



LOCAL GOVERNMENT BOARD

*Report into the findings of a
General Review*

CIRCULAR HEAD COUNCIL



Date March 2006

29 March 2006

Mr Jim Cox MHA
Minister Assisting the Premier on Local Government

Dear Minister

The Board is pleased to forward its final report for the General Review of the Circular Head Council.

This review has been conducted in accordance with the requirement of the *Local Government Act 1993* that each Council be reviewed at least once every 8 years.

Yours sincerely

.....
John Gibson
Chairperson

.....
Marguerite Scott

.....
Mary Binks

.....
Helen Cooper

.....
Brian Inches

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Chapter A

Introduction

The Local Government Board (“the Board”) is charged with the responsibility of carrying out a general review of a Council under the *Local Government Act 1993* (“the Act”) (section 214(1)(a)). The Board is required to review every Council at least once every eight years and has now developed a pattern in the review process, together with an expectation of the breadth and depth of responses it requires from Councils.

REVIEW PROCEDURE

In undertaking this review the Board has followed the requirements of Part 12A of the Act.

On Tuesday 30 August 2005, the Chairperson met with the Mayor and General Manager to discuss the process for and timing of the review, and the guidelines that the Board had developed.

A public notice for the review appeared in *The Chronicle* on Wednesday 21 September 2005 and again on Wednesday 28 September 2005 and also in *The Advocate* on 21 and 24 September 2005. This public notice also requested written submissions with a closing date of noon on 2 November 2005 (see Appendix 6).

There were two written and two verbal submissions received from members of the public, along with Council Submission (see Appendix 2).

On Tuesday 22 November 2005, prior to the public hearing, Council provided the Board with a tour of the Council area and outlined various Council services and projects (see Appendix 4). On the afternoon of Wednesday 23 November 2005, the General Manager and the Mayor provided the Board with a tour of Marrawah, Arthur River and Dismal Swamp.

Chapter B

Board's Overview

The Circular Head Council was created on 2 April 1993, and the municipal area is substantially identical to that of the former Municipality of Circular Head, apart from some minor boundary adjustments with adjoining Councils.

Circular Head covers an area of 4,917 square kilometres in the far North West of Tasmania and is more than double the average size of Tasmanian municipal areas (2,434 square kilometres).

The municipal area is served by a total road length of 1,865.6 kilometres, with Council being responsible for 280.5 kilometres of sealed roads and 491.4 kilometres of unsealed roads. State-maintained highways cover 183.2 kilometres, with 870 kilometres serving forestry activities, and the balance of 40.5 kilometres covering other roads including access to parks.

The municipal area has a population of 8,105 which represents 1.7% of the Tasmanian population, with Smithton and Stanley at 3,149 and 463, respectively.

The Australian Bureau of Statistics (ABS) estimates that, since 1996, the Circular Head municipal area population has decreased by an estimated 449 or 5.3%.

Over the same period the Tasmanian population has declined by 0.4%.

The population density of 1.7 persons per square kilometre compares favourably with Glamorgan-Spring Bay, King Island and Break O'Day at 1.6, whilst Dorset is 2.3. Small coastal townships are located at Edgcumbe Beach, Crayfish Creek, Hellyer and Detention Point. Other population centres are Arthur River, Temma, Cape Grim, Woolnorth, Edith Creek, Forest, Irishtown, Marrawah, Redpa, Trowutta, Lileah and Nabageena.

As at 2002, Circular Head Council had an employment rate in the vicinity of 6.1% compared with the State average of approximately 8.4%. However, it is noted that the ABS has indicated that the trend estimate of the unemployment rate for Tasmania in January 2005 was 5.6%, decreased from 6.9% in January 2004. Relative to the Tasmanian average for Councils, Circular Head Council has a higher proportion of employment in the manufacturing industry sector due to timber, dairy products, mining and vegetable processing. Significant employers are McCain Foods (Australia) Pty Ltd – vegetable processing employing 350 in peak season, Classic Foods Pty Ltd – UHT dairy produce packaging employing 150, Australian Bulk Minerals (ABM) – iron ore mining and pelletising plant employing 400 directly and contractors, Tasmanian Seafoods Pty Ltd employing 50 locally and a further 50 across the State, Britton Bros Pty Ltd – sawmillers and timber products employing 70, Gunns Ltd – hardwood sawmill employing 86, Greenham Tasmania Pty Ltd – meat

processors employing 120 and Bolduans Bay Oysters Pty Ltd – oyster farmers employing 24.

Agricultural production including dairying activities, from Circular Head are a major factor in the economic output of the North West region of the State at a value at \$96 million in 2000-01, compared to \$755 million for the State as a whole. The Circular Head municipal area has 33% of the State's dairy farms.

The historic township of Stanley is proving to be a popular visiting area for tourists, well supported by the forest ecotourism experience at Dismal Swamp and cruises on the Arthur River, as well as the coastal area of Cape Grim and the nearby wind farm development.

On the first day of the Board's review of Circular Head Council it was taken, by bus, on a tour of some parts of the municipal area. This provided Board members with a practical understanding of the geographic differences, remote locales and well-visited parts of the municipal area.

The bus tour left from the Council Chambers in Smithton by bus and traversed a route including:

- Montagu Road, Mella Road Bass Highway, Scotchtown Road, Grooms Cross Road, Irishtown Road, Faheys Lane, South Road, Mengha Road to the Stanley peninsula;
- Tour of Stanley townsite and environs; and
- Tour of Smithton town area.

Items noted during the tour included:

- Differing topography and land uses in the municipal area;
- Improvements/additions to the infrastructure assets, such as Mella Road, Scotchtown Road, King Park (Stanley) and Smithton Main Street undertaken in recent years;
- Facilities and services provided or supported by Council such as the Hydrotherapy Pool, Visitor Centre, Parks, Community and Recreation Centre and Heritage Centre;
- Current initiatives and issues such as Recreational Planning Review, Stanley Port, Guided Development Planning for Stanley, Tourism Development Planning and Aged persons Centre; and
- Diversity of significant employers in the municipal area.

On Tuesday afternoon the Board heard the submission presented by Council. Later in the week it also met with the elected members and a group from Council staff and took submissions from members of the public.

Later in the week the General Manager, Greg Winton, and Mayor, Cr Ross Hine, took the Board on a further tour of the Circular Head municipal area which included Marrawah, Arthur River and Dismal Swamp.

During the course of the review, no Council or public submission was made on constitutional issues, such as Council boundaries or the number of Councillors, which are covered by section 214A of the *Local Government Act 1993*.

In regards to governance, the Board has made a number of recommendations to Council. In particular, the Board has commented to Council that a zero attendance at the Annual General Meetings held in 2004 and 2005 is a matter of some concern. While the Board has commended Council for its preparation of a PowerPoint presentation for use at those meetings, in order to make the information more visible and understandable for community members present, it has expressed the view that such preparation appears wasted, if no community members attend. The Board has also expressed the view, across the State, that Annual General Meetings provide an invaluable opportunity for community members to attend, to ask questions, to make submissions and to move motions and that Councils should advertise them in ways that not only invite the public, but also make these options clear.

On this basis, the Board recommends that Council implement a new strategy for attracting community members to the Annual General Meeting in future years and points to other Councils which have followed similar recommendations, developing strategies that have led to hundreds of community members being in attendance.

The Board also considers the way in which delegations are made, recorded and reviewed. It recommends that Council review its delegation to the General Manager under section 6 of the *Land Use Planning and Approvals Act 1993* and its authority for the General Manager to on-delegate functions to Council officers under the *Local Government Act 1993*. It also suggests that Council review all delegations every two years, as soon as possible after each Council election and that public interest decisions made under delegation be reported to Council through the public meeting agenda.

As part of the review, the Board viewed the Minutes of Council for a period of twelve months. In this regard, it has made a number of observations and comments. It also recommends that, in the future, Council agenda, complete with attachments and reports duly certified in relation to qualified advice by the General Manager, form the official agenda record which is bound for future reference and archive purposes.

In regard to the way meetings are held at Council, the Board has been interested to see that a public question time is provided at the beginning and just before the close of every meeting. This practice is out of the ordinary and has been set up to cater for public attendees who are unable to be present at the start of the meeting. The Board commends the Council's decision.

The Board has also noted from the Minutes that, on a number of occasions over the past 12 months, Council has moved into what it has described as “Council as a whole”. The Board was initially concerned by this record in the Minutes. It has been reassured to receive advice from Council that this process has not closed the meeting to the public and that all subsequent discussion has occurred in open session. It has advised Council, however, that on these occasions it is not meeting as “Council as a whole” but rather taken to be proceeding under suspension of regulation 22(Debate) of for the *Local Government (Meeting Procedures) Regulations 2005*. The Board therefore recommends that, in the future, if Council wishes to suspend the usual rules of debate, it does so only after a majority Council decision under regulation 22(9) of those supports a motion that the chairperson to suspend the operation of regulation 22. It also recommends that the minutes record that Council has taken that step in order to discuss the matter in more detail, but has remained in open session to do so.

The Board has commended Council for a number of matters in the governance area, namely:

- The annual review of Special Committee membership;
- The recent introduction of a comprehensive policy to guide the community consultation processes; and
- Promotion of Council elections by initiating a “Thinking of becoming a Councillor” project and supporting the Lions Club of Smithton in their “Meet the Candidates” public forum.

In the Regulatory Functions chapter, Council has tabulated current performance indicator trends (non-financial) from the **Measuring Council Performance in Tasmania 2003-04 (KPI Report)** and added in calculated figures for the 2004-05 year.

In the same Chapter, the Board has commended Council for its process in informing elected members of animal control activities through the “Information Bulletin” distributed to Councillors.

Recreational water quality issues have arisen at Crayfish Creek and Detention River and may result in the need to develop wastewater treatment options.

The Council operates a large landfill site at Port Latta with the provision for local kerbside collections in urban and most rural areas. A single community transfer station at White Hills, east of Smithton, accepts general waste from the municipal area. Kerbside recycling is offered in Smithton and Stanley townships.

While the Board has noticed evidence in the community of Council’s sensitivity to disability access requirements at Stanley and Marrawah beaches, it has drawn to Council’s attention Council’s non-compliance with the requirement the need to develop a Disability Access Plan under legislative requirements of 1992.

The *Local Government Act 1993* provides for Councils to work with their constituents through consultation and communication. In previous years, legislation focused a Council's responsibility through the Minister rather than the community. Community development and support for community service activities have become increasingly significant aspects of engaging and "working with the community". Community development activities are not necessarily prescribed by legislation, and Councils have considerable discretion in their approach that brings with it new responsibilities and challenges. The Board has therefore welcomed, as mentioned earlier, Council's recent adoption of a comprehensive policy to guide all future consultation with its community.

The Board commends Council on its support of the Circular Head Education and Training Consultative Committee (CHETCC), which aims to increase participation in post-compulsory education across the community profile through its "Lifelong Learning" program.

On the return visit by the Board to Circular Head Council, a short presentation was given by Mrs Wendy Schoenmaker, the Change Leader of CHETCC program "Learning Leading - Building a Community of Life Long Learning, outlining the goals and progress achieved to date. The Board considers the "Life Long Learning" program to be a good example of partnerships built with all levels of government, regional authorities, business and industry and a wide range of educational providers that has resulted in a project tailored to meet identified community needs. The Board notes that this innovative approach is already showing positive signs of increased retention rates.

The Board noted the wide range of activities in the municipal area that are supported by Council's partnerships with State and Federal Governments and other organisations. This cooperative approach has enabled the delivery of innovative projects such as the "Lifelong Learning" program and the provision of accommodation for medical registrars.

The Board commends Council for development to the draft stage of a regional and economic profile for the municipal area, which, when adopted, will be of significant benefit to potential investors and new residents in the area.

The Board recommends that a policy for the aged be developed to guide and underpin future decisions, particularly bearing in mind Council's decision to commit \$1.4 million dollars to provide increased capacity for aged care services in the municipal area. The Board suggests that policy support for issues relating to indigenous community members and people with disabilities would be of assistance to Council.

The Board commends Council on its leadership in embracing change in tourism priorities from the traditional role of agricultural pursuits alone to developing regional icons that have statewide significance.

The Board has noted that the Elected Body wishes to work on its new Strategic Plan as a revision of the previous Plan but with direction taken from the comprehensive Value Management Study of 2003. The Board has reminded Council it is a legislative requirement that wide community consultation be held during this process, giving meaning and local reference to the forthcoming Strategic Plan.

Discussion with Councillors emphasised the need for further policy-making. The Board has therefore recommended that Council develop a more comprehensive policy framework to guide and underpin decision making with consistency and transparency.

Because the Board feels that Council has been operating without an appropriate policy framework to support decisions, that it recommends further policies be developed with Councillor input and opportunity for community comment. This will require Council to consider the gaps in its current policy framework and decide on which policies it needs to adopt.

Having been informed of the induction process for newly elected Members, the Board has come to the view that it is detailed and useful.

The Board was advised, however, that Councillors feel that most professional development courses are being held in Hobart or Launceston, and distance and time for travel are proving to be a disincentive for participation. While the Board acknowledges these constraints, it encourages a more active use of teleconferencing and videoconferencing by elected members (and Council staff) as a means of increasing input and development.

Councillors are intent upon becoming conversant with the new legislative requirements of the *Local Government Act 1993* and the Director of Local Government is ready to work with Councillors at a workshop in Smithton in the first quarter of 2006.

Discussion was held on the need for Council and Councillors to promote essential and successful activities of the staff and the corporate body to the community as a whole.

The Board considered that Council's Staff Human Resources Manual was well presented and informative for employees. The Board has asked for an assurance that an appropriate Council policy is in place to support the General Manager's responsibilities under section 63(2) of the *Local Government Act 1993*.

The Board found that all new employees have undergone an appropriate induction process and a suggestion has been made that the General Manager ensure that all annual performance reviews are up to date.

The Board has been suggested that two staff contact officers be appointed to provide appropriate coverage as required by the equal employment opportunity and anti-discrimination legislation.

A comprehensive Workplace Safety/Occupational Health and Safety Management System was found to be in place, and the Board suggested that meetings of the Occupational Health and Safety Committees be conducted on a regular basis.

The Board commends Council on the first aid training program that equips participants to provide emergency support in the community as well as the workplace. The Council's rehabilitation program for injured workers from other businesses shows community initiative.

It was found that Council's outdoor workforce business unit, "WorksPlus", provided Council with the opportunity to secure competitive prices for maintenance and capital works.

In relation to Council's asset management issues, the Board's most significant concern relates to the length of time since Council has re-valued its assets. Council advised that the last asset valuations were carried out in 2000. This raises concerns, particularly in relation to the impact on Council's financial capacity when the new valuations are completed. The Board has observed that Council has recently installed an Asset Management System and that all major asset groupings have been transferred to the system. It is noted that revaluations for water assets are almost complete but that other infrastructure will not be completed until 2006. In the Board's view it is essential that this timeline is not delayed and that Council give top priority to completion of this project by the end of the current financial year.

A draft Financial Management Strategy is currently under preparation. The Board notes that Council's depreciation policy does not provide for any annual contribution in relation to unsealed roads, presumably on the basis that they are maintained in the short term to their original standard. The Board recommends that Council ensures that the Financial Management Strategy and associated Cost Model be finalised as a matter of urgency.

Due to significant cash reserves Council appears to be in a strong financial position and in relation to the State Key Performance Indicators has performed very well. Council has advised that upon the revaluation of infrastructure assets "fair value" will be applied. It has also advised that long-term financial planning is to be committed to a 20-year time frame with a five-year reporting format.

On the question of financial reporting to Council, suggestions have been made with regard to the possibility of developing a simplified format to assist Councillors in their interpretation of results.

In relation to water supply activities, the Board recommends that Council review its rate of return to a level within the range identified by the Government Prices Oversight Commission.

The Board was advised by Council that significant benefits arose from its first bilateral Partnership Agreement with the State Government, but the proposed scope of the schedules was too broad. The Board was also advised that a refinement of schedules in the second agreement will lead to a smaller number of initiatives but a more realistic approach.

The Board notes that Council seems to have been very effective in attracting financial support from other spheres of Government. This has enabled important community projects to be undertaken, providing for improved environmental results, together with upgraded sporting, community and education opportunities in the Circular Head municipal area.

The Board received four public submissions which addressed several matters. The submissions are summarised in Chapter 11 under the following headings:

- 11.1 Governance Issues.
- 11.2 Regulatory Functions.
- 11.3 Community Development, Communications and Consultation.

During the Public hearings, issues were identified as requiring a response from Council. In line with usual practice, the Report includes responses from Council and the Board's comments in each of the relevant chapters.

One recommendation has been made resulting from public submissions in relation to the provision of sufficient resources.

Chapter C

Recommendations

Recommendations to the Minister

CHAPTER 2 Governance

2.1 Annual General Meeting (s. 72B)

Recommendation

The Board recommends that Council implement a new strategy for attracting community members to the Annual General meeting in future years.

2.7 Delegations Register

Recommendation

The Board recommends that Council review:

- (a) its delegation to the General Manager under section 6 of the Land Use Planning and Approvals Act 1993; and
- (b) its authority for the General Manager to on-delegate functions to Council officers under the Local Government Act 1993.

2.12 Meeting Procedures (Meeting Procedures Regulations)

Recommendation 1

The Board recommends that Council agenda, complete with attachments and reports duly certified in relation to qualified advice by the General Manager, form the official agenda record and be bound for future reference and archival purposes.

