purchases between \$15,000 and \$99,999</p> <ul style="list-style-type: none"> At least three written quotes will be obtained, unless it is documented that this is impractical. If three quotes are obtained, at least one must be sought from a local business providing suitable options exist. The quotes can be obtained by direct contact with the supplier and/or through using Council's Approved Supplier Register. <p>Sections 4 to 6 relate to purchases over \$15,000.</p> <p>4. Inviting Offers:</p> <p>The Request for Quotation (RFQ) is a document inviting offers from businesses to provide specified goods or services. Council maintains standard RFQ documentation and this should be used when obtaining written quotations for purchases over \$15,000 where practical. If the standard documentation is not used the relevant Manager is to ensure the request sent to potential suppliers includes all necessary information.</p> <p>Council's quotation documents will include all terms and conditions of quotation, together with a clear description of the goods and services required and the details on any applicable Council policies.</p> <p>The Project Officer is to seek approval for the specifications included in a RFQ from the relevant Manager/Co-ordinator prior to finalising the documentation and distribution to third parties.</p> <p>The complexity of the documentation will depend upon the nature and value of the purchase. Generally, the RFQ documentation will consist of:</p> <ul style="list-style-type: none"> conditions of quotation – the conditions set out the terms under which Council will receive and evaluate quotes. The conditions will usually include: specification – the specification clearly describes the essential requirements of the goods and services being purchased. The specifications will usually include the functional requirements, performance requirements and technical requirements; closing date, time and place of lodgement; Council contact details; pricing requirements (e.g. the price should exclude GST); relevant Council policies and principles; evaluation criteria for open request for quotations;
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	<ul style="list-style-type: none"> • entitlement of unsuccessful bidders to be notified; and • information on Council's complaints process. <p>Where a large range of suppliers exists (e.g. for building work), a list of the invited parties is to be prepared and provided to the relevant Manager to approve.</p> <p>5. Receiving Offers:</p> <p>In receiving quotations, Council will hold any written or documented verbal quotation received prior to the closing time in a secure location to maintain confidentiality, to ensure probity and to protect individuals involved from claims of unfair practices.</p> <p>Where a formal RFQ process is undertaken, quotations that Council receives will be recorded in an appropriate schedule or register within the records management system.</p> <p>For written quotations, Council will follow the procedures set out in the specifications for dealing with late quotations. By accepting a late quotation, the Project Officer will ensure that the late bidder is not advantaged over other bidders.</p> <p>Council employees with a conflict of interest with a potential supplier must declare the interest to the relevant Manager and will be removed from the process if necessary.</p> <p>6. Evaluating Offers:</p> <p>When evaluating verbal and written quotations, Council will do so with the objective of identifying the offer that best meets requirements and provides the best value for money. When evaluating quotations Council will take into consideration the specified evaluation criteria where relevant and the following aspects of a bid:</p> <ul style="list-style-type: none"> • value for money, taking into account estimated life, disposal value and maintenance requirements and costs (whole of life costs). Consideration should include environmental and sustainability considerations; • compliance with quotation specifications; • quality, delivery and service; • the benefits of sourcing the goods and services locally; • the consequences, including possible risks, of entering into a contract where there is one supplier, or a limited number of suppliers, that can provide and maintain the particular product over its lifetime; and • any relevant Council policies. <p>Acceptance of quotes is based on the lowest price quoted unless there are clear reasons for not doing so. Any exceptions and reasons must be fully justified in writing by the Requisitioning Officer.</p> <p>Acceptance of other than the lowest quote is to be authorised by the relevant Manager up to their established financial delegations limit and may include consideration of past performance of the suppliers against the following factors:</p> <ul style="list-style-type: none"> • reliability; • experience; • WHS practices;
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	<ul style="list-style-type: none"> • supplier's location; or • other relevant considerations. <p>All other existing Procurement Policy procedures are to be observed.</p> <p>7. Exemptions:</p> <p>The <i>Local Government Act 1993</i> provides for exemptions to the public tender process and these circumstances are outlined in the <i>Local Government (General) Regulations, 2015</i>. These provisions form the basis of exemption categories to be applied to this purchasing policy for procurements under \$100,000 (GST exclusive).</p> <p>The General Manager may determine not to use a quotation process outlined in this policy where the goods and services sought relate to:</p> <ul style="list-style-type: none"> • an emergency if, in the opinion of the General Manager, there is insufficient time to obtain quotes for the goods or services required in that emergency; • a contract for goods or services obtained through, or supplied or provided by an agency of a State or of the Commonwealth; • a contract for goods or services supplied or provided by another council, a single authority, a joint authority or the Local Government Association of Tasmania; • a contract for goods or services in respect of which a council is exempted under another Act from the requirement to obtain quotes; • a contract for goods or services that is entered into at public auction; • a contract arising when a council is directed to acquire goods or services due to a claim made under a contract of insurance; • a contract for goods or services obtained as a result of a tender process conducted by: <ul style="list-style-type: none"> (i) another Council; or (ii) a single authority or a joint authority; or (iii) the Local Government Association of Tasmania; or (iv) any other local government association in the State or in another State or Territory; or (v) any organisation, or entity, established by any other local government association in this State or in another State or a Territory; • a contract of employment with a person as an employee of Council; or • any other exemption provided for under the Act or other legislation. <p>Other exemptions</p> <p>The General Manager may determine not to use a quotation process outlined in this policy under the following the following circumstances:</p> <ul style="list-style-type: none"> • where it can be established that there is only one supplier of a particular product or service and there is no appropriate substitute available, or where alternative options are not suitable or do not provide value for money; • where the original product or service has been selected through an open tender process and the request for exemption relates to the
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	<p>proposed purchase of an upgrade or addition to the existing system, and there are limited supply options;</p> <ul style="list-style-type: none"> • the product is being tested/trialled to assist in the evaluation of its performance prior to a large scale purchase for which open tenders will be called; • to assist in the development of a new product/process in conjunction with a private sector business; • where there are established whole-of-Government contracts for the supply of goods or services to agencies and other authorised organisations; or • where the provision of goods and services are of a specialised nature that requires a high level of familiarity of Council and its operations (eg specialists' consultants, legal services, specific training needs, supplier of goods for emergency repairs etc). <p>This Policy does not apply to the procurement of goods and/or services:</p> <ul style="list-style-type: none"> • that will form part of the art gallery collection or maritime centre collection; • that will form part of a public art project; • to engage artists/performers at the Devonport Entertainment and Convention Centre; • to engage artists as part of a Council event such as Jazz; or • to payments in relation to community grants and benefits. <p>These payments will be approved through the relevant established approval process at the time.</p> <p>Conditions for this category</p> <p>The exercise of these exceptions must be clearly stated and where appropriate justified in writing.</p> <p>Goods and services that are required for genuine emergencies include the following:</p> <ul style="list-style-type: none"> • in the case of a natural disaster; • a risk to public safety; • the security of Council premises; • an environmental risk; or • a risk to Council assets. <p>The use of the purchase at public auction exemption category must be authorised by the General Manager prior to attending the auction.</p> <p>The General Manager is to approve all exemption procurements.</p> <p>8. Approved Supplier Arrangements:</p> <p>It is recognised that circumstances may exist where Council is best served by the provision of goods and services by approved suppliers. These circumstances will usually be limited to specialised goods and service provision. The purchase of goods and services may be made without obtaining quotes where there is a contract between Council and the supplier (i.e. there is a formal agreement in place arising from a Council decision to use the supplier in preference to others – e.g. annual supply contracts or a supplier on Council's Approved Supplier Register etc).</p>
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Conditions for this category

Use of approved supplier arrangements can only be authorised by an Executive Manager up to their established financial delegation limits. The General Manager is to authorise all purchases above the Managers financial delegation limits.

Approved supplier arrangements are not to be used for any purchase of goods or services valued at over \$99,999 (excluding GST) for which EOI or tenders are to be called.

Under no circumstances are orders or contracts to be split to bring amounts below the thresholds specified in this policy.

9. Financial Delegations Thresholds:

The following table represents the financial delegations to Council staff for the authorisation of purchase order requisitions and the related thresholds of expenditure of Council funds that may be authorised in accordance with Council's budget.

The Financial Delegations Thresholds outlined in this policy (as revised from time to time) gives effect to the financial delegations that Council makes under this policy. Council has provided a delegation to the General Manager to expend funds. The General Manager has in turn provided delegations to specific Council officers with threshold limits. Generally, the limits which apply are:

Position	Financial Delegation
Deputy General Manager	\$75,000
Executive Management Team	\$30,000
Senior Management	\$20,000
Coordinators & Supervisors	\$10,000
Others (as required)	Up to \$5,000

Conditions for Financial Delegations

When authorising expenditure under financial delegations, Authorising Officers are to ensure that such expenditure is within the amounts included in Council's budget.

Authorising Officers are to ensure that any variations to the initial quoted/contracted amount do not cumulatively exceed the threshold of the Authorising Officer's delegation. Where this occurs, the Authorising Officer is to seek further appropriate authorisation for the total amount.

Authorising Officers are to ensure that any variations to the initial quoted/contracted amount do not cumulatively exceed the procurement thresholds outlined in this policy. Where this occurs, the Authorising Officer is to detail the events and circumstances of the variation and seek further authorisation from the relevant Executive Manager for this variation.

For procurements where the tendering process has not occurred, variations to the initial quoted/contracted amount are not to cumulatively exceed \$99,999.

If, following the acceptance of a quote, the quote is subsequently altered by the contractor to substantially exceed (i.e. greater than

	<p>10%) the initial quoted amount, the Authorising Officer is to ensure that all such variations are documented and justified.</p> <p>Effect of Financial Delegation Thresholds and Review</p> <p>To maintain the effect of Council policy, it is noted that the General Manager may:</p> <ul style="list-style-type: none"> • review the Financial Delegations Thresholds based on organisational change to best reflect the nature of the assigned responsibilities of staff; and • revise, modify and/or withdraw the financial delegations held by staff at any time by notice in writing. <p>Assignment and Instruction of Council's Annual Plan and Budget Responsibility</p> <p>Responsibility for each Program under Council's Annual Plan and Budget is held by the relevant Executive Manager or specifically assigned Program Manager.</p> <p>An Executive Manager may assign (with or without specific instructions) Budget "line item" responsibility for the authorisation of budget expenditure in programs and projects under their responsibility. Such assignment of responsibility:</p> <ul style="list-style-type: none"> • Is subject to the limitations outlined in the Financial Delegations Thresholds; • Is to be made by a person working under the direction of the relevant Executive Manager or assigned Program Manager who has budget responsibility for the Program.
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government Act 1993</i></p> <p>DCC Code for Tenders and Contracts</p> <p>Financial Delegated Authorities</p> <p>Gifts & Benefits Policy</p>
ATTACHMENT/S (IF APPLICABLE)	Request for Quotation

REQUEST FOR QUOTATION



REQUEST FOR QUOTATION

From
Subject
Date
Closing Date

Item	Description	Unit	Quantity	Amount \$
1	Description of Goods/Services			
Sub total				
GST				
TENDER TOTAL				

State the earliest possible start date and practical completion date for the work

Earliest possible start date:

Practical completion date:(xx/xx/xxxx Preferred) Contractor to nominate if not achievable

State the number of working days required to complete the work

Number of working days:



REQUEST FOR QUOTATION



Supervisory & Other Key Personnel

Position	Name	Site Involvement		Present Position No. of yrs experience	Previous Position No. of yrs experience
		Hours/Week	Visits/Week		
Project Manager					
Contract Manager Officer					
Site Manager					
Site Foreman					
Any Other (please List)					

Plant & Equipment

Item of Plant/Equipment	Model	Age	Capacity /Size	Site Involvement	
				Hours/Week	Visits/Week



REQUEST FOR QUOTATION



Subcontractors & Materials

Subcontractor	Description of Works	Address / Telephone
1		
2		
3		
Supplier	Material Description / TYPE	Source
1		
2		
3		

Methodology

Provide details of the construction plan for the critical tasks of the project and describe how they will be completed.

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REQUEST FOR QUOTATION



Non-Compliance

List and describe all matters in which the submission varies from the requirements of the documents specification and drawings.

Any item not listed in this schedule shall be considered to conform fully with the specification and drawings.

If this schedule is left blank the tenderer will be considered to conform with the specification and drawings.

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Extent of works:

This quote shall cover the construction and maintenance of all works/delivery of goods/service. The Works generally includes the following:

Provide outline of all required works/supply of goods/service

Safety requirements required prior to starting work on site

- *Outline all relevant safety requirements.*


Hold point description
<i>Outline any relevant hold points</i>

Quotations to be directed to (Council Officer) at the Devonport City Council on or before XXp.m. XX/XX/XXXX. Quotations can be emailed

If you have any queries, please call.
Regards

Project Officer




		RECRUITMENT & SELECTION POLICY	
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM)
Council	25 August 2014	217/14	D367243
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
HR Coordinator	General Manager	5.7.3 Ensure Human Resource policies, procedures and management systems support effective Council service delivery	June 2017
PURPOSE	<p>The purpose of this policy is to ensure the process for recruitment and selection is based upon the principles of merit, equal employment opportunity and confidentiality. Council is committed to ensuring recruitment and selection of prospective employees is in accordance with Section 63 of the Local Government Act 1993 and any other relevant employment legislation, in that:</p> <ul style="list-style-type: none"> • The General Manager of a council may – <ul style="list-style-type: none"> ➢ appoint persons as employees of the council; and ➢ allocate duties to employees; and ➢ control and direct employees; and ➢ suspend or dismiss employees. • The General Manager is to develop human resource practices and procedures in accordance with policies of the council to ensure employees of the council receive fair and equitable treatment without discrimination. <p>Effective employee selection and the subsequent management of employees is critical to the success of the Council and the provision of services to the community. This success depends on Council's ability to identify, attract, retain and develop employees.</p> <p>Council is committed to an effective and professional method of selecting employees that is consistent with its organisational values.</p> <p>Council aims to attract and appoint skilled and motivated employees who aim to meet agreed objectives and performance improvement goals.</p>		
SCOPE	This Policy covers all employees involved in the recruitment or selection of applicants for positions within the Council.		
POLICY	<p>1. Guidelines:</p> <p>1.1. Equal Employment Opportunity and the Merit Principle: Selection to positions within the Council is based on the principles of merit and the provision of equal employment opportunity.</p> <p>Selection on the basis of merit means that the grounds for the decision must directly relate to the inherent requirements of the position and prevents those decisions being made on unjustified discriminatory grounds, such as:</p> <ul style="list-style-type: none"> • Race, colour, national or ethnic origin or nationality; 		

	<ul style="list-style-type: none"> • Gender, sexual orientation, marital status, pregnancy, status as parent or carer; • Religious or political belief or activity, industrial activity; • Age, physical features, disability, medical records; • Personal association with a person who is identified by reference to any of the listed attributes. <p>The appointment of employees must be made on the basis of the individual capacity of the person having particular regard to the knowledge, skills, qualifications, experience and potential for future development of that person in their employment.</p> <p>For further information and understanding of the Council's commitment to Equal Employment Opportunities (EEO), refer to the Council's EEO and Diversity Policy and Gender Equity Policy.</p> <p>1.2. Encouragement to Existing Employees to Apply for Vacancies: The Council is committed to fostering process of developing and promoting existing employees where possible,</p> <p>The objective of internal recruitment is to utilise the talent that already exists in the workplace and to provide every opportunity to employees to advance and develop to their full potential (this may include direct selection/appointment). On occasions it may be determined that the required skills do not exist internally, and this will be reflected in the recruitment strategy implemented.</p> <p>1.3. Confidentiality: All inquiries and applications for vacancies from internal and external applications will be treated with confidentiality.</p> <p>1.4. Conflicts of Interest: All appointments will be by a merit selection process. In circumstances where an application is directly related to someone involved in the recruitment process, this conflict of interest will be immediately notified to the General Manager.</p> <p>Additionally, family and other close personal relationships, as well as business relationships, must be declared by prospective members of interview panels in relation to candidates.</p> <p>2. Communication: This policy will be communicated to all Managers and Supervisors who are responsible for the recruitment and selection of applicants for employment.</p> <p>3. Definitions: Recruitment refers to the process commencing with the decision to recruit an individual through to attracting and seeking a pool of applications, e.g. by way of an advertisement. The selection process involves choosing from the pool or available applicants resulting in the selection of an individual who is most likely to perform successfully in the job.</p>
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<p>LEGISLATION AND RELATED DOCUMENTS</p>	<p>Local Government Act 1993 (Tasmania) (in particular S63(1) and (2)) Fair Work Act (Commonwealth) Anti-Discrimination Act 1998 (Tasmania) Sex Discrimination Act 1984 (Commonwealth) Racial Discrimination Act 1975 (Commonwealth) Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth) Disability Discrimination Act 1992 (Commonwealth) Archives Act 1983 (Tasmania) Personal Information Protection Act 2004 (Tasmania) DCC Harassment, Bullying and Anti-Discrimination Policy DCC Equal Opportunity Employment and Diversity Policy DCC <u>Staff Code of Conduct Policy</u> DCC Enterprise Agreement 2014 DCC Health and Safety Policy DCC Police Check <u>and Working with Children Check Procedure</u></p>
<p>ATTACHMENTS (IF APPLICABLE)</p>	<p>Recruitment and Selection Procedure</p>

Deleted: Employee

Deleted: Policy

	<h2>RECRUITMENT AND SELECTION PROCEDURE</h2>
<p>The following procedure details processes for recruitment and selection at Devonport City Council.</p> <p>1. Procedure:</p> <p>1.1. Recruitment Authorisation: To ensure alignment with Council's strategic goals and budget allocations, all new or replacement positions identified as requiring recruitment must be authorised by the General Manager.</p> <p>The manager of the vacant position must provide the General Manager with a written business case outlining the need for the position taking into account the department's staffing requirement and Council's strategic and operational plans. The manager, in consultation with the Human Resources Coordinator, must also provide the following supporting documentation:</p> <p>a) Position Description including the proposed Selection Criteria (The position description is a written statement of the primary tasks, functions, responsibilities, interactions, qualifications and experience attached to a specific position. The position description should be reviewed by the manager to ensure that it is up to date, reflects the requirements of the position and properly adheres to the principles of merit and equal opportunity).</p> <p>The position description is the basis for identifying the key selection criteria for the position. The selection criteria will include the knowledge, skills, experience and qualifications the ideal candidate should possess to successfully fulfil the functions of the position. The selection criteria will facilitate an accurate and merit based assessment against the applicant's skills and abilities.</p> <p>b) All positions will be evaluated using Council's job evaluation system or market value analysis to determine appropriate classification or remuneration levels.</p> <p>1.2. Recruitment Strategy: The most appropriate strategy for recruitment will be adopted to ensure the timely and effective use of resources and to maximise the successful performance of the role for the Council. Whilst the Council is committed to providing opportunities for existing employees to apply for vacancies within the Council, the recruitment mix (advertisements, internal applications, external applications) will be determined by a range of elements, including the role, required skills and abilities, existing skill base and organisational needs.</p> <p>At the discretion of the General Manager, vacant positions may be filled by:</p> <p>a) an internal recruitment process; b) an external recruitment process involving external advertising or the use of a recruitment agency for senior positions; or c) by direct selection.</p>	

1.3. Direct Selection:

The General Manager may, at their discretion select on merit a prospective employee (internal or external) for appointment to a position without advertising the vacancy.

Direct selections may be made in the following circumstances:

- where a position requires a high degree of specialist knowledge or skill;
- where a major re-organisation has taken place, jobs have been re-designed, and/or where existing employees must be accommodated within a new organisational structure; or
- where direct selection is in the best interests of the smooth operation of Council.

External direct selections will generally only be made in the case of short term casual or temporary employment.

1.4. Internal Recruitment:

The General Manager may determine to fill any vacancy by inviting applications from Council employees. This process can be utilised where a number of potential candidates with the required specialist knowledge or skills have been identified within the Council workforce.

The advertising of all internal vacancies will be coordinated through Human Resources. Internal positions will be advertised through the weekly HR Update and via email and notice boards and employees will be given at least five (5) working days to apply for internally advertised positions.

Internal applicants for positions must address the selection criteria established for the position.

1.5. External Advertising and Applications:

The General Manager may elect to recruit persons externally through placing an advertisement in the newspaper and Council website or listing the vacancy with a specialist recruitment agency.

All externally advertised positions will also be advertised through the HR Update and staff noticeboards.

The placement of external position advertisements will be coordinated through Human Resources.

A contact officer will be appointed for all advertised positions. The contact officer should have an understanding of the position and would normally be the immediate supervisor of the position or human resources. Contact officers must interact with potential applicants in a discreet, professional and non-discriminatory manner.

1.6. Acknowledgement of Applications:

All applicants will receive written confirmation of their application and an outline of the recruitment process.

1.7. Shortlisting of Applicants:

The purpose of shortlisting is to select from the applications received a smaller group to proceed to the interview stage. The first step in short listing is to assess if the applicants appear to meet the essential criteria based on their application. It is not necessary that every applicant who meets the essential criteria be interviewed. Ideally the number of candidates for interview should

be three or four. At least two members of the selection panel must be involved in the shortlisting process.

1.8. Interview Panel Members will be appointed by the General Manager:

Interview panels will comprise of the direct manager and at least one other Council officer, unless otherwise agreed. Members of the panel must possess the following qualities:

- Knowledge of the work area;
- An understanding of the nature of the work concerned and its relationships to Council's functions;
- An understanding of the Council's selection policies and procedures;
- A gender balance on the panel is desirable where practicable.

1.9. Interview Assessment Guidelines:

Human Resources will prepare the interview questions in consultation with the direct manager. Interview questions will include a series of behavioural based questions relating to the key performance requirements of the position and based on the defined selection criteria.

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1.10. Interviews:

All positions require a minimum of one round of interviews prior to the final selection being made. Candidate responses to the selection criteria will be scored using a standardised scoring process. Where appropriate, relevant skill and psychometric tests may form part of the selection process. A formal selection report must be provided to the General Manager for approval prior to an offer of the position being made to the preferred candidate. The panel shall, where possible, reach consensus on the applicant with the most merit to fill the position. Where consensus cannot be reached, or where two or more applicants are considered equal by the panel, the relevant information will be referred to the General Manager for determination.

1.11. Record Keeping:

During the recruitment and selection process, applications and information relating to applications will be recorded and stored appropriately. Applications will be stored in accordance with the provisions of the Archives Act 1983 and Personal Information Protection Act 2004. The report recommending the appointment of the successful candidate will be filed on the job application file to ensure transparency of the process.

1.12. Identity Check:

Successful applicants should provide a certified copy of suitable photographic identification such as a drivers licence, ID card or passport.

1.13. Reference Checks and Academic Results:

Reference checks of at least two recent employment or educational based referees must be undertaken, with a brief referee report being completed. Referee checks must relate to the inherent requirements of the position and will be coordinated by the responsible manager or Human Resources. Applicants may also be required to provide certified copies or originals of academic results, professional qualifications or work related licences.

1.14. Criminal History Record Checks:

Applicants may be required to provide a current national criminal history record check, depending on the position applied for. Positions which require the employee to deal with Council's financial affairs and/or community services (e.g. employees involved in the management of services relating to children,

youth or aged care) will be required to provide a criminal check and or Working with Children Registration.

1.15. Bankruptcy Check:

A bankruptcy check may be required for applicants applying for senior financial positions within the Council.

1.16. Pre-Employment Health Assessment:

A pre-employment health assessment may be required as part of the recruitment process. The purpose of this assessment is in the interests of the prevention of industrial injury and/or illness by the proper placement of employees in those positions best suited to their physical capabilities. The assessment is not for the purpose of determining the success or otherwise of a person's application for employment. A health assessment will be undertaken by a medical examiner of Council's choice. Council will pay the medical examiner's fee.

1.17. Job Offers and Employment Commencement:

On approval from the General Manager and the completion of all required pre-employment checks, the successful applicant will be offered the position.

1.18. Employment Agreements/Contracts:

All successful applicants will receive a letter of appointment (agreement based employee) or a letter of offer and employment contract (common law contract).

The letter of appointment and letter of offer/employment contract are some of the most important documents that may be issued by the Council. Together with the prospective employee's acceptance, it forms the basis of the contract of employment. Documenting the employment relationship will ensure that the prospective employee knows on what terms she or he is agreeing to work, thus minimising any doubt, as well as the likelihood of any further disputes.

The letter of employment should contain the following information as a minimum:

- a) Position title and duties together with a copy of the position description;
- b) Employee's classification, wage rate and payment arrangements;
- c) Duration of employment;
- d) Supervisor/line authority;
- e) Hours of work and place of work;
- f) Superannuation details;
- g) Leave entitlements;
- h) Probationary period and review mechanisms;
- i) References to the applicable award, industrial agreement and employees policies and procedures.

The employment documents must be signed and returned by the applicant prior to the commencement of employment. Should at any time during the period of employment any of the terms and conditions of employment need to be changed or varied for whatever reason, a new contract of employment or letter of appointment will be completed and the employee must agree prior to the variations or change taking place.

A personnel file containing the employee's application for employment, letter/contracts of employment and pre-employment checks will be established in Council's electronic information management system. All


personnel information will be kept on this file and will be made available to the individual employee to view on request.

1.19. Notification of Employees Appointments:

The appointment to positions will be notified when confirmation of acceptance has been received and all unsuccessful applicants have been notified.

1.20. Probationary Period:

All new employees may be appointed subject to a three month probationary period. The employee's performance will be formally reviewed in accordance with Council's Enterprise Agreement or employment contract. During the probationary period, the manager should provide the employee with feedback on their work performance and any areas where unsatisfactory performance has been identified. Should a probationary employee be demonstrably not suitable for the position on the basis of their capacity and abilities, their employment may be terminated, subject to the provisions of the relevant employment legislation, the relevant Enterprise Agreement or contractual entitlements.

 RELATED PARTY DISCLOSURES POLICY			
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	29 March 2017	44/17	D466883
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Executive Manager – Organisational Performance	General Manager	5.5.1 – Provide financial services to support Council's operations and meet reporting and accountability requirements	June 2019
PURPOSE	<p>To ensure compliance with the Australian Accounting Standard AASB 124 <i>Related Party Disclosures and the Australian Implementation Guidance for Not-For-Profit Public Sector Entities (AASB 124)</i> and the <i>Local Government Act 1993</i> to prepare financial accountability documents, including general purpose financial statements.</p> <p>To provide a framework for the identification of related party relationships and the disclosure of related party transactions with Council.</p>		
SCOPE	<p>This policy applies to all persons having authority and responsibility for planning, directing and controlling the activities of Council or Council entities - directly or indirectly. This includes Aldermen, the General Manager and Senior Executives of Council.</p>		
DEFINITIONS	<p>1. Definitions: To assist in interpretation the following definitions shall apply:</p> <p>“Aldermen” shall mean the Mayor and Aldermen of Devonport City Council.</p> <p>“Close family members of a person” shall mean those family members who may be expected to influence, or be influenced by, that person in their dealings with the Council.</p> <p>“Control” shall mean the ability to direct the business' activities of an entity through rights or exposure to returns from its involvement with the entity.</p> <p>“Council” shall mean Devonport City Council.</p> <p>“Joint Control” shall mean the contractually agreed sharing of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.</p> <p>“Key Management Personnel” (KMP) shall mean those persons having authority and responsibility for planning, directing and controlling the activities of Council or Council entities, directly or indirectly. This shall include Aldermen, the General Manager and Senior Executives.</p> <p>“Ordinary Citizen Transactions” shall mean transactions with a related party that are made on terms that are considered reasonable if the parties were dealing at 'arm's length'.</p>		

	<p>“Related Party Transaction” shall mean the transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged.</p> <p>“Senior Executives” shall mean an employee of the local government, (a) who reports directly to the General Manager and (b) whose position would be considered to be a senior position in the local government’s corporate structure.</p> <p>“Significant Influence” shall mean the power to participate in the financial and operating policy decisions of the investee but it is not in control or joint control of the policy decision.</p>
<p>POLICY</p>	<p>2. Related Parties: A related party is a person or entity that is related to the Council. The following are related parties of Council:</p> <ul style="list-style-type: none"> • Key Management Personnel (KMP) (including the Mayor, Aldermen, General Manager and Senior Executives); • Close family members of KMP; • Any entities controlled or jointly controlled by KMP or their close family members; • A subsidiary, associate or joint venture of Council. <p>The General Manager will establish, review and maintain a list of Key Management Personnel for Council.</p> <p>KMPs (or those acting in such positions) are required to complete an annual declaration outlining entities, if any, that are controlled or jointly controlled by the KMP or their close family member/s, between which transactions are probable. Close family member/s include:</p> <ul style="list-style-type: none"> • The person’s children, parents, grandparents, siblings, spouse or domestic partner; • Children of that person’s spouse or domestic partner; • Dependents of that person or that person’s spouse or domestic partner. <p>Other parties may be assessed from time to time as being related parties due to changes to Council’s structure or in accordance with legislative or accounting standard changes.</p> <p>Declarations must be provided by 1 July annually to cover the upcoming financial year. An updated declaration is required if there are changes, errors or omissions identified at any time during the financial year.</p> <p>It is the responsibility of all identified KMP to update their declaration should they become aware of a change, error or omission.</p> <p>3. Council entities and Subsidiaries: For the purpose of this policy, entities controlled by Council, jointly controlled by Council or which Council has significant influence over, are considered related parties of Council. Transactions with these entities must be identified and may require disclosure in Council’s financial statements.</p> <p>Consideration of AASB 10 <i>Consolidated Financial Statements</i> and AASB 11 <i>Joint Arrangements</i>, must be factored when assessing whether Council has control or joint control over an entity. In</p>

	<p>determining if Council has a significant influence over an entity, AASB 128 <i>Investments in Associates and Joint Ventures</i> details assessment criteria.</p> <p>4. Entities controlled (or jointly controlled) by KMP or close family members: KMP will exercise their best judgement in identifying related parties. KMPs, including Aldermen, must diligently assess the information before declaring, or not declaring, an entity over which they, or a close member of the family, have control or joint control. Entities include trusts, companies, joint ventures, partnerships and not for profit organisations, such as sporting clubs. In assessing if a KMP or close member of their family controls or jointly controls an entity or not, Council must refer to AASB 10 <i>Consolidated Financial Statements</i> and AASB 11 <i>Investments in Associates and Joint Ventures</i>.</p> <p>5. Identifying and Disclosing Related Party Transactions: In accordance with AASB 124, Councils are required to disclose in their general purpose financial statements information pertaining to related party transactions, with, amongst others, the following personnel during the period covered by the financial statement:</p> <ul style="list-style-type: none"> • Key Management Personnel; • Other related parties, including: <ul style="list-style-type: none"> ○ A close family member of a KMP; ○ entities controlled or jointly controlled by a KMP; and ○ entities controlled or jointly controlled by a close family member of a KMP. <p>All transactions between Council and related parties, monetary and non-monetary, must be identified.</p> <p>The following related party transactions must be declared annually:</p> <ul style="list-style-type: none"> • Transactions with Council subsidiaries, by transaction type. • KMP compensation, including: <ul style="list-style-type: none"> ○ short-term employee benefits; ○ post-employment benefits; ○ long-term benefits; and ○ termination benefits. • Transactions with other related parties, including: <ul style="list-style-type: none"> ○ purchases or sales of goods (finished or unfinished); ○ purchases or sales of property and other assets; ○ rendering or receiving of services; ○ leases; ○ transfers of research and development; ○ transfers under licence agreements; ○ transfers under finance agreements (including loans and equity contributions in cash or in kind); ○ provision of guarantees or collateral; ○ commitments to do something if a particular event occurs or does not occur in the future, including executory contracts (recognised and unrecognised); and ○ settlement of liabilities on behalf of the entity, or by the entity on behalf of that related party.
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	<ul style="list-style-type: none"> • Transactions of a similar nature will be disclosed in aggregate except when separate disclosure is necessary for an understanding of the effects of a related party transaction on the financial statements of Council, having regard to the following criteria: <ul style="list-style-type: none"> ○ the nature of the related party transaction; ○ the significance of the transaction (individually or collectively) in terms of size or value (including where the materiality arises due to the fact that no consideration for the transaction is given or received by Council); ○ whether the transaction is carried out on arms-length terms; ○ whether the nature of the transaction is outside normal day to day business operations. • Outstanding balances in relation to transactions with related parties, including: <ul style="list-style-type: none"> ○ entities controlled by KMPs; and ○ bad or doubtful debts in respect of amounts owed by related parties. • Non-monetary transactions such as use of facilities, peppercorn rents. • Other transactions as required by legislation or AASB124. <p>6. Register of Related Party Transactions: The General Manager is responsible for maintaining and keeping up to date a register of related party transactions – capturing and recording information for each existing or potential related party transaction during a financial year.</p> <p>The contents of the Register must include details for each related party transaction, including:</p> <ul style="list-style-type: none"> • the description of the related party transaction • the name of the related party • the nature of the related party's relationship with Council • whether the notified related party is existing or potential • a description of the transactional documents that are the subject of the related party transaction. <p>Disclosure of this information in Council's Financial Statements is the responsibility of the General Manager and must be disclosed in accordance with AASB124.</p> <p>7. Ordinary Citizen Transaction: Transactions, considered to be ordinary citizen transactions are excluded from disclosure requirements. These include:</p> <ul style="list-style-type: none"> • Valid discounts and fee waivers that are available to the party as an ordinary citizen and is available to any other ordinary citizen; • Any service or benefit provided as part of standard Council business operation to the party as an ordinary citizen and is available to any ordinary citizen in the same circumstance; • Transactions that are assessed non-material, which may include parking at rates available to the general public; attending Council functions that are open to the public; payment of rates and charges.
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	<p>8. Information Privacy and Right to Information status:</p> <p>Council will comply with the requirements of the <i>Archives Act 1983</i> (Tasmania), <i>Privacy Act 1988</i> (Commonwealth), <i>Personal Information Protection Act 2004</i> (Tasmania) and the <i>Right to Information Act 2009</i> (Tasmania) when dealing with the identification, retention, storage, disclosure and reporting of related party transactions.</p> <p>A declaration statement from the KMP is included in the Declaration of Related Party Transactions Form (Attachment 1) to enable disclosure and reporting of information that is in accord with AASB 124.</p> <p>A Related Party Information Collection Notice will be provided to KMP and included in their Declarations (Attachment 2).</p> <p>The following documents are not accessible or required to be released under the provisions of the <i>Right to Information Act 2009</i>:</p> <ul style="list-style-type: none"> • A document or information (including personal information) provided by a KMP in a RPT Notification; or • Personal information contained in a Register of Related Party Transactions.
<p>LEGISLATION AND RELATED DOCUMENTS</p>	<p><i>Local Government Act 1993</i> <i>Archives Act 1983</i> (Tas) <i>Privacy Act 1988</i> (Comm) <i>Personal Information Protection Act 2004</i> (Tas) <i>Right to Information Act 2009</i> (Tas) Australian Accounting Standard AASB 124 <i>Related Party Disclosures and the Australian Implementation Guidance for Not-for-Profit Public Sector Entities</i> AASB10 <i>Consolidated Financial Statements</i> AASB 11 <i>Joint Arrangements</i> AASB 128 <i>Investments in Associates and Joint Ventures</i></p>
<p>ATTACHMENT/S (IF APPLICABLE)</p>	<p>Attachment 1 – Declaration of Related Party Transactions Attachment 2 – Related Party Information Collection Notice</p>

ATTACHMENT

Attachment 1
Declaration of Related Party Transactions and Consent Form

Private and Confidential

Related Party Declaration by Key Management Personnel

Name of Key Management Person: *(insert name)*

Position of Key Management Person: *(insert name)*

Close Family Member Name	Relationship with KMP	Entities over which the close family member has sole or joint control	Nature of likely transactions with Council or Council entities

Name of Entity over which the KMP has control	Relationship with KMP	Nature of likely transactions with Council or Council entities

I *(insert full name)*, *(insert position)* declare that the above list includes all my close family members and the entities controlled, or jointly controlled, by myself or my close family members having had, or likely to have, transactions with Council. I make this declaration after reading Council’s policy which details the meaning of the words “close family members” and “entities controlled, or jointly controlled, by myself or my close family members”.

I permit the General Manager to access the register of interests of me and persons related to me and to use the information for the purposes specified in Council’s Related Party Disclosures Policy.

Declared at *(insert place)* on the *(insert date)*

Signature of KMP:

Name of KMP:

In accordance with Council’s *Personal Information Protection Policy*, your information, and the information of others, is protected by law, including the *Privacy Act 1988* and the *Personal Information Protection Act 2004*.

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Attachment 2

Related Party Information Collection Notice

Devonport City Council Collection Notice

Related party transactions disclosure by Key Management Personnel

From 1 July 2016, Council must disclose related party relationships, transactions and outstanding balances, including commitments, in its annual financial statements, in order to comply with *Australian Accounting Standard AASB 124 Related Party Disclosures*.

Purpose of collection, use and disclosure of related party information

The reason for disclosure of related party transactions is to ensure that Council's financial statements contain the information necessary to draw attention to the possibility that its financial position and profit or loss may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

Council's related parties are likely to include the Mayor, Aldermen, General Manager, senior executives, their close family members and any entities that they control or jointly control. Any transactions between Council and these parties, whether monetary or not, may need to be identified and disclosed.

A related party transaction is a transfer of resources, services or obligations between Council and a related party, regardless of whether a price is charged.

A related party transaction must be disclosed in Council's financial statements if the transaction is material. Information is material when, if omitted or misstated, it could influence decisions that users make on the basis of financial information about a specific reporting entity.

Prior to disclosure, the General Manager will assess the materiality of related party transactions that have been captured, and, if deemed material, will disclose in its financial statements the nature of the related party relationship and information about the transaction. Disclosure in the financial statements may be in aggregate form and/or may be made separately, depending on the nature and materiality of the transaction.

Related Party Transactions Declaration by Key Management Personnel

Key management personnel (KMP) are the persons who have authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly and include the Mayor, Aldermen, General Manager and senior executives. In order to comply with AASB 124, Council has adopted a policy that requires all KMP to declare any existing or potential related party transactions between Council and any of their related parties during a financial year.

Each KMP must provide an annual *Related Party Declaration* in the approved form, by 1 July each year, and update the Declaration should they become aware of any change, error or omission. KMPs must exercise their best judgement in identifying related parties when declaring, or not declaring, entities over which they, or a close member of their family, have control or joint control.

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How will the information captured in the Declaration be used?

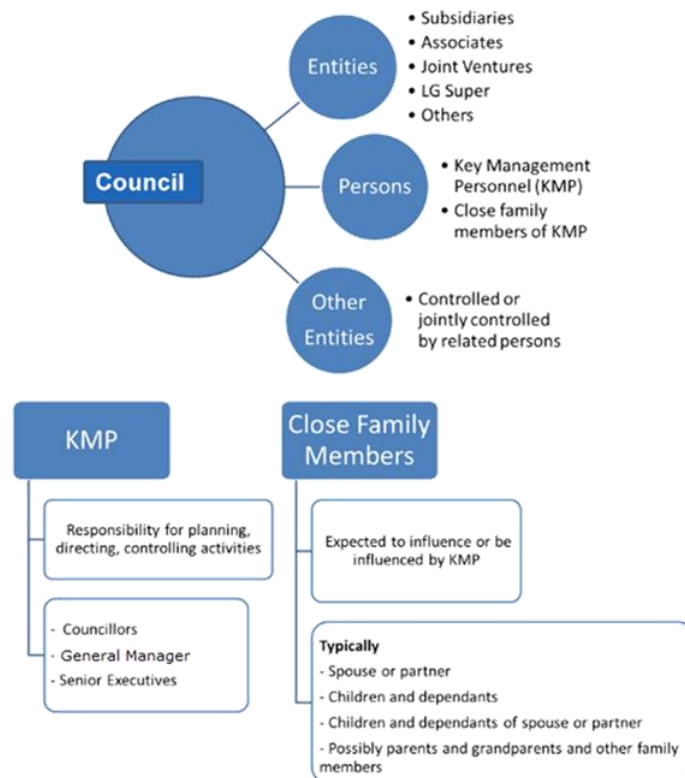
Council will use the declarations of KMPs to establish a list of related parties of Council for the purposes of identifying transactions and reporting under AASB 124. If a KMP or close family member is named individually in disclosure reports, the KMP will be given a copy of the intended disclosure for review and information purposes.

Who are related parties?

People and entities, such as companies, trusts and associations, can be related parties of Council.

The following diagram gives an overview of common related parties that a council will have.

The following diagram gives an overview of common related parties that a council will have:



For related party transaction disclosures under AASB 124, the related party relationship must be disclosed for both the KMP and their close family members, even if the same related party entity is held jointly or in common by them. This is separate and in addition to Council’s register of interests which is required under the *Local Government Act 1993*.

Under AASB 124, those persons who are prescribed as definitely being close family members of a KMP include:

- that person’s children and spouse or domestic partner;
- children of that person’s spouse or domestic partner; and
- dependents of that person or that person’s spouse or domestic partner.

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Council may determine other family members, such as a parent, grandparent, sibling, cousin, etc, who may be expected to influence, or be influenced by, that person in their dealings with Council or a Council entity.

What is an entity that I, or my close family members, control or jointly control?

Entities include companies, trusts, joint ventures, partnerships and non-profit associations such as sporting clubs.

You control an entity if you have:


- a) power over the entity;
- b) exposure, or rights, to variable returns from involvement with the entity; and
- c) the ability to use your power over the entity to affect the amount of your returns.

You jointly control an entity if there is a contractually agreed sharing of control of the entity. Joint control exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

In some instances, it may not be easy to determine whether or not you, or your close family members, control or jointly control an entity. If you are unsure and require further clarification, you should contact the General Manager for a confidential discussion.

For more information about Council's disclosure requirements under AASB 124 Related Party Transactions, please refer to the Council's Related Party Disclosures Policy.

All information collected by Council is in accordance with Council's Personal Information Protection Policy and is protected by law, including the Privacy Act 1988 and the Personal Information Act 2004.

 ROOKE STREET MALL POLICY			
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	21 December 2015	261/15	D399329
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Events Coordinator	Executive Manager Corporate Community and Business Services	4.1.5 – Encourage multi use of open space and facilities and ensure the terms and conditions of any licences or user agreements achieve a positive outcome for the community	June 2018
PURPOSE	To provide a framework to encourage appropriate activities that contribute to the vibrancy of the Rooke Street Mall in a manner that does not cause a risk to property, compromise the safety of members of the public or adversely impact local retailers, residents or pedestrians.		
SCOPE	This Policy provides guidelines to address competing demands upon the Rooke Street Mall and enables Council to plan, manage and monitor the range of activities. This Policy does not cover "Permits to Work Within the Road Reserve."		
POLICY	<p>1. The Policy aims to ensure that:</p> <ul style="list-style-type: none"> • The space is used in a fair and equitable manner. • Activities are structured, planned and managed to promote a high quality visual environment & space. • Council supports local economic development and commercial vitality. • Activities contribute to the improvement (i.e. function and safety) of the streetscape. • Pedestrians and other forms of traffic are not unduly obstructed by any activities. • Activities contribute to the overall amenity of adjoining or nearby properties. • Activities are compatible with other community uses of public space. • Council clearly communicates its desires and responsibility of activities and that controls are easy to monitor. • Positive relationships with the Mall retailers are cultivated. <p>2. The objectives of the Policy are to:</p> <ul style="list-style-type: none"> • Provide certainty and self-regulation to users within a clearly understood, fair and transparent operating framework for managing activities. • Minimise complaints, criticism and other problems associated with use of the Mall. • Facilitate planned use of the Mall. • Provide guidelines for the issuing of permits and conditions relating to activities. • Support and encourage activities to enhance the diversity, vibrancy, vitality and ambience of the City. • Ensure activity does not adversely affect public safety, pedestrian traffic or the amenity of the Mall for City users. 		

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PERMITTED USE	<p>3. Activities promoted in the Mall: The following activities are permitted in the Rooke Street Mall after gaining written approval from Council:</p> <ul style="list-style-type: none"> • Collections of donations • Busking • Displays and exhibitions • Entertainment/events • School holiday programs/sport promotions • Indigenous and cultural ceremonies • Drawing/painting • Registered BBQ'S for charity groups • Promotions including special events, community health and awareness • Special interest food events • Consultation activities • Vehicles used as a promotional tool i.e. radio stations • Large vehicles used for activities such as blood drives or displays • Delivery vehicles permitted between midnight and 6am for delivery of goods and services • Amplification of sound – amplification may be used however Council reserves the right to impose a decibel limit or stop the activity if it is deemed that the activity is causing an offence to the public. <p>4. Activities prohibited in the Mall: The following activities are prohibited in the Mall:</p> <ul style="list-style-type: none"> • Permanent Stalls. • Use of any sharp object or dangerous instrument including knives, swords, chainsaws. • Use of bicycles, skateboards, roller blades or roller skates (unless part of permitted activity). • No pets or livestock with the exception of assistance animals. • Feeding of pigeons. • Offensive activities or behaviours. • Hawking of wares, massages, readings and sale of goods other than items for charity such as lapel pins, badges etc. • Distribution of handbills, leaflets or other written material unless specific permission is granted as part of a booking. • Littering.
GUIDELINES	<p>5. In General:</p> <ul style="list-style-type: none"> • All individuals, buskers, performers, fundraisers (non-commercial and commercial) must submit a Permit Application prior to using the Mall and must always carry a current Council permit while operating in Mall. • The activity must be the activity stated on the Permit Application. • All activities are restricted to time limits in an effort to increase the diversity of activity in the Mall. • Blocking of shop fronts up to 1.5m, trade areas or doorways is not permitted. • Council reserves the right to refuse or restrict temporary promotional or commercial activity that will unreasonably impact on permanent retailers in the Mall.