Recommendation 2

The Board recommends that, in the future, if Council wishes to suspend the usual rules of debate, that it does so only after a majority decision supports a motion designed to suspend regulation 22(9) of the *Local Government (Meeting Procedures) Regulations 2005* which permits the chairperson to suspend the operation of that regulation, and that the minutes also record that Council has taken that step in order to discuss the matter in more detail, but has remained in open session to do so.

CHAPTER 4 Community Development, Communication and Consultation

4.6.2 The Aged

Recommendation

The Board recommends that Council develop appropriate policy for the aged to guide and underpin future decisions.

CHAPTER 5 Roles and Responsibilities of Elected Members

5.2 Policy Development, Implementation and Evaluation, including the General Manager's Duty Under s. 63(2)

Recommendation

The Board recommends that Council give priority to continuing its current development and review of existing policies.

CHAPTER 7 Asset Management

Comprehensive Register of Infrastructure Assets Including Valuation, Condition Assessments and Identifiable Categorisation.

Recommendation 1

The Board recommends that Council prepares and adopts an Asset Management Policy to ensure that future creation of assets is linked to its financial capacity and is consistent with its recently prepared Draft Financial Management Strategy.

Recommendation 2

The Board further recommends that Council ensures its revaluation of assets is completed in accordance with the timeframe outlined in its submission, ie by April/May 2006.

7.5 Funding Plans

Recommendation

The Board recommends that Council ensure that the Financial Management Strategy and cost model be finalised as a matter of urgency. The plans are to incorporate a 5-year reporting format over a 20-year time frame.

CHAPTER 8 Financial Matters

8.7 Levels of Rates Over the Past Five Years

Recommendation

The Board recommends that Council review its rate of return to a level within a range identified by the Government Prices Oversight Commission in relation to water supply.

8.8 Risk Management practices, including Insurance Assessment

Recommendation

The Board recommends that Council give consideration to the findings and priorities detailed in the Civic Mutual Plus Public Liability/Professional Liability Audit Recommendation Report.

CHAPTER 11 Public Submissions

11.1 Governance

Recommendation

The Board recommends that Council ensure that sufficient resources are made available to permit the Council's Department of Infrastructure and Development Services to deal with permit enquiries and approvals in a timely manner.

Council Submission

Introduction

History

Circular Head covers an area of 4,917 square kilometres in the far North West of Tasmania. Circular Head has one of the largest land areas in Tasmania, the longest coastline and one of the longest municipal road lengths in the State, the Bass Highway. The area has a number of protected areas including both State and forest reserves.

The North West Aboriginal people were the first inhabitants of Circular Head. One of the largest tribes in Tasmania, the North West Aboriginal people supported at least eight bands. Their territory extended along the North West coastline from Table Cape to Cape Grim, including Robbins Island, and down the western coastline to Macquarie Harbour. The North West people were intensely maritime tribe who relied on coastal resources. These groups have contributed significantly to the rich cultural heritage of the area.

The area takes its name from the Circular Head, the original European name for the Nut in Stanley. Mariners and explorers, Matthew Flinders and George Bass, were the first Europeans to observe and describe Tasmania's North West coastline. In 1798, they visited the area in their ship the "Norfolk" and led an expedition to confirm the existence of a strait separating Van Diemen's Land from the mainland. On this journey sealers were taken by boat to islands off the North West coast to begin the exploitation of fur seal colonies. This marked the beginning of semi-permanent European settlement on the islands and at Circular Head.

The area received attention from other explorers over the next 20-years before the Van Diemen's Land Company was formed in 1824 and established operations at Highfield near Stanley. In 1825, a land grant for 350,000 acres of heavily forested area was made to the Van Diemen's Land Company and the first white settlement of the area was established at Stanley in 1826. Independent settlers began taking up land in the 1850's to clear the impenetrable eucalypt forests and rainforests for farms.

Many of the pioneering families lived and died in poverty but laid the foundations for Tasmania's most productive rural region. Their second and third-generation descendants have developed some of the most productive mixed farms in Tasmania. With rich soil and port access, settlers viewed Circular Head as a prime base for fishery and agricultural development, particularly merino sheep farming. Heavily forested land, however, made clearing difficult and delayed road access to previously established settlement in the East. Commercial activity later concentrated around the Woolnorth property in the far North West tip of the district.

The first Municipal Council was established in 1908 in Stanley, but moved to Smithton in the 1920's after the development of commercial enterprise.

Today, the area of Circular Head combines delightful areas in town, rural and coastal settings, commercial enterprise, rural industry and coastland and inland tourism. Stanley remains a small commercial fishing port and continues to feature as an historic centre in tourism literature.

Tourism

Although suffering from the tyranny of distance, tourism is a driver of the Circular Head economy. The Great Nature Trail takes visitors from Narawntapu National Park, east of Devonport, through to the Arthur River on the North-West coast.

The historic township of Stanley and The Nut walk, along with Arthur River cruises and the Dismal Swamp blackwood ecotourism experience are key components of Circular Head's regional tourism. Tasmanian devil, seal, platypus and penguin tours are also popular and available at a number of locations. The residence of former Tasmanian Prime Minister Joe Lyons is promoted as a tourist attraction.

Wilderness such as the Arthur Pieman Protected Area and the Milkshake Hills Forest Reserve remain largely undeveloped. Circular Head boasts a number of nature-based attractions including Dip Falls, Lake Chisholm, Julius River and the Balfour Track. Since the Forestry Agreement was signed in 2005 it is hoped that the 'Tarkine' wilderness brand name may be developed, in a sustainable manner, for tourism.

Located at the north-western tip of Tasmania is the Woolnorth property, an area of some 22,200 hectares. Woolnorth is part of The Van Diemen's Land Company, the only company in the world still operating under a Royal Charter, which dates back to 1825. A Hydro Tasmania wind farm and Cape Grim Baseline Air Pollution Station are present on the property, with tours of the spectacular Cape Grim coastline available. The Cape Grim Baseline Air Pollution Station, one of only 22 in the world, is closed to the public.

Accommodation is widely available in Circular Head and consists of small bed and breakfasts, motels and hotels. Caravan parks and camping areas are dotted throughout the region.

From Circular Head, travellers can head south of the Arthur River to Corinna and on to the West Coast wilderness towns of Zeehan, Strahan and Queenstown and south-east to Hobart.

Industry and Associated Infrastructure

Most large business operations in Circular Head focus on agriculture, vegetable and milk processing, aquaculture, forestry and other natural resource production. These businesses export to both domestic and international markets.

Agricultural production, including dairying, is the primary force driving the regional economy. Of the nine local government areas in the Cradle Coast Region, Circular Head had the highest value of agricultural production at almost \$96 million in 2000-01, with total Tasmanian agricultural production being approximately \$755 million during the same period.

There are 506 dairy farms across Tasmania. Of these, 165, or approximately 33% of the State's total, are located in Circular Head. Regular rain contributes to the lush, green pastures of Circular Head making the region ideal for dairying.

The value of Circular Head milk production in the 2001 Census was \$53,697,394. The total value of Tasmanian milk production amounted to \$147,674,433 for the same period.

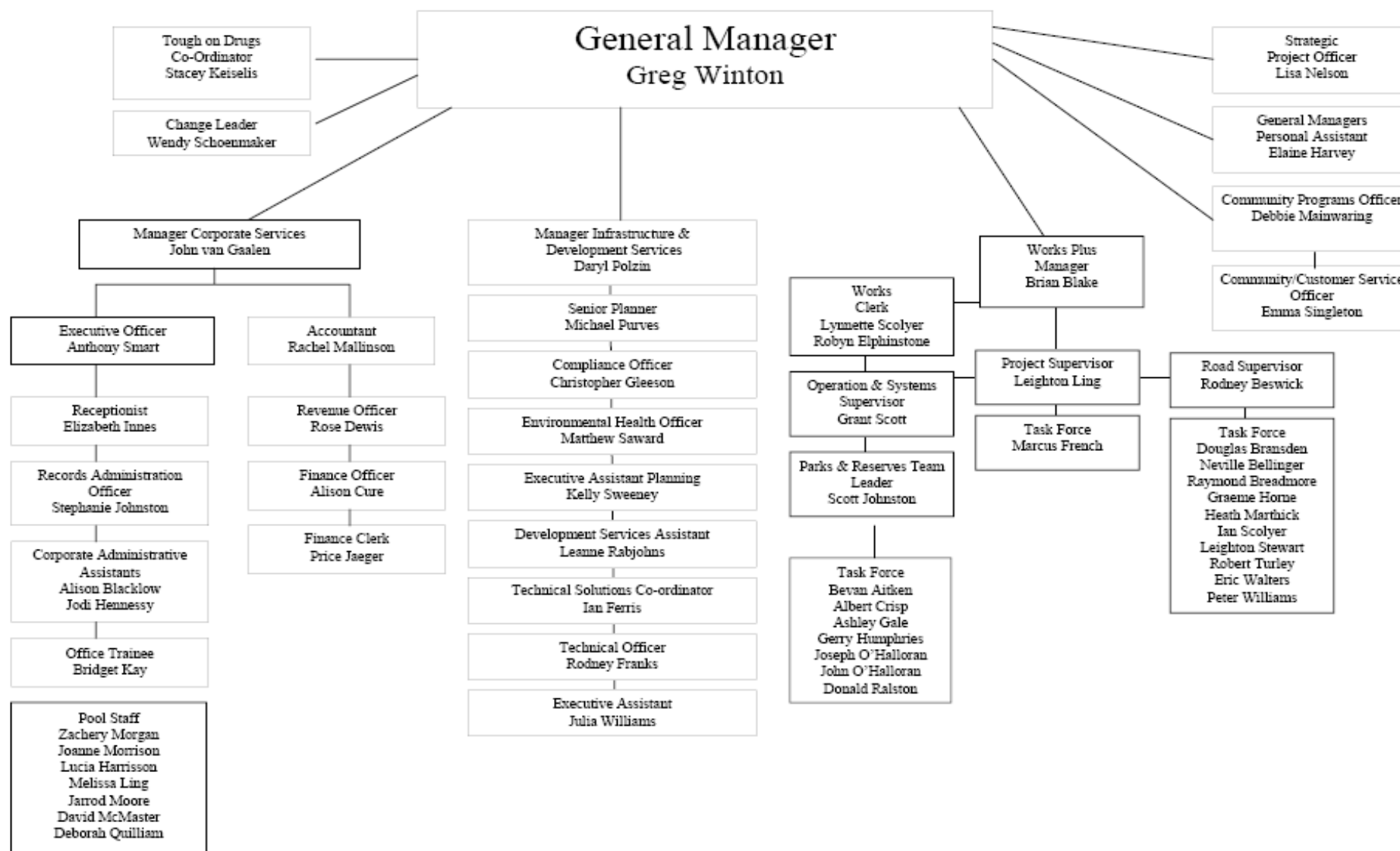
An iron ore processing plant is located at Port Latta. The port is a bulk loading facility operated in conjunction with the company's iron ore mining activities. Concentrated iron ore slurry is pumped under pressure from Savage River through an 85km pipeline to the pelletising plant at Port Latta. The pellets are then shipped to markets in Australia and Asia. The port is a conveyor belt operation. With some major infrastructure development throughout the entire area it could potentially be used for the import/export of other bulk commodities. Due to the unique nature of the slurry pipeline, there are no road freight issues.

Smaller, niche markets including seaweed fertiliser manufacturing and honey production enjoy success within and outside of Tasmania.

Agriculture in Circular Head benefits from rich basalt soils, a legacy of the volcanic history of the region. Regular rain and a cooler climate allow for a variety of crops, although in parts of the region topography is a limiting factor for agriculture.

Smithton Airport is the only licensed airport in the region and is owned by the Crown and Department of Infrastructure, Energy and Resources. The airport has two gravel runways and is mainly used for recreational flights. There are no regular passenger or freight services.

Circular Head Council Staff Organisational Chart



Chapter 1

Section 214A Matters

The Board Guidelines below were provided to Council to assist it in preparation of its submission to the Review:

Board Guidelines to the Council

Section 214A of the Act lists structural matters with respect to which the Board can make recommendations to the Minister. The Board will address one of these matters in detail if it is raised either by Council, the Minister, or by public submissions. The matters listed in section 214A are:

- (a) the governance and operations of a Council
- (b) the boundaries of the municipal area and any electoral district
- (c) the naming of the municipal area, Council and electoral district
- (d) the declaration of a municipal area or part of a municipal area as a city
- (e) the naming, or changing of the name, of a city
- (f) the creation or abolition of a municipal area or electoral district
- (g) the division of the municipal area into electoral districts
- (h) the combining of two or more municipal areas, parts of two or more municipal areas or two or more electoral districts
- (i) the creation or abolition of Councils
- (j) the election of Councillors of a municipal area
- (k) the total numbers of persons to be elected as Councillors of a municipal area or in respect of each electoral district
- (l) any other factor
- (m) any matter referred to it by the Minister

Note: The Board prefers that general reviews exclude the matters in sections 214A (b), (f), (h) and (i). These matters have a significant impact on Council being reviewed and its neighbours. The Board therefore prefers that a separate process is conducted to enable detailed consideration and consultation, and fairness for the affected Councils and communities. This will occur either following the general review or as a separate specific review.

Council Submission

Circular Head Council does not have any section 214A matters that it wishes to raise with the Board.

Board Response

The Board notes that Council did not raise any section 214A issues, nor was any issue raised in the written submissions received from the public or from neighbouring Councils.

Chapter 2

Governance

The Board provided the following Guidelines to Council to assist it in preparation of its submission on Governance matters:

Board Guidelines to the Council

A basic principle of the Act is that a Council be accountable to its community. Most items in this section will be covered by production of documents. Items for consideration are:

- Annual General Meeting (s.72B)
NOTE: The Board is interested in evidence of statutory compliance.
- Annual Report (s. 72 and General Regulation (36))
NOTE: The Board is interested in evidence of statutory compliance.
- By-law process
- Committee Establishment Register and Councillor appointments
- Consultation policy, procedures and processes
- Council maps and list of public land (ss. 177A(2), 208, 209)
- Delegations Register (ss. 22, 64)
- Elections (Part 15)
- Estimates (s. 82)
- Fees and charges register (s. 206)
- Grants and donations (s. 77)
- Meeting procedures (Meeting Procedures Regulations)
- Pecuniary Interest – awareness and register (Part 5, s. 54)
- Employees (s. 63)
- Policies Register – Council and administrative
- Development of Codes of Practice
- Petitions, polls and public meetings (Part 6)
- Qualified advice certificates (s. 65)
- Special committees (s. 24)
- Statutory APPOINTMENTS
NOTE: This refers to appointments under legislation and appointments to roles with specific responsibility for Council.
- Strategic and annual plans and processes (ss. 66-71)
- Tendering and procurement (ss. 333A-333B and General Regulations (23-28))
- Workshops and conferences

Council Submission

2.1 Annual General Meeting (s. 72B)

Annual General Meetings AGM's have been convened and conducted to comply with the requirements of the Local Government Act 1993.

The target date for practical completion of the audit undertaken by the Tasmanian Audit Office (TAO) is generally by the end of September annually. Determination of the AGM date is determined by receipt of the TAO certification.

The Annual General Meeting for the year ended 30 June 2004 was conducted on 18 November 2004.

Board Request for Additional Information:

How many people attended Council's Annual General Meetings for 2002, 2003 and 2004 and what motions arose?

Could the number of Councillors present be identified against general public attendees?

Additional Information Provided:

Minutes for the last three Annual General Meetings (AGM) were sent as part of our submission documentation. Included in the minutes is a list of attendees – elected, Council staff and the general public, and the proceedings of the evenings. The following table provides an outline of each AGM.

Circular Head Council					
Annual General Meetings					
YEAR	DATE	TIME	NO. of COUNCILLORS	NO. of OFFICERS	PUBLIC
2000	16 Nov	5.30pm	9	8 managers and 8 staff	11
2001	13 Dec	2.30pm	6	4 managers and 7 staff	9
2002	21 Nov	8pm	9	5 managers and 2 staff	13
2003	11 Dec	8pm	8	3 managers and five staff	15
2004	18 Nov	8pm	9	3 managers and three staff	0

Board Response

The Board acknowledges that Council has held its Annual General Meeting in compliance with the requirements of the Act.

The Board commends Council for holding its Annual General Meeting out of business hours, but notes that this action alone has not led to attendance by members of the community in any significant numbers. The Board would expect that the lack of attendance by even one member of the community at the Annual General Meeting held in both 2004 and 2005 would cause Council concern.

The Annual General Meeting gives community members a unique opportunity to question Council, amongst other things, on its performance over the previous year and its budget priorities for the upcoming year. Around the State, the Board has recommended to many Councils that they promote the Annual General Meeting in innovative ways, to attract as many people as possible. These recommendations have led to increased attendance in many cases. For example, Waratah-Wynyard Council attracted over 200 residents to its most recent Annual General Meeting.

Recommendation

The Board recommends that Council implement a new strategy for attracting community members to the Annual General Meeting in future years.

Further Board Information

The Board was advised by Council that the Annual Report included an invitation for the community to make submissions on its contents for discussion at the Annual General Meeting. The Board suggests that the opportunity for public submissions on the Annual Report be expressed in future newspaper advertising.

Council Submission

2.2 Annual Report (s. 72 and General Regulation (36)).

Council endeavour to prepare the Annual Report to comply with the Local Government Act 1993. The Report is available freely to the public.

The Annual Report is written in a succinct manner. It provides summarised financial information approved by the Deputy Auditor-General together with financial and other comparative indicators, program area reports and a statement concerning the year ahead.