	<ul style="list-style-type: none"> • An authorised Council Officer has the right to cancel a permitted activity if it breaches policy, conditions of Permit, or is deemed unsuitable. • If a permit is cancelled and the permit holder continues to undertake the activity, Police will be notified. • If a busker has been removed by another governing authority e.g. Tasmania Police, Council will not issue a permit and/or has the right to cancel an existing permit. • It is compulsory to have a minimum of \$20 million Public Liability Insurance when using equipment/furniture e.g. display stands, tables, chairs and exhibitions. • Stall operators must keep the area free of rubbish and the stall must be attended to at all times. <p>6. Non-commercial activities/charitable organisations: In addition to the Guidelines outlined above:</p> <ul style="list-style-type: none"> • Must have proof of charitable status.
RISK MANAGEMENT	<p>Permit holders must ensure a duty of care to themselves and to members of the public in accordance with State legislation (see below).</p> <p>Where structures are to be installed, a risk plan must be attached to the Permit Application.</p>
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government Act 1993</i> <i>Public Health Act 1997</i> <i>Street Trading By-Law</i> <i>Food Act 2003</i> <i>Food Safety Standards</i></p>

	<h2>SPONSORSHIP POLICY</h2>		
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM)
Council	22 February 2016	30/16	D408815
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Marketing, Tourism & Recreation Manager	Executive Manager Corporate, Community & Business & Services	4.7.3 Attract and promote equitable distribution and sharing of financial and other resources throughout the community	June 2017
PURPOSE	<p>The purpose of the Sponsorship Policy is to establish principles for sponsorship agreements entered into between Devonport City Council and other parties. The policy also provides guidelines for how Council will go about seeking sponsorship.</p> <p>Sponsorship is the contribution of financial and/or "in kind" support that Council receives <u>or provides</u> for the purpose of <u>partnering</u> in the provision of community infrastructure, a service or program, event or activity that may contribute to the economic, social, sporting, environmental or cultural development of the City.</p> <p>Sponsorships are undertaken or entered into, in order to help achieve business or community objectives.</p>		
SCOPE	<p>This policy applies where sponsorship arrangements are to be negotiated.</p> <p>The Devonport City Council's Sponsorship Policy outlines the receiving <u>or provision</u> of financial and/or in-kind support from <u>to</u> a commercial or external organisation, in exchange for public recognition or association.</p>		
POLICY	<p>1. Principles: Devonport City Council acknowledges that sponsorship can provide significant benefits to Council and the community, and will consider sponsorship opportunities where the following principles apply:</p> <p><u>1.1. Council invites and seeks sponsorship for selected Council projects, events, services or activities.</u></p> <p><u>1.2. Council is approached for sponsorship of projects, events, services or activities.</u></p> <p>1.3. <u>The sponsorship is complementary to Council's vision, values, policies and strategies.</u></p> <p>1.4. Sponsorship arrangements above the value of \$<u>15,000</u> are to be reported to Council for determination. Sponsorship arrangements for \$<u>15,000</u> or less may be determined by the General Manager under delegated authority.</p> <p>1.5. There should not be any real or perceived conflict between the objectives and mission of the sponsor and Council.</p> <p>1.6. Sponsorship arrangement that impose or imply conditions that limit the Council's ability to carry out its functions fully and impartially will not be agreed to.</p>		

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- 1.7. Council will not seek sponsorship from or provide sponsorship to any party engaged in current or pending legal proceedings involving the Council.
- 1.8. A sponsorship agreement outlining the full terms and conditions of the agreement will be recorded in writing and signed by both parties.
- 1.9. All sponsorship arrangements will be described in the annual report in a manner commensurate with the significance of the sponsorship.
- 1.10. Sponsor benefits or sponsorship do not include implied endorsement by Council of the sponsor's goods or services or use of Council's logo to promote their products.
- 1.11. Council reserves the right to enter into exclusive arrangements where the integrity of the relationship needs to be protected.
- 1.12. On all sponsorships, appropriate due diligence on the proposed sponsor or recipient is to be undertaken.

Devonport City Council reserves the right to withdraw sponsorship with an external party when they are considered to have not complied with the spirit of this policy and/or a written agreement entered into as a sponsor arrangement.

Devonport City Council will not enter into sponsorship with external bodies who:

- Are involved in unlawful activities;
- Do not share Council's views on promoting a diverse, tolerant and inclusive community;
- Are political parties;
- Are considered to be an unsuitable partner by Council for reasons it sees fit to apply in the context of this policy;
- Offer programs that may present a hazard to the community;
- Offer programs that do not reflect widely held community views; and
- Contravene State and Commonwealth legislation, local laws.

2. Guidelines for Seeking Sponsorship:

- 2.1. The public interest may be best served by Council making a particular sponsorship opportunity widely known for example, by calling for expressions of interest or by letters of invitation to submit sponsorship proposals to a number of prospective sponsors. However, it is recognised that in some circumstances this ideal would be impractical and Council's request for sponsorship could be by invitation to specific potential sponsors.
- 2.2. A sponsorship proposal should be developed which clearly outlines the nature of the project, why it is being proposed, the benefits to the proposed sponsor and to Council, and the type or value of sponsorship sought.
- 2.3. Aldermen interested in assisting with sponsorship arrangements should work through the relevant Council Department and not seek to negotiate sponsorship independently on behalf of the Council.


	<p>2.4. It is inappropriate for any Alderman or Council staff member or their relatives or partners to receive personal benefit from sponsorship agreements.</p> <p>3. Examples of Benefits to Potential Sponsors:</p> <ul style="list-style-type: none"> • <u>Brand awareness and recognition of sponsor status in publicity material associated with the activity. E.g. social media, print and digital advertising, posters and other marketing material.</u> • Distribution of materials promoting sponsor's products or services in conjunction with <u>activity</u> • Presence of the sponsor at an <u>activity</u> and access to participants; • Signage <u>and other marketing material displayed at activity;</u> • <u>Acknowledgement in speeches;</u> • <u>Entry tickets to sponsored activity; and</u> • <u>Naming rights of whole or a portion of activity.</u> <p>4. Venue naming Rights sponsorship: Applications for <u>venue</u> naming rights will be considered under the following conditions:</p> <ul style="list-style-type: none"> • <u>Venue naming rights are limited to sports grounds, pavilions or public buildings only or a specific area/portion within a reserve, but not the entire reserve. The term of the sponsorship agreement is limited to the term of the club's licence, lease or agreement over the community venue;</u> • <u>In the case where naming rights are proposed and accepted for an entire reserve, the naming convention would be "(VENUE) PROUDLY SPONSORED BY (SPONSORS NAME)" or "(VENUE) SPONSORED BY (SPONSORS NAME)";</u> • <u>The proposed name of the sports ground is not in any way offensive or discriminatory; and</u> <p>The community venue ground is only referred to the 'sponsored name' in club, association, competition or league promotions and marketing. <u>Council names for the reserve, pavilion and any other public building will prevail in public documents e.g. Council reports, engineering / road plans, directories, web-sites etc.</u></p> <p><u>Community venue naming rights remain vested with the Devonport Council as venue owner and manager.</u></p> <p><u>Upon approval, the organisation/club will be permitted to install a single naming sign that complies with the current Devonport City Council planning scheme.</u></p> <p>5. Sponsorship Agreement: <u>Any sponsorship agreement must be recorded in writing and signed by both parties. This should include:</u></p> <ul style="list-style-type: none"> • <u>The term or purpose of the sponsorship and any conditions regarding renewal.</u> • <u>Specific services, products or funds to be provided by Council and the reciprocal benefits, including, where practical, a dollar value of services or products</u>
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- Deleted: ~~The form or forms of sponsorship acknowledgement which will be available (example Heads of Agreement letter, Partnership letter).~~
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- Deleted: ~~The responsibilities and expectations of each party for the project.~~
- Deleted: ~~Any guidelines for the use of corporate logos or limitations on advertising, media and other publicity.~~
- Deleted: ~~A statement to the effect that any attempted influence of Council's regulatory functions will result in an automatic review and/or termination of the sponsorship agreement.~~
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- Deleted: ~~A copy of the proposed naming rights sponsorship agreement is to be submitted as part of the approval process.~~
- Deleted: ~~Council will detail in writing the scope of the agreement with organisations seeking naming rights sponsorship.~~
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	<ul style="list-style-type: none"> • <u>The form or forms of sponsorship acknowledgement which will be available. Eg. Signage, advertising/social media/digital/media releases.</u> • <u>Any limitations to the sponsorship such as restrictions on seeking additional sponsors.</u> • <u>The responsibilities and expectations of each party for the project.</u> • <u>Any guidelines for the use of corporate logos or limitations on advertising, media and other publicity.</u> • <u>A statement to the effect that any attempted influence of Council's regulatory functions will result in an automatic review and/or termination of the sponsorship agreement.</u> • <u>Any special conditions which may apply.</u> <p>6. Policy Non-Compliance: A sponsorship agreement may be refused and/or terminated if deemed by the General Manager as a real or perceived conflict, or where a breach of the terms of an agreement has occurred.</p> <p>7. Definitions: For the purpose of this policy, the following definitions will apply: <u>Activity includes any event or component or an event or any season or roster of a particular sport.</u> External Bodies include non-government organisations (NGOs), corporate and business organisations and the Devonport community. Company means any form of private entity operating for the purpose of profit creation. Organisation means any group, incorporated or unincorporated, operating for a defined purpose or function. Sponsorship means the exchange of money, goods or services from one party to another where there are specific obligations on the receiver for a return to the sponsor in some form. Naming Rights means the exclusive right for an organisation to name/brand a venue, event or program.</p>
<p>LEGISLATION AND RELATED DOCUMENTS</p>	<p>Local Government Act 1993 Devonport City Council Strategic Plan Devonport City Council Code of Conduct</p>
<p>ATTACHMENTS (IF APPLICABLE)</p>	<p>N/A</p>

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 <h2 style="text-align: center;">SPORT AND RECREATION GROUPS LEASE POLICY</h2>			
POLICY TYPE (COUNCIL OR MANAGEMENT)	POLICY ADOPTED (DATE)	MINUTE NUMBER (IF COUNCIL POLICY)	POLICY DOCUMENT NUMBER (TRIM)
Council	22 June 2015	117/15	D366670
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Governance Coordinator	General Manager	5.3.1 – Review and amend governance structures, policies and procedures to adapt to changing circumstances	June 2017
PURPOSE	To establish a consistent and equitable approach to the development of leases from Council to sport and recreation groups.		
SCOPE	<p>All sport and recreation groups who lease Council owned buildings on Council owned or leased land, or whose buildings are located on Council land. The terms and conditions of this Policy will be applied to all new lease agreements and upon the renewal of any existing lease arrangements.</p> <p>The conditions of this Policy will not be varied unless it is essential to meet the special needs of the property or <u>the lessee</u>.</p>		
POLICY	<p>1. Sport and Recreation Groups and Organisations:</p> <p>1.1. Organisations whose primary objective is to provide sport and recreational opportunities for the community are supported by Council. Council recognises the benefit of supporting sport and recreation groups and organisations.</p> <p>2. Fee Schedule/Determination of Rent:</p> <p>2.1. The annual rental payable on sport and recreation facilities is as follows:</p> <ul style="list-style-type: none"> • An amount totalling 50% of the <u>rates charged against the property per annum</u>; and • Ground Fees attributed to the facility. <p>(The Ground Fees rate is calculated based on a percentage of Ground Use charges).</p> <p>3. Validation of Lease Agreement:</p> <p>3.1. Council land and/or buildings shall only be occupied pursuant to a formal signed lease.</p> <p>Failure to validate the lease agreement by signature may result in the discontinuation of lease negotiations with the tenant.</p> <p>Once lease terms have been finalised, Council reserves the right to commence rental charges even if the agreement remains unsigned.</p> <p>If the lease remains unsigned for a period of more than 30 days, 90 days notice to vacate the premises <u>(building and/or land)</u> will be given to the tenant who currently occupies the premises.</p> <p>_____</p> <p>_____</p> <p>4. Risk Management Obligations:</p>		

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4.1. ~~Lessees~~ of Council owned or managed buildings will be required to have Public liability insurance for a minimum of \$20 million. A copy of the organisation's Certificate of Currency is to be provided to Council at the commencement of the agreement, ~~and annually for the duration of the lease.~~

It is the responsibility of the ~~lessee~~, in conjunction with Council, to ensure the minimisation of all risks including public safety, hazardous materials and waste removal. The ~~lessee~~ is also required to comply with emergency evacuation procedures and risk management practices at the direction of Council.

5. **Maintenance Schedule/Issues:**

5.1. Prior to an agreement being made, a condition statement shall be produced to determine the condition of the facility, and maintenance responsibilities determined.

Maintenance schedules will be developed to ensure consistency and clarity regarding maintenance of Council premises and stipulate responsibilities of both Council and ~~the lessee.~~

~~BMS documents will be reviewed every five years in line with the term of the agreement, or as required, i.e. following significant building or infrastructure amendments.~~

Where an organisation has exclusive use of a Council ~~owned~~ facility, there is an expectation that they assist in funding maintenance costs and contribute towards capital improvement of the facility.

Where improvements on the leased land are owned by the ~~lessee~~, they have sole responsibility for internal and external maintenance.

6. **Term:**

6.1. Lease agreements will be granted for a period of no more than five years, with a further five year term option ~~offered.~~

7. **Rent Reviews/Increases:**

7.1. Rental fees for sport and recreation groups will be based on the property's rates struck on a per annum basis. 50% of this figure will be charged in lieu of rental. Ground Fees will also be set annually as part of Council's budgetary process.

Council ~~reserves~~ the right to amend the rental if a ~~lessee~~ gains access to other commercial means of income, other than fundraising, that is generated during the term of the agreement.

8. **Outgoings:**

8.1. ~~Lessees~~ will be responsible for the costs of all utilities, including electricity, phone and all other outgoings related to the property including ~~water usage charges.~~


8.2. Council will be responsible for water and sewerage service charges, land tax and the remaining 50% of the annual rates.

9. **Determination of ~~Leases:~~**

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	<p>9.1. When a facility or building premises becomes vacant, Council will consider the ongoing future use of the premises in determining a suitable tenant. Factors to consider include: most appropriate use; local community needs; sport and recreational activities within the community that are unrepresented or under-represented; historical connection to the facility/location; and Council's strategic direction.</p> <p>10. Sub Leases:</p> <p>10.1. Terms and conditions of any sub-lease must be in accordance with the terms and conditions of the head lease, including the length of the lease. Council may require the sub-lessee to contribute to charges incurred by Council from Crown or third party, for the head lease.</p> <p>Lessees who wish to sub-let the leased premises are required to seek written permission from Council prior to making such arrangements.</p> <p>Any group to whom a property is sub-let to must provide Council with a copy of their Certificate of Currency, and must have public liability insurance of at least \$20million.</p> <p>Any subleasing arrangements made must not extend beyond the term of the head lease.</p> <p>11. Other Provisions:</p> <p>11.1. Other lease provisions may be negotiated as required.</p> <p>12. Delegation and Signing:</p> <p>12.1. The General Manager is delegated by Council to finalise and sign lease agreements.</p> <p>12.2. An authorised signatory of the lessee will be required to execute the lease and a copy of the agreement, once duly executed by both parties, will be returned to the lessee for their safekeeping. The other copy will be recorded as a Legal Document by Council and placed in the Legal Document Register.</p> <p>13. Legislation and Statutory Compliance:</p> <p>13.1. It is necessary for lessees and Council in the development of lease agreement to ensure compliance with Council's corporate and statutory responsibilities.</p> <p>Legislative requirements need to be determined and stipulated in the lease. Compliance may also extend to the obtaining of permits from Council; liquor licensing requirements; place of assembly licences; adherence to food handling guidelines and relevant Council by-laws.</p>	<p>Deleted: remain</p> <p>Deleted: H</p> <p>Deleted: L</p> <p>Deleted: Tenants</p> <p>Deleted: 1</p> <p>Deleted: tenant</p> <p>Deleted: Tenant</p> <p>Deleted: s</p> <p>Deleted: r</p> <p>Deleted: tenants</p>
<p>LEGISLATION AND RELATED DOCUMENTS</p>	<p>Local Government Act 1993 Local Government (Building and Miscellaneous Provisions) Act 1993 Building Act 2000 Building Regulations 2004 Public Health Act 1997 Food Act 2003 (if applicable) Place of Assembly Licence (if applicable) Food Licencing (if applicable)</p>	

ATTACHMENTS (IF APPLICABLE)	N/A
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 <h2 style="text-align: center;">STREET TRADING POLICY</h2>			
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	27 July 2015	152/15	D377384
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Risk & Compliance Coordinator	Development Manager	4.4 Support activities that encourage safe and responsible community behaviour	June 2018
PURPOSE	<p>The purpose of the Policy is to:</p> <ul style="list-style-type: none"> • Provide and manage a safe environment throughout the municipality for all footpath users. This is achieved through the provision and maintenance of continuous accessible paths of travel for all people on all footpaths; • Facilitate the appropriate use of footpaths and public areas for the purposes of outdoor dining areas and other footpath activities in the Devonport municipal area; • Encourage outdoor dining in Devonport; • Facilitate improvement in street vitality, amenity and economic viability of Devonport's business zones; • Provide opportunities for shop owners and residents to benefit from pedestrian circulation; and • Set a high standard for public safety. 		
SCOPE	<p>This Policy applies to the use of footpaths within Devonport for commercial purposes by any individual, organisation or business unless a duly-approved variation is permitted by Council. The Policy should be read in conjunction with Council's Street Trading By-Law and Guidelines for Applicants – Street Trading.</p>		
POLICY	<p>1. Application of Policy: This Policy applies to all:</p> <ul style="list-style-type: none"> • Commercial premises; and • Food premises within the marked areas of Appendix 1 that are lawfully operating and propose to use Council's footpaths or public areas to either: <ul style="list-style-type: none"> • establish an outdoor dining area; or • carry out footpath trading activities within the areas marked in Appendix 1. <p>Any trade displays or street trading activity must make a positive contribution to the character and amenity of the area marked in Appendix 1.</p> <p>Planning for all footpath use and activities is based on the establishment of Footpath Zones.</p> <p>Commercial use must not encroach on public use of the footpath or impede access to public seating, other public infrastructure or major pedestrian crossing points. Sight lines for road users must be neither</p>		

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	<p>compromised nor restricted and the requirements of the vision and mobility impaired must be taken into account.</p> <p>1.1. Public Liability Insurance An applicant must have current public and products liability insurance for the sum of \$20 million and this must be in a form satisfactory to Council for all activities associated with this policy and Council's By-Law. The Certificate of Currency is to provide a clear statement that acknowledges the insurer is aware of the extension to the business to include on-street trading.</p> <p>Failure to comply with this requirement will facilitate the immediate removal of Trade Goods, Alfresco Dining Furniture and A-Frame Signs.</p> <p>A licence will not be issued unless the Applicant indemnifies Council against any action, proceeding, judgement, claim, demand, cost, expense, loss or damage for which Council becomes or may become liable in relation to the death or injury to any person or the damage to any property caused by a display authorised by a licence.</p> <p>1.2. Guidelines Applications for Street Trading must comply with the requirements of the 'Guidelines for Applicants' and be in the approved form.</p> <p>1.3. Street Trading Licence Application Requirements Applicants are required to complete and submit to Council an application form to conduct activities covered by the By-Law, this Policy and Guidelines. Application forms are available from the Council Offices.</p> <p>Unless otherwise specified on the licence, an annual licence will expire on a common expiry date, except in those instances where it is withdrawn by Council prior to the expiry date. The Common Expiry date for all Street Trading Licences is June 30 of each year. A lesser fee of 50% of the prescribed fees may be charged where the expiry date is less than 6 months.</p> <p>If an application is refused, the licence fee will be refunded. Refunds will not be given where a licence or permit is cancelled as a form of enforcement action.</p> <p>Licences are not transferable. A new licence must be obtained if the proprietor of the business changes.</p> <p>A licence expires if the licensee ceases to maintain public liability insurance or to meet any of the conditions of the licence and this Policy.</p> <p>If a licence is revoked for any non-compliance issue, and the applicant wishes to re-apply, the full fee will apply.</p> <p>2. Operators Responsibilities: The management of a street trading licence is the responsibility of the licence holder. To ensure appropriate management, licence holders are to:</p>	
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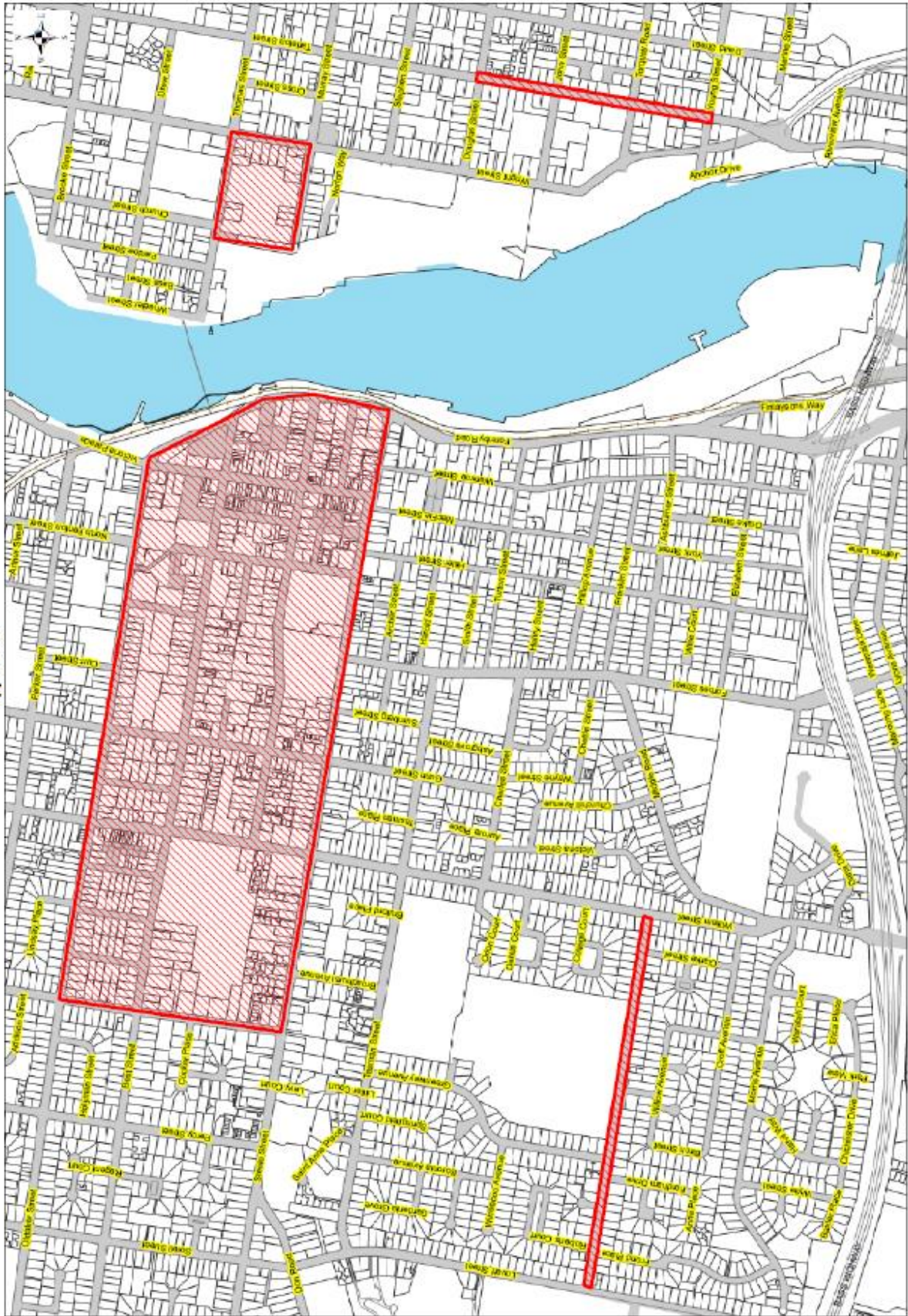
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	<ul style="list-style-type: none"> • Operate in accordance with the conditions of the licence, endorsed plans and the requirements of the Street Trading By-Law and Guidelines. • Monitor the trading zone – i.e. observe patrons at all times and respond to behaviour that may interfere with the use, enjoyment and personal comfort of others using the footpath area. • Maintain access for all users in and around the footpath at all times, repositioning furniture when moved outside of the trading zone by patrons. • Ensure the cleanliness of the footpath area and that equipment is kept clean and litter is removed and placed in bins kept inside the premises. Businesses must not sweep or deposit any litter (including cigarette butts), food scraps or any other rubbish left by patrons into the gutter. Businesses found using these practices may incur a fine. • Remove all approved furniture (other than approved semi-permanent items) from the footpath area each evening when the premises are closed or licence conditions restrict permitted hours. • Display the current licence clearly on the shopfront window. Failure to display the current licence is a breach of licence conditions. <p>3. Council Responsibilities:</p> <p>3.1. Maintenance of Footpath The Council will continue to manage the use of the land at all times and reserve the right to reclaim access to and remove all street trading at any time for any purpose deemed suitable by the Council.</p> <p>3.2. Compensation and Loss of Trade Where service authorities and others are required to carry out works within the road reserve which require permanent and/or temporary removal and/or alteration to street trading arrangements, no compensation is payable for any removal of fittings, fixtures etc associated with the Street Trading Licence or for loss of trade due to these works.</p> <p>The responsibility to reinstate fittings, fixtures etc will remain the responsibility of the licence holder and not the person, authority, contractor etc executing the works.</p> <p>Any problems, inconvenience or loss of trade which may result from activities or works carried out by Council staff, contractors, sub-contractors or agents, at or adjacent to a licence holders' trading area, will not be considered grounds for payment of compensation.</p> <p>3.3. Access to Underground Services Services such as sewers and electricity should not be obstructed by semi-permanent structures including fixed screens, umbrellas or planters.</p> <p>Removable tables and chairs are permitted over underground services.</p>
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	<p>3.4. Monitoring Compliance with Approved Licence The following procedure will be followed in dealing with breaches of the Street Trading By-Law, or non-compliance with the provisions of this Policy:</p> <ul style="list-style-type: none"> • A verbal warning will be issued by an authorised Council Officer, indicating the nature of the breach. The date, time and nature of the warning and reasons given should be documented. • A written warning will be issued setting out the reasons for the warning being issued and the actions required to ensure compliance. • The licence will be revoked, or proceedings for the cancellation of the licence will be initiated, in accordance with the Street Trading By-Law. <p>Reasonable opportunities will be provided between each step in the process to permit the person to either comply or otherwise explain the reason for non-compliance.</p>
LEGISLATION AND RELATED DOCUMENTS	<i>Local Government Act 1993</i> Street Trading By-Law No.1 of 2009 Street Trading Guidelines for Applicants
ATTACHMENT/S (IF APPLICABLE)	Street Trading Map


Appendix 1 – Street Trading Map

Appendix 1




		SUBDIVISION MAINTENANCE BOND POLICY	
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	27 June 2016	121/16	D421716
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Infrastructure and Works Manager	Infrastructure and Works Manager	2.1.2 – Provide high quality, consistent and responsive development assessment and compliance processes	June 2017
PURPOSE	The purpose of this policy is to ensure that assets from new subdivisions transferred to Council ownership are in good condition and have been constructed in accordance with the approved design.		
SCOPE	This Policy applies to all subdivisions created within the municipal boundaries of the Devonport City Council.		
POLICY	<p>1. Introduction: Council requires that a bond be provided by the land owner at the commencement of the statutory period.</p> <p>2. Definitions:</p> <p>2.1. Statutory period: is the period in which the land owner must rectify any identified defects – is six months, commencing from the date a certificate of completion is issued.</p> <p>2.2. Certificate of Completion: when the subdivision works are complete, Council will issue a certificate of completion to the land owner. This certificate may include a list of identified defects that are to be rectified during the statutory period.</p> <p>2.3. Land owner: the property owner of the land being subdivided is responsible for the bond.</p> <p>2.4. Civil works component: the value of the work used to calculate the bond value. It includes all work that is to be transferred to Council on completion including road and stormwater construction, landscaping and reinstatement of public areas. It excludes work on utilities such as water, sewer, gas and telecommunications.</p> <p>3. Calculation of a Maintenance Bond:</p> <p>3.1. The value of a maintenance bond will be the value of 5% of the civil works component of the subdivision.</p> <p>3.2. The value of the civil works component of the subdivision will be determined by the land owners' supervising engineer and will be subject to review by Council prior to acceptance.</p> <p>3.3. The supervising engineer will provide appropriate documentation detailing how the value of the works has been calculated. Further documentation and/or calculations may be required as determined by Council.</p> <p>3.4. If the value of the bond is determined to be less than \$1,000, then a bond may not required.</p>		

	<p>4. Payment/Lodging of a Maintenance Bond:</p> <p>4.1. Council will accept the following types of payment method as acceptable for lodging a maintenance bond:</p> <ul style="list-style-type: none"> • Cash/Direct Debit or Cheque • A guarantee from a recognised financial institution <p>4.2. Bonds will be received and held in accordance with Council's accounting and document control policies.</p> <p>4.3. No interest will accrue on cash deposits.</p> <p>5. Release of Maintenance Bonds:</p> <p>5.1. At the completion of the statutory period, Council officers will inspect the subdivision to ensure that any identified defects have been rectified and no new defects have emerged.</p> <p>5.2. If there are defects that are yet to be rectified, Council will:</p> <p>5.2.1. Extend the statutory period for up to an additional six months. Council will advise the land owner in writing.</p> <p>5.2.2. If the defects are rectified within this second period, then Council will release the bond.</p> <p>5.2.3. If defects are not rectified within this second period, Council will rectify the defects and recover expenses by drawing on the bond, which may be part or full value of the bond. Council will notify the land owner prior to commencing works and also on completion of works.</p> <p>5.2.4. If a defect is identified as a high risk, Council may draw upon the bond at any time, notifying the land owner as soon as possible.</p> <p>5.3. If all defects have been rectified, Council will release the bond. Council will not release any bond to any third parties without the written consent of the land owner.</p>
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government (Building and Miscellaneous Provisions) Act 1993 (No.96 of 1993)</i></p> <p><i>Land Use Planning and Approvals Act 1993</i></p> <p><i>Local Government (Highways) Act 1982</i></p>
ATTACHMENT/S (IF APPLICABLE)	N/A

			
SUBDIVISION OUTSTANDING WORKS BOND POLICY			
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	27 June 2016	121/16	D421706
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Infrastructure and Works Manager	Infrastructure and Works Manager	2.1.2 – Provide high quality, consistent and responsive development assessment and compliance processes	June 2017
PURPOSE	The purpose of this policy is to facilitate release of property titles prior to the completion of subdivision work while ensuring that subdivision work is completed in a timely manner.		
SCOPE	This Policy applies to all subdivisions created within the municipal boundaries of the Devonport City Council.		
POLICY	<p>1. Introduction:</p> <p>1.1. Council will accept bonds from the land owner undertaking subdivision work prior to the completion of the work to allow release of property titles. A land owner undertaking subdivision work may request an outstanding works bond to facilitate release of some or all of the property titles in the subdivision.</p> <p>2. Calculation of a Subdivision Outstanding Works Bond:</p> <p>2.1. The value of an outstanding bond will be the value of the incomplete works of the subdivision related to the titles requested for release plus a further 30%.</p> <p>2.2. The value of the incomplete work includes all civil works, landscaping and reinstatement but excludes work on utilities such as water, sewer, gas and telecommunications.</p> <p>2.3. The value of the civil works component of the subdivision will be determined by the land owner's supervising engineer and will be subject to review by Council prior to acceptance.</p> <p>2.4. The supervising engineer will provide appropriate documentation detailing how the value of the works has been calculated. Further documentation and/or calculations may be required as determined by Council.</p> <p>2.5. Council will not accept outstanding works bonds valuing equal to or less than \$1,000 or works valuing greater than \$100,000.</p> <p>3. Payment/Lodging of a Maintenance Bond:</p> <p>3.1. Council will accept the following types of payment method as acceptable for lodging an outstanding works bond:</p> <ul style="list-style-type: none"> • Cash/Direct Debit or Cheque • A guarantee from a recognised financial institution <p>4. Requirements to be met for accepting an Outstanding Works Bond</p> <p>4.1. For Council to accept an outstanding works bond, the lots requested for release must be fully serviceable and development-ready. Works that must be completed include, but are not limited to:</p>		

	<ul style="list-style-type: none"> i Stormwater mains construction ii Domestic stormwater property connections iii Energy dispersion devices or scour treatment at any head walls iv Stormwater detention basins and OSD's v Side entry pits and road drainage construction vi Road pavement construction, up to the frontages of the titles to be released vii Retaining walls that provide structural integrity to any drainage or road assets viii Kerb and footpath construction ix Property accesses – formation only x Intersection construction at the interface between existing council infrastructure and the subdivisional roads xi Local area traffic management (LATM) devices xii Regulatory signage xiii Intersection treatments such as roundabouts, traffic lights, dedicated turn facilities or deceleration/acceleration lanes xiv Any other work that Council deems would present a high risk to the community if it was not completed <p>4.2. Works that can be covered by an outstanding works bond include:</p> <ul style="list-style-type: none"> i Line marking ii Street lighting iii Street and traffic management signage - excluding regulatory iv Landscaping and street tree planting v Fencing vi Rehabilitation of public open space vii Property accesses – excluding formation viii Provision of turning head facilities at the termination of subdivisional roads <p>5. Period of an Outstanding Works Bond:</p> <p>5.1. An outstanding works bond will be held for up to 6 months. A request from the land owner to extend the period beyond 6 months must be received in writing and supported by an engineering based justification and is subject to approval by Council's General Manager. Resource availability or financial considerations are not valid reasons</p> <p>6. Release of Outstanding Works Bond:</p> <p>6.1. At any time during the 6 month period once the outstanding works are completed, the land owner can request that the bond be released. Council's Engineer will inspect the subdivision to ensure that the outstanding works have been completed to a satisfactory standard.</p> <p>6.2. If all outstanding works have been completed, Council will issue a certificate of completion and release the bond. Council will not release any bond to any third parties without the written consent of the land owner.</p> <p>6.3. If at the end of the 6 month period there are still outstanding works to complete and no extension has been agreed, then</p>
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	Council can complete the outstanding works and draw on the full amount of the bond. Council will notify the land owner prior to commencing works and on completion of works.
LEGISLATION AND RELATED DOCUMENTS	<i>Local Government (Building and Miscellaneous Provisions) Act 1993</i> <i>Land Use Planning and Approvals Act 1993</i>
ATTACHMENT/S (IF APPLICABLE)	N/A

 TREE POLICY			
POLICY TYPE	POLICY ADOPTED (DATE)	MINUTE NUMBER	POLICY DOCUMENT NUMBER (TRIM):
Council	27 July 2015	152/15	D377000
DOCUMENT CONTROLLER	RESPONSIBLE MANAGER	STRATEGIC PLAN 2009-2030 (STRATEGY REFERENCE)	DATE OF NEXT REVIEW
Infrastructure & Works Manager	Deputy General Manager – Infrastructure, Works & Development	2.3.4 – Provide accessible and sustainable parks, gardens and open spaces to appropriate standards	June 2017
PURPOSE	The purpose of this policy is to provide clear direction for the management of trees throughout the City.		
SCOPE	Trees located on Council <u>owned, leased or managed</u> land (e.g. road reservations, parklands and bushland).		
POLICY	<ol style="list-style-type: none"> 1. Recognise the benefits of trees: <ol style="list-style-type: none"> 1.1. Establish vegetation to provide benefits for the community including shade, <u>aesthetics</u>, temperature and UV control, wind suppression and reduction in noise and air pollution. 1.2. <u>Community goodwill from tree planting projects.</u> 2. Conserving and enhancing the city's streetscapes, open space and bushland: <ol style="list-style-type: none"> 2.1. <u>Maintain existing trees and wildlife corridors between bushland areas for biodiversity and habitat.</u> 2.2. <u>Allocate budget resources for planting replacement trees and or removal of trees where determined appropriate.</u> 2.3. <u>Require new trees to be planted as part of developments and subdivisions to be funded by the developer as appropriate.</u> 2.4. Require new trees to be planted as part of reconstruction or upgrade works where appropriate. 2.5. Progress tree plantings in nature strips in identified streets. 2.6. Utilise the Tree Species Register for guidance when selecting new plantings to ensure the correct species are selected. 2.7. Provide protection to new trees to suit the environment it is planted in. 2.8. <u>Assess locations for trees considering the impact and risks to the <u>community</u>, the environment and the surrounding infrastructure both short and long term.</u> 2.9. Ensure trees are protected during works. 2.10. <u>Observe the Significant Trees Register to <u>prevent</u> destruction of significant trees.</u> 2.11. Physically maintain existing trees including tree planting, pruning, ongoing maintenance is to be carried out in accordance with: <ol style="list-style-type: none"> a) Australian Standard AS4373-2007 Pruning of Amenity Trees; b) Council's Tree Maintenance Manual; c) <u>Hazardous Tree Assessment Form;</u> d) <u>Tasmanian Standard Drawings.</u> 2.12. <u>Support organisations in planting and management of trees.</u> 2.13. <u>Involve residents in ongoing maintenance and management of street trees where appropriate.</u> 		

Deleted: Consultation with government agencies may be required concerning leased crown land e.g. river reserves.¶
This policy shall apply to anyone working on trees under the control of Council.

Deleted: <#>Support organisations in planting and management of trees.¶
<#>Involve residents in ongoing maintenance and management of street trees where appropriate.¶

Deleted: <#>Require new trees to be planted as part of developments and subdivisions to be funded by the developer as appropriate.¶

Deleted: <#>Provide procedures and budget resources for planting replacement trees and or removal of trees where determined appropriate.¶

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Deleted: <#>Maintain existing trees and wildlife corridors between bushland areas for biodiversity and habitat ¶

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Do not print and store a copy of this document. Always access the Internet/Intranet copy to ensure you have the latest version.

	<p>3. Other:</p> <p>3.1. Public requests will be assessed in accordance with the Tree Maintenance Manual.</p> <p>3.2. Unauthorised removal – loss or damage of a tree can be pursued through Council's Asset Loss Recovery Procedure and or via the <i>Roads and Jetties Act 1935</i> Section 51.</p>
LEGISLATION AND RELATED DOCUMENTS	<p><i>Local Government Act 1993</i> <i>Roads and Jetties Act 1935</i> Tree Species Register Significant Tree Register</p>
ATTACHMENT/S (IF APPLICABLE)	N/A

Do not print and store a copy of this document. Always access the Internet/Intranet copy to ensure you have the latest version.

4.2 LOCAL GOVERNMENT ASSOCIATION OF TASMANIA - ANNUAL GENERAL MEETING AND GENERAL MEETING - 26 JULY 2017

File: 30415 D479415

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 5.1.3 Represent and promote Council at Regional, State and National forums

SUMMARY

This report has been prepared to inform Council of items listed for consideration on the upcoming Local Government Association of Tasmania (LGAT) Annual General Meeting and General Meeting to be held on Wednesday 26 July 2017.

BACKGROUND

The Annual General Meeting, followed by a General Meeting, is to be held at the Wrest Point Casino, Hobart on 26 July 2017.

The agendas can be downloaded at:

<http://www.lgat.tas.gov.au/contentFile.aspx?filename=AGM%20Agenda%2026%20July%202017%202.pdf> (AGM agenda)

<http://www.lgat.tas.gov.au/webdata/resources/files/General%20Meeting%20Agenda%2026%20July%202017.pdf> (General Meeting Agenda)

Attachments are available at:

<http://www.lgat.tas.gov.au/contentFile.aspx?filename=AGM%20%2026%20July%202017%200Attachments.pdf> (AGM attachments)

<http://www.lgat.tas.gov.au/contentFile.aspx?filename=Item%206.1%20Subscriptions%20Attachment.pdf> (Supplementary AGM attachment – Item 6.1)

<http://www.lgat.tas.gov.au/webdata/resources/files/General%20Meeting%20Agenda%2026%20July%202017%20-%20All%20Attachments.pdf> (General Meeting Attachments)

STATUTORY REQUIREMENTS

Council as a member of the LGAT is entitled to vote in accordance with the Rules of the Association at any meeting. A number of the items to be debated relate to either State or Federal Government legislation or responsibility.

DISCUSSION

The purpose of this report is to allow Council, where it considers necessary, to provide some direction to the Mayor in relation to how he might vote as Council's delegate at the LGAT Annual General Meeting and General Meeting.

In most cases the supporting information to the motions is self-explanatory and does not require further comment.

ANNUAL GENERAL MEETING AGENDA:

The agenda items listed for the meeting are:

1. Minutes of 104th Annual General Meeting
2. President's Report

3. Financial Statements to 30 June 2016
4. Budget and Subscriptions 2017/18

GM Note: Devonport's subscription for 2017/18 will be \$57,002 (ex GST), an increase of \$658.00 from 2016/17. This amount includes a base subscription of \$53,664, Community Satisfaction Survey of \$445 and TV Advertising of \$2,893.

5. President and Vice President's honorariums
6. Rules of the Local Government Association of Tasmania
 - 6.1 Subscription modelling

GM Note: LGAT agreed to undertake modelling in relation to possible changes to their subscription formula for implementation in 2018/19. Supplementary AGM attachment 6.1 provides detailed advice as to the modelling options considered. The recommendation from LGAT is that Option 21 be approved which includes a flat fee of 40 per cent, and population and revenue fees of 30 per cent each; 8 revenue categories and 8 population categories; and a 10 per cent collar and cap.

The issue of subscriptions and voting rights have been an ongoing topic of discussion for many years. There is no ideal scenario which would adequately address all concerns however the proposal to base subscriptions on a combination of a flat fee, population and revenue seems reasonable. By applying a 10% collar and cap also ensures that the extent of increase/decreases can be managed.

Currently the subscriptions applied to councils under the Rules of the Association are based on the total assessed revenue category, as reported in the Annual Report of the State Grants Commission.

- 6.2 Term of Office of President

GM Note: The proposed change relating to the office of President follows advice from the Electoral Commissioner. The change allows that "if the office of President becomes vacant more than six months before the next AGM where a President is due to take up office in accordance with Rule 27(a), a new President shall be elected in accordance with the procedures in Rule 26."

Previously, the Rules allowed that if the office of the President becomes vacant more than 12 months before the next elections, a recount is taken.

7. Reports from Board representatives

GENERAL MEETING AGENDA:

The agenda items (apart from normal procedural matters) listed for the meeting are classified under the heading of:

8. Items for Noting

- 8.1 Ownership of TasWater
- 8.2 Review of the Local Government Act
- 8.3 Code of Conduct Update
- 8.4 Land Use Planning
- 8.5 Visitor Accommodation Changes
- 8.6 Preventative Health
- 8.7 Strategic Plan and Annual Plan
- 8.8 National General Assembly of Local Government
- 8.9 Policy Update

9. Motions for which Notice has been receivedPublic Transport Services – Hobart City Council

That the State Government be urged to increase its per capita spending on the provision of public transport services within metropolitan and regional Tasmania.

10. Local Government Rates, Fees and Charges Regulator – Burnie City Council

That LGAT write to the Minister for Local Government seeking an investigation into the merits of introducing an independent body (similar to the prices regulator for power, water and sewerage) to be the regulator of Local Government rates, fees and charges and to oversee estimates of Capital works budgets.

GM Note: by seeking the above would add an additional layer of process and prescription to the autonomy of councils.

11. 11.1 Flood Mitigation Flooding – Kentish Council

That LGAT lobby the State Government to boost Tasmania's disaster resilience by providing a significant increase in funding and work with the Commonwealth Government to change the disaster resilience mitigation funding under the National Partnership Agreement back to 1/3 Commonwealth, 1/3 State and 1/3 Council contributions.

11.2 Immunisation Programs – Devonport City Council

That the Local Government Association of Tasmania lobby the State Government to investigate the coordination of school immunisation programs being undertaken on a State-wide basis, rather than being an individual council responsibility to coordinate.

GM Note: It is noted in LGAT's report regarding this motion that the Department of Health and Human Services has advised that it does not support Council's motion. They state that the Department's Public Health Services already provides extensive state-wide coordination of school immunisation programs.

Since Council submitted the motion to LGAT, it has been advised by the Acting Director of Public Health that it will be required to assist in delivering the recently approved Meningococcal W vaccination program in 2018.

The cost of running this program is approximately \$7,700. Whilst Council will receive \$10.50 from the State Government for each student who has the immunisation, the costs will depend on numbers given – to break even at least 733 vaccinations will need to be administered. A program like this has significant impact on Council's resources and takes staff away from other priorities.

12. 12.1 Container Deposit Legislation – City of Hobart/West Coast and Clarence City Council

That the Local Government Association of Tasmania lobby the State Government to introduce container deposit legislation for the state.

GM Note: Council does not appear to have a policy position on the issue of Container Deposit Legislation. There has previously been a push to introduce this legislation in Tasmania but to date it has failed to garner State Government support.

12.2 Smoking at School Crossings - George Town Council

That the Local Government Association of Tasmania lobby the State Government to amend the *Public Health Act 1997* to declare all school road crossings a smoke free area under section 67B.

12.3 Fluoridation Act 1968 – Kentish Council

That LGAT requests the State Government repeal Section 13 of the *Fluoridation Act 1968* (amended) which states that 'a Council must not hold an elector poll under Part 6 of the *Local Government Act 1993* in relation to the addition of fluoride to a public water supply'.

Repealing section 13 will enable the people of Tasmania to participate in information-sharing and debate and to state their informed position regarding the routine addition of fluoride to their drinking water, through a referendum.

12.4 Open and Transparent Governance (Hobart City Council)

The Local Government Association of Tasmania develop resource tools to encourage Tasmanian Councils to consider implementation of live-streaming of Council meetings as a means of ensuring open and transparent governance.

12.5 Elected Member Training (Burnie City Council)

That all Councillors undertake an external examination after undertaking training with regard to their role as a planning authority, which will test their competence to deal with planning matters and their knowledge of the planning scheme relating to their municipality.

13. Recognition of Australia Day – City of Hobart

That the Local Government Association of Tasmania be requested to lobby Tasmania's 29 councils to consider efforts they could take to lobby the Federal Government to change the date of recognition of Australia Day.

GM Note: Council does not have a policy position in relation to changing the date of Australia Day.

The Hobart City Council as the mover of this motion has forwarded a letter to all councils outlining the intent of their motion. A copy of this letter is provided as an attachment.

COMMUNITY ENGAGEMENT

Background information on all of the items listed can be found in the agenda papers.

LGAT has a communication protocol which it uses to disseminate information and decisions as a result of General Meetings of the Association.

FINANCIAL IMPLICATIONS

Council contributes to LGAT through payment of subscriptions. Any decisions reached at General Meetings may have an impact on Council's finances.

Council's 2017/18 budget has sufficient provision for the subscriptions payable by Council to the LGAT.

RISK IMPLICATIONS

There are no risks which have been identified in relation to the contents of this report. Any risk is dependent on the outcome of decisions which are reached at the General Meeting.

CONCLUSION

The LGAT Annual General Meeting and General Meeting agenda items have been listed for the information of Aldermen and to allow comment and/or direction to be provided to the Council's voting delegate in relation to any matter.