In addition to the written Annual Report, a PowerPoint style presentation has been undertaken as part of the AGM process for the past two years.

Copies of four previous annual reports are included in this submission.

Board Response

The Board commends Council for the preparation of a PowerPoint presentation and its aim of presenting the financial information in a style designed to make it more understandable to community members present at the meeting, although, regrettably,

not one person other than elected members and Council staff was in attendance in 2004 or 2005.

The Board also notes Council's advice that it prepares the Annual Report so that it fully complies with the Local Government Act 1993 and that it makes the Report freely available to the public.

The Board notes that elected members advised verbally that they were appreciative of the Report and considered that it presented the necessary information in a relevant manner. While the Board considers that such views are an important commendation for Council staff, it is also aware that some Councils now use formats and graphical presentations which are designed to make that same information more understandable for the public. On that basis, it suggests that Council look to other Councils which the Board has identified as demonstrating leading practice in this area (for example, Northern Midlands Council) and consider how it might emulate that approach.

Council Submission

2.3 By-law Process

The Council presently has only one By-Law, being Cemeteries By-Law Number 1 of 1999.

The development of a By-Law relating to Reserves, Parks and Gardens was considered in the 2000/2001 financial year, however changes in Senior staff effectively postponed further review. In more recent times, it was considered appropriate that the development be postponed pending the outcome of the Crown land and Classification (CLAC) process.

Board Response

Noted.

Council Submission

2.4 Committee Establishment Register and Councillor Appointments

Table 2.4-1 outlines the present committees established pursuant to section 23 and section 24 of the Local Government Act 1993.

Generally such appointments are reviewed in the last quarter of each calendar year or following the outcome of the local government election process.

The Council is presently undertaking a Recreational Planning review process jointly with the Tasmanian Department of Sport and Recreation. The brief for the project includes examination of the Special Committees operations and is likely to lead to alterations to the Committee roles and responsibilities.

A review of the operation of the Heritage Centre has been undertaken via consultancy services. The final report, expected in the last quarter of the 2005 calendar year, will provide recommendations in relation to the Special Committee status.

In addition to the committees established by Council, external local organisations traditionally invite the Council to nominate elected members to sit on various local organisations. The Council also determines representation to several local government industry-related organisations.

Section 23 Council Committees	Membership
General Manager's Review Special Committee	Mayor Hine, Deputy Mayor Quilliam and full Council in review process.

Section 24 Special Committees	Representatives
Central Indoor Area Management Committee	Cr D Wilson (Cr G Wells as proxy).
Central Outdoor Area Management Committee	Cr J Oldaker (Deputy Mayor Quilliam as proxy).
CH Heritage Centre	Cr Flowers (Deputy Mayor Quilliam as proxy).
Northern Area Management Committee (formerly Stanley Recreation Ground)	Cr B Charles.
Southern Area Management Committee (Trowutta)	Cr B Charles.
Stanley Town Hall Special Committee	Cr G Wells (Cr R Flowers as proxy).
Western Area Management Committee(formerly Marrawah/Redpa)	Mayor Hine (Cr J Oldaker as proxy).

Board Request for Additional Information:

The Board would like to know what are the terms of reference for the special committee?

Additional Information Provided:

Copy provided of Special Committees (terms of reference) operating procedures.

The objectives of the Special Committees of Council are to manage the facilities and promote their use to maximise viability.

Meetings are open to the public.

Other Groups/Associations	Representatives
CH Business Enterprise Centre Inc	Deputy Mayor Quilliam and Cr J Oldaker.
CH Tourism Association Inc	Cr M Weldon.
CH Weeds Strategy Group	Cr B Charles.
Cradle Coast Authority	Cr B Charles.
Cradle Coast Water Authority	Cr B Charles.
Highfield Historic Site Board of Management	Cr G Wells.

Other Groups/Associations	Representatives
Local Government Association of Tasmania	Mayor Hine (Deputy Mayor Quilliam as proxy).
Smithton High School Council	Deputy Mayor Quilliam (Cr R Flowers as proxy).
Smithton Primary School Council	Deputy Mayor Quilliam (Cr R Flowers as proxy).
Partnership Agreement – Education Consultative Committee	Mayor Hine (as Chairperson).
Non-Forest Vegetation Local Government Reference Group	Cr J Oldaker.
Arthur-Pieman Conservation Area Management Committee	Ian Newman (Ministerial Appointment)
Arthur-Pieman Conservation Area Off-Road Vehicle Consultative Group	Deputy Mayor Quilliam (Ministerial Appointment).

Community Committees	Representatives
CH Improvement Program Advisory Committee	Cr G Wells (Cr M Weldon as proxy).
Counter Disaster Planning Committee	Mayor Hine and Cr J Oldaker.
Stanley Historic Advisory Committee	Cr G Wells.
CH Community Road Safety Committee	Cr J Oldaker.
CH Boat Ramps Advisory Committee	Deputy Mayor Quilliam.
Australia Day Committee	Deputy Mayor Quilliam.
SPAN (Service Providers Access Network)	Mayor Hine.
Circular Head Community and Recreation Centre Management Committee	Cr J Oldaker (Deputy Mayor Quilliam as proxy).

Working Parties	Membership
Tasmania/Australia Day Awards Working Party	Mayor Hine, Deputy Mayor Quilliam, Crs J Oldaker and D Wilson.

All committee memberships are reviewed annually.

Board Response

The Board commends Council for reviewing the membership of all committees on an annual basis. The Board also commends the elected members for what appears to be a very large workload on such a significant number of committees.

The Board was sent the terms of reference for the area management committees and notes the regular provision of minutes from those meetings to the monthly Council meetings.

The Board received a copy of the schedule of delegation of authority and operating procedures to area management committees.

The Board was advised that the operating procedures for the Area Management Committees were determined by the Council in accordance with section 24 of the Local Government Act 1993.

Council Submission

2.5 Consultation Policy, Procedures and Processes

The Council adopted the following Consultation and Public Participation Model as a policy in March 2005 following initial endorsement by the Council in December 2004 and subsequent public invitation to comment.

1. PURPOSE

To outline the principles and procedures that the Circular Head Council will follow to involve the community in Council's decision-making process, through effective communication and consultation strategies.

2. DEFINITIONS

Communication involves the provision of information by Council in a timely and accessible manner.

Consultation is a two-way process of seeking (or encouraging) responses from the community and other affected parties prior to Council making a decision on matters that may have implications for the wider community.

3. APPLICATION

This policy applies to those initiatives or activities of Council on which consultation is required by the Local Government Act and other legislation or will be undertaken as a matter of Council policy on other issues.

4. OBJECTIVES

- To establish positive relationships between Council and the community.
- To promote open, transparent and responsive decision-making by Council.
- To provide effective communication and consultation between Council and the community.
- To encourage, enhance and/or provide the opportunity for community participation in the decision-making processes of Council.
- To achieve a greater level of community input, understanding and ownership of decisions made by Council.

POLICY STATEMENT

TO PROVIDE AN AVENUE OF COMMUNICATION BETWEEN COUNCIL AND THE COMMUNITY IN ORDER TO SUPPORT COUNCILLORS' ROLE IN RECEIVING AND GENERATING IDEAS, AND INPUT INTO COUNCIL ISSUES AND DECISION-MAKING."

5. PRINCIPLES

Council will: -

- Identify potential stakeholders in each specific circumstance.
- Ensure information is easily understood and accessible, and include contact details for obtaining further information.
- Aim to listen and respond to community views in a balanced way, taking account of all submissions made by various stakeholders.
- Advise the outcome of the decisions where relevant.
- Review and evaluate the Consultation Policy to ensure ongoing improvement in the way Council involves the community in its decision-making processes.

6. PROCEDURE

6.1 The steps taken by Council on any proposal to consult with the community will depend on the particular issue under consideration, the resources available to Council and the level of interest that the issue is considered likely to generate. Council will consult when:-

- Council has a statutory obligation to consult with the community.
- The issue before Council is anticipated to have a significant impact on the economy, lifestyle or environment of the municipality or its residents.
- Information is needed by Council on community needs, priorities and values to ensure planning is appropriate and responsive.
- Council identifies there is a need.

6.2 The Council recognises that in certain circumstances the community or sections thereof may determine to call its own meeting as part of the consultation process.

6.3 The Council considers that the following six issue types exist that could require consultation:-

- **Site Specific**
Matters about a particular site, such as a change in use.
- **Area Improvement**

Matters that affect people in a neighbourhood, suburb or strip shopping centre. (eg traffic management).

- **Service Planning**
To develop or improve a service. The service could have an impact on the whole municipality.
- **Policy Development**
To develop or improve policies for Council's position on particular matters. Policies may affect the whole municipality.
- **Major Projects/ Strategic Issues**
Projects of such size they impact on the finances or future of the whole municipality.
- **Strategic Plans**
Establishing the decision-making framework of Council. This includes the Council Plan and the new Planning Scheme.

6.4 The Council considers that the basic thrust of all communication is to provide accurate information to both the community and Council to ensure that decision making is informed. Options which the Council may choose to utilise to communicate information or invite community participation may include:

- **Write a Letter**
A personally addressed letter to all the affected households. It outlines the issue and invites comment. It always indicates where the comment should be directed within Council.
- **Survey**
A statistically correct survey of particular attitudes, beliefs or information. It may be conducted by independent survey specialists and may be done by phone, written survey or doorknock of individual households.
- **Letterbox Drop**
A non-addressed leaflet or flyer that summarises the issues and invites feedback to Council. The flyer indicates how that feedback can be given.
- **Special Publications**
Ranging from a special news-sheet to a brochure or a draft printed policy. They are designed to inform the consultation process.
- **Advertisement in locally distributed Newspapers**
Ads in the news section of the local papers (in addition to statutory requirements) are an important means of advising the community about the matter under consultation and how they might have their say.

As a minimum, such notices shall describe the matter under consideration, the availability of any Council report on the specific matter, details of any public meeting called to consider the specific matter (if any) and invite written submissions from interested persons (generally at least 21 days' notice) or such other period as determined by the Council or prescribed by legislation or suitable given the matter under consideration.

Documentation describing the matter under consideration shall be available for inspection (without payment of a fee) and, where appropriate, purchase (on payment of a fee) from Council during the period in which submissions will be received.

- **Media**
Involves issuing media releases and conducting interviews with local journalists. If it is part of the consultative process, the Council spokesperson should always indicate to the media representative that feedback from the community is valued.
- **Community Leaders**
Community groups have their own systems of communication. In any consultation, the leaders of those community groups play an important part in circulating information and receiving feedback.
- **Personal Briefing/s**
Held at the request of a member or members of the local community to discuss a particular issue with a responsible officer. They may include a Councillor.
- **Focus Groups**
Discussion groups of around 5-20 people, either led by facilitation or self-directed. The participants are invited because they are residents or because they have a particular interest, involvement or stake in the subject being discussed. The purpose is to find out the range of opinions that exist on a particular topic. Focus groups cannot measure how widely those various opinions are held in the community.
- **Reference Groups**
There is a range of reference or interest groups for many activities or single issues. Specific groups can be encouraged to participate.
- **Manned/Unmanned Site displays**
Display of information at appropriate locations. The display may be manned or unmanned dependent on the circumstances.
- **Public Meeting Called by the Council**
Should a public meeting be called to consider any specific matter then Council will:-

- provide a notice in a local newspaper informing the public of the meeting and the reason for the meeting and what documentation is available for the meeting (generally at least 7 days before the date of the meeting);
- generally give at least 21 days' notice of the date, time, place of the public meeting;
- invite interested persons to attend the public meeting or to make written submissions;
- consider submissions made in writing and at the meeting.

6.5 Where any person, group or body corporate makes representation to Council the representation must be in writing, and reference the name and address of the representative.

6.6 The Council shall consider the submissions received having regard to any report presented to Council and any relevant legislation.

6.7 Where appropriate, the Council or a Council Committee may agree to hear representations on the matter.

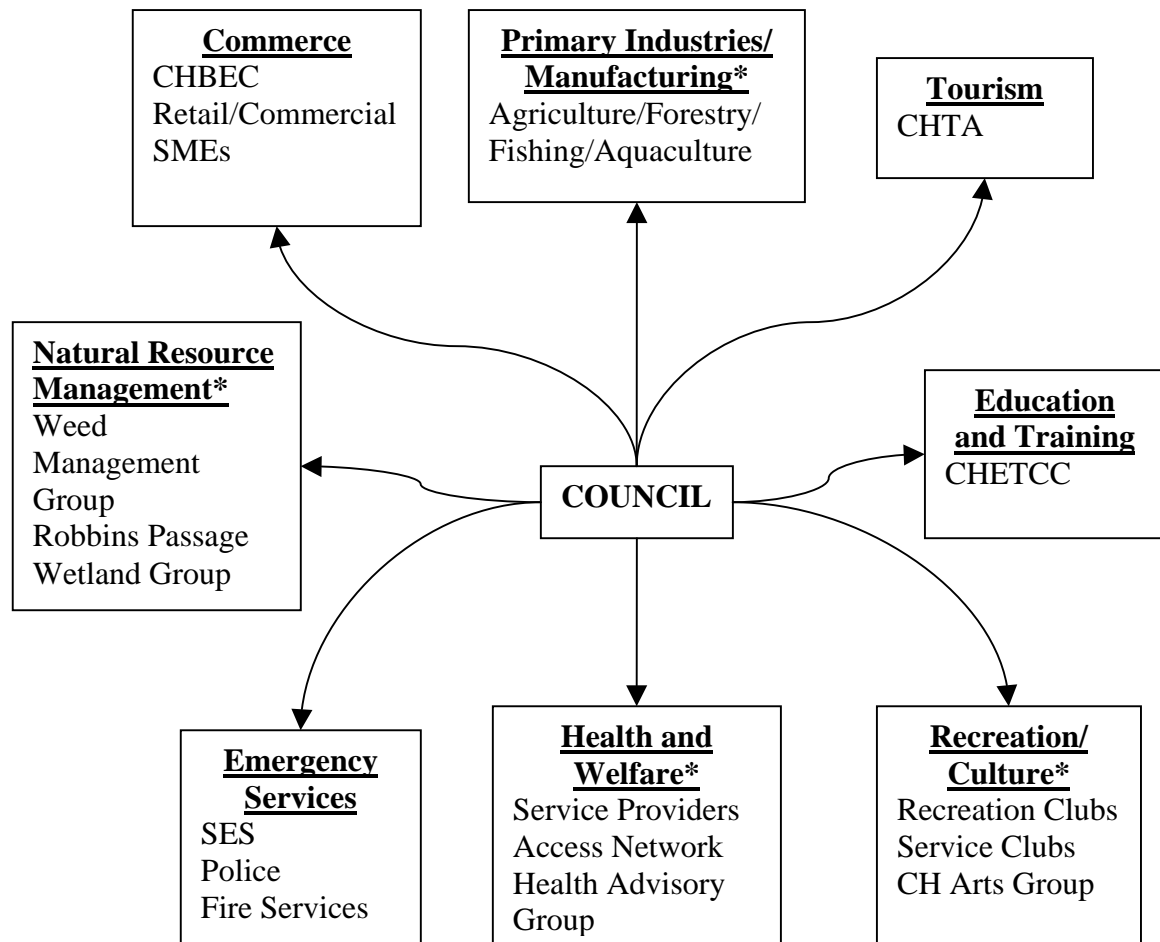
6.8 All persons who lodged a written submission shall be notified of the Council's decision in writing and, where considered appropriate, media releases will be prepared and distributed.

PUBLIC PARTICIPATION MODEL

The Council has established formal and informal links with Associations/Advisory/Special interest entities as part of its broad objective of improving the health and welfare, in economic, social and environmental terms, of the municipality of Circular Head.

Recognising the resourcing and/or timing constraints applicable, the Council may not be in a position to respond to all requests for informed opinion or comment in relation to consultative requests by external parties. The Council will endeavour, where deemed appropriate by the Council or the General Manager, to disseminate information to entities considered appropriate to respond.

The accompanying pictorial representation indicates the Local Area Networks (LANs) the Council shall endeavour to establish and utilise where deemed appropriate. In addition, the Council may establish working groups to facilitate responding to or addressing specific issues.



** Establishment or strengthening of Network necessary.*

Board Request for Additional Information:

The Board is assuming the insert for 2.5 provides a full copy of the policy. Please advise if the assumption is correct.

Additional Information Provided:

It is confirmed that the printed detail represents the full policy.

Further Request for Additional Information:

The Board would be interested to know how many administrative issues, summarised by subject matter, have been referred from the Office of the Ombudsman in the past three years, if any?

The Board would be interested to know how many Freedom of Information requests, summarised by subject matter, has Council received in the past three years?

Additional Information Provided:

OMBUDSMAN INVESTIGATIONS

January 2004 TO November 2005

1. 18.5.2004

Complaint was in relation to Council's approval of a permit condition for gravel pit use. Plummers Road, South Forest.

2. 18.2.2005
The complaint was in relation to Council's disposal of dog following brutal attack on a horse.
3. 30.5.2005
Complaint regarding building application conditions.

Freedom of Information

FOI REQUESTS

December 2003 TO November 2005

1. 3.12.2003
Building Permit (3) in relation to same approval.
Building approvals on Crown coastal land at Couta Rocks.
2. 25.2.2005
Enquiry concerning council rates
3. 19.4.2005
Waste disposal site – Sundown Creek
4. 11.6.2005
Debt enquiry
5. 25.01.2005
Local Government Drinking Water Survey 1998 - enquiry

Board Response

The Board commends the introduction of such a comprehensive policy to guide the many different methodologies available for use when consulting with the community.

In Chapter 4, the Board will comment in more detail about the practical application of the policy.

The Board notes the extra information provided.

Council Submission

2.6 Council Maps and List of Public Land (ss. 177A(2), 208, 209)

The Council has developed a Geographic Information System (GIS) using MapInfo software. The system is maintained in accordance with sections 208 and 209 of the Act.

Information relating to roads, water and sewerage assets, drainage districts, town planning and many other operational areas are layered within the system. This enables efficient and effective information management for a wide range of uses.

The largest constraint to this system is the accuracy of State Government data layers (e.g., the cadastre) and the availability of GIS (or any) resources within the Local Government sector.

Training is being confirmed for staff across the entire organisation this financial year. This will make substantial information sources available to all staff, regardless of location, thereby attempting to improve customer responsiveness and organisational capacity.

Council has a public land register as required by the Act which is available for viewing as part of its Securities documentation.

Board Request for Additional Information

The Board would like to view Council's public land register.

The Board would like to know if in the past 3 years Council has divested itself of any public land?

Additional Information Provided:

A copy of the public land register, closed session agenda, minutes and pecuniary interest documentation will be made available for viewing at the Municipal Offices.

Council has not divested itself of any public land in the past three years.

Board Response

The Board notes Council's advice that it has developed a Geographic Information System (GIS) and that the system is maintained in accordance with sections 208 and 209 of the Act.

The Board also notes Council's comments regarding the accuracy of LIST data for Circular Head municipal area. The Board is aware that Council has a Data Share Agreement (DSA) with State Government that requests either party to advise the other of any errors and/or concerns they may have. The Board has been advised by the State Government that Council first drew its attention to potential errors in the data the week after the Board held its public hearings at Circular Head and that the matter is now being addressed. It has been suggested that such errors run at about 5-6% and once identified can be immediately corrected. In the Board's view it would appear reasonable to suggest that such data would require regular updates and corrections and that more regular contact between the two parties to the agreement would ameliorate any problems in what must be considered a very valuable sharing of information.

The Board commends Council for its intention to provide training in regard to the GIS system for staff across the entire organisation this financial year. It agrees that this training should make substantial information sources available to all staff, regardless of location. It also agrees that, very importantly, training and broad access to the GIS system leads to improved customer service and responsiveness, as well as organisational capacity. In previous Annual Reports, the Board has named Clarence City Council as having demonstrated leading practice in regard to the use

of its GIS System at front desk level, in a way that provides exemplary access to the community and suggests that Council might benefit from contact with that Council as it develops its own expanded systems, processes and protocols.

The Board viewed the public land register and acknowledges that Council has not divested itself of any public land in the past three years. When meeting with the elected body, the Board also reminded elected members of the recent changes to the Local Government Act 1993, in regard to the processes to be used in the event that Council does decide to dispose of such land and advised that they should not only inform themselves of those changes, but also inform themselves about the content of the register.

Council Submission

2.7 Delegations Register (ss. 22, 64)

Pursuant to the powers of section 22 of the *Local Government Act 1993* the Council has provided delegations. These delegations were extensively reviewed in 2005 in conjunction with delegation by the General Manager under section 64. The Instrument of Delegation is available for inspection as per section 22 (4) of the Act, on Council's website and in Securities. It is included in this submission.

Board Response

Section 22 of the Local Government Act 1993 gives Council power to delegate its powers. Subsection (1) provides for a general power of delegation; subsection (2), a power to delegate specific functions subject to Council putting in place a policy indicating procedures to be followed in relation to those powers; and subsection (3) prohibits certain functions and powers being delegated under any circumstances.

The Board also notes a general delegation by Council to the General Manager to on-delegate any power or function Council has delegated to the General Manager. The Board has suggested Council seek legal advice on the effectiveness of the delegation. In any event, the Board believes that Council should decide in respect of each delegation to the General Manager whether or not an on-delegation power should be granted and, if so, to whom.

The Board also notes that Council has delegated some of its planning functions to the General Manager. Section 6 of the Land Use Planning and Approvals Act 1993 authorises such a delegation by allowing a planning authority (Council), by resolution, to delegate any of its functions and powers under this Act, other than the power of delegation, to a person employed by the authority.

However, in making such delegation, a Council should have regard to section 65(1) of the Local Government Act 1993 which states that a General Manager must ensure that any advice, information and recommendation given to a Council or Council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.

A delegation should not be made to the General Manager if that officer does not have the necessary qualifications or experience in relation to planning issues. For example, in relation to planning issues it should be made to the planning officer.

The Board has noted in many reviews that Council has affixed the common seal to instruments relating to delegated authority to exercise the powers of Council.

Recommendation

The Board recommends Council review:

(b) its delegation to the General Manager under section 6 of the Land Use Planning and Approvals Act 1993; and

(c) its authority for the General Manager to on-delegate functions to Council officers under the Local Government Act 1993.

Council Submission

2.8 Elections (Part 15)

Circular Head Council elections are conducted by the Tasmanian Electoral Office.

Participation rates for the 2000-01 and 2002-03 elections were 67.9% and 63.9% respectively. State averages were 62.9% and 63.1%.

The Council initiated a “*Thinking of Becoming a Councillor?*” evening locally in July 2005 with guest speakers including past and present Hobart City Council Aldermen, which culminated in a question and answer session.

In October, Council utilised the services of the Smithton Lions Club to facilitate a “*Meet the Candidate*” evening, with each candidate invited to deliver a 10-minute presentation on why they should be elected to Local Government. Members of the public were then given the opportunity to ask each candidate questions.

At least two new Councillors will be elected in the 2005 elections, given the decision by two sitting Councillors not to renominate.

Board Request for Additional Information

The Board would like advice on the participation rate for the 2005 election and in addition what was the percentage of voters on the General Manager’s roll?

Additional Information Provided:

The total combined electoral roll is 5,625 electors. Of those, 3,759 postal votes were received, which is 66.826% of the total combined electors.

On the General Manager’s roll there are 153 registrations of which 110 recorded votes, representing a return of 71.89%.

Board Response

The Board commends Council for the participation rates in the 2000-01 and 2002-03 elections and for initiating the “Thinking of Becoming a Councillor?” evening in July 2005.

The Board also commends Council for facilitating the “Meet the Candidates” evening.

Council Submission

2.9 Estimates (s. 82)

The General Manager, Manager Corporate Services and the Manager Infrastructure and Development Services develop and prepare annual budget estimates in conjunction with appropriate staff. Councillors have the opportunity to submit projects/proposals concurrently.

A series of Budget workshops are held in the last quarter of each financial year to refine the estimates prior to adoption, generally in July each year.

Board Response

The process is noted. The Board will address the timing of the budget workshops in Chapter 5.2.

Council Submission

2.10 Fees and Charges Register (s. 206)

Fees and charges are set in accordance with section 206 of the *Local Government Act 1993* and form part of the Annual Plan and Budget Estimates document, included in this submission.

Current fees and charges are also displayed on the Council website.

Board Response

Noted.

Council Submission

2.11 Grants and Donations (s. 77)

Circular Head Council provides grants and donations on an individual request basis via the Community Grants Policy. Council reviewed its Community Grants Process in 2005 and now advertises the availability of Community Grants twice a year (rather than May annually) in order to provide community groups/organisations increased flexibility.

Applications are submitted in the first instance to the Community Officer.

Council also provides in-kind assistance via the Community Grants program. A Register is maintained to record minor benefits (such as the provision of photocopying services) to collectively acknowledge the approximate value of such benefits.

A summary of 2004-05 Community Grants follows:

2004/2005 GRANT FUNDING	
APPLICANT	ALLOCATION
Community Grants	(\$)
Montagu Youth Group	500
Emmertton Park Inc	2180
CH Gymnastics Club	500
Forest Stanley Cricket Club	1983
Montagu Public Hall	2300
Rotary Club	500
CH Agricultural Society	1000
Smithton Rescue Service	5000
Royal Volunteer Coastal Patrol	1000
CH Rural Health	525
CH International Friendship Group	750
TOTAL	\$16,238

Board Response

The Board commends Council for the introduction of its new policy.

For further information refer to Chapter 4.11.

Council Submission

2.12 Meeting procedures (Meeting Procedures Regulations)

Council endeavours to conduct its meetings as per the Meeting Procedures Regulations required under the Act.

Training has been confirmed for December to reflect the regulations introduced for meeting procedures.

Ordinary Council meetings occur on the third Thursday of each month.

A list of workshops held from 2003 to date is outlined in item 2.23.

Minutes of ordinary and special meetings for the past year, along with workshop agendas, are included with this submission.

Board Response

The Board was advised that the public display agenda contains a copy of all the reports and attachments that are issued to Councillors prior to Council meetings. The Board notes that the agenda is posted to Council's website but it does not contain all the attachments. The Board has a strong view that the public display agenda complete with reports and attachments, duly endorsed with the General Manager's Certificate in relation to qualified advice, should become the official agenda documents.

Recommendation

The Board recommends that Council agenda, complete with attachments and reports duly certified in relation to qualified advice by the General Manager, form the official agenda record and be bound for future reference and archival purposes.

The Board read the minutes of all Council meetings held in the previous twelve months. It has suggested to Council a refinement of the approach used by Council to add commentary regarding Council's intent after the provision of details of formal motions that have been passed or defeated.

The Board also discussed with Council the regular mention in the minutes that Council had "moved into a committee as a whole." The Board was initially concerned that this may have meant that Council moved into closed session, particularly because the decision to move into "committee as a whole" often occurred when Council was considering a planning matter. The Board was reassured that this has not been the case and that, during these sessions, Council continued to discuss the matter in open session, with members of the public present.

Having heard the reasons why Council uses this approach, the Board was further reassured. It recommends that, in the future, however, Council use this approach only after suspending Regulation 22 (9) of the Local Government (Meeting Procedure) Regulations 2005 which provide, under the heading of Debate, that:

"if Council so decides, the chairperson is to suspend the operation of this regulation".

The Board is also of the view that any community member who would be relying on a reading of the minutes alone to understand what happened at that time, would be reassured if the minutes also recorded that Council had taken this unusual step in order to further clarify matters and that all of the subsequent discussion had occurred in open session.

The Board notes that Council is complying with the recent amendment to the Local Government Act 1993, which now requires that the way in which all Councillors voted on all motions be recorded in the minutes.

Recommendation

The Board recommends that, in the future, if Council wishes to suspend the usual rules of debate, that it does so only after a majority decision supports a motion designed to suspend regulation 22(9) of the Local Government (Meeting Procedures) Regulations 2005 which permits the chairperson to suspend the operation of that regulation, and that the minutes also record that Council has taken that step in order to discuss the matter in more detail, but has remained in open session to do so.

Council Submission

2.13 Pecuniary Interest – Awareness and Register (Part 5, s. 54)

Councillors are provided with Pecuniary Interest documentation as part of their initial induction following election. Standard Declaration forms are completed and a note recorded in the relevant Minutes of the declaration along with the exit from the Chambers by the elected member.

The Council meeting Agenda now includes a specific item requesting declarations to be announced; the Mayor verbally requests such at this time.

The general notion used by Councillors and staff is “If in doubt (of whether they have an interest) then declare and get out (of the Chamber)”.

Board Response

The Board viewed the pecuniary interest register and found the elected members have been correctly filling out the register within the timeframe required by the Local Government Act 1993.

The Board notes that since August 2005 the minutes of each Council meeting provide a record of the Mayor requesting verbal declaration from elected members of any pecuniary interest in regard to an Agenda item, and that he has done so at the beginning of each subsequent meeting, as required by the recent legislative amendment. In doing so, Council has been compliant with the Act.

The Board also finds that Council Minutes record the time that the elected member in question left Council chamber, in each case, when that Agenda item was discussed and the time of his or her return.

Council Submission

2.14 Employees (s. 63)

The Council has a Human Resources policy which reflects the intent of the *Local Government Act 1993*. The Policy refers to a comprehensive Human Resources Manual (Staff HRM Manual).

A copy of the Staff HRM Manual is included with this submission.

Board Response

Noted.

For further information refer to Chapter 6.

Council Submission

2.15 Policies Register – Council and Administrative.

A comprehensive review of all Council Policies was undertaken in 2005. The Policies have been endorsed by the Council, with public comment presently being sought.

Management/Administrative procedures are presently being reviewed with the intention of formulating a “General Manager’s Directives” register. The Register is intended to collate various internal procedural instructions, Operations Manuals, etc into a single source reference document. The Register will clearly delineate Council Policy positions from organisational administrative practices.

Board Response

The Board notes that Council is currently conducting a comprehensive review of all of its policies. When meeting with the elected members, the Board also addressed

matters in regard to the identification of further gaps. These discussions will be reflected in Chapter 5.2.

The Board suggests that policy documents be amended to show “review dates” and version numbers to assist with revision and version control.

Council Submission

2.16 Development of Codes of Practice

A Code of Conduct directive for staff is incorporated in the Staff HRM Manual.

Presently no specific Code has been adopted by the Council.

Board Response

Noted.

The Board reminds Council that section 28E of the newly amended Local Government Act 1993 makes it compulsory for Council to adopt a Code of Conduct for elected members by 1 July 2006.

Council Submission

2.17 Petitions, Polls and Public Meetings (Part 6)

Petitions received are considered in accordance with Council's statutory obligations. Nil petitions as defined in the Local Government Act 1993 have been received during the past three years.

No Polls have been conducted during the past three years.

Council hosts or facilitates public (or specific audience) gatherings on matters of interest when deemed appropriate by Council. Examples in more recent times have included:

- Lease of Hunter Island
- Circular Head Community and Recreation Centre (CRC)
- Stanley Guided Development Plan
- Builders/Plumbers Forums

Board Response

Noted.

Council Submission

2.18 Qualified Advice Certificates (s. 65)

A certification appears on each ordinary and special Council Meeting Agenda.

Board Response

As mentioned previously, however, this certification should form part of the bound record of the meeting and be included in the official record of the minutes of each meeting.

Refer to Item 2.12.

Council Submission

2.19 Special committees (s. 24)

- Refer to item 2.4.

Board Response

Noted.

Council Submission

2.20 Statutory Appointments

The appointments form part of the Delegations Register.

A copy of the Delegations Register is included with this submission.

Board Request for Additional Information

The Board has found that, usually, Councils provide details of its appointments. The Board would prefer Council to amend their submission to include appointment details.

Additional Information Provided:

Act	Position Title	Name
<i>Local Government Act 1993</i>	General Manager	Greg Winton
<i>Building Act 2000</i>	General Manager	Greg Winton
<i>Dog Control Act 2000</i>	Manager Infrastructure and Development Services	Daryl Polzin
<i>Environmental Management and Pollution Control Act 1994</i>	General Manager	Greg Winton
	Manager Infrastructure and Development Services	Daryl Polzin
	Senior Planner	Michael Purves
	Environmental Health Officer	Matthew Saward
	Technical Officer	Rodney Franks
	Technical Solutions Officer	Ian Ferris
	Compliance Officer - Appointment as Council Officers	Chris Gleeson

Litter Act 1973	General Manager	Greg Winton
	Manager Infrastructure and Development Services	Daryl Polzin
	Environmental Health Officer	Matthew Saward
	Technical Officer	Rodney Franks
	Technical Solutions Officer	Ian Ferris
	Compliance Officer - Authorised Officers.	Chris Gleeson
Public Health Act 1997	Environmental Health Officer – appointment of Environmental Health Officer	Matthew Saward
Food Act 2003	Environmental Health Officer – Authorised Officer	Matthew Saward
Public Interest Disclosures Act 2002	Executive Officer – Coordinator	Tony Smart
Freedom of Information Act 1991	Mayor – Principal Officer Executive Officer	Ross Hine Tony Smart
Land Use Planning and Approvals Act 1993	Greg Winton Michael Purves Daryl Polzin	General Manager Senior Planner Manager, Infrastructure and Development Services

Board Response

The Board has recommended in item 2.7 that Council review the authority for delegation under section 6 of the Land Use Planning and Approvals Act 1993, and is of the view that delegations under the Act will need to be changed.

Council Submission

2.21 Strategic and Annual Plans and Processes (ss. 66-71)

Council's Annual Plan (section 71) and Budget Estimates (section 82) for the 2005/06 financial year were adopted on 7 July 2005. The Council generally adopts the rating resolutions in July annually.

Detailed planning generally commences in March/April. Year to date figures and the two previous years' financial data are included for comparison in addition to the previous estimates. Faxback requests to Councillors, together with public requests received during the year, assist in identifying possible gaps in the planning process.

Workshop deliberations with Councillors generally occur in the period from May to July annually.

In conjunction with this process the WorksPlus Business Plan for 2005/06 was adopted at Council's meeting on 23 June 2005. WorksPlus is Council's service delivery unit. This plan links in to both documents and is addressed as part of the overall process.

The Annual Plan and Budget Estimates are reviewed in the Annual Report. Both documents are available on Council's website and are available to the community.

Copies of the current Strategic Plan, Annual Plan and Budget Estimates are included in this submission.

Board Response

Noted.

The Board will comment further on the importance of working and planning under the guidance of an up-to-date and dynamic strategic plan, as well as the legislative requirement to consult with the community, in Chapter 5.1.