As the meeting will be held in Hobart on 26 July 2017, the opportunity for Council to give some direction to its voting delegate on specific motions to be considered.

ATTACHMENTS

- 1. Hobart City Council - lobbying the Federal Government to consider a change of date for recognition of Australia Day

RECOMMENDATION

That it be recommended to Council that the agendas for the Local Government Association of Tasmania Annual General Meeting and General Meeting to be held on 26 July 2017 be received and noted.

Author:	Karen Hampton	Endorsed By:	Paul West
Position:	Governance Coordinator	Position:	General Manager

07/07/2017 D480456

LORD MAYOR'S OFFICE
TOWN HALL
MACQUARIE STREET
HOBART
TASMANIA

His Worship the Mayor of Devonport
Alderman Steve Martin
Devonport City Council
PO Box 604
DEVONPORT TAS 7310

Dear Mayor Martin

I write to you regarding the City of Hobart's motion that has been submitted to the Local Government Association of Tasmania's General Meeting on 26 July 2017 regarding lobbying the federal government to change the date of recognition of Australia Day.

Whilst I am aware that some Councils have already formed a position on this matter, I think it is still important for all elected members of Tasmania's Councils to be clear on what the City of Hobart's motion is calling for.

It seems that the intent of the motion has been misunderstood by some in our sector and in the community.

The City of Hobart has not voted to actually change Australia day.

The City of Hobart's motion is about asking the Australian Government to commence a conversation with the Australian public.

There is no doubt that a change of date to Australia Day is a matter for the Federal Government, however, councils are the closest sphere of government to their communities and communities have every right to be heard on this issue.

It follows therefore that local government is best placed to be the conduit between the people and the Australian Government to help facilitate this conversation.

At the recent ALGA National General Assembly Senator Nigel Scullion, Minister for Indigenous Affairs, stated that local government, being the closest tier to the people was a vital partner in reconciliation with our first people. This counters the argument that this discussion does not belong in our sector.

Our motion is talking about one day of the year - one of 365 days and the appropriateness of celebrating Australia Day on a day that is not embraced by all Australians. What harm can be done by having the conversation?

Cont.../

07/07/2017 D480456

-2-

Councils and other levels of government acknowledge Aboriginal communities at council meetings and gatherings on public land as the 'original owners of this land'. In my personal view, surely, this is pure tokenism if we are not prepared to have a civil and rational discussion on changing the day to one that is more inclusive of our first people.

Australians only began celebrating Australia Day in 1994 when the Keating Government legislated it. Prior to this it was celebrated on a long weekend in January.

The 26th of January is a day which celebrates the arrival of the British government on Terra Nullius (no-man's land).

Before 1901, Australia did not exist as a nation. It was a collection of six British colonies which were partly self-governing, but under the law-making power of the British Parliament.

The colonies were almost six separate countries; for example, each had its own government and laws, its own defence force, issued its own stamps and collected tariffs (taxes) on goods that crossed its borders.

The colonies had even built railways using different gauges, which complicated the transport of goods across the continent. www.peo.gov.au/learning/closer-look/federation-cl.html

The tradition of having Australia Day as a national holiday on 26 January is a recent one. Not until 1935 did all the Australian states and territories use that name to mark that date. Not until 1994 did they begin to celebrate Australia Day consistently as a public holiday on that date.

<https://www.australiaday.org.au/australia-day/history>

The Aldermen of the City of Hobart recognise that changing the date will not improve the living conditions of Aboriginals, it will not improve their health rates, or lower their rate of incarceration or alcohol abuse or domestic violence.

However, we believe it is a genuine effort to move forward in a genuine gesture of goodwill and to stop the ever-increasing protests in our capital cities every year.

Last year, it was estimated that more than 50,000 people protested in Melbourne alone. After celebrating our citizenship ceremony on that day several of our own Aldermen joined a very large protest in Hobart. How many years will we witness these ever-growing debates before we consider changing the date?

Cont.../

07/07/2017 D480456

-3-

Again, what this motion is asking for is that a conversation be started. We can use our collective power to send a message to the Federal Government that it might be time to reconsider the date of such a significant recognition of being Australian.

There is absolutely no doubt that this is a highly-divisive and emotive topic so I kindly ask all councilors in Tasmania to help lead the way, as the level of government closest to our communities, and to have a hand in asking the Prime Minister to start a rational conversation, as a nation.

Yours sincerely



Alderman Sue Hickey
LORD MAYOR

Thursday 6 July 2017

4.3 ELECTED MEMBERS' EXPENDITURE REPORT - MAY-JUNE 2017

File: 22947 D480061

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

SUMMARY

To detail expenditure of both the Mayor and Aldermen.

BACKGROUND

This report is in response to a Council resolution (Min 49/12 refers) *"That Council be provided with a specific monthly report in relation to expenditure incurred, in excess of statutory allowances, for both the Mayor and Aldermen."*

STATUTORY REQUIREMENTS

Under the *Local Government Act 1993*, Council is required to publish details of the total allowances and expenses paid to the Mayor, Deputy Mayor and Aldermen in its Annual Report, however there is no obligation to do so at any other time.

DISCUSSION

Expenditure processed for the two month period May-June, 2017 inclusive, is detailed below:

Mayor Steve Martin

\$ 120.14 Mobile telephone expenses
\$ 286.99 LGAT Mayor's Professional Development workshop
\$ 130.91 Meeting expenses
\$ 880.00 LGAT Conference Registration fee
\$ 170.91 NW Mayor's meeting
\$ 1,136.36 Money in Sports Conference Registration fee

Alderman Rockliff

\$ 880.00 LGAT Conference Registration fee

Alderman Laycock

\$ 880.00 LGAT Conference Registration fee

Alderman Milne

\$ 880.00 LGAT Conference Registration fee

Alderman Goodwin

\$ 880.00 LGAT Conference Registration fee

Alderman Jarman

\$ 880.00 LGAT Conference Registration fee

Aldermen

\$ 597.59 iPad expenses

Ald Matthews has registered for the LGAT Conference however this cost will be accounted for in the 2017/18 financial year.

Report to Governance, Finance & Community Service Committee meeting on 17 July 2017

The attached table sets out the cumulative expenditure for the 2016/17 financial year. Due to the timing of Credit Card statements and invoices, expenditure will be reported as and when the account is paid. Items in this report may relate to transactions that occurred in previous months.

COMMUNITY ENGAGEMENT

There was no community engagement as a result of this report.

FINANCIAL IMPLICATIONS

Mayoral and Aldermen expenses are costed to the general ledger account for Aldermen Support.

RISK IMPLICATIONS

It is believed there are no risks associated with this report.

CONCLUSION

Expenses are reported in accordance with Council's direction.

ATTACHMENTS

[1.](#) Cumulative Totals - Year to Date - June 2017

RECOMMENDATION

That it be recommended to Council that the report advising of Aldermen expenses be received and noted.

Author:	Karen Hampton	Endorsed By:	Paul West
Position:	Governance Coordinator	Position:	General Manager

Aldermen Expenses

Cumulative figures Year to date - June 2017

Alderman	Mayoral Allowance	Deputy Mayoral Allowance	Aldermen's Allowance	Mileage R'ments	I'Pads	Conference/ Professional Development Attendance	Travel, Accom & Meal expenses	Meeting expenses	Mobile Phone	Other	Total
Mayor Martin	52,407		20,962	12,491	130	4,689	4,136	823	646	230	\$ 96,514
Ald Emmerton			20,962		344						\$ 21,306
Ald Goodwin			20,962		344	880	423	79			\$ 22,688
Ald Jarman			20,962		344	880	437				\$ 22,623
Ald Matthews			20,962		344	1,010	352				\$ 22,668
Ald Milne			20,962		344	880	992				\$ 3,129
Ald Laycock			20,962		344	1,395	886	109			\$ 23,696
Ald Perry			20,962		344						\$ 21,306
Deputy Mayor Rockliff		16,384	20,962		344	930	736				\$ 39,356
Other Non Attributable											\$ -
TOTAL - YEAR TO DATE	\$ 52,407	\$ 16,384	\$ 188,658	\$ 12,491	\$ 2,882	\$ 10,664	\$ 7,962	\$ 1,011	\$ 646	\$ 230	\$ 273,286
Budget	53,600	17,000	190,000	12,500	4,300	15,000	10,500	1,500	1,400	-	305,800
BALANCE UNSPENT	\$ 1,193	\$ 616	\$ 1,342	\$ 9	\$ 1,418	\$ 4,336	\$ 2,538	\$ 489	\$ 754	-\$ 230	\$ 32,514
% Spent Year to Date	98%	96%	99%	100%	67%	71%	76%	67%	46%		89%

Note: Council provides a motor vehicle for use by the Mayor - the cost of this vehicle is shown in the Mileage column.

6.0 COMMUNITY SERVICES REPORTS

6.1 SPORTS CARNIVALS ASSOCIATION OF TASMANIA - APPLICATION FOR FUNDING

File: 33723 D470479

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 4.7.3 Attract and promote equitable distribution and sharing of financial and other resources throughout the community

SUMMARY

This report is provided to assist Council in considering a request from the Sports Carnivals Association of Tasmania (SCAT) for financial assistance of \$10,000 for the Devonport Criterium and \$5,000 to assist in conducting the Devonport Christmas Carnival (refer attached application for funding). This application for funding is outside the usual Financial Assistance Program as outcomes from the program will not be known until September 2017 which would not allow SCAT sufficient time to plan and secure athlete services.

BACKGROUND

Council in April 2017 considered a request from SCAT which at the time sought a contribution of \$20,000 financial assistance for the Devonport Carnival. Council at its meeting on 24 April determined (Min. CSC 06/17 refers):

That the request from Sports Carnivals Association of Tasmania be received and defer consideration of additional funding until such time that further evidence is provided including provision of detailed financial reports for the last two years and projections for the 2017 series.

STATUTORY REQUIREMENTS

Section 77 of the *Local Government Act 1993* outlines Council's requirements regarding grants and benefits:

- (1) A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.
 - (1A) A benefit provided under subsection (1) may include –
 - (a) in-kind assistance; and
 - (b) fully or partially reduced fees, rates or charges; and
 - (c) remission of rates or charges under Part 9.
- (2) The details of any grant made or benefit provided are to be included in the annual report of the council.

DISCUSSION

Detailed financial reports for the last two years and projections for the 2017 series have been provided for Council's information as requested (Attachment 2 and 3).

Discussions with President of SCAT, Mike Gunson, indicated that any funding from Council would predominately be used to attract high profile athletes to the Devonport Carnival. Mr Gunson advised that most high-profile athletes do not attend all the Christmas Carnivals therefore funding would be directed specifically to bolster the number of quality athletes participating at the Devonport Carnival. In addition, funds will be allocated to support the introduction of a new cycling event as part of the Carnival, the Devonport Criterium.

SCAT, in conjunction with the Devonport Athletics Club propose to change the format of the Devonport Carnival. Instead of two days/nights at the Devonport Oval the new format would be:

- Day 1, Friday 29 December - Criterium Cycling Race around the CBD area in addition to a 1,000m road running race on the evening of day one.
- Day 2, Saturday 30 December - Second day/evening would be at the Devonport Oval for a "bumper" athletics carnival

SCAT's original financial request was \$20,000 per year for the next three years. A revised application for funding was received by Council for \$10,000 for the Devonport Criterium and \$5,000 to assist in conducting the Devonport Christmas Carnival.

COMMUNITY ENGAGEMENT

Community consultation has not been undertaken as part of this report.

FINANCIAL IMPLICATIONS

Council has funded this event previously through a contribution of \$5,000 to the Devonport Athletics Club.

Any financial assistance provided will be taken from the financial assistance budget allocation for the 2017/18 year. The higher the contribution, the less funds that remain in the funding pool for other applicants.

Other support may be considered, including waiving of sports ground hire fees, to assist the event.

RISK IMPLICATIONS

Council receives many requests for financial assistance from a wide range of individuals and organisations each year. In nearly all cases the arguments and reasons for seeking support are fully justifiable and deserving of support. Any request supported outside the standard financial assistance scheme may attract some criticism.

CONCLUSION

The Devonport Carnival is an iconic event on Devonport's sporting calendar and forms part of the regions Christmas Carnival Series.

Council has the option to provide the funding requested or alternatively a lesser amount or to refuse the request.

ATTACHMENTS

- ↓1. SCAT - Funding Application
- ↓2. Sports Carnivals Association of Tasmania Inc - Profit & Loss Statement - end 31 March
- ↓3. Sports Carnivals Association of Tasmania - Profit and loss statement - year ended 13 March 2017

RECOMMENDATION

That it be recommended to Council that the request from Sports Carnivals Association of Tasmania be received and that Council agree to:

- (a) provide a contribution of \$_____ to the Sports Carnival Association of Tasmania for the 2017 event; and
- (b) agree to provide funding of \$_____ to the Devonport Athletics Club for the conduct of the 2017 event; and
- (c) further review the success or otherwise of the new format of the Carnival prior to committing future funding to either entity.

Author: Position:	Fabio Pizzirani Sport & Recreation Development Coordinator	Endorsed By: Position:	Shane Crawford Executive Manager Corporate, Community & Business Services
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Devonport Criterium

Application for funding

Date: Friday 29th December
 Time: Late afternoon / early evening
 Location: Victoria Parade / Devonport CBD

Events

Men More than 80 state, national and international cyclists.
Women More than 30 state, national and international cyclists
Veterans The opportunity exists to conduct an event for veterans.
Juniors SCAT will work with the cycling promoter to conduct junior races.

Other Events

Chopping The Christmas Carnivals will conduct four World Chopping Championships. This is a wonderful new addition to the carnivals. The Devonport carnival will conduct one of these World Championships. The heats of this World Championship could be held at the Devonport criterium.

Running A number of 1000 m races could be held in conjunction with the criterium. Elite invitation 1000m race.
 Junior street mile championships.

Entertainment With an expectation of a large number of spectators SCAT and the DAC will work towards providing extra entertainment.

The Devonport criterium has the potential to build into a major event for Devonport. It is the perfect time of year and will held in an outstanding location.

While in itself it can become a major sporting and entertainment event it will also serve as an excellent promotional tool for the Devonport Carnival to be held the next day.

SCAT is requesting the Devonport Council assist the Christmas Carnival by

- (1) Providing \$10000 for the Devonport Criterium
- (2) Providing \$5000 for the DAC to assist in conducting the Devonport Carnivals

\$10000 Funding for Criterium

The money will be used to

- (1) Assist SCAT in contracting international cyclist to participate
- (2) Assist SCAT in providing promotion for the Devonport criterium
- (3) Assist in paying for the cost of the infrastructure required for conducting the criterium

SCAT expects that the Devonport criterium will attract a large number of international and national cyclists. Some of these cyclists will be cyclists who have competed at Olympic Games, World Championships and Commonwealth Games.

With the 2018 Commonwealth Games to be conducted in Australia it is expected that many international cyclist will be in Australia looking for competition. With funding there is an excellent opportunity to attract these cyclists to Devonport. SCAT will encourage international cyclist who are intending to compete at the 2018 Commonwealth Games to stay in Tasmania for training. Tasmania has often been noted as having the prefect environment for cycling training.

Please also note that cyclists who are contracted to participate in the criterium are obliged to also ride at the Devonport Carnival.

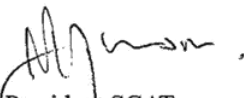
With the DAC having taken an excellent decision to run their carnival over the one night the opportunity to contract even more cyclist to participate will only enhance the Devonport carnival.

The one day Devonport carnival is an excellent innovation by the DAC. This one day carnival will be of the highest standard. The program will be fast moving and very exciting.

The opportunity exists to promote the Devonport carnival during the evening of the Devonport criterium.

Yours Sincerely

Mike Gunson



President SCAT
0408 544 806

**SPORTS CARNIVALS ASOCIATION OF TASMANIA INC
PROFIT AND LOSS STATEMENT
FOR YEAR ENDED 31 MARCH 2016**

	2016	2015
	\$	\$
Income		
Government Grant	150,000	150,000
Interest Received	85	67
Total Income	<u>150,085</u>	<u>150,067</u>
Expenses		
Accounting Fees	450	450
Administration Support	12,027	15,277
Advertising General	14,435	5,599
Carnival Sponsors	12,000	12,000
Corporate Affairs	59	58
Cycling Tasmania	0	1,996
Depreciation	164	328
Electronic Measuring Hire	2,250	1,273
Event Management	114,100	115,000
Insurance	1,780	1,802
Printing, Stationery & Telephone	780	1,160
Series Ambassador Costs	500	0
Series Launch Expenses	650	0
Sponsors Award Night	0	200
Sundry	112	2
TAL Entry fees	0	1,025
Travel Subsidy	250	0
Total Expenses	<u>159,557</u>	<u>156,170</u>
Operating Surplus/(Deficiency)	<u>(9,472)</u>	<u>(6,103)</u>
Accumulated surplus/(deficiency) at the beginning of the financial year	25,868	31,971
Accumulated surplus at the end of the financial year	<u>16,396</u>	<u>25,868</u>

These Statements should be read in conjunction with the attached audit report.

SPORTS CARNIVALS ASOCIATION OF TASMANIA INC
BALANCE SHEET
FOR YEAR ENDED 31 MARCH 2016

	2016	2015
	\$	\$
Current Assets		
Cash		
Bass General Account	15,288	29,446
Receivables		
Net GST	1,075	2,010
Inventories		
Total current assets	<u>16,363</u>	<u>31,456</u>
Non-Current Assets		
Property Plant and Equipment		
Plant & Equipment at WDV	165	329
Other Non-Current Assets		
Total Non-Current Assets	<u>165</u>	<u>329</u>
Total Assets	<u>16,528</u>	<u>31,785</u>
Current Liabilities		
Creditors	132	5,917
Total Current Liabilities	<u>132</u>	<u>5,917</u>
Non-Current Liabilities		
Total Non-Current Liabilities	<u>0</u>	<u>0</u>
Total Liabilities	<u>132</u>	<u>5,917</u>
Net Assets	<u>16,396</u>	<u>25,868</u>
Members' Funds		
Accumulated Surplus/(Deficiency)	<u>16,396</u>	<u>25,868</u>
Total Members' funds	<u>16,396</u>	<u>25,868</u>

These Statements should be read in conjunction with the attached audit report.

SPORTS CARNIVALS ASOCIATION OF TASMANIA INC
NOTES TO ACCOUNTS
FOR YEAR ENDED 31 MARCH 2016

Statement of Significant Accounting Policies

The committee has prepared the financial statements on the basis that it is a non-reporting entity because there are no users dependent on general purpose financial

statements. These financial statements are therefore special purpose financial statements that have been prepared in order to meet the needs of the association.

The financial statements have been prepared in accordance with the requirements of the Australian Accounting standards below, which the committee has determined are appropriate to meet both their and their banks needs. Such accounting policies are consistent with the previous period unless stated otherwise.

AAS 1: Profit & Loss or other Operating Statements

AAS 8: Events Occuring After Reporting Date

No other Australian Accounting Standards, Urgent Issues Group Consensus Views or other authoritative pronouncements of the Australian Accounting Standards Board have been applied.

The financial statements have been prepared on an accruals basis and are based on historical costs unless stated otherwise in the notes.

Income Tax:

This is a non profit organisation which is exempt from income tax, hence no provision for income tax is recorded in these accounts.

Inventories:

Inventories are carried at the lower of cost or net realisable value. Cost is based on the first-in, first out method and includes expenditure incurred in acquiring the inventories and bringing them to the existing condition and location.

Property, Plant and Equipment:

Property, plant and equipment is initially recorded at the cost of acquisition or fair value less, if applicable, any accumulated depreciation and impairment losses. Plant and equipment that has been contributed at no cost, or for nominal cost, is valued and recognised at the fair value of the asset at the date it is acquired. The plant and equipment is reviewed annually by committee to ensure that the carrying amount is not in excess of the recoverable amount from these assets. The recoverable amount is assessed on the basis of the expected net cash flows that will be received from the utilisation of the assets and the subsequent disposal.

Freehold land and buildings are measured at cost unless otherwise stated.

Increases in the carrying amount of land and buildings arising on revaluation are credited in equity to a revaluation surplus. Decreases against previous increases of the same asset are charged against fair value reserves in equity. All other decreases are charged to profit or loss.

Trade and Other Receivables:

Trade receivables and other receivables, including distributions receivable, are recognised at the nominal transaction value without taking into account the time value of money. If required a provision for doubtful debt has been created.

Financial Assets:

Investments held are originally recognised at cost, which includes transaction costs. They are subsequently measured at fair value which is equivalent to their market bid price at the end of the reporting period. Movements in fair value are recognised through an equity reserve.

These Statements to be read in conjunction with the attached Audit Report.



**Sports Carnivals Association of Tasmania Inc
Committee Members
For the Year Ended 31 March 2016**

PRESIDENT: Mike Gunson
5 Nichols Street
Devonport Tas 7310

**VICE PRESIDENT/
TREASURER:** Noel Pearce
3 Monaghan Street
Latrobe Tas 7307

PUBLIC OFFICER: Sandra Speers
2/4 Sheridan Court
Summerhill Tas 7250

EXECUTIVE OFFICER: Georgia Whelan
48 Hiller Street
Devonport Tas 7310

COMMITTEE MEMBERS:

Michael Bailey
273 John Lees Drive
Dilston Tas 7252

Ian Loft
43 Basin Road
Launceston Tas 7250

Gerard Leary
13 Kelvin Street
Penguin Tas 7316

Julie Holloway
200 Tugrah Road
Devonport Tas 7310

Mitchell Smith
21 Kingsley Avenue
Burnie Tas 7320

Dated: 18 May 2016

Signed.....*M. Richey*.....

Maryanne Richey CPA
Approved Auditor

**SPORTS CARNIVALS ASOCIATION OF TASMANIA INC
PROFIT AND LOSS STATEMENT
FOR YEAR ENDED 31 MARCH 2017**

COPY

	2017	2016
	\$	\$
Income		
Government Grant	150,000	150,000
Interest Received	66	85
Sponsorship	5,000	0
Reimbursement Entry Fees	3,864	0
Total Income	<u>158,930</u>	<u>150,085</u>
Expenses		
Accounting Fees	450	450
Administration Support	13,209	12,027
Advertising General	12,030	14,435
Carnival Sponsors	18,500	12,000
Corporate Affairs	59	59
Cycling Tasmania	10,900	0
Depreciation	82	164
Electronic Measuring Hire	4,750	2,250
Event Management	112,500	114,100
Executive Officer Expenses	30	0
Insurance	489	1,780
Postage	227	0
Printing, Stationery & Telephone	972	780
Season Passes	250	0
Series Ambassador Costs	1,000	500
Series Launch Expenses	391	650
Sundry	1	112
Travel Subsidy	0	250
Total Expenses	<u>175,840</u>	<u>159,557</u>
Operating Surplus/(Deficiency)	<u>(16,910)</u>	<u>(9,472)</u>
Accumulated surplus/(deficiency) at the beginning of the financial year	16,396	25,868
Accumulated surplus at the end of the financial year	<u>(514)</u>	<u>16,396</u>

These Statements should be read in conjunction with the attached audit report.