Sections 66, 68, 69 and 70 of the Local Government Act 1993 provide that a Council must:

- *prepare a strategic plan in respect of at least a five-year period;*
- *update it as required;*
- *consult with the community and other stakeholders during its preparation;*
- *before adoption, invite submissions, and take them into account;*
- *use this plan to develop the required annual plan, which must be "consistent with the strategic plan" and include a statement in regard to how it will meet the goals and objectives of the strategic plan; and*
- *make both plans available to the community at the Council office during business hours.*

Council Submission

2.22 Tendering and Procurement (ss. 333A-333B and General Regulations 23-28)

The Council currently has a procurement policy outlining tendering procedures.

Tendering and procurement processes are to be updated to meet the changed legislative requirements in accordance with the required timeframes. Council staff will be liaising with peers in other local authorities to develop same.

Board Response

Noted.

Council Submission

2.23 Workshops and Conferences

Awareness of professional development opportunities for Councillors includes LGAT newsletters, direct mails that Councillors may receive together with those advised by the General Manager. In many instances, attendance is considered difficult given the timing/physical location of such seminars/conferences. Council staff are generally able to attend seminars and professional conferences where these are deemed relevant (by their supervisors) to their role.

Council has a practice of endeavouring to send at least four Councillors to each LGAT Annual Conference.

Council meetings are held on the third Thursday of each month, commencing at 6.00pm. Councillor Workshops are held on the first Thursday of each month, commencing at 6.00pm. The duration of both meetings usually does not exceed 2.5 hours.

Councillor Workshops are closed to the public, with attendance being by invitation. The Workshops are generally arranged to provide an opportunity for delegations/presentations from external parties, followed by briefings on topical matters.

The following table lists Council workshops from 2003 to date:

2003	2004	2005
6 February	8 January	3 February
6 March	5 February	3 March
3 April	4 March	7 April
1 May	1 April	12 May
15 May	5 May	2 June
29 May	3 June	7 July
13 June	24 June	14 July
19 June	28 June	21 July
3 July	1 July	4 August
7 August	5 July	
4 September	9 July	
2 October	5 August	
6 November	2 September	
4 December	7 October	
	4 November	
	2 December	

Senior Management attend all Councillor workshops and Council Meetings.

Copies of the Workshop Agendas from 2003 to date are included with this submission.

Board Response

The Board notes the large number of workshops held by Council, in relation to the number of Council meetings held each year. After discussion with Council officers and elected members, it is reassured that these workshops are used for briefings only and that decisions are not formed during those discussions.

The Board is also reassured that the new legislative requirement that all workshops held be reported on at subsequent Council meetings, will provide added assurance to the community that the workshops remain being used for briefings only and notes Council's advice that it intends to record all the topics covered at that time.

Chapter 3

Regulatory Functions

The Board Guidelines below were provided to Council to assist it in preparation of its submission to the Review:

Board Guidelines to the Council

Although a Council has statutory duties and obligations to fulfil, it has a wide discretion in many matters and will develop policies, adopt codes of practice and exercise its delegation powers. Items for consideration are:

- Current performance indicator trends (non-financial)
- General and special powers and functions (s. 20)
- Animal control
- State of the Environment and Public Health Report
- Building, planning, and development control
- Public health and environmental health control
- Waste management and litter
- Emergency Management Plan

NOTE: This section covers the total range of Council's delivery of services to its public under all legislation. It should be covered in internal reports or in Council's Annual Report, which can be expanded on as necessary. The Board would appreciate examples being provided of how these plans would be or have been implemented. It would be acceptable for this to be provided verbally during the course of the Review. In addition, it is important to show that Council's service delivery covers all its communities.

- Enterprise powers (s. 21)
- Delegations (ss. 22, 64)
- Service rates and charges (ss. 93-95)
- By-law development and implementation (Part 11)
- Elections – General Manager's Roll (s. 258)
- Single, joint and controlling authorities (Parts 3 and 3A – *Division 4*)
- Disability access and action plans

Council Submission

3.1 Current Performance Indicator Trends (non-financial)

The **Measuring Council Performance in Tasmania 2003-04 (KPI report)** was released on 15 June 2005. The following table shows a comparison of Circular Head Council with similarly sized Councils across Tasmania.

Indicator	1999-2000	2000-01	2001-02	2002-03	2003-04	2004-05
1 Average cost per employee (\$)						Provisional
Circular Head	38,959	43,248	44,265	46,964	46,720	48,365
<i>Small Council Average</i>	40,262	41,844	44,511	47,282	46,317	
2 Average Cost of Training per employee (\$)						
Circular Head	820	956	991	554	423	662
<i>Small Council Average</i>	974	577	624	650	666	
3 No. of employees per 1000 population						
Circular Head	6.6	6.1	6.3	6.1	6.2	6.3
<i>Small Council Average</i>	9.0	9.7	10.3	10.0	10.8	
4 Staff Turnover Rate						
Circular Head	3.6	9.6	9.8	10.2	14	19.6
<i>Small Council Average</i>	14.7	11.8	10.0	11.2	12.0	
5 Average Sick Leave per employee (days)						
Circular Head	2.2	2.9	3.8	4.4	9.3	6.2
<i>Small Council Average</i>	9.5	5	5.6	4.9	5.3	
6 Lost time due to injury (hours per 1000 worked)						
Circular Head	0.7	0	0.3	N/a	18.3*	24.2
<i>Small Council Average</i>	20	9.7	7.2	4.3	5.7	
7 No. of building and planning applications lodged during the year						
Circular Head	181	225	227	207	264	259

Indicator	1999-2000	2000-01	2001-02	2002-03	2003-04	2004-05
						Provisional
<i>Small Council Average</i>	197	162	200	223	304	
8 Days to obtain approvals - Permitted Use planning						
Circular Head	14	21	22	21	20	20
<i>Small Council Average</i>	12.3	11.9	15.1	15.6	15.8	
9 Days to obtain approvals - Discretionary Use planning						
Circular Head	47	38	37	35	34	38
<i>Small Council Average</i>	32.1	29.8	31.7	31.6	30.8	
10 Days to obtain approvals - Buildings						
Circular Head	25	21	21	20	N/a	5
<i>Small Council Average</i>	10.2	11.2	14.5	13	12.8	
11 Community Health and Safety Expenditure (as a % of total operating expenditure)						
Circular Head	1.8	2	1.7	1.3	0.7	3.8
<i>Small Council Average</i>	3	2.2	2.5	3.4	3.2	
12 Community Health and Safety Expenses per Capita (\$)						
Circular Head	21	23	22	18	9	50
<i>Small Council Average</i>	45	35	45	64	63	

* The high level of Lost Time Due to Injury in 2003-04 was caused by a staff member injuring their back during the course of their daily employment. The staff member was on Workers' Compensation for approximately five months of said financial year. There was also a prolonged shoulder injury during that year and a short-term leg injury.

Performance targets are notated for each operational area in the Operational Plan.

Additional Information Provided:

In response to a query at the hearing Council advised that calculations prior to 2004-05 in relation to items 11 and 12 (Community Health and Safety) had not been correctly calculated.

Board Response

The Board was advised at the hearing that the 2004-05 calculations had been finalised and added to the above table. The Board notes that advice.

Council Submission

3.2 General and Special Powers and Functions (s. 20)

3.2.1 Animal Control

The animal control service is delivered via a contractor, with general oversight by staff within the IDS department. A Dog Control Policy as required by the Dog Control Act has been established. Council has no declared dog zones.

All legal actions, destruction of animals and similar incidences are managed by IDS Department.

A summary of incidents and patrolled areas is submitted as part of the Information Bulletin provided to Council on a monthly basis.

Board Response

The Board commends Council for provision of this information in the Information Bulletin. It is the Board's view that this use of the Bulletin keeps elected members well informed in regard to short-term monitoring of the Dog Control Policy, and Dog Control Act, as well as advising them of long-term trends in animal control management in the local area.

3.2.2 State of the Environment and Public Health Report

Council employs a full time EHO who undertakes the relevant functions of the Public Health Act. Some State of the Environment reporting for landfills and similar is undertaken through Technical Services functions. Council provides on-going monitoring of the environment including regular water sampling.

State Health recently confirmed the adequacy of our Public Health reporting.

Please refer to pp21-23 of the 2003/04 Annual Report.

Board Response

Noted.

3.2.3 Building, Planning and Development Control

Council employs a full-time Town Planner and an Assistant Town Planner (almost qualified as a Planner) and a Compliance Officer.

The services of a Building Surveyor are no longer provided and the Permit Authority functions are undertaken by the Compliance Officer.

Whilst Council has struggled to meet the seemingly complex requirements of the new Building legislation, the move away from assessment should simplify matters and will reduce future risk exposure.

This change in service provision should also make resources available for improved Development Control since the Compliance Officer will have more time available for inspecting and enforcing various development matters.

Planning is currently undertaken in accordance with the 1995 Planning Scheme. Council have recently undertaken a Guided Development Plan for Stanley which will form the basis for a Planning Scheme Review in that area.

Work is underway to determine the capacity of Council to administer a performance-based planning scheme, which appears to be the preferred position of the State. Delays in progressing this matter to date have revolved around the burdens such a review would place on competing resource priorities.

Whilst Council currently has budgeted funds for Scheme reviews, there is a continuing concern over the ability for a small rural community to function with a performance based scheme, as (timely) expert advice is rarely available from the private sector to support most planning issues.

During the 2003/04 financial year Council issued some 264 building/planning permits.

Board Request for Additional Information

How many Planning Appeals have there been over the past 5-years?

How many were successful?

How many were mediated?

The Board would like to know if there are any illegal buildings? If so, how many?

How many illegal building notices have been issued if any?

Additional Information Provided:

There have been 18 planning appeals over the past five years. Ten were mediated and seven were dismissed. One is current.

Illegal Buildings

Council traditionally commits limited resources to pro-active inspections/enforcement due to competing resource demands. Generally investigative actions occurred only on a complaint basis.

The position of Compliance Officer was created in August 2005, replacing a Building Inspector role. Since September 2005, there have been three illegal structures erected for which a Building Notice has been issued. These are being followed through to ensure legislative compliance.

Currently there is one illegal structure being constructed for which Council is in the process of instituting enforcement action.

Board Response

For further information and Board comment refer to Chapter 11.2.

3.2.4 Public health and Environmental Health Control

Through the EHO and IDS department, Council provide the following services:

Prevention and Control of Disease

- Investigates and reports upon incidents of notifiable disease as requested by the Director of Public Health.
- Provides monthly immunisation clinics, and conducts school immunisation programs in accordance with the recommended Immunisation Schedule as endorsed by the Director of Public Health.

Premises

- Conducts ongoing assessments of places of assembly and places used for specific events.
- Responds to complaints of unhealthy premises as defined by the Act.
- Issues license and registration for public health risk activities, particularly skin penetration (piercing) activities.
- Issues registration of regulated systems, specifically cooling towers.

Water

- Conducts weekly monitoring of the reticulated drinking water supply for compliance with the *Australian Drinking Water Guidelines*, and reports the results to the Director of Public Health.

- Conducts monitoring of selected recreational waters during November through March, reporting the results to the Director of Public Health.
- Issues registration of private water suppliers, who supply water to the public.

Food Act 2003

- Registration of food businesses.
- Participation in the State food-sampling program.
- Application of the Australian/New Zealand Food Standards Code.
- Promotion of food handler training and promotion of healthy food options.
- A separate potable water quality report has been prepared for the Director of Public Health.

Circular Head's Reticulated Water Supply System

- Circular Head Council's water reticulation system meets the performance requirements of the *Australian Drinking Water Guidelines* for *E.coli*.
- Since the introduction of the Colilert 18 test method for the detection of coliforms there has been a large increase in the number of sites detecting coliforms, compared with the previous year. There have been no other changes in the system that could be attributed to the sudden increase in coliform detection.
- The system did not satisfy the guidelines for detection of coliforms. The relevance of coliform results in the absence of *E.coli* detection is being re-considered in guidelines.
- Analysis of the sampling results, and species identification has assessed that the increase in coliform detection is due to changing specificity of test methods, and that the coliforms are not an indication of health concerns.
- Council has confidence in the quality of potable water quality.

Recreational Water Quality

- A separate recreational water quality report has been prepared.
- Sampling conducted at seven sites.
- Six sites met guidelines for primary contact recreation.
- One site met guidelines for secondary only.
- Continue monitoring program on risk basis for 2004-05.

Food Premises

- 75 registered food businesses.
- Increased pressure with monitoring the food handling skills and knowledge component of the Australia/New Zealand Food Standards Code.
- 6 food complaints were investigated.
- Council conduct annual inspections of all premises with specific follow up where improvements are required. These improvements are determined using a risk based approach.

Places of Assembly

- Majority of work performed in the assessment of temporary places of assembly.

Immunisation and Disease

- Successful Meningococcal C Immunisation Program throughout all schools.
- Continued provision of school immunisation sessions for Grade 7 and 10.
- Total Number of People immunised by Council – 1355.
- Total number of doses administered – 1594.
- Included 1217 doses of meningococcal C vaccine administered.

On-Site Wastewater Management

- Increased number of systems applied for (59, compared with average of 22 over past 5-years).
- Increased time spent in assessment of each system.
- Increased time spent working through the implementation of AS/NZS 1547:2000 on-site domestic wastewater management with stakeholders.

Complaints dealt with include:

- Littering/illegal dumping.
- Water pollution (including dairies).
- Smoke.
- Noise complaints.
- Odour complaints.

During the 2003-04 financial year 59 health approvals were issued and 94 food premises inspections were carried out. Six dairies were inspected. A total of 138 children were immunised at Council clinics.

Efforts are currently being aimed at educating our community in relation to relevant matters.

Board Request for Additional Information

The Board notes that, since its visit to Circular Head in November, media reports have indicated that Council has closed swimming areas at Crayfish Creek and Detention River.

The Board sought information from Council on the issue, in particular as to whether or not:

- Crayfish Creek and Detention River were included in the recreational water quality testing program?*
- The frequency of testing?*
- Were either of the sites previously subject to a “secondary use” classification under the testing program?*
- What areas were covered by the reported closure?*

Board Response

The Board was advised by Council that Crayfish Creek and Detention River are included in the regular recreational water quality program.

The Board was advised that testing occurs annually between October and March with 37 samples having been taken in the last 3 years. Council advised that analysis of the samples taken in 2005-06 has indicated that there may be increased health risks to persons undertaking swimming, diving or skiing activities at Crayfish Creek and Detention River. Adverse health issues were described as including gastro-intestinal upsets, throat or skin infections and other related illnesses.

The Board was advised that at the time Council’s submission to the Board was prepared, neither of the two sites met the guideline category of “secondary use” only.

The Board was further advised that, with regard to the reported “closure” of the Crayfish Creek and Detention River sites, there was no “closure”, and “warning” signs only had been erected indicating potential health risks for those using the area.

The Board notes Council’s view that, while the contamination source has not been identified, it has been suggested that greatly increased rainfall during the current testing period is a likely contributing factor.

While also noting Council’s advice of the erection of signs, the Board is of the opinion that the erection of the “warning” signs has the effect of a “closure” from a public point of view.

The Council advised the Board that regular monitoring of the sites in question continued to show variable results, some of which were outside acceptable limits. Monitoring was continuing, and the erection of warning signs was as a result of tests not within limits set by public health authorities for safe recreational use.

3.2.5 Waste management and litter

During the 2003-04 financial year 16,064 tonnes of waste were deposited at the Port Latta landfill site (this site is utilised by other Councils under agreement with Circular Head Council).

In the Circular Head Council area a total of 1,406 tonnes of urban waste was collected along with 794 tonnes of rural waste. Council

provide kerbside collection in urban and most rural areas on a weekly and fortnightly basis respectively through WorksPlus.

A single community transfer station is situated at White Hills, east of Smithton, where waste is deposited by volume charge or redeemable ticket/voucher. Recyclables may be deposited free.

Kerbside recycling is offered in Smithton and Stanley townships, and is collected fortnightly.

Council, through WorksPlus, operate the Port Latta Regional Landfill Facility which accepts municipal waste from neighbouring Waratah-Wynyard Council (under formal Agreement) and many other waste streams, including hazardous waste, state-wide.

Typical tonnage collected per year is:

Landfill	14-16,000
Transfer Station	1,100
Kerbside waste	2,200
Recycling (total)	110 (excludes green waste)

Board Response

Noted.

3.2.6 Emergency Management Plan

The Emergency Services Act 1976 requires Council to prepare an Emergency Management Plan; Council's revised plan incorporates the Tasmanian Emergency Risk management Project for Circular Head and the Specialist Resource List. The aim of the plan is to detail arrangements for countering the impact and effect of emergencies within the municipal area. The revised plan is currently passing through the State Disaster Committee.

Council supports its local SES Volunteer Unit under control of the Unit Manager (volunteer) and staff-appointed Co-ordinator. The unit is capable of multi-tasking of all types of rescue work and is fully equipped and trained in road crash rescue.

Board Request for Additional Information

Could Council supply the Board any statistics of accidents and incidents attended by the volunteer unit that is supported by Council?

Additional Information Provided:

Emergency Management – statistics of accidents and Incidents attended 2005-year to date.

37	road traffic accidents (RTA)
7	storm damage assistance
15	miscellaneous - recovery items, police and public assistance etc
5	search and rescue

Community events providing lighting, first aid, together with traffic and crowd control a total of 154 hours.

Board Response

Noted.

Council Submission**3.3 Enterprise Powers (s. 21)**

To the present moment Council has not exercised enterprise powers available to it under section 21 of the *Local Government Act 1993*.

Board Response

Noted.

Council Submission**3.4 Delegations (ss. 22, 64)**

A copy of the Delegations Register is included with this submission.

Permit Applications processed are reported as part of the Information Bulletin provided to Council on a monthly basis. A schedule detailing payments made to creditors is provided on a monthly basis also.

Board Response

The Board has a view that many decisions made on behalf of Council under delegation should be reported through the public meeting agenda. While it is noted that permit applications are reported through the “Information Bulletin” which forms part of Council meeting Agenda, it has been suggested that constant testing be carried out to ensure that items of public interest are given sufficient exposure at Council meetings.

For further information refer to Chapter 2.7.

The Board notes that, subsequent to the provision of this submission, Council has decided to cancel provision of the schedule detailing payments made to creditors, which was previously provided on a monthly basis. The Board commends Council for this decision, as it considers it recognises changes to privacy provisions and is more reflective of modern practices in financial reporting. While the Board considers that Council should be scrupulous in auditing such payments, it is of the view that the

elected body should be able to rely on rigorous internal processes that have been established by the General Manager on its behalf and the General Manager has responsibility to report on these processes on a regular basis.

Council Submission

3.5 Service Rates and Charges (ss. 93-95)

Council levies the following service rates and charges:

- Water Service Charge;
- Water Consumption Charge;
- Urban Waste Collection;
- Rural Waste Collection;
- Utility Waste Charge;
- Recycling;
- Sewerage and Drainage Rate;
- Urban Fire Levy; and
- Rural Fire Levy.

Rates and charges are adopted by the full Council each financial year and are advertised in the Advocate (a regional daily newspaper) and on Council's website.

Board Response

Noted.

Council Submission

3.6 By-law development and Implementation (Part 11).

The Council presently has only one by-law, being Cemeteries By-Law Number 1 of 1999.

The development of a by-law relating to Reserves, Parks and Gardens was considered in the 2000-01 financial year, changes in senior staff effectively postponed further review. In more recent times, it was considered appropriate that the development be postponed pending the outcome of the Crown land and Classification (CLAC) process.

Board Response

Noted.

Council Submission

3.7 Elections – General Manager's Roll (s. 258)

The General Managers' Roll is kept in accordance with section 258 of the *Local Government Act 1993* (and to satisfy the Chief Electoral Officer). The roll is updated as required.

Board Request for Additional Information

Please provide the Board with details of the way in which, this year, you updated the roll.

Additional Information Provided:

At the time of receipt of property transfer details, a check is made to ascertain if the owner resides in the municipal area. In the case of owners living outside the municipal area, they are advised of their need to claim enrolment. A quarterly check is maintained on the General Manager's Roll.

A list is run quarterly and compared against the General Manager's Roll. Updates are then undertaken. Body Corporate advise, as required, of their changes.

Board Response

Noted.

Council Submission**3.8 Single, joint and Controlling Authorities (Parts 3 and 3A – Division 4)**

Council has no single and/or controlling authorities.

It is a member of two joint authorities, the Cradle Coast Authority and the Cradle Coast Water Authority, which are joint authorities under the provisions of the *Local Government Act 1993*.

Cradle Coast Water is the bulk water supplier for a number of Councils on the North West Coast including:

- Circular Head Council;
- Central Coast Council;
- Devonport City Council;
- Latrobe Council;
- Kentish Council; and
- Waratah-Wynyard Council.

A Representatives Group made up of persons nominated by the participating Councils appoint the Board pursuant to the Rules of the Authority and are responsible for the setting of budgets and adoption of the strategic direction. The Board is 'skills based' consisting of five members.

The Cradle Coast Authority was created in 2000 to replace the previous West North West Councils Group and a similar body dedicated to tourism related issues. Its main purpose is to coordinate and drive economic development across the nine participating Councils from North West and Western Tasmania. Two representatives from each Council constitute the Representatives Group established pursuant to the rules of the Authority there are. The Representatives Group determines the Budgets and adoption of the strategic direction of the Authority. The Board provide assistance to the Executive Chairman on pursuing the aims and objectives of the Authority.

Board Response

Noted.

Council Submission

3.9 Disability Access and Action Plans

The Council does not presently have a formally adopted Access Plan. At an operational level however, Council staff consider disability factors when designing/constructing public facilities. Recent examples include the Community and Recreation Centre (CRC) and townscape upgrades.

The Council also utilises the Service Providers Access Network (SPAN), together with the local Disability Support Group to seek comment and feedback in relation to disability matters.

Board Request for Additional Information

The Board would like to know if there is a program to address disability access in the community.

Additional Information Provided:

Council does not have a program to address disability access in the community. Disability access initiatives are undertaken as part of the planning and building process.

Board Response

The Board feels that it must comment that Council is not compliant with legislation in not having developed a Disability Access Plan and that this requirement is longstanding, being part of the provisions of the Disability Discrimination Act 1992, which was legislation passed by the Commonwealth Government well over a decade ago.

However, the Board also comments that there is much evidence in the community of Council being sensitive to the issue of access for people with disabilities. For example, the Board noticed that special ramps have been provided to provide such access at the beaches at Stanley and Marrawah.

Chapter 4

Community Development, Communication and Consultation

The Board Guidelines below were provided to Council to assist it in preparation of its submission to the Review:

Board Guidelines to the Council

The Board recognises that this area of activity may not be prescribed by legislation. However, it is an area which has attracted more activity in recent years. This Chapter provides a Council with the opportunity to demonstrate to the Board its policies, procedures and processes with respect to these matters. Items for consideration include:

- Specific Community Plans
- Economic development
- Recreation planning
- Tourism plans
- Cultural plans
- Social Plans, for example for
 - youth
 - the aged
 - indigenous
 - multi-cultural
 - people with disabilities
- Participation in local communities
- Consultation with local communities
- Community feedback mechanisms
- Annual general meeting and annual report

NOTE: the Board is interested in initiatives to involve the public in the Annual General Meeting and interest them in the Annual Report.

- Grants and donations
- NOTE: the Board is interested in the process of community access to grants and donations.*
- Media communication
 - Marketing of Council
 - Newsletters

Council Submission

4.1 Specific Community Plans

4.1.1 Circular Head Education and Training Consultative Committee

In 1999, the State Government entered into a Partnership Agreement with the Circular Head Council. The Agreement provided an opportunity for the Council to identify key issues that, if appropriately addressed, would be of benefit to the local community.

Education and employment participation rates statistics in the Cradle Coast region of Tasmania have historically featured as among the lowest in Australia. The Council therefore nominated Education and Training as a key issue, recognising the impact of low retention rates and its impact on development. In order to prosper, the Council considered that the Circular Head community required assistance to increase post-compulsory education across its community profile.

The Partnership Agreement Schedule identified the key issues as:-

- Improving the match between current and future industry needs and the vocational skills of the community.
- Enhancing links between local industry and education providers.
- Achievement of vocational educational and training participation rates equal to the State average.

To assist with the implementation of strategies to address the key issues, representation originally comprised individuals from the Arthur District Education Office, Circular Head state school principals (DoE), TAFE Tasmania, the University of Tasmania (UTas), the Office of Post Compulsory Education and Training (OPCET), Department of Economic Development (DED) and the Circular Head Council (CHC).

This group became known as the Circular Head Education and Training Consultative Committee (CHETCC).

The key outcome from the committee's inception has been the formation and maintenance of links between the Council and various institutions that were delivering education into the region, in particular those in state government. These links have assisted in the pursuit of a number of projects and tasks, collectively playing a role in improving learning opportunities for the local community.

In 2000, a \$30,000 grant was gained from a Federal Regional Assistance Program to undertake a Skills Audit. The Audit found that the level of skills qualifications and literacy levels in the district were found to be significantly lower than State and Federal standards. The Circular Head area retains a high percentage of young people, who tend to make up a

large unskilled labour pool, restricted in its ability to participate in employment. Barriers to training were highlighted: lack of diversity in training offered, need to travel to access training, lack of time and work load, inadequate literacy and communication skills cited by more than one in six employers surveyed.

CHETCC further identified the following challenges in relation to lifelong learning:

- Low retention rates particularly year 12.
- Low VET participation including apprentices / trainees in year 11 and 12 and participation in VET by the 18 – 25 year group.
- Poor training culture.
- Undervaluing of education.
- Barriers to tertiary and pre-tertiary training.
- Mismatch of labour market expectations and opportunities.
- Negative perceptions of the areas key industries.
- Lack of readily identifiable career paths in local industries.
- Problems attracting and retaining professional and qualified staff to the area.
- Low on-the-job employer training.

In 2001, \$110,000 was received from Federal/State Government sources to establish the Circular Head Skills Centre. The Centre, located opposite the DoE Senior High School in Smithton, services some upper high school needs, together with providing facilities to assist in the delivery of Vocational Educational Training (VET) programs in conjunction with TAFE administrative offices. High speed data communications have been installed, permitting teleconferencing facilities to be situated on-site.

In 2002, strategic directions were further developed. The mission statement of CHETCC is 'to foster a Community of Learners to enhance life opportunities for all people and to support the economic development of Circular Head through the provision of excellent education and training opportunities'.

A "*Community of Learners*" magazine, highlighting a number of individuals within the community who had undertaken additional educational pursuits and the benefits thereof, was produced and circulated to all residences. The Committee also hosted a launch of the magazine, again in an effort to increase awareness of the benefits of lifelong learning.

An additional funding of \$5,000 annually was also provided by the CHC towards the Mayors Education fund. The fund provides limited scholarship opportunities for students, with applications invited on an annual basis. CHETCC oversees the process and makes recommendation(s) to the CHC for the distribution of funds.

In 2003, a project titled “Learning Leading – Building a Community of Life Long Learning” was developed by CHETCC. The project intended to bring together key stakeholders of the community who have the capacity to increase participation in education retention in formal education, training and employment.

The key approach for the project is to build a community of learners through a sustainable model of lifelong learning. A community transformation model has been adopted for this project, encouraging interest and investment in change from within the community through a leadership approach. Distinctive strategies were developed to meet the individual needs of each partner sector. The project partners believed that increased participation in education and training can create a catalyst for economic growth and community leadership

A grant submission was successful in gaining a Federal Sustainable Regions funding of \$350,000 in late December 2003. Commitments by the project partners (CHC, DoE, UTas and TAFE) amount to a further \$550,000 over a five year timeframe.

The CHC subsequently agreed to act as host for both the grant funds, effectively overseeing the project, Sustainable Regions funding reporting requirements and the distribution of funds to the project partners.

The project includes a three-year budget where the community is assisted over this period to build alternative resources from within to sustain the program. The amount sought under the Stronger Learning Pathways fund reduces over a three-year period by which, in year four and five, the project is self-sustained by both the partners and the community.

In 2004, CHC employed Mrs Wendy Schoenmaker in the role of Change Leader. The role is intended to be an on the ground person, employed specifically to build capacity for change within the organisations of the partners, to implement specific project and programs and to work closely with the CHC, ensuring community participation, consultation and acceptability.

The funding for the role reduces over a three year period and ceases by the end of year three.

CHETCC recognised that in order to facilitate sustainable structural change within both the education and business sectors, representation by the business sector and private education institutions was desirable. CHETCC invited the Circular Head Business Enterprise Centre to nominate individuals to become members of CHETCC. Invitations were also extended to the principals of the non-government schools present in Circular Head.

CHETCC currently comprises representatives from:-

- Circular Head Council;
- Cradle Coast Campus UTAS;
- TAFE Tasmania;
- Department of Education;
- Cradle Coast Authority;
- Business and Industry ;
- Non Government Schools; and
- Department of Economic Development.

Board Response

The Board notes that Council had identified Lifelong Learning as a key issue in its Partnership Agreement with State Government, with particular emphasis placed on the need to increase post-compulsory education across the community profile and that this has led to the formation of the innovative Circular Head Education and Training Consultative Committee (CHETCC). The Board notes that the project has attracted funding from State and Federal Governments as well as receiving significant financial support from Council through the Mayor's Fund and the funding of the position of Change Leader.

The Board commends Council for its facilitation and support of this Committee.

At the request of the Board, Council arranged for the Change Leader of the CHETCC program to address the Board for the purpose of outlining the history of the project together with future goals.

The following detail entitled "Building a Community of Life Long Learning" was presented to the Board supported by a PowerPoint presentation.



- The Circular Head Partnership Agreement was the first State and Local Government Partnership Agreement, signed in June 1999
- Major objectives of the Agreement from the Education and Training perspective
 - Vocational Training that meets specific Circular Head Industry needs
 - Enhanced Learning Outcomes
- Circular Head Education & Training Consultative Committee formed
 - Original partners:-
 - Circular Head Council
 - Department of Education
 - University of Tasmania
 - TAFE Tasmania
 - Department of Economic Development



Funding of the Project

- Year 2000 - \$30,000 was received for the Skills Audit from the Regional Assistance Program
- Year 2001 - \$110,000 was received for the establishment of the Circular Head Skills Centre from State/Federal Governments
- Year 2004 - \$900,000 grant received from Commonwealth of Australia - Sustainable Regions Federal Grant for “*Learning Leading - Building a Community of Life Long Learning Project*” to develop & implement a regional model

Aims of the Learning Leading Project

- Foster a culture of lifelong learning in the region
- Increase participation and retention rates in schools
- Increase adult participation in higher and post compulsory education and training
- Increase business participation in training
- Monitor and report on the resulting changes to participation in education, training and employment that results from the project

Circular Head Education and Training Consultative Committee 2005/06

New Members from

- Circular Head Council
- Cradle Coast Campus UTAS
- TAFE Tasmania
- Department of Education
- Cradle Coast Authority
- Business and Industry
- Non Government Schools
- Department of Economic Development
- Circular Head Business Enterprise Centre

On Going Achievements of the Project

- Skills Audit
- Circular Head Skills Centre
- Smithton High School Vocational Curriculum Integration Program
& School Based Traineeships
- Circular Head Council Mayor's Education Fund \$5,000
- Lobbying Government to address the training needs of the area
- Attracting professional staff to our district
- Recognition of Community of Learners and Educators
- Creation of the Circular Head Learning Centre at Southside with
partners Smithton High School, UTAS and TAFE

Outputs and Outcomes – Achieved & Ongoing

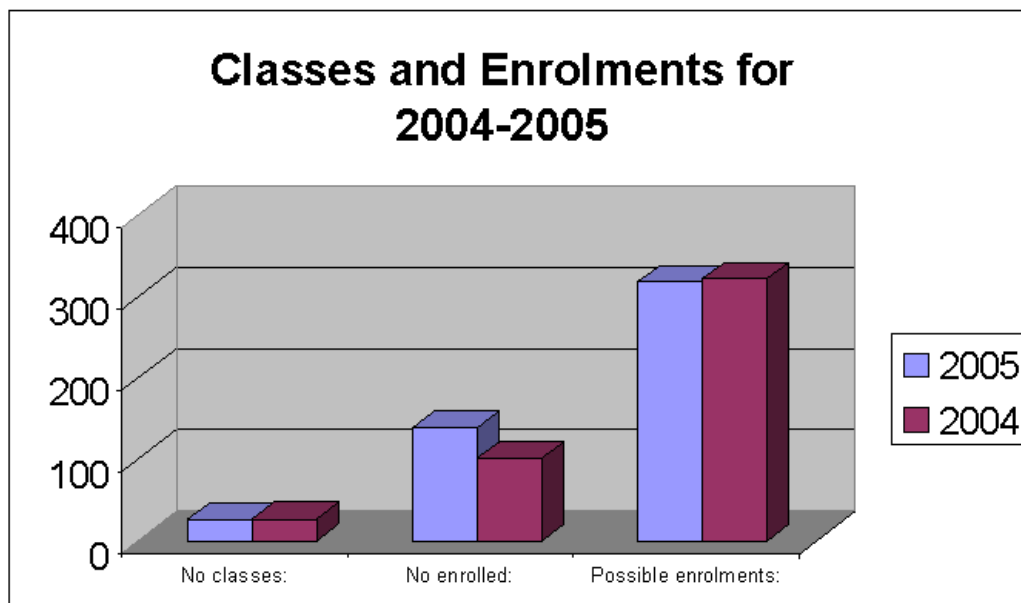
- **Promotion of Community & Individual benefits of Lifelong Learning** – Regular weekly articles in regional media profiling learners achievements. Creating a Calendar of Educational Events.
- Change Leader's Education site on Circular Head Council website with links to partners and community activities..
- Creation of Circular Head Tree of Knowledge and Avenue of Learning at the yearly "Onwards & Upwards" Mayor's Celebration of Education with Scholarship sponsors, recipients and 100+ guests.
- Adult Learners Week – 30 participants in "Using your Scone in more ways than One"
- OPCET sponsored Adult Literacy Volunteer Tutors Training Course with TAFE - 16 participants have completed and are now registered and mentoring.
- Hosted Industry Visitations and Forums by 50 Student Pathways Officers and Career Advisors from across the country

Outputs and Outcomes – Achieved & Ongoing (Continued)

- **Increase participation and retention rates in schools**
 - Student Pathways Officer (SPO) at Smithton High School now tracking all year 10s students in College and "at risk" out side College to support students from 'slipping through the net'
 - Smithton High School Information Nights – 2005**
 - Year 7, ~73 attended from 34 families – increase of 20%
 - Year 8 Career Pathways, ~ 80 family members and students attended forum – 50% increase on 2004
 - Year 9 & 10 Work Experience, ~ 84 students participated with excellent feedback from employers
 - New School Based Traineeships, ~ 9 business confirmed placements for 2006
 - **Hellyer College/Smithton High School Pilot Partnership Program** to support year 11 students offering wider curriculum opportunities and co-operative teacher exchanges.
 - **Circular Head Christian School** – in the 3 year period for the senior High School ~ the retention rate for Yr 10 to Yr. 11 is 60% and Yr. 11 –to Yr. 12 is 40%

Outputs and Outcomes – Achieved & Ongoing (Continued)

- **Facilitating & Promoting Opportunity for Adult Participation in Higher & Post Compulsory Education**
 - UTAS – Cradle Coast Campus, - Created a Network of University Learners with database on Circular Head Council website.
 - Secured Memorandum of Understanding with Smithton High School to create venue for UTAS study groups at Southside Centre of Learning
 - Identifying graduates as role models (20 currently on database)
 - Uni Preparation Program has had an increase of 8 over 2004/05
 - Degree Course has had an increase of 6 over 2004/05 at Cradle Coast Campus with over 60 students from Circular Head studying at Tasmanian Universities
 - TAFE TASMANIA – Smithton Campus has increased their training hours from 15,000 hours in 2001 to 50,000 hours in 2005 and have a broad selection of courses on offer from IT, Practice Firm -virtual office - to rural skill based programs with strong emphasis on flexible delivery for Community Services Courses to meet child and aged care and social needs for a rural community. TAFE have also secured Southside as extension for learning with cooperation and interaction with High School students.