**SPORTS CARNIVALS ASOCIATION OF TASMANIA INC
BALANCE SHEET
FOR YEAR ENDED 31 MARCH 2017**

	2017	2016
	\$	\$
Current Assets		
Cash		
Bass General Account	7,483	15,288
Receivables		
Net GST	69	1,075
Debtors	7,200	0
Inventories		
Total current assets	<u>14,752</u>	<u>16,363</u>
Non-Current Assets		
Property Plant and Equipment		
Plant & Equipment at WDV	83	165
Other Non-Current Assets		
Total Non-Current Assets	<u>83</u>	<u>165</u>
Total Assets	<u>14,835</u>	<u>16,528</u>
Current Liabilities		
Creditors	15,349	132
Total Current Liabilities	<u>15,349</u>	<u>132</u>
Non-Current Liabilities		
Total Non-Current Liabilities	<u>0</u>	<u>0</u>
Total Liabilities	<u>15,349</u>	<u>132</u>
Net Assets	<u>(514)</u>	<u>16,396</u>
Members' Funds		
Accumulated Surplus/(Deficiency)	<u>(514)</u>	<u>16,396</u>
Total Members' funds	<u>(514)</u>	<u>16,396</u>

These Statements should be read in conjunction with the attached audit report.

SPORTS CARNIVALS ASSOCIATION OF TASMANIA INC
NOTES TO ACCOUNTS
FOR YEAR ENDED 31 MARCH 2017

Statement of Significant Accounting Policies

The committee has prepared the financial statements on the basis that it is a non-reporting entity because there are no users dependent on general purpose financial

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Property, plant and equipment is initially recorded at the cost of acquisition or fair value less, if applicable, any accumulated depreciation and impairment losses. Plant and equipment that has been contributed at no cost, or for nominal cost, is valued and recognised at the fair value of the asset at the date it is acquired. The plant and equipment is reviewed annually by committee to ensure that the carrying amount is not in excess of the recoverable amount from these assets. The recoverable amount is assessed on the basis of the expected net cash flows that will be received from the utilisation of the assets and the subsequent disposal.

Freehold land and buildings are measured at cost unless otherwise stated.

Increases in the carrying amount of land and buildings arising on revaluation are credited in equity to a revaluation surplus. Decreases against previous increases of the same asset are charged against fair value reserves in equity. All other decreases are charged to profit or loss.

Trade and Other Receivables:

Trade receivables and other receivables, including distributions receivable, are recognised at the nominal transaction value without taking into account the time value of money. If required a provision for doubtful debt has been created.

Financial Assets:

Investments held are originally recognised at cost, which includes transaction costs. They are subsequently measured at fair value which is equivalent to their market bid price at the end of the reporting period. Movements in fair value are recognised through an equity reserve.

These Statements to be read in conjunction with the attached Audit Report.

Trade and Other Payables:

Trade and other payables represent the liabilities for goods and services received by the association that remain unpaid at year end. Trade payables are recognised at their transaction price. They are subject to normal credit terms and do not bear interest.

Employee Benefits:

Provision is made for the liability for employee entitlements arising from services rendered by employees. Employee benefits have been measured at the amounts expected to be paid when the liability is settled, plus related costs.

Provisions:

Provisions are recognised when the entity has a legal or constructive obligation resulting from past events, for which it is probable that there will be an outflow of economic benefits and that outflow can be reliably measured. Provisions are measured using the best estimate available of the amounts required to settle the obligation at the end of the reporting period.

Cash and Cash Equivalents:

Cash and cash equivalents include cash on hand, deposits held on call with banks, other short-term highly liquid investments with original maturities of three months or less, and bank overdrafts.

Revenue Recognition:

Revenue from the sale of goods is recognised upon the delivery of goods to customers.

Goods and Services Tax:

Transactions are recognised net of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with other receivables or payables in the balance sheet.

Grants:

Grant revenue is recognised in the income statement when the entity receives the grant, when it is probable that the entity will receive the economic benefits of the grant and the amount can be reliably measured.

If the grant has conditions attached which must be satisfied before the entity is eligible to receive the grant, the recognition of the revenue will be deferred until those conditions are satisfied.

Donations and bequests are recognised as revenue when received.

These Statements to be read in conjunction with the attached Audit Report.

6.2 DEVONPORT COMMUNITY HOUSE PARTNERSHIP AGREEMENT

File: 28693 D479459

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 5.1.2 Pursue opportunities for cooperative initiatives including resource sharing with other councils, organisations and community groups

SUMMARY

This report is provided to update the partnership agreement between Council and Devonport Community House (DCH).

BACKGROUND

Council entered into a partnership agreement with Devonport Community House in June 2016. This agreement provides for a contribution of \$25,000 per year for three years to ensure the ongoing operations of the Devonport Community House, Devonport Community Garden, Men's Shed and the Playhouse.

STATUTORY REQUIREMENTS

Section 77 of the *Local Government Act 1993* outlines Council's requirements regarding grants and benefits:

- (1) *A council may make a grant or provide a pecuniary benefit or a non-pecuniary benefit that is not a legal entitlement to any person, other than a councillor, for any purpose it considers appropriate.*
 - (1A) *A benefit provided under subsection (1) may include –*
 - (a) *in-kind assistance; and*
 - (b) *fully or partially reduced fees, rates or charges; and*
 - (c) *remission of rates or charges under Part 9.*
- (2) *The details of any grant made or benefit provided are to be included in the annual report of the council.*

DISCUSSION

The partnership agreement between DCH and Council is aimed to ensure the ongoing sustainability of both the community house and its outreach operations of the DCH, namely the Devonport Playhouse and Devonport Community Garden.

In June 2017, the Men's Shed secured a new location and started relocation in early July. It is expected to take some months before the new shed is operational.

DCH have been clear that once the move transpires they have no desire to auspice funds on behalf of the shed and that once the Men's Shed becomes an incorporated body, funds should be directed to them.

The incorporation of the Men's Shed was completed in early July.

COMMUNITY ENGAGEMENT

Community consultation has not been undertaken as part of this report.

FINANCIAL IMPLICATIONS

Council has a financial assistance budget which satisfactorily covers the agreements noted in this report.

The partnership agreements may exclude the partners from accessing additional funds through Council's remaining Financial Assistance Scheme.

Each partner is required to provide an annual report, including financial statements, as part of any agreement.

RISK IMPLICATIONS

Partnership agreements allow Council to ensure programs, services and events are delivered with minimum direct involvement from Council resources. Council's risk exposure is reduced through these arrangements.

CONCLUSION

The partnership agreement has been successful to date. There is genuine benefit to both Council and the community for the continuing operation of this partnership agreement. Council will work together with Men's Shed to create a new partnership agreement.

ATTACHMENTS

- 1. [DCH Partnership Agreement](#)

RECOMMENDATION

That It be recommended to Council that the report regarding the partnership agreement with the Devonport Community house be noted and

1. Council endorse the revised partnership with the Devonport Community House; and
2. Council enters into discussions with the Men's Shed for a new partnership agreement.

Author: Shane Crawford Position: Executive Manager Corporate, Community & Business Services	Endorsed By: Paul West Position: General Manager
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**PARTNERSHIP AGREEMENT
BETWEEN
DEVONPORT COMMUNITY HOUSE AND
DEVONPORT CITY COUNCIL**



1.0 PURPOSE

This Agreement establishes a set of principles and obligations in relation to funding arrangements and activities between the Devonport City Council (the Council) and the Devonport Community House (DCH) to ensure the ongoing sustainability of the outreach operations of the DCH, namely the Devonport Playhouse and Devonport Community Garden.

2.0 TIMEFRAME

This agreement is for a period of two (2) years from the date of signing and is to be reviewed every twelve (12) months.

3.0 DEVONPORT STRATEGIC PLAN 2009-2030 RELEVANT PRIORITIES

- Strategy 4.6.2 Facilitate and advocate for child and family support services
- Strategy 4.7.2 Encourage, and provide information and opportunities for active participation in community life
- Strategy 4.7.3 Attract and promote equitable distribution and sharing of financial and other resources throughout the community
- Strategy 4.7.6 Pursue closer working relationships with Government and the not for profit sector to make available appropriate community support programs
- Strategy 4.7.7 Promote universal access for people of all ages and abilities to community facilities and services
- Strategy 5.1.4 Develop and maintain partnerships and advocate for improved service provision, funding and infrastructure

4.0 DEVONPORT COMMUNITY HOUSE OVERVIEW AND RELEVANT PRIORITIES

The DCH was established in 1982 and provides an integral community service. Key objectives relevant to this Agreement outlined in the updated Devonport Community House Strategic Plan 2010-2012 include:

- 1.1 To provide an information and referral service to the community;
- 1.2 To support community well being and maintain connections in the community
- 1.3 To respond to community needs
- 2.1 Provide innovative and timely responses to programs and services for people in the community
- 2.2 To support inclusive opportunities to reduce social isolation and loneliness among members of the community
- 2.3 To provide support to parents and young families

- 3.1 To offer inclusive and varied development programs for the community
- 3.2 To develop and support people through further education & employment opportunities
- 4.4 To become a sustainable organisation

The DCH established the Community Garden in 2007 and took over the management of the Devonport Playhouse in 2009 (originally established in 1992). DCH is heavily reliant on volunteers to deliver these services to the community, along with small donations and sponsorship from local businesses, and revenue from admissions to the Playhouse and small amount for sale of produce. Additional grants have been received from such sources as the Tasmanian Community Fund and various smaller community development grants for materials, events and project activities.

The DCH receives no regular funding to support the development, maintenance and on-going costs to keep the Devonport Community Garden and Playhouse

4.1 The Playhouse

The Devonport Playhouse provides a safe, stimulating play environment for young children under 5 years of age and a supportive and welcoming environment for their parents, grandparents and carers. The Playhouse provides a unique service not available anywhere else along the northwest coast or indeed Tasmania; providing:

- 4.1.1 an informal meeting area for parents/carers, facilitating the development of supportive social networks:
- 4.1.2 a forum where good health, parenting and life skills are promoted; and
- 4.1.3 a play environment specific to the physical and social needs of children under 5 years.

Other users include family day carers, extended families, supervised access visits (Child & Family services), playgroups, single or separated parents, groups (such as multiple birth association), students and volunteers. On average 450-500 adults, children and volunteers access the Playhouse every month.

4.2 Devonport Community Garden

The Devonport Community Garden provides community members with opportunities to acquire healthy living skills, reduce social isolation and to engage in sustainable living practices. In addition the Garden also provides work experience placements, support for job seekers and mentorship opportunities. Two staff members were employed for 3 days/week from October 2008-Dec 2009, with the Community House currently employing a gardening supervisor for 3-5 hours per week. Around 3500 people access the garden a year, totalling over 5000 hours of participation

5.0 BENEFITS

The Agreement has the potential to results in a range of benefits including, but not limited to:

- 5.1 Increase volunteer base.
- 5.2 Reduction in vandalism at Community Garden.

- 5.3 Focus on early intervention, prevention, food security and nutrition.
- 5.4 Address social exclusion by connecting people with others, to work, education, volunteering and other opportunities as well as to the broader community and decision makers (assist with consultative processes)
- 5.5 Address difficulties that socially excluded groups have in navigating the increasingly complex array of services provided by both public and private providers.
- 5.6 Provides an investment in community wellbeing in a similar way that financial capital can provide an investment in the economic growth of a community.
- 5.7 In the longer term may help meet challenges of maintaining a sufficient workforce & managing increased demand on health and social services.
- 5.8 Value add to increase services - as a non profit community organisation the DCH has access to grants and additional partnership opportunities not available to Council, easing the potential impost on ratepayers and improving the potential income and services for the community.

6.0 PRINCIPLES

This Agreement is based upon a relationship between the parties emphasising cooperation and commitment to the following principles:

- 6.1 Understanding and respect for each party's mandates and responsibilities.
- 6.2 Each party is responsible for maintaining control of their own affairs.
- 6.3 Subject to relevant legislation and policies the transparency of financial relations between the Council and Devonport Community House in order to enhance decision-making.
- 6.4 The fostering of opportunities to work collaboratively.
- 6.5 Shared focus on ensuring the ongoing sustainability of the operations of the Devonport Playhouse and Devonport Community Garden.
- 6.6 Transparent and timely communication and consultation.
- 6.7 Understand that engagement and partnership between residents, community organisations and government is essential to improve quality of life for Devonport's residents.

7.0 OBLIGATIONS OF THE PARTIES

The Council and Devonport Community House agree to:

- 7.1 Engage in timely, cooperative and meaningful consultation and negotiation regarding the formulation of policies, plans and activities which affect this Agreement.
- 7.2 Relate to the other party in a manner that is coordinated and consistent.
- 7.3 Ensure that specific contracts, arrangements, policies and plans entered into or carried out by the parties are consistent with the Agreement.
- 7.4 Subject to privacy legislation and policies, share relevant data and information to inform strategic planning and service delivery.

- 7.5 Develop processes to promote a common understanding of mutual priority needs.
- 7.6 Develop a process for review of the effectiveness of this Agreement with progress assessed twelve months from the date that the Agreement comes into effect.

8.0 STATEMENT OF RESPONSIBILITIES

8.1 Devonport City Council will:

- 8.1.1 Maintain the external building and surrounding landscape of the Playhouse venue as part of the Devonport Recreation Centre.
- 8.1.2 Provide expertise and support in the development and maintenance of the Devonport Community Garden and Devonport Playhouse infrastructure and services.
- 8.1.3 Consider occasional assistance with bigger cost items (such as building materials, rubbish removal)
- 8.1.4 Assist in the marketing and promotion of the Devonport Community House and services through Council's communication mediums.
- 8.1.5 In negotiation with the Devonport Community House, review leases for the Devonport Community Garden and the Devonport Playhouse.
- 8.1.6 Actively engage the Devonport Community House in relevant major projects and strategic planning activities of Council.
- 8.1.7 Consider options for expanding the Playhouse physical space and services as part of the Devonport Recreation Master Plan.
- 8.1.8 Make information related to issues facing children, families and those traditionally excluded from participating in community and civic life available to elected members and decision-makers.
- 8.1.9 Make a payment of \$18,000 per year for two years to the Devonport Community House to ensure ongoing operations of the Devonport Community Garden and Playhouse. The allocation of these funds is as follows:
 - \$10,000 Playhouse
 - \$8,000 Community Garden

The Devonport Community House can expend the funds across any of the services at their discretion, however note that Council have separated funding for clarity and information purposes.

8.2 The Devonport Community House will:

- 8.2.1 Aim to deliver services which promote the importance of early childhood development and social inclusion.
- 8.2.2 Promote community resilience to the Devonport Community ie techniques members of the community can use to achieve financial savings in the area of energy use, water use, food etc.
- 8.2.3 Strive to attract additional resources and partnerships to ensure ongoing sustainability of the Devonport Community Garden and Playhouse.

- 8.2.4 Continue to employ staff and develop strategies to recruit, train and retain volunteers to operate the Devonport Community Garden and Playhouse.
- 8.2.5 Continue to provide opportunities for skill development in the hope of leading towards eventual employment.
- 8.2.6 Develop and deliver joint projects, activities and events with Council, including participation within seasonal programs and utilising the venues managed by the Devonport Community House.
- 8.2.7 Assist Council to engage the broader community in consultation and community activities/events especially those individuals who are traditionally difficult to engage.
- 8.2.8 Provide relevant data to support Council's strategic planning and policies.
- 8.2.9 Promote Council support to customers, other community services and the media in a positive manner.
- 8.2.10 Include Council's branding in relevant promotional material.
- 8.2.11 Abide by the terms and conditions of lease documents.
- 8.2.12 Provide an annual report to Council of activities undertaken in relation to the Agreement and financial statement which outlines how partnership agreement funds were expended.

9.0 PERFORMANCE INDICATORS

The following indicators will assist in measuring the effectiveness of The Agreement.

Indicator	Provided By	Frequency
9.1 Performance against strategies in Devonport Strategic Plan 2009-2030	DCH	Annually
9.2 Increased participation by the broader community in Playhouse / Garden activities	DCH	Annually
9.3 Work with DCC to develop and contribute activities to seasonal programs.	Council/DCH	Annually
9.4 Qualitative evidence on positive impact of services on individual residents	DCH	Annually

10.0 KEY MILESTONES

Description	Provided By	Target Date
Payment 1	Council	31 July 2017
Annual report – Year 1	DCH	30 June 2018
Payment 2	Council	31 July 2018
Annual report – Year 2	DCH	30 June 2019
Agreement Reviewed	Council/DCH	30 June 2019

11.0 RELATIONSHIP OF THIS AGREEMENT TO OTHER DOCUMENTS

This Agreement shall supersede the partnership agreement signed between the Devonport City Council and Devonport Community House in 2016.

Activities undertaken through this Agreement shall complement the Tasmanian Government's Social Inclusion Strategy and *Agenda for Children and Young People*.

12.0 MANAGING DIFFERENCE, EVALUATION AND REVIEW

The parties agree to work constructively to honour the terms of the Agreement.

The parties agree that in the event of a party stating that one or more undertakings in the Agreement is not being fulfilled that the parties will use best endeavours to ensure that the undertaking is satisfied or that an alternative solution is agreed.

If the Devonport Community House otherwise fail to comply with the terms of the Agreement after having been given 30 days notice to rectify then the Council may terminate this Agreement. The Devonport Community House may terminate the Agreement at any time providing Council with reasoning and 30 days notice. If the Agreement is terminated the Devonport Community House will refund a proportion of monies paid in the given financial year on a pro rata basis.

The parties agree to monitor the implementation of the Agreement and evaluate its effectiveness on an annual basis; however, the Agreement can be amended with the agreement of both parties at any time.

Two-way feedback and monitoring will be through the Devonport Community House Coordinator and Council's Community Development Coordinator.

13.0 SIGNATORIES OF THE PARTIES

Executed as an agreement on the _____ day of _____ 2017

Joanne Ring Date
Chair Devonport Community House

Witnessed By: _____ Name: _____

Paul West Date
General Manager
Devonport City Council

Witnessed By: _____ Name: _____

7.0 INFORMATION REPORTS

7.1 GOVERNANCE & FINANCE REPORT

File: 29468 D478398

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

Strategy 5.3.2 Provide appropriate support to elected members to enable them to discharge their functions

-SUMMARY

This report provides a summary of the activities undertaken in the following areas of Council:

- Governance;
- Organisational Performance; and
- Corporate and Business Services

BACKGROUND

This report is provided to the Governance and Finance and Community Services Committee every two months and aims to update the Aldermen and community on matters of interest. The functional areas of Council covered by this report include:

- Governance
- Financial Reporting
- Strategic and Operational Plans
- Corporate Communication
- Human Resources
- Partnerships
- Information Technology
- Budget Management
- Car Parking
- Property Management
- Legal Issues
- Customer Service
- Financial Strategy and Management
 - Revenue and Rating
 - Grants
 - Loan Borrowings
 - Compliance
 - Related Policies
 - Financial Reporting

STATUTORY REQUIREMENTS

Council is required to comply with the provisions of the *Local Government Act 1993* and other legislation.

DISCUSSION

1. GOVERNANCE AND LEGAL

1.1. Common Seal Register

The following documents have been signed under Council's seal for the period May/June 2017:

REG/295	Renewal of Lease - Fenton Villas	9/05/2017
REG/296	Renewal of Lease - Fenton Villas	9/05/2017

Report to Governance, Finance & Community Service Committee meeting on 17 July 2017

REG/297	Transfer Sections 58 Volume 172769 Folio 1 - easement - Volume 93149 Folio 20	10/05/2017
REG/298	Transfer 58 Volume 172769 Folio 1 – easement - Volume 118103 Folio 1, Volume 197156 Folio 1 and Volume 199077 Folio 1	10/05/2017
REG/299	Blank Instrument Form - Volume 172769 Folio 1, Steele Street Devonport	10/05/2017
REG/300	Application to Expunge Easements or Profits a Prendre - Volume 172769 Folio 1	10/05/2017
REG/301	Application to Expunge Easements or Profits a Prendre - Volume 172769 Folio 1 (Annexure Page)	10/05/2017
REG/302	Transfer Section 58 - Volume 172769 Folio 1	10/05/2017
REG/303	Transfer Section 58 - Volume 172769 Folio 1 (Annexure Page)	10/05/2017
REG/304	Renewal of Lease - Fenton Villas	16/05/2017
REG/305	Renewal of Lease - Fenton Villas	17/05/2017
REG/306	Adhesion Order - Volume 56848 Folio 14 and Volume 56848 Folio 15	18/05/2017
REG/307	Renewal of Lease - Fenton Villas	19/05/2017
REG/308	Renewal of Lease - Fenton Villas	19/05/2017
REG/309	Renewal of Lease - Fenton Villas	19/05/2017
REG/310	Renewal of Lease - Fenton Villas	19/05/2017
REG/311	Final Plan of Survey & Schedule of Easements - SA2007.0022	19/05/2017
REG/312	Grant Deed - DCC and Crown - Bass Highway, Middle Road Off Ramp Improvements	26/05/2017
REG/313	Lease of Crown Land at Formby Road & Rooke Street Devonport	31/05/2017
REG/314	Grant Agreement - Community Infrastructure Fund - \$47,000	7/06/2017
REG/315	Final Plan of Survey and Schedule of Easements - PA2015.0063 - Hawk Hill (Tas) P/L	8/06/2017
REG/316	Request to amend sealed plan number 159930 and sealed plan number 167737, Volume 167737 Folio 15 and Volume 167737 Folio 19 PA2013.0147	8/06/2017
REG/317	Amendment to sealed Plan - Schedule of Easements PA2013.0147 - 90-102 Stony Rise Rd - Launceston Gasworks	8/06/2017
REG/318	PA2017.0036 - Michell Hodgetts - 20&22 Stewart St Final Plan of Survey and Schedule of Easements - Volume 123376 Folio 6 and Volume 222128 Folio 6	9/06/2017
REG/319	Lease Optus Mobile Pty Limited and DCC Volume 107084 Folio 1	14/06/2017
REG/320	Lease Optus Mobile Pty Limited and DCC Volume 107084 Folio 1	14/06/2017
REG/321	Purchase land partially comprised in Volume 145093 Folio 1	26/06/2017

1.2. Property Management

Council's arrangement with Collins Real Estate to manage four of its properties ceased as at 1 July 2017 and this function will be managed internally using existing resources.

1.3. Aldermen's Attendance

Aldermen's attendance for the year to date is detailed as follows:

No. of Meetings Attendance	Council	Planning Authority		Community Services		Governance & Finance		Infrastructure & Works		Workshops
	13	10		6		5		6		19
		Member	Non Member	Member	Non Member	Member	Non Member	Member	Non Member	
Mayor Ald S L Martin	13	9	0	5	0	4	0	0	6	17
Ald D C Emmerton	13	7	0	0	3	3	0	6	0	16
Ald G F Goodwin	12	7	0	6	0	4	0	5	0	17
Ald A J Jarman	12	0	4	6	0	0	5	4	0	16
Ald L M Laycock	10	0	5	5	0	0	4	5	0	17
Ald J F Matthews	12	8	0	0	6	0	2	5	0	15
Ald T M Milne	11	0	5	6	0	5	0	0	6	16
Ald L M Perry	12	8	0	0	4	4	0	5	0	15
Ald A L Rockliff	13	0	5	6	0	5	0	0	5	18

2. ORGANISATIONAL PERFORMANCE

2.1. Tasmanian Audit Office - Interim Management Letter

The Tasmanian Audit Office completed the interim audit in June and will issue a draft Interim Management Letter in July. The interim audit focusses on testing internal controls in place and includes reviews of governance arrangements across a number of areas including financial controls. The Interim Management Letter will be circulated to the Audit Panel for comment.