Outputs and Outcomes – Achieved & Ongoing (Continued)

- **Implementing education and training programs for young people**
 - TAFE Tasmania – Smithton Campus- surveying & liaising with Smithton High School and Circular Head Christian School offering courses as part of Workplace Based Training in Circular Head and facilitating training programs to suit the students circumstances.
 - Offering Cert. II in Horticulture to complement the partnership to Circular Head Community Garden with the Smithton High School and Circular Head Cluster of Schools, Circular Head Rural Health Inc, CH Council, CH Aboriginal Corporation
 - Offering Cert.II Small Engines course for young people working with Circular Head Aboriginal Corporation in partnership with Smithton High School
 - Circular Head Rural Health Inc – Offering programs to engage all sectors of community with activities to enhance their lives.
 - Smithton High School – Mentoring programs and hands-on activities to support youth encouraging leadership roles.
 - Circular Head Christian School – Academic mentoring and Vocational mentoring is available to support students in their chosen field

Outputs and Outcomes – Achieved & Ongoing (Continued)

● Increase business participation in training

- Circular Head Council promoting, supporting and engaging guest speakers to business breakfasts and forums to debate and stimulate discussion on education and training opportunities.
- Circular Head Business Enterprise Centre (CHBEC) with support from Department of Economic Development fostering training programs through Fast Track Skilling for Small Business Seminars with 30 attendees for 2004/5
- CHBEC coordinating WISE women education & training programs and supporting Rural & Small Business with guidance and advice
- Change Leader liaising and networking with OPCET and Registered Training Organisations to source interested parties to training opportunities.

What are we doing now?

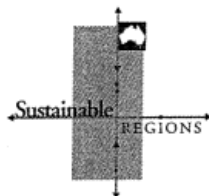
● Celebrating every Learning Community Achievement !

- Facilitating and promoting Education through congratulatory functions for achievers and sponsors of scholarships,
- Creating the Circular Head Tree of Knowledge- and adding to the Avenue of Learning with donated trees for future generations
- Facilitating and sponsoring Community Forums
- Adding to the created University Graduates & Students Mentors Group
- Business, Industry & Education Forums with Pathways and Training programs
- Supporting the goals of C.H Cluster of schools – Essential Learnings & Learning Community Partnerships
- Liaising with Community Groups, Students and Business' to support the creation of the Circular Head Community Garden project
- Youth Strategy and Projects i.e. Youth Week, Lead on Community Door, Tough on Drugs/CH Cluster – Youth Website, Youth at Risk,
- Engaging Parents with Information Evenings, Mentoring programs associated with local and distance education

Acknowledgements



Australian Government
Department of Transport and Regional Services



Tasmania
DEPARTMENT of
EDUCATION



Council Submission

4.2 Economic Development

Under the State Partnership Agreement, economic development initiatives are being jointly undertaken with the Department of Economic Development (DED). Currently Council's Strategic Projects Officer is writing an economic prospectus with assistance from DED and many other State Government departments, including DPIWE, MRT and Forestry Tasmania. It is intended to provide potential investors with region-specific data which is not necessarily available through the Australian Bureau of Statistics (ABS). This includes land capability and soil quality information along with infrastructure, health services, tourism and other data.

Further, the Cradle Coast Authority, of which Circular Head Council is a member, is undertaking research into the development of an online statistical database for the nine member Councils, which it will host through its website. Such a database will provide up to date information on demographics and other statistical data required for grant submissions and research and will assist community groups and those requiring ABS data, specific to Circular Head.

The formation of a Chamber of Commerce at Stanley is in its infancy.

Board Response

The Board notes that Council has developed, to the draft stage, "A Regional and Economic Profile for Circular Head" with information compiled from Local, State and Federal Governments and private enterprise. The profile is intended to showcase the economy and social character of the Circular Head region, and to provide information on some of the many features Circular Head has to offer business, investors and families. It includes information on transport infrastructure throughout Tasmania for importers and exporters.

The Board notes that the development of this regional profile has been an initiative of Council's Partnership Agreement with the State Government.

The Board commends Council for the development of this draft document that will be of significant benefit to potential investors and new residents in the region.

Council Submission

4.3 Recreation Planning

To assist recreation planning, Council has developed a number of Special Area Management Committees.

These are:

- Northern Area Management Committee (Stanley Recreation Ground/Facility);
- Stanley Town Hall;

- Central Indoor Area Management Committee (Smithton Sports Centre);
- Central Outdoor Area Management Committee (Smithton Recreation Ground);
- Western Area Management Committee (Redpa Recreation Ground/Facility and Marrawah Hall);
- Southern Area Management Committee (Trowutta Recreation Ground/Facility); and
- Circular Head Heritage Centre.

Council is currently reviewing the Recreational Facilities within the Circular Head Municipality. On 24 September 2005 Council advertised for Expressions of Interest, in the Examiner and the Advocate newspapers, for a sport and recreation consultancy. Funding for this consultancy (up to \$20,000) is being provided jointly by the Department of Sport and Recreation and Circular Head Council.

The successful consultant will review the state of existing sport and recreation facilities, their management and public liability/risk issues facing Council and the community. The consultant will be required to meet with the various management committees, users of the facilities and the wider community, including non-users. A project Steering Committee has been established consisting of two (2) Councillors, two (2) Council staff and a representative from Sport and Recreation Tasmania.

A draft report will be provided to Council in early 2006 with a final report to be presented in the first quarter of 2006. The company GHD completed a detailed analysis of the structural condition of Circular Head sport and recreation facilities in 1999 and this report will be provided to the consultant as background information.

In August 2004 the Circular Head Community and Recreation Centre (CRC) Stage One was completed at a cost of \$2.1 million. An incorporated committee operates the centre. The Centre is a shared facility for football (two clubs) and cricket. It will expand to include tennis, along with netball and basketball associations as funding becomes available.

Smithton Hockey Turf Inc also operates independently. Council assisted the committee initially, acting as guarantor to the original loan to establish a water-based playing surface. Council further contributed to the replacement turf.

Board Response

The Board notes that Council does not have a current Recreational Plan.

The Board notes that Council had contributed funding for an outside consultancy to review recreational facilities within the municipal area. It was reported that the

results of this review would provide Council with the information necessary to identify priorities for future planning.

The Board congratulates Council on its contributions to the Circular Head Recreation Centre, Stage One of which was completed in August 2004. The Board agrees with Council that its financial support, as well as its advocacy with other levels of government (which also contributed substantial funding), has provided its local communities with excellent, modern sporting and clubroom facilities for cricket and football with expansion planned to include netball, basketball and tennis.

Council Submission

4.4 Tourism Plans

Council has a Memorandum of Understanding with the Circular Head Tourism Association (CHTA) documenting roles and responsibilities, underpinned by a financial commitment by Council. The CHTA now own the Stanley Visitor Centre building at Stanley with a guarantee to an ongoing Tourist Information presence in the region. Council committed \$60,000 in 2004-05 and an additional funding of \$20,000 to assist with the employment of a trainee staff member at the Centre.

Council also provided financial assistance to the Forestry Tasmania ecotourism venture "Dismal Swamp".

Council, in partnership with the Cradle Coast Authority, Circular Head Tourism Association and Tourism Tasmania is undertaking a Stanley Precinct Study. The study will establish a tourism vision for the area and establish priorities for development, given the heritage listing of many of Stanley's buildings. The Stanley Guided Development Plan being undertaken by the University of Tasmania and a port development consultancy will also provide valuable information for tourism and development options in the town.

With the recent forestry agreement recognising the Tarkine as a wilderness area, it is envisaged that the area may eventually provide some form of tourism development, especially for outdoor enthusiasts. Again, this is being reviewed as part of the study.

The final report is anticipated by the end of the calendar year.

Board Response

The Board commends Council's leadership within the community as it has embraced the expansion in tourism priorities to now include not only traditional agricultural and scenic pursuits, but also the development of regional icons that have statewide significance. The Board commends Council's financial commitment to tourism initiatives within the region – such as the Forestry Tasmania ecotourism venture at Dismal Swamp and the Stanley Visitor Centre operated by the Circular Head Tourism Association.

Council Submission

4.5 Cultural Plans

Council supports Circular Head Arts committee (CHARTS) with a Council officer attending meetings.

Council works in partnership with the Circular Head Combined Community Committee (CHCCC), effectively a working group with representatives from Community groups/organisations in the area. This group comes together as required to assist in jointly organising/hosting festivals and celebrations.

To date these have included:

- Woolnorth Wind Farm Stage 1 Opening;
- Australia Day Celebrations;
- Celebrate Circular Head Festival; and
- Christmas Parades.

Board Response

Noted.

Council Submission

4.6 Social Plans, for example for:

4.6.1 Youth

Council is continually striving to offer youth in the Circular Head area projects and programs. Council does not have a specific youth worker.

There is presently no formal Council created Youth Group in Circular Head; previous (failed) attempts have demonstrated a more effective mechanism being short, sharp projects or activities rather than a continued (monthly) discussion forum. For example, Council conducts National Youth Week Celebrations by inviting interested youth to assist and organise events during this time. The Council also sponsored a school holiday program that was offered to High School age students in January 2005.

Leadership programs have been offered. Young people have been given the opportunity to attend the "Festival of Dreams" conference in order to develop leadership skills.

Council has also committed financially to the Community Door Program, engaging young people to provide opportunities for involvement on local Boards and committees to enhance leadership qualities and actively participate in decision-making processes. It is hoped that participants in the Community Door Program will positively influence the future direction of the community.

Council staff are currently endeavouring to link with the two local High School's Student Council committees to act as an advisory group for youth issues in the area.

Council has also applied for funding from the Office of Youth Affairs to review the Youth Policy.

Board Response

Noted.

4.6.2 The Aged

Presently Council has no formal Policy.

Council, in partnership with the Circular Head Rural Health Services, organises events for Senior's Week and liaises with Senior Citizens members for assistance. Council has supported the Circular Head Senior Citizens Organisation via Community Grants previously.

Council recently committed \$1.4m to assist with the development of a new aged care facility, managed by the Board of Emmerton Park, an aged care provider.

Board Response

The Board notes that Council has supported a proposal by the Board of Emmerton Park to provide a new aged care facility with increased capacity to cater for the needs of the Circular Head region. The Board notes that Council, at a Special Meeting held in September, had committed up to \$1.4million dollars to this development, which will be managed by the Board of Emmerton Park.

The Board was initially concerned by this decision, as it was not underpinned by a specific Council policy on care for the aged, and also did not appear to be linked back to Council's strategic plan or operational plans. In its discussions with Council, the Board raised these concerns and was somewhat reassured in regard to the rationale for this significant financial commitment. The Board was advised, for example, that Council decided on this action only after lengthy community consultation, negotiation with other levels of government over a number of years and careful attention to the long-term protection of Council funds that will be expended.

However, on the basis that Council has indicated strong financial support for future aged care developments, the Board considers a recommendation is required.

Recommendation

The Board recommends that Council develop appropriate policy for the aged to guide and underpin future decisions.

4.6.3 Indigenous

Presently Council has no formal Policy.

Council supports the Circular Head Aboriginal Corporation (CHAC) and continues to work in partnership in projects that not only benefit the indigenous people in the community but all residents.

CHAC are proactive service providers within the community and preliminary discussions are being held regarding Shared Responsibility Agreements, supporting grant submissions and projects.

Board Response

The Board notes that Aboriginal Land Issues were identified in Council's Partnership Agreement with State Government.

Given the sensitivity and significance of indigenous matters within the municipal area the Board considers that Council should develop a policy to underpin and support its position.

4.6.4 Multi-cultural

Presently Council has no formal Policy.

Council provides financial support via Community Grants for the Circular Head Multi-Cultural Group. Council also provides in-kind assistance and donations for events including Harmony Day and International Women's Day.

Board Response

Noted.

4.6.5 People with Disabilities

Presently Council has no formal Policy.

Council is supportive of the Circular Head Disability Support Group and a Council officer attends regular meetings.

The Circular Head Disability Group has recently applied for funding to build a Respite Centre. Council has committed to donate the land for the Centre. The group is awaiting confirmation of their submission.

Board Response

While the Board realises the development of policies is the prerogative of each Council, it considers that in the case of Circular Head, policy support for issues relating to indigenous and people with disabilities would be of assistance to Council.

For further information refer to Chapter 3.9.

Council Submission

4.7 Participation in Local Communities

Council participates in the local community by various means and many of these have been listed previously.

Further, a number of Council staff are active through the University of Tasmania as part of the University's Mentors program, assisting local community members outside of work hours.

Council is currently setting up a Health and Welfare Services Reference Group. It will be an advisory group to Council on strategic health matters relevant to this community.

Council has a very good understanding of health needs of the Circular Head community. During 2000 Council entered into a partnership arrangement with "ACCOG", a group comprising representation from the Commonwealth Department of Aged Care, Australian Rural and Remote Workforce Agencies Group, Royal Australian College of General Practitioners, Rural Doctors Association of Australia, Australian Division of General Practice and the Australian College of Rural and Remote Medicine. The aim was to attract and retain General Practitioners in rural areas.

The Smithton Medical Centre is a core teaching practice for GPs, Registrars and medical students, playing an important role in remote medical practice and providing training for medicine and nursing students across Tasmania.

Accommodation was recognised as a major restriction to attracting Registrars and medical students. ACCOG submitted a funding application for the purchase of a 'Doctor's House', for which they were successful. However, at the time of funding receipt there were no suitable residences available.

Council, which owned residential land in John Street, offered a building block at no charge. ACCOG, accepting Council's offer of donation of land and in-kind support, commissioned the construction of a fully furnished house providing accommodation to medical Registrars. Council maintains the premises and funds local telephone calls, power and gardening water. The Partnership was a first for the region and a success for Tasmania.

Council further assisted the community by contributing \$20,000 towards the newly constructed hydrotherapy pool.

SPAN, the Service Providers Access Network, was established by Council and is supported by the Circular Head Business Enterprise Centre. SPAN applied for funding through the National Drug Strategy and received a grant to employ a Community Educator for the Tough on Drugs Project for two years. This project is to raise awareness and educate the community in the dangers of illicit drug and alcohol consumption by young people in the area.

Due to limited staff resources, Council relies on the assistance of local Service Providers - including CHAC (Circular Head Aboriginal Corporation), Circular Head Rural Health Services and the Wyndarra Centre - to work in partnership with Council to implement programs/projects in the community.

Board Response

The Board notes Council's participation in and support of numerous and diverse community activities.

The Board congratulates Council on its innovative partnership with the Commonwealth Department of Aged Care and several peak medical professional bodies, which has enabled the provision of accommodation for medical registrars.

Council Submission

4.8 Consultation with Local Communities

Issues that Council consider to require consultation with the community are taken to public meetings or forums such as:

- Strategic Planning Review – Value Management Conference;
- Central Business District Upgrade;
- Hunter Island;
- Council Workshops;
- Kings Park Stanley Development;
- Local (Circular Head Chronicle) and Regional (Advocate) Media; and
- Council representation on local committees.

As indicated previously, the Doctor's residence was built after consultation with the local health services organisations, and others.

Council successfully consulted with the Community, Circular Head Business Enterprise Centre, 100 local businesses, State Government, and Unions Tasmania to change Burnie Show Day - a gazetted Statutory Holiday for Circular Head - to the Friday of Agfest, better meeting the desires of the local population.

Board Response

Noted.

Council Submission

4.9 Community Feedback Mechanisms

Council provides the opportunity for the community to provide feedback, dependent upon the issues through:

- Public Question Time at Council Meetings;
- Personal visits;
- Letters;
- Public meetings/forums;
- Local media; and
- Council representation on local committees.

SPAN enables all Service Providers within Circular Head and Service Providers that visit Circular Head an opportunity to report and network on services that are available in the area. This group endeavours to cover all aspects of health and wellbeing in Circular Head and identifies services that are required. Council supplies administration for SPAN and the group also work as a feedback mechanism for Council.

Board Response

Noted.

Council Submission

4.10 Annual General Meeting and Annual Report

Council prepares its Annual Report in accordance with the *Act* and it is provided to the community.

The Annual Report is presented at the Annual General Meeting each year and is available to the community free of charge. It is also available on Council's website. Four previous Annual Reports are included in this submission.

Board Response

The Board notes that, as in many other Councils in the state, attendance figures at the past four Annual General Meetings were low. The Board has suggested earlier that Council review its method of presentation in order to increase participation.