2.2. 2016/17 Year End

- Preparation of the Annual Financial Statements is currently underway with a target date for the first draft to be delivered to the Auditors at the end of July.
- Representatives from the Office of the Auditor-General are expected to return to complete the year-end audit in the week commencing 7 August 2017. This audit will review the year-end balances reflected in the Annual Financial Statements, including asset revaluations.

3. CORPORATE SERVICES

3.1. Human Resources

3.1.1. Recruitment

Staff positions advertised May 2017 to June 2017

Position	Department	Work Location
IT Projects Officer	Corporate, Community and Business	Fenton Way
Marketing & Events Coordinator (Internal only)	Corporate, Community and Business	Fenton Way

Staff Appointments May 2017 to June 2017

Position	Name	Department	Work Location
Works Coordinator	Kevin Smith	Infrastructure Works and Development	Lawrence Drive
Convention & Arts Centre Manager	Geoffrey Dobson	Corporate, Community and Business	Fenton Way
IT Projects Officer	Joel Mitchell	Corporate, Community and Business	Fenton Way
Civil Works Serviceperson	Peter Lehman	Infrastructure Works and Development	Lawrence Drive
IT Coordinator (Internal)	Luke Walder	Corporate, Community and Business	Fenton Way
Parking and Information Officer	Laura Powazuk & Kirsty Jones	Corporate, Community and Business	Fenton Way
Casual Attendant	Timothy Cooper	Corporate, Community and Business	Various Council facilities
Marketing & Events Coordinator (Internal)	JoHanna Robertson	Corporate, Community and Business	Fenton Way
NRM Officer	Nathan Kay	Corporate Community and Business	Fenton Way

Staff Departures May 2017 to June 2017

Position	Name	Department	Work Location	Date Effective
Casual Attendant	Debbie Rickards	Corporate, Community and Business	DECC	25 May 2017
Sport and Recreation Officer	Glenda Burnett	Corporate, Community and Business	Devonport Recreation Centre	30 June 2017

3.1.2. Workers Compensation

Policy year ending 30 June	Number of Workers Compensation Claims lodged with Council's Insurer	Current Open claims	Gross value incurred by the Insurer (including estimates)
30/6/2017*	7 claims	1	\$21,067.28
30/6/2016*	20 claims	1	\$140,498.90
30/6/2015	12 claims	0	\$200,036.35
30/6/2014	8 claims	0	\$ 20,368.14
30/6/2013 *	13 claims	1	\$327,045.75

Commentary:

* Claim/s remains open in this year ending.

New Workers Compensation claims for the period

No claims lodged in May 2017.

One claim lodged in June 2017.

3.1.3. Work Experience

Date	Work Experience Program	Student	Location of placement
29/5/17 to 2/6/17	Max Solutions Training	Allyson Parker	Governance/Records

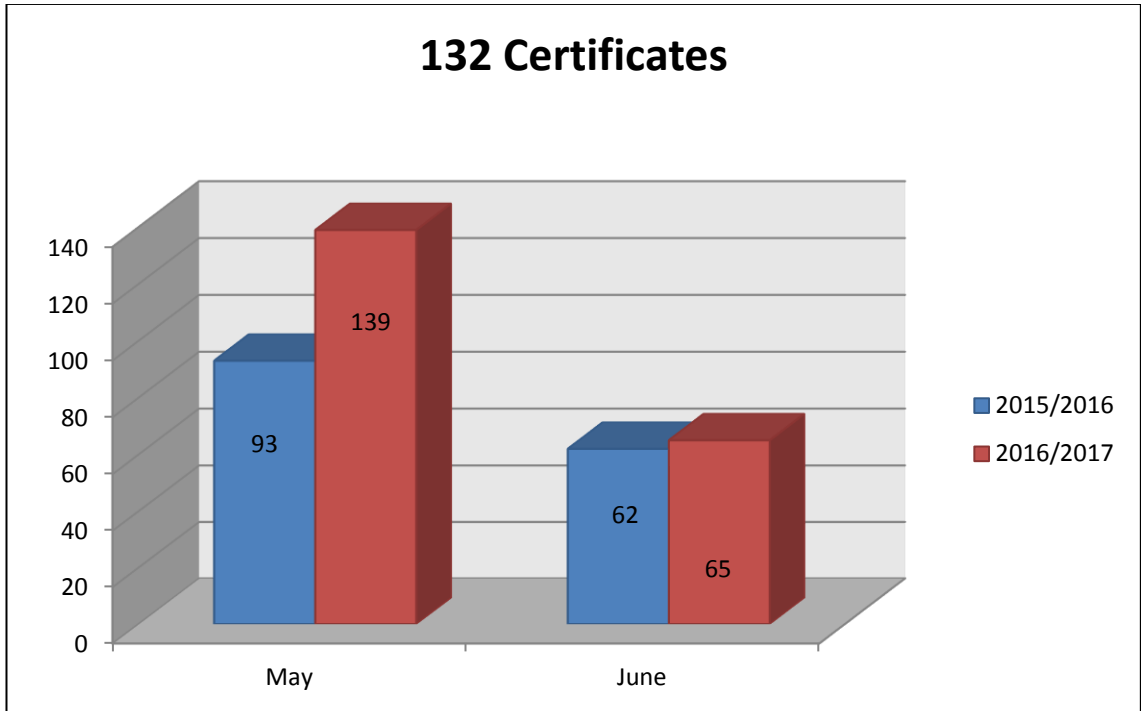
3.1.4. Staff Training

Council's Health and Wellbeing program has continued to promote health and wellbeing by promoting bowel cancer awareness, dementia awareness and encouraged staff to attend the community "Pitstop program" held recently at the Devonport Soccer Club on Thursday 15 June 2017 as part of Men's Health Week.

A funding submission was submitted for Skills Funding in March 2017 as part of the Competitive Systems and Practices Program (Lean) delivered by Productivity Improvers and UTAS. The submission was successful, which will now enable three employees to enrol in Certificate III in Competitive Systems and Practices and one employee in Certificate IV in Competitive Systems and Practices with training being delivered by the Australian Maritime College. The training will provide staff with knowledge and skills for establishing work systems and practices that support immediate and ongoing improvements to Council, targeting improvements in efficiency, waste reduction, customer service and costs. Total program fee for four students is \$17,750, with employer contribution being \$3,550.

3.2. Finance**3.2.1. S132 Certificates**

During the months of May and June, the Finance Team issued 204 Section 132 certificates under the *Local Government Act, 1993* (Certificate of Liabilities in relation to rates on properties). This information is a good indicator of property sales in the municipality. A comparison to the previous year is shown below:



3.2.2. Rate Statistics

Percentage of Rates Paid*

	2016/2017	2015/2016	2014/2015
May	98.47%	98.09%	97.98%
June	99.58%	99.25%	99.07%

*Please note the above statistics include rates paid in advance.

Number of Properties Paid in Full

	2016/2017		2015/2016		2014/2015	
	Number	Percentage	Number	Percentage	Number	Percentage
May	11,356	92.06%	11,261	92.62%	11,245	92.78%
June	11,748	95.24%	11,547	94.97%	11,491	94.81%

3.2.3. Parking Statistics

Income - Car Parks (Total)	15/16	16/17
May	\$81,829.99	\$84,525.06
June	\$67,096.64	\$78,626.08

Income from Meters	15/16	16/17
May	\$61,660.63	\$51,915.91
June	\$45,828.47	\$50,693.99

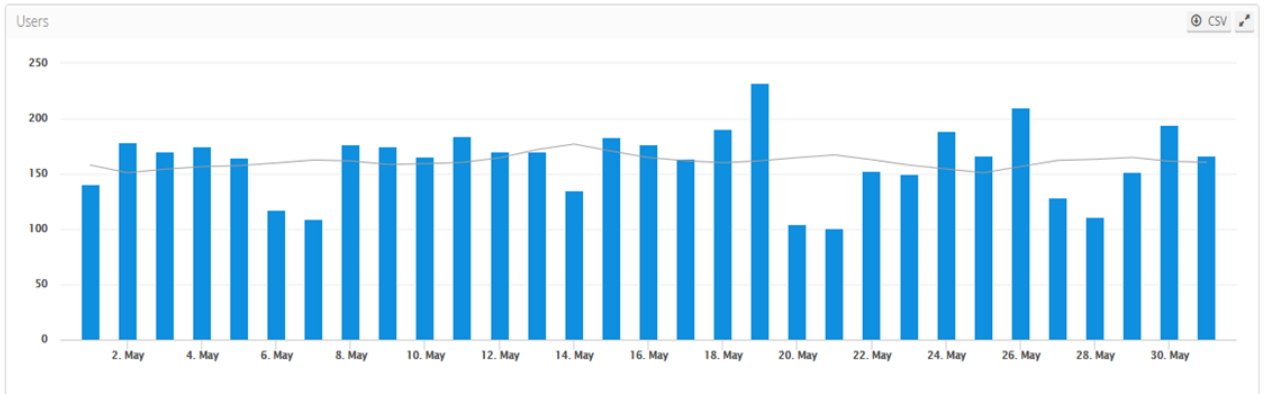
Infringements Issued	15/16	16/17
May	1868	1457
June	1671	1287

3.2.4. Best Street PAYL

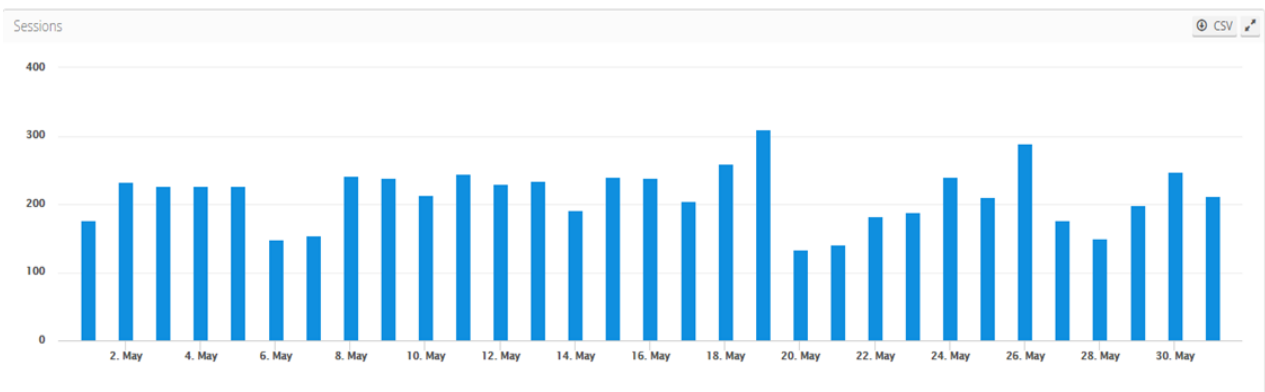
Best Street Income	15/16	16/17
May	\$11,002.00	\$15,896.62
June	\$9,747.00	\$13,587.37

3.2.5. Mall Wi-Fi Statistics

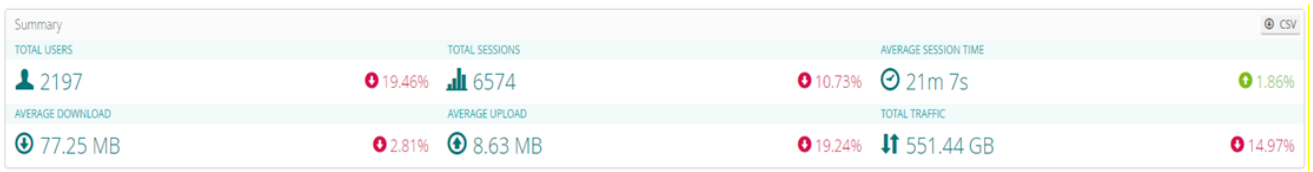
Users – May



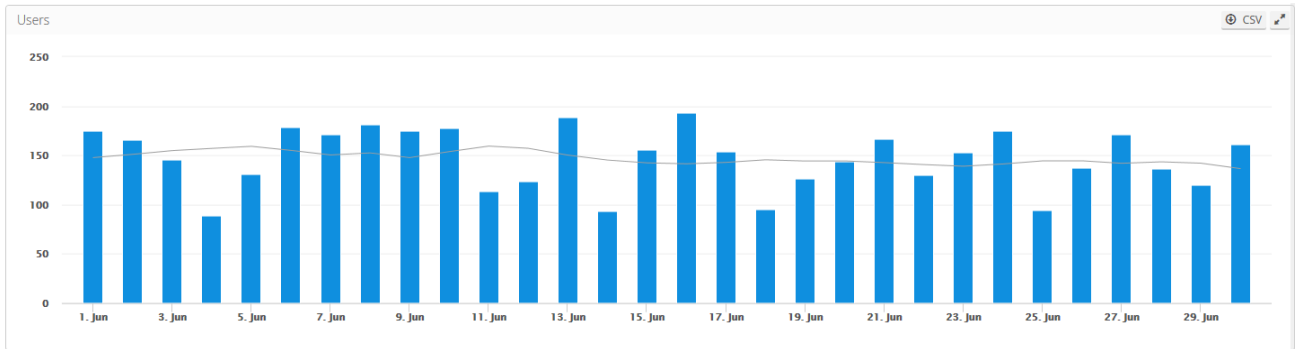
Sessions – May



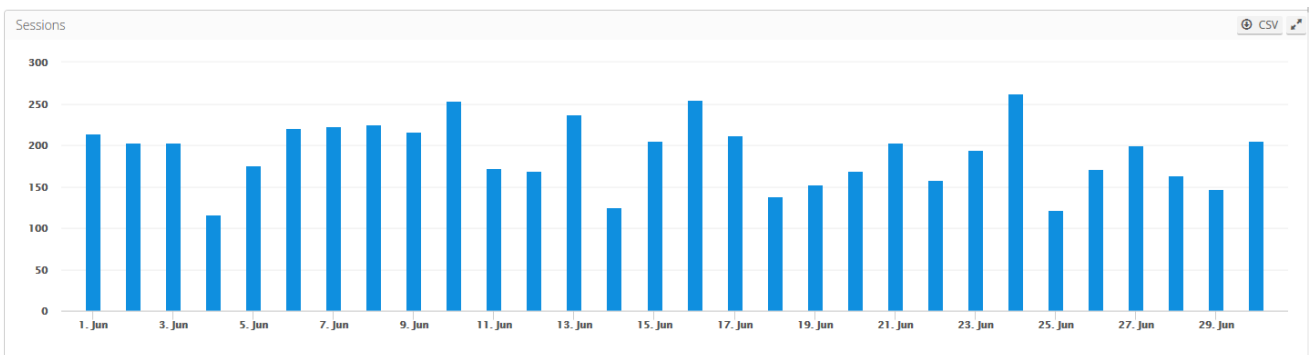
Summary – May



Users – June



Sessions – June



Summary – June

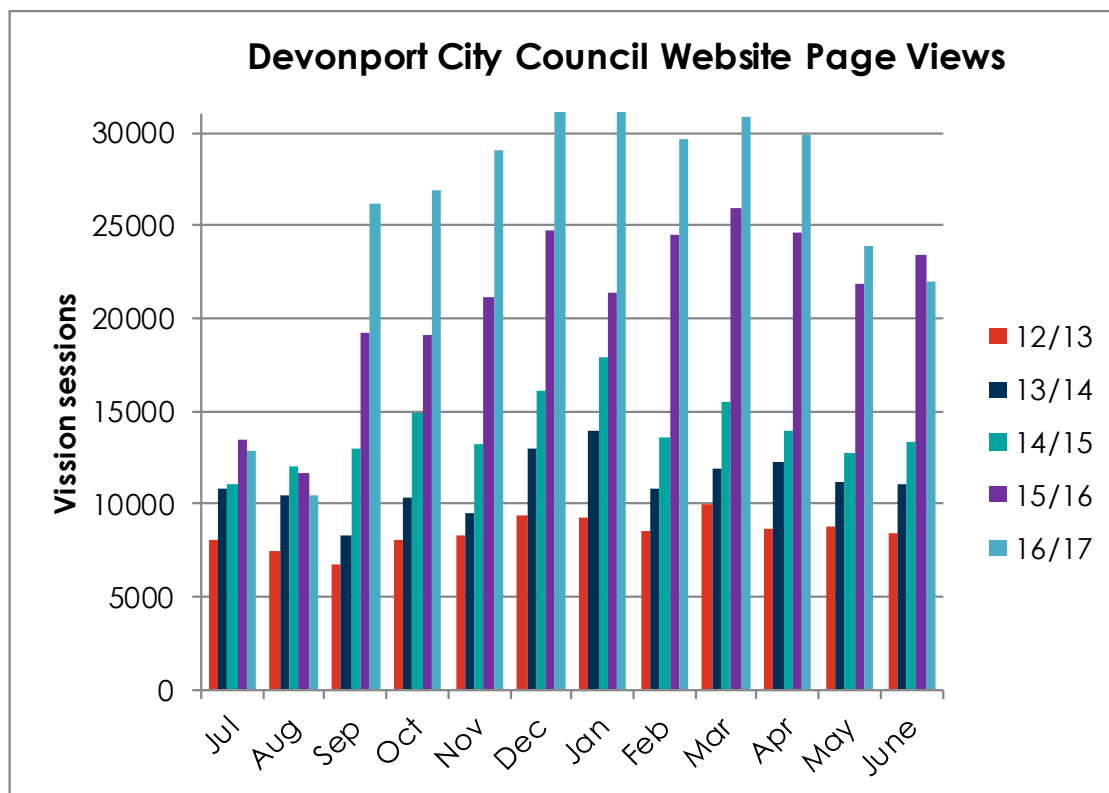
Summary		TOTAL SESSIONS		AVERAGE SESSION TIME	
TOTAL USERS	2032	5.71%	5701	10.89%	18m 31s
AVERAGE DOWNLOAD	53.55 MB	30.16%	AVERAGE UPLOAD	8.06 MB	TOTAL TRAFFIC
				6.83%	343.06 GB
					12.08%
					35.66%

4 CORPORATE COMMUNICATION – MAY TO JUNE 2017

4.1 Devonport City Council Website

Visitation to Council's website for the year ended 30 June 2017 totalled 307,336, reflecting an increase of 22.4% for the prior year. December and January were the peak months in terms of total visitation, at 33,238 and 32,376 visits respectively.

Site content is refreshed on an on-going basis, through the addition of new public notices, planning applications, news stories and events.



Content relating to how to contact Council, employment opportunities, events, the Waste Transfer Station and Mersey Vale Cemetery continue to rank highly in terms of pages visited during the reporting period.

Devonport City Council Website Statistics	May 2017	June 2017
Total Visitor sessions	10,056	9,340
Total page views	23,939	21,972
Average daily sessions	324	311
Average session duration (minutes)	1:39	1:39
Average page views per visit	2.38	2.35
Device Category		
• Desktop	53%	52%
• Mobile Phone	38%	39%
• Tablet	9%	10%

Top 10 Pages		
	1. Home Page	1. Home Page
	2. How to Contact Us	2. How to Contact Us
	3. Employment Opportunities	3. Mersey Vale Cemetery Search
	4. Mersey Vale Cemetery Search	4. Employment Opportunities
	5. Careers	5. Waste Transfer Station
	6. Waste Transfer Station	6. Careers
	7. Events – Activities	7. Events – Activities
	8. Planning – Development	8. Planning applications on public exhibition
	9. Parking in Devonport	9. Parking in Devonport
	10. Regional Youth Survey	10. Winter 2017 Events Guide

4.2 Community Consultations

Council's online engagement platform www.speakupdevonport.com.au is utilised for all of Council community consultations. During the reporting period a number of community consultations were undertaken, including:

- Regional Youth Survey – 4 April to 19 May 2017
- Retail Survey – 1-31 May 2017

4.3 Social Media

Council currently utilises both Twitter and Facebook as social media tools to engage with the community and local media.

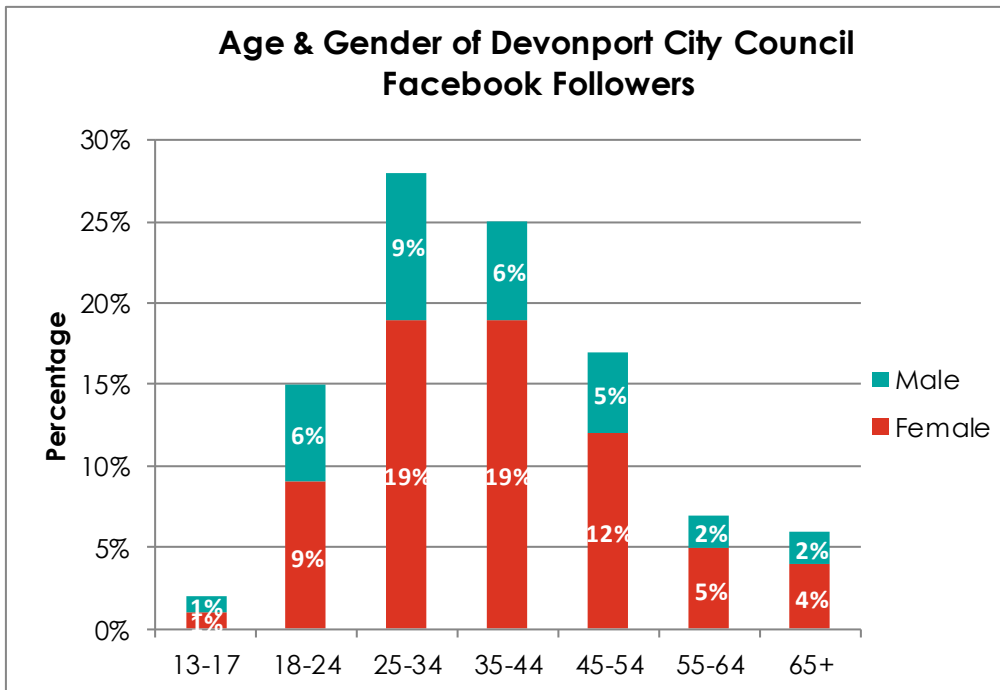
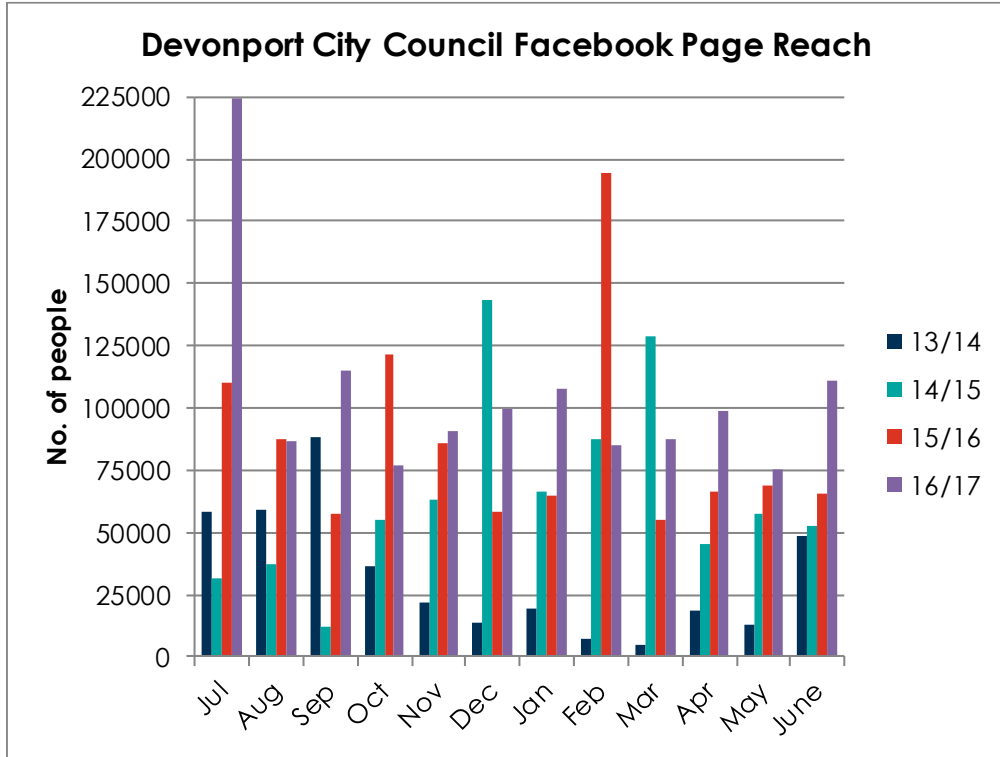
Council's corporate Twitter account (@devonportcity) was launched in December 2014 and had 503 followers as at 30 June 2017. It is actively used to 'break' news to the media.

Council currently operates nine Facebook pages (Devonport City Council, Devonport Food & Wine Festival, Devonport Food Connection, Devonport Jazz, Devonport Events, Bass Strait Maritime Centre, Devonport Entertainment & Convention Centre, Living+Learning Devonport, Devonport Regional Gallery). Each represent a targeted marketing opportunity, with content planned specific to each page's audience.

The Devonport City Council Corporate Facebook page is well utilised by the community, with high engagement regarding capital works projects, events, weather events, Council decisions, community initiatives and road works. The community can use the page to ask questions of Council and find out what is happening in Devonport. Key questions or matters raised by the public are generally around Council's services, opening times and reports of community infrastructure needing repairs.

DCC Facebook Page Statistics	May 2017	June 2017
Facebook Followers: Number of Facebook users who 'like' the DCC Facebook page at the end of each period.	5,660 TY (4,365 LY) +29.7%	5,755 TY (4,533 LY) +27.0%
Facebook Reach: Number of Facebook users who have seen content associated with the page during the period (individual users can be 'reached' numerous times per month).	75,275 TY (68,776 LY) +9.4%	110,699 TY (65,457 LY) +69.1%

<p>Facebook Engaged Users: Unique number of people who actively engaged with the page by liking, commenting, sharing or clicking on posts on the page during the period.</p>	<p>5,669 TY (5,872 LY) -3.5%</p>	<p>8,940 TY (9,768 LY) -8.5%</p>
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During May and June 2017 the top 10 page posts each month in terms of audience reach were:

May 2017	June 2017
1. Bureau of Meteorology Severe Weather Warning – 19/5/17 – 16.4K	1. Steele/Fenton Street Traffic Signals Switch On Advice – 27/6/17 – 23K
2. Victoria Parade Pathway Lighting advice – 22/5/17 – 8.3K	2. Sawdust Bridge Replacement Drone Video – 28/6/17 – 21.7K
3. Road Safety Bike Park Community Celebration invitation – 19/5/17 – 6.7K	3. Sawdust Bridge Live Video – 27/6/17 – 8.2K
4. Sawdust Bridge Replacement Works Commencement Notice – 3/5/17 – 3.9K	4. Road Safety Bike Park Video – 26/6/17 – 7K
5. Plastics Recycling promotion – 10/5/17 – 3.8K	5. Story Dogs promotion – 29/6/17 – 6.9K
6. East Devonport Community Garden promotion – 27/5/17 – 3K	6. William Street Traffic Signals Switch On Advice – 16/6/17 – 6.5K
7. SES Wear Orange Wednesday promotion – 3/5/17 – 3K	7. Red Cross Blood Bank promotion – 1/6/17 – 5.4K
8. Merseylink Torquay Ferry service advice – 17/5/17 – 2.7K	8. NBN Information Sessions promotion – 20/6/17 – 4.8K
9. The Huddle 'last day' photos – 9/5/17 – 2.8K	9. TasRail Crossing Works advice – 22/6/17 – 4.2K
10. Team City Spirit congratulations – 25/5/17 -2.1K	10. Term 2 School Holiday Sports Program promotion – 14/6/17 – 4.2K

4.4 Publications & Media

During the month of May 2017, Council published:

- Five (5) media releases, alerts and invitations:
 - Invite – Road Safety Bike Park Launch
 - Maidstone Park celebrates 50 years of community sport in Spreyton
 - Devonport retailer feedback sought
 - Key LIVING CITY appointment announced
 - Road Safety Bike Park a realisation of community vision

During the month of June 2017, Council published:

- Six (6) media releases, alerts and invitations:
 - Schools Bike Skills Challenge
 - Devonport residents invited to attend Draft Council Budget Information Session
 - New traffic signals get the green light
 - Council adopts fourth consecutive zero general rate increase budget
 - Story Dogs call for volunteers
 - Nominations open for community committees

COMMUNITY ENGAGEMENT

The information provided above details any issues relating to community engagement.

FINANCIAL IMPLICATIONS

Any financial or budgetary implications related to matters discussed in this report will be separately reported to Council.

There is not expected to be any impact on the Council's operating budget as a result of this recommendation.

RISK IMPLICATIONS

Any specific risk implications will be outlined in the commentary above. Any specific issue that may result in any form of risk to Council is likely to be subject of a separate report to Council.

CONCLUSION

This report is provided for information purposes only and to allow Council to be updated on matters of interest.

ATTACHMENTS

Nil

RECOMMENDATION

That it be recommended to Council that the Governance and Finance report be received and noted.

Author:	Shane Crawford	Endorsed By:	Paul West
Position:	Executive Manager Corporate, Community & Business Services	Position:	General Manager

7.2 COMMUNITY SERVICES REPORT - JULY 2017

File: 29530 D478399

RELEVANCE TO COUNCIL'S PLANS & POLICIES

Council's Strategic Plan 2009-2030:

- Strategy 5.4.1 Provide timely, efficient, consistent and quality services which are aligned with and meet our customers needs

SUMMARY

This report provides a summary of the activities undertaken in the Community Services Department during the period from 1 June – 30 June.

BACKGROUND

This report is provided to the Governance, Finance & Community Services Committee every two months and aims to update the Aldermen and community on matters of interest.

Community Development improves the ability of communities to collectively make better decisions about the use of resources such as infrastructure, labour and knowledge. A diverse range of strategies are employed by Council to deliver Community Development outcomes.

STATUTORY REQUIREMENTS

Council is required to comply with the provision of the *Local Government Act 1993* and other legislation. The function areas of Council covered in this report include:

- Community Development and Engagement
- Arts and Cultural Development
- Recreation and Sports Development
- Tourism, Marketing, Promotion and Events
- Devonport Entertainment and Convention Centre (DECC)

DISCUSSION

1. COMMUNITY DEVELOPMENT

1.1 Participation Across Facilities

Levels of participation are a determinant of an inclusive, strong and robust community. Council monitors the level of participation to capture trends and demand for services, usage of existing services, opportunities to increase participation and customer satisfaction.

The following table shows the activities delivered across Council facilities over the past two months.

June 2017	Customers through the Door	Number of Program Participants
Devonport Regional Gallery	1,873	335
East Devonport Recreation Centre	4,532	3,213
Devonport Recreation Centre	11,163	3,734

Visitor Information Centre	1,925	N/A
Bass Strait Maritime Centre	333	0
Julie Burgess	30	0
Devonport Entertainment & Convention Centre	4,490	0
TOTAL	24,346	7,282
TOTAL June 15/16	17,838	5,683

1.2 Council and Community Partnerships

Council partners with a diverse range of community based organisations to achieve shared objectives.

Existing partnership arrangements are included in the table below.

Details	End date and length of agreement	Amount – If Applicable
Carols by Candlelight	2 year Agreement. 30 June 2018	\$ 3,000 P/A
Devonport Brass Band	3 year Agreement. 30 June 2019	\$12,000 Year 1 \$10,000 Year 2 \$ 8,000 Year 3
Devonport Community House	2 year Agreement. 30 June 2019	\$18,000 P/A
Tasmanian Arboretum	2 year Agreement. 1 July 2018	\$22,000 P/A
National Trust of Australia – Home Hill operations	3 year Agreement. October 2018	\$28,000 P/A
Devonport-Cradle Country Marketing Group	3 year Agreement – June 2018	\$15,000 P/A
Youth and Family & Community Connections	5 year Agreement. 9 July 2018	Rental agreement/ Youth services - in kind funding

1.3 Seasonal Program and Publication

The delivery of winter season program has commenced. The program is available for download on Council's website. The program again focuses on a wide range of free and low-cost activities. Initiatives will be delivered by Council and supporting partners, with a focus on arts, culture, heritage, health and wellbeing, learning, environment, food and community connections.

1.4 Regional Youth Strategy

Consultation continues for the regional youth strategy. A workshop was held with 20 grade 5 and 6 students from Devonport Primary School to flesh out their key concerns and ideas. A community wide survey is now open until 28 July to gather further input, accessible through Speak Up Devonport.

1.5 Road Safety Park

A Bike Challenge Education Day, delivered by the Bicycle Network was held at the park on 8 June. Over 80 students participated from Devonport Primary and East Devonport Primary schools in a series of activities to improve their bike riding skills.

1.6 Seniors Week

Seniors week will be celebrated during the week 16-22 October. Council are currently working on a week full of activities including an 8 week "Ageing Stronger

“program, Mindfulness and Art at the Devonport Regional Gallery, and partnering with the Devonport Entertainment & Convention Centre & C-Max Devonport to deliver showings and performances for Seniors.

1.7 Digital Strategy

NBN Co delivered two community drop in sessions attended by 26 residents to discuss any concerns/issues with the switchover to NBN.

1.8 Citizenship

Council's most recent Citizenship ceremony was held on Friday, 30 June 2016 at Council Chambers, at which four new citizens were welcomed to Devonport

2 ARTS AND CULTURAL DEVELOPMENT

2.1 DECC

2.1.1 Theatre Performances & Events

Productions staged at the DECC were as follows:

Community Hire

Shrek – The Musical Jnr. – Presented by The Don College

2.1.2 Theatre Performance Attendance & Income Totals

The Don College presented 4 general public performances and 5 school performances with each show selling to capacity.

Performance	Number of Days Hired	Number of Perform/Events	Audience Attendances
Community Hire	19	9	4,133

2.1.3 Meetings and Functions

A total of 13 non-performance events including meetings and professional development sessions were held at the DECC during June 2017.

Meetings & Functions	Number of Days Hired	Number of Attendees
Meetings & Training	9	194
DCC Bookings (No Charge)	4	20

2.1.4 DECC Ticketing & Marketing

The DECC Box Office staff are in the process of implementing Mail Chimp as the new e-newsletter platform for sending electronic newsletters to 1,300 e-news subscribers. The Box Office staff have discovered that with Mail Chimp the email campaigns are simple to create and allow for the easy integration of images and videos. With the increase of promoters requesting dedicated email marketing campaigns for their shows, Mail Chimp will make the creation of these campaigns easier and more dynamic.

During June, the Box Office sold a total of 895 tickets to local, state-wide and national performances and events. Ticket sales for in-house and local events totalled \$55,907.70.

A breakdown of sales is as follows:

Box office/Agency Sales	Total Tickets Sold June 2017
DECC /Local Events	732
Ticketmaster Events	56
Ticketek Events	107

2.1.5 Technician Update

Don College presented Shrek Jnr the musical during June. This production highlighted the potential of the Centre as animated sets were projected onto the constructed sets and the cyclorama wall. This method reduces load in and set up times, is a safer alternative to flying multiple cloths and can be very visually attractive. DECC technical staff have worked hard over the last two years to encourage musical theatre partners to embrace the technology.

The technical and operational staff at the DECC continue to liaise with St Brendan-Shaw College and Our Lady of Lourdes school to ensure that the venue can provide the necessary resources and technical expertise required to stage their upcoming productions.

DECC technicians are also working with Council staff to upgrade the audio facilities at the Devonport Oval.

2.1.6 Training & Meetings

DECC staff recently participated in a first aid course conducted by St John Ambulance. All staff in attendance fulfilled the requirements for providing CPR.

2.1.7 Coming Events

- Umbilical Brothers – Speedmouse – Presented by A List Entertainment
- Roy Orbison – Ben Maiorana Entertainment
- John Williamson In Concert – Artist Network Australia
- Devonport Jazz – Devonport City Council
- Oliver – St Brendan Shaw College
- Around the World in 80 Days – Ellis Productions
- Diary of a Wombat – Monkey Ball Theatre Co.
- Danger Kids – Our Lady of Lourdes School

2.2 Devonport Regional Gallery (DRG)

2.2.1 Exhibitions

JUNE

Tony Ameneiro: Head over Head, Ashley Bird: The Nostalgic Toybox; Joanna Gair: Within

Opening attendance: 76

DRG opened three exhibitions on 2 June. The major exhibition, *Head over Head* was opened by DRG Curator Erin Wilson. The exhibition represents drawings from cadaver's and prints made by combining the cadaver drawings with life-drawings. The day before the exhibition opened, Ameneiro presented a talk on the exhibition and his research project at the gallery to College and TAFE students.

Local artist Joanna Gair's exhibition *Within*, opened in the Middle Gallery and Launceston-based artist Ashley Bird presented *The Nostalgic Toybox* in The Little Gallery.

2.2.2 Education & Public Programs – June

Education Programs

Date	Program	Attendance
1 June	Tony Ameneiro artist talk	42
6, 13, 20, 27 June	Art Spark After School Art (mixed schools)	41
15 June	Artist talk with Ashley Bird, (TAFE students),	9
15 & 22 June	Little Aesthetics (Wilmot Primary & Devonport Primary),	38
21 June	Artist talk with Joanna Gair, (Leighland Christian School),	17
23 & 28 June	1,2,3 Create (2 Outreach & 1 at Gallery),	60

Public Programs

Date	Program	Attendance
6, 13 & 27 June	Life Drawing evening classes	37
19 June	Books + Art discussion group	7
29 June	Tony Ameneiro Twilight Tour with Ellie Ray	11

2.2.3 End of Financial Year

The Gallery received a record number of visitors in the past twelve months with a total of 29,635 visitors attending exhibitions, education programs and public programs. With an increase in staff hours compared with the previous year, programming, visitor experience and feedback has noticeably improved. The DPAC National Youth grant was invaluable to the gallery team.

2.3 Bass Strait Maritime Centre

2.3.1 Recent Activities

- June was a quiet month for visitor numbers. There were 4 scheduled group bookings during June - two school groups and 2 community groups.
- Radio advertising is planned for July/August in an endeavour to boost visitor numbers.
- Work on the Knot Board display and knot tying activity is progressing with the intent to have it completed in August.

2.3.2 Julie Burgess

- Winter Warmer sailings, one Winter Warmer charter, one TAFE tourism class presentation on board and one public sailing during June finished a very successful season for the *Julie Burgess*.
- The crew enjoyed an end of season barbecue on board and were joined by crew members of the *Windeward Bound*. The vessel was in

Devonport and moored at the end of the Julie Burgess pontoon in preparation for slipping and maintenance.

- The *Julie Burgess* will be laid up from July 1. The vessel will be slipped for a maintenance check and for survey requirements. Annual maintenance will be undertaken and preparation completed for annual survey over the next two months.
- Open for Inspection will continue during the winter lay up.

2.3.3 Collection Management

Work with the Past Perfect database is continuing with a small team continuing to work on digitising photos. Volunteers have had to reschedule the remaining "Second Glance at Rooke Street" outreach sessions with local aged care homes due to illness of the key presenter.

Winter is the ideal time for working on the collection and staff and volunteers have recommenced the sorting, accessioning and deaccessioning tasks at Lawrence Drive Archive Centre.

3 RECREATION AND SPORTS DEVELOPMENT

3.1 Sporting Events in June 2017

Name of Event: 2017 Devonport Cup – Devonport Junior Soccer Association

- Dates: 10 – 11 June
- Meercroft Park & Valley Road Soccer Centre
- Number of competitors and officials: 50 teams (750 players), 125 games.
- Event Overview – Intrastate all regions
- Duration: 2 days

Name of Event: 2017 Futsal Tasmania Islanders Cup

- Dates: 11 – 12 June
- Devonport Recreation Centre
- Number of competitors and officials: 60
- Event Overview – Intrastate
- Duration: 2 days

Name of Event: 2017 Basketball Tasmania Tri Series

- Dates: 24 June
- Devonport Recreation Centre
- Number of competitors and officials: 420
- Event Overview – Intrastate
- Duration: 1 day

Name of Event: 2017 Tasmanian Squash Open (World ranking event)

- Dates: 29 June – 2 July
- Devonport Recreation Centre – Squash Building
- Number of competitors and officials: 85
- Event Overview – National and International
- Duration: 4 days

3.2 Splash – May 2017

Centres Attendances including YTD Comparison

Year to date comparison													
Attendees	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	March	April	May	May-16	YTD
Casual Entry	3,304	3,183	3,879	4,881	4,071	5,981	8,402	8,618	6,855	4,148	4,075	4,019	57,397
Fitness Members	7,591	7,429	6,897	6,271	6,816	8,276	6,413	6,917	10,432	8,021	7,525	7,916	82,588
Learn to Swim	3,880	3,984	4,810	3,984	4,008	5,010	3,464	3,840	4,900	3,800	3,688	4,280	45,368
Lane Hire	545	870	950	620	606	3421	330	750	1,036	465	675	707	10268
Bookings	442	481	665	361	397	1340	277	930	3,021	420	296	729	8630
Total	15,762	15,947	17,201	16,117	15,898	24,028	18,886	21,055	26,244	16,854	16,259	17,651	204,251

*Please note Splash reporting is a month behind

3.3 Recreation Centres

Bookings for facilities at Devonport Recreation Centre (DRC) for June are listed in the table below:

Bookings - Devonport Recreation Centre	June 2017
Judo Room	14
Meeting Room	5
Sauna	35
Squash	41
Stadium	115
Table Tennis Building	63
Youth Centre	104
Total	377

Bookings for facilities at East Devonport Recreation & Function Centre (EDR&FC) for June are listed in the table below:

Bookings – East Devonport Recreation & Function Centre	June 2017
Community Room	38
Stadium	26
Total	64

4 TOURISM, MARKETING AND EVENTS**TOURISM****4.1 Visitor Information Centre****4.1.1 Australian Master Games**

Masters Games is keeping staff busy with daily emails and requests for accommodation. Many of the private homes listed are filling fast but there are still several options for accommodation across the coast. Numerous information packs have been mailed out, encouraging people to stay and explore the region after competition finishes.

4.1.2 Jazz Festival

The Visitors Information Centre has been handling numerous enquiries for the event and accommodation options.

4.1.3 School Holidays

Some mainland States have started school holidays. Staff have noticed an increase in those wanting to experience snow for the first time.

4.2 Tourism Development Strategy

Council continue to be involved in the Destination Action Plan with other key stakeholders from across the region and anticipate the Draft Action Plan will be delivered soon.

4.3 Cradle Country Marketing Group (CCMG)

Cradle Country advertisement was placed in the Tasmanian Travel Guide. The yearly publication distributes close to half a million guides state wide.

4.4 MARKETING

Marketing and Events continue to provide marketing advice and assistance across the organisation. Radio advertising programs were scheduled for Bass Strait Maritime Centre enticing Winter visitation; a call to action for nominations for various Committees and Advisory Boards; financial assistance rounds opening promotions and event promotions. Advertising was placed in the Grey Nomad magazine on behalf of the BSMC.

Continue to work with recreation to improve branding activation for major sporting event sponsorship, including developing a suite of banners, flags and signage for display at events supported by Council.

A temporary screen, on loan to Council from Show Systems Australia, was installed in the front glass window of Council facing the Best and Fenton Way intersection. The screen will be programmed with stills and video showcasing upcoming events and tourism and development initiatives such as Living City and will remain in place until needed elsewhere.

4.5 EVENTS

4.5.1 Australian Masters Games Opening Ceremony

Planning for the Masters Games Opening Ceremony continues with regular meetings with the committee. The Opening Ceremony will be a food and wine experience with a number of local producers and venues involved. The Opening Ceremony will be held in Roundhouse Park Devonport on Saturday 21 October and will feature a short program of formalities.

4.5.2 External Events

Council have received event applications for the Junior Road Cycling National Championships, the North West Indoor Bias Bowls Championships and Musos in the Mall, a part of Devonport Jazz.

4.5.3 DFWF

An Expression of Interest to venues and producers has been circulated with the program filling out with a number of innovative and community focused events. Marketing of the event has begun with advertising placed in RACT Journeys Magazine, a dedicated website nearing completion and a digital campaign in development. Key Council initiated events include a dinner raising money for Charity featuring our 2017 Ambassador Ian Curley, an evening street market featuring food trucks, a VIP dinner with Ian Curley for competition winners and a pay-it-forward style soup kitchen.

4.5.4 Devonport Jazz

Devonport Jazz marketing campaign is ramping up in preparation for the event at the end of July. Print advertising has been featured in The Mercury, RACT Journeys Mag, Jetstar magazine and as part of Tourism Tasmania's winter events campaign. TV advertising continues to build a strong identity for the festival with plenty of positive feedback received. Ticket sales are increasing, website hits are consistent at 40-60 visitors per day and social media reach continues to achieve good results.



Devonport Jazz is also featured on one of the billboards at Horsehead Creek, Quoiba.

Devonport is starting to turn a shade of gold with retailers participating in window decorating activities, street pole flags being installed and posters appearing across the city.

4.5.5 Queens Baton Relay

Council is part of a Local Working Group, alongside emergency services and led by the Gold Coast Commonwealth Games Team to coordinate the Queens Baton Relay, which will travel through Devonport on Wednesday 7 February before making its way to Burnie. The street level route is due to be released in mid-October.

COMMUNITY ENGAGEMENT

The information provided above details all community engagement.

FINANCIAL IMPLICATIONS

Any financial or budgetary implication related to matters discussed in this report will be separately reported to Council.

There is not expected to be any impact on the Council's operating budget as a result of this recommendation.

RISK IMPLICATIONS

There are no risk implications which relate to this report.

CONCLUSION

This report is provided for information purposes only and to allow Council and the Community to be updated on matters of interest.

ATTACHMENTS

Nil

RECOMMENDATION

That it be recommended to Council that the Community Services report be received and noted.

Author: Position:	Shane Crawford Executive Manager Corporate, Community & Business Services	Endorsed By: Position:	Paul West General Manager
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8.0 CLOSED SESSION

RECOMMENDATION

That in accordance with Regulation 15 of the *Local Government (Meeting Procedures) Regulations 2015*, the following be dealt with in Closed Session.

Item No	Matter	Local Government (Meeting Procedures) Regulations 2015 Reference
8.1	Outstanding Debtors - 90 Days and Over Report	15(2)(j)
8.2	Outstanding Rates Debtors - Three Years and Over	15(2)(j)

OUT OF CLOSED SESSION

RECOMMENDATION

That the Committee move out of Closed Session.

9.0 CLOSURE

There being no further business the Chairman declared the meeting closed at pm.