Also mentioned earlier, while the Annual Report appears to comply with requirements, the Board suggests that reformatting of information to a more graphic

style may create reader interest and provide more community awareness of performance highlights and financial information. Northern Midlands and Meander Valley Councils have previously received commendation for this method of reporting.

For further information refer to Chapters 2.1 and 2.2.

Council Submission

4.11 Grants and Donations

Council reviewed its Community Grants Policy for 2005-06 and now offers Community Grants twice a year (April and November) in order to provide community groups/organisations increased flexibility. A breakdown of the recipients of the community grants is included in the Annual Report.

Council does receive special financial requests outside of the application periods and each application is considered on merit, as stated in the Community Grants Policy.

Council also provides “in-kind contributions” to many community groups and organisations such as photocopying, laminating etc. These minor in-kind contributions are recorded in a register.

Board Response

During public hearings the Board discussed with Council the fact that no submissions were received from the community in response to the recently developed policy for the specific purpose of setting up procedures and guidelines for community grants. It was considered the implementation of the Communication, Public Participation Policy, should in future lead to a much broader consultative process with greater awareness of issues under consideration.

On a small specific note the Board commends Council for now offering grants twice a year and agrees that this will provide community groups and organisations with increased flexibility.

Council Submission

4.12 Media Communication

Council communicates to the public via the weekly ‘Coast to Coast’ supplement in The Advocate newspaper.

The Mayor/General Manager is in regular contact with the local weekly newspaper, *The Chronicle*, which carries a number of articles each edition related to Council activities.

For issues of significance and/or importance such as Hunter Island where the State Government was involved, press releases are issued to both The Advocate and the local newspaper, The Chronicle.

Media releases are also issued for activities of local interest.

Board Response

The Board commends Council for the new “Council Matters” section in the local newspaper and considers this is one of the many ways in which Council might attempt to raise awareness and increase community interest in its activities, which, with other measures, may also lead to increased community involvement and support.

Council Submission

4.13 Marketing of the Council

Council has no formal procedures for marketing itself. In 2004 and 2005 Council hosted a site at Agfest to help promote the Circular Head region. It also hires space at the Circular Head Show in December to promote itself.

Council staff are provided with funding to assist in uniform purchasing each year. All uniforms are embroidered with the Local Government logo. Council is in the process of changing corporate clothing providers and the new company will provide a uniform with the dedicated Circular Head Council logo on each item.

Council provides a page on its website with photographs of the region and has taken a lead role in municipal promotions by acquiring a site at Agfest in 2004 and 2005. The event has seen Circular Head showcased to approximately 28,000 visitors.

A “New Residents Welcome” kit is issued to new residents where the Council is made aware of a new resident or upon request.

Council employed a Strategic Projects Officer in February 2005 with a post-graduate qualification in Marketing, along with press media experience. The officer is in the process of designing new stationery and writing a prospectus with Circular Head regional economic information at its core. The prospectus is intended to assist potential investors in decision-making processes.

In October 2005 Council will host the “Tree-mendous Careers Expo” with representation from local businesses over two days. ANZ Bank’s Chief Economist will be attending and will be speaking at a forum during the event. The Council-organised event will be advertised in various newspapers.

Board Response

The Board commends Council for its initiatives to raise the profile of Council. In particular it notes the acquisition of a site at Agfest in the past two years which showcases the Circular Head municipal area to a wide audience.

It also commends Council for its appointment of a Strategic Projects Officer and for its hosting of the “Tree-mendous Careers Expo” which will be attended by Mr Saul Eslake, Chief Economist of the ANZ Banking Group.

The Board notes that Council is in the process of changing uniforms to reflect the dedicated Circular Head Council logo and is designing new stationery. These initiatives will also assist in raising awareness of Council.

Newsletters

Council does not currently provide newsletters to the community. It communicates through the Coast to Coast section of The Advocate newspaper and through press releases to The Advocate and local newspaper, The Circular Head Chronicle.

The Mayor will also write articles for The Hub, a new, free regional newspaper.

A monthly "Council Matters" section in the local weekly newspaper, The Chronicle, is to commence following endorsement of the format by the newly elected Council in November 2005.

Board Request for Additional Information

Please provide the Board information on your involvement in Natural Resource Management through Cradle Coast Authority and through Council's own initiative.

Additional Information Provided:

Council encouraged a local nomination to the Cradle Coast NRM Committee in 2004. Mr Wayne Tennant of Togari sits on the Committee.

Participation in NRM activities has been limited in recent times. The Council employs a Development Services Assistant, whose role includes acting as a co-ordination/information agent.

A Schedule of the current Partnership Agreement refers to the development of a Management Plan for the Robbins Passage Wetlands, but no dedicated funds have been allocated to progress the issue.

Board Response

The Board notes that a comprehensive Natural Resource Strategy for the region had been compiled in 2001. This report identifies environmental priorities within the municipal area.

Council is a member of Cradle Coast Authority and supported the nomination of a local resident to the Natural Resource Management Committee of that body. Council also has representation on some community committees with specific environmental tasks.

The Board sees a role for Council to facilitate increased participation in NRM activities.

Chapter 5

Roles and Responsibilities of Elected Members

The Board Guidelines below were provided to Council to assist it in preparation of its submission to the Review:

Board Guidelines to the Council

The functions and powers of a Council are listed in section 20 of the Act and include:

to provide for the health, safety and welfare of the community; to represent and promote the interests of the community; to provide for the peace, order and good government of the municipal area.

In addition, the functions of the Mayor and Deputy Mayor are listed in section 27 and the functions of the elected members are listed in section 28.

Items for consideration include:

- Strategic Plan development, implementation and evaluation
- Policy development, implementation and evaluation, including the General Manager's duty under s. 63(2)
- Code of Conduct
- Professional development of elected members
- Elected member expenses, support and facilities (s. 340A and General Regulations 42-43)
- Role of the Mayor, particularly in overseeing Councillors in the performance of their functions (s. 27(1)(c))
- Delineation of roles between elected members and officers (s. 28)
- General Manager's functions and powers (ss. 62-64)
- Officer reports to Council
- Performance review of the General Manager

Introductory Board Comment

Prior to undertaking this General Review, the Board advised Council that it would follow its usual practice of inviting all Elected Members to meet with it in a group and that it would also follow its usual practice of inviting the General Manager to that meeting. The Board met with the Mayor, Deputy Mayor, four Councillors and the General Manager in a special session. There was frank and fruitful discussion on communication, meeting procedure, Councillor roles under the amended legislation and community enhancement.

Council Submission

5.1 Strategic Plan Development, Implementation and Evaluation.

Council's strategic plan – 'Circular Head – Towards 2020' was adopted on 17 June 1999.

A Value Management Study was undertaken in late 2003 involving input from 60+ invited participants over a two day period. The results assisted in identifying key issues incorporated in the 2004 State Government Partnership Agreement and gave guided consideration of Budgetary allocations.

A revision of the Strategic plan has been undertaken, with the amended documentation to be presented for endorsement by the newly elected Council prior to seeking further public input.

Board Response

The Board notes advice from Councillors that they wish to work on the new Strategic Plan as a revision of the previous Plan, although direction would be taken from the Value Management Study of 2003.

The Board notes that it is now over six years since the previous Strategic Plan was adopted and that, while elements of the community consultation that preceded its development may still be relevant, much has changed in Tasmania since that time. At the meeting with Councillors the Board emphasised the need for wide community consultation as an important and legislative requirement of all Councils, when developing and reviewing its Strategic Plan. It re-emphasises that importance. In the Board's view local consultation gives more local reference. The Board considers that the Strategic Plan should be a living meaningful document, which is easily understood and guides the development of the Annual Plan.

For further information refer to Chapters 4.6.2 and 4.6.5.

Council Submission

5.2 Policy Development, Implementation and Evaluation, Including The General Manager's Duty Under S. 63(2)

During the last eight months Council has initiated a major review of its existing policies and has replaced or updated all policies. A new Policy Manual is now in place with further changes projected in the near future. A copy of this manual is provided to all senior staff and Councillors. Staff will systematically review all policies to ensure that they are up to date and relevant.

Any policies that are requested by Council or initiated by staff are discussed at a workshop with the Elected Members to ascertain whether the focus and intent of the draft policy is appropriate and in line with Council's wishes. Following this process policy documents are listed on Council agenda for consideration and if appropriate approval is given.

New policies are processed in accordance with the 'Policy Development Policy'.

Board Response

The Board was assured that Elected Members are satisfied with the concentration of workshops held as a preparation for discussion on the Annual Plan and budget estimates. Councillors advised that they feel free to approach the Staff for clarification on monthly financial reports when necessary.

As previously mentioned, in this Chapter and in Chapter 4, the Board is concerned at the lack of Policies adopted by Council to guide its decision-making and the establishment of priorities as a basis for financial decisions. However, it is noted that a detailed Consultation Policy has been prepared.

Because the Board feels that Council has been operating without an appropriate policy framework to support decisions, it recommends further policies be developed with Councillor input and opportunity for community comment. This will require Council to consider the gaps in its current policy framework and decide itself on which policies it needs to adopt.

Recommendation

The Board recommends that Council give priority to continuing its current development and review of existing policies.

Council Submission

5.3 Code of Conduct

Whilst Council does not have the formal Code of Conduct operating across the organisation pending the expected draft release following the recent changes within the Local Government Act 1993, Council did introduce a staff Code of Conduct within the staff manual in 1998. It was revised in 2003.

The Council is aware a Code is to be adopted by 1 July 2006.

Board Response

Councillors are aware that the Code of Conduct is under discussion and will be adopted in 2006.

Council Submission

5.4 Professional Development of Elected Members

Councillors are invited to attend regular professional development opportunities offered by the Local Government Association of Tasmania including day seminars and residential weekends.

Council has a practice of 50% of elected members attending the LGAT Annual Conference.

'In-house' professional development opportunities are offered on occasion.

Board Response

The Board is pleased to note that an Induction Day is provided by the Mayor and General Manager for newly Elected Members with appropriate documents being given.

However, Councillors expressed dissatisfaction that much of the professional development for Elected members is given in Hobart with distance and time taken to travel being a real disincentive to participation. The Board agrees that elected members in the Circular Head municipal area are disadvantaged by the distance from Hobart. During its discussion with Council, the Board suggested that Councillors make more use of teleconferencing and video conferencing which would save on travel and encourage participation.

The Board was also advised that the Director of Local Government has offered to present a workshop on the amendments to the Local Government Act 1993 at Council chambers at a mutually agreed time and that Council will be accepting that offer. The Board was also advised that, in the past, Council has invited elected members and officers from other Councils to visit and provide presentations on further relevant legislation. The Board commends Council for these initiatives and suggests that, in future years, Council also identify training that elected members would like to be provided on-site and request that this training be provided by the Local Government Division, the Local Government Association of Tasmania and any other relevant training providers.

Council Submission

5.5 Elected Member Expenses, Support and Facilities (s. 340A and General Regulations 42-43)

Councillor allowances and expenses policy was adopted 19 July 2001 and reviewed and adopted 15 September 2005. Further support for Councillors was the supply of facsimile machines in approximately 1995, allowing easier communication and information provision.

The Council has had a Policy clarifying payment of Councillor allowances and expenses since 2001.

Board Response

The Board notes the provision of facsimile machines to all Councillors and suggests that Information Technology training be considered when requested.

Council Submission

5.6 Role of The Mayor, Particularly in Overseeing The Councillors in the Performance of Their Functions (s. 27(1)(c))

The Mayor is aware of his obligations in this matter in relation to the Act and oversees the Councillors in the performance of their functions as prescribed.

Board Response

The Board notes that the Mayor is reminding the Elected Body of its role as a Planning Authority.

The Board was advised, however, that Councillors felt that knowledge of legislative requirements in the planning area is often hard to assimilate.

The Mayor, on being questioned by the Board, stated that Council considers it necessary to hold a Public Question Time at both the beginning and the end of Council meetings in order to cater for members of the public coming in late from work. On the basis of that advice, the Board commends Council for this practice.

Council Submission

5.7 Delineation of Roles Between Elected Members and Officers (s. 28)

Council adheres to section 63(2) of the *Local Government Act 1993* whereby all employees are to be appointed and promoted according to merit and without discrimination and that all employees receive fair and equitable treatment without discrimination.

Councillors and elected members are aware of the separation of their roles and the roles of Council officers.

External assistance via the City of Hobart has been sought to augment “in-house training”.

Board Response

In discussion with elected members the Board asked Councillors for their understanding of their role. The Councillors advised that they well understood their role as policy makers and that they were aware of the provisions of the newly amended Local Government Act 1993 with its strong warning that elected members as individuals are not to direct Council staff.

In its discussion with staff the Board was similarly advised that they understand their role in regard to the elected body and the provisions of the Local Government Act.

Discussion with Councillors emphasise the need for further Policy-making as a reference point for financial decisions. The Board congratulates Council on its very detailed Consultation Policy.

The Board sees merit in the use of Customer Request forms, as a means of recording work to be done. It was advised that most Councillors receive verbal requests for assistance so that the same forms can be used by them as by members of the public as a process of dealing with community complaints and requests.

Council Submission

5.8 General Manager's Functions and Powers (ss. 62-64)

Council is conversant with the requirements of section 62 of the *Local Government Act 1993* in respect to the General Manager's powers.

Board Response

Noted

Council Submission

5.9 Officer Reports to Council;

Written reports are presented to elected members in the following standard format, providing consistency and ease of reading:

- Title.
- Recommendation.
- Summary/Purpose.
- Background.
- Statutory Implications.
- Strategic Implications.
- Policy Implications.
- Financial/Risk Implications.
- Comment.
- Conclusion (where necessary).

A report-writing practice guide is presently being formulated. "In-house" training is to be completed by the end of the 2005 Calendar year.

Board Response

During its discussions with Council the Board was informed that the new template for Officers' Reports will include a section detailing community consultation and consultation with the State Government, if relevant, as agreed in the Statewide Partnership Agreement between State and Local Government on Communication and Consultation and relevance to State Government Policies.

Council Submission

5.10 Performance Review of the General Manager

The current General Manager has held the position for over three years.

Annual performance reviews have been conducted, with Council practice being that third-party external assistance is to be provided every second year.

Board Response

The Board notes Council's decision to use an external facilitator to review the General Manager's performance every second year. The Board notes the advice

received verbally that the latest performance review was held internally with administrative help from the Executive Officer and was satisfactory to both the General Manager and Council.

Further Board Comment

The Board asked for clarification on the commentary in the Minutes after a resolution was carried/defeated. Advice was given that it explained decisions, particularly on planning matters. If Council deems it necessary to continue with this practice the Board suggests that this commentary should be placed prior to the record of decision, and not after, to make it clear that it is a summarised record of the debate only.

Chapter 6

Equity, Access, Human Resource and Council Management

The Board Guidelines below were provided to Council to assist it in preparation of its submission to the Review:

Board Guidelines to the Council

Although the General Manager is responsible for employees, a Council has a duty to develop appropriate policies to ensure that employees receive fair and equitable treatment without discrimination.. The Board believes that Councils should be exemplary employers and set an example in their community. The Board is interested in employment policies, procedures and practices including:

- Strategic Human Resource Management
- Position descriptions and job statements
- Performance reviews
- Training policies and planning
- Career development and study assistance
- Induction processes
- Performance counselling
- Grievance procedures
- Equal employment opportunity and anti-discrimination policies
- Workplace Safety/Occupational Health and Safety Management System
 - Awareness of and responsibility as required by legislation
 - Training
 - Clothing and equipment
 - Workplace practices
 - Occupational health and safety committee
 - First aid training
 - Contractor supervision
 - Incident reporting
- Rehabilitation of injured workers
- Conditions of employment
- Enterprise bargaining procedures
- Recruitment and selection policies
- Remuneration policies
- Succession planning
- Consultation and information procedures
- Reporting of equipment malfunctions or breakage
- Other aspects of human resource management (s. 63(1))
- Innovative work practices
- Accommodation of staff

NOTE: the Board is interested to know how the implementation of the above is being evaluated.

Introductory Board Comment

As part of the General Review, the Board met on 24 November 2005 with a representative group of 10 employees drawn from a wide range of disciplines. During this meeting the Board questioned employees about the submission provided by their employer. Items discussed include induction programs, job descriptions, performance evaluation, training, occupational health and safety standards and other aspects of Human Resource Management procedures.

Following this meeting, the Board met with Senior Management and the General Manager when the opportunity was taken to discuss employment issues.

The Board notes that a General Manager has the responsibility to develop human resource practices and procedures in accordance with policies of a Council and to ensure employees received fair and equitable treatment without discrimination.

Council Submission

6.1 Strategic Human Resource Management

The General Manager under section 63(2) of the *Local Government Act* is responsible for providing human resource procedures within the Council. This is specifically identified in the Human Resources Policy.

Current practices in relation to HR management within Council are outlined in the following sections. They are also detailed in the recently reviewed and updated Staff (HRM) Manual. This manual is given to all staff on commencement and is to be reviewed on a regular (yearly) basis.

The organisational structure chart of Council is located in the Staff Manual provided with this submission.

Board Response

The Council provided a copy of the organisational structure chart which can be found on page 15 of the Report.

The Board notes that the Staff Human Resource Manual (HRM) is well presented and informative for employees, but makes no reference to the General Manager's new responsibility to ensure not only that employees receive fair and equitable treatment without discrimination, but that they do so in accordance with a Council policy.

That is not to say that the Board identified problems in this area. On the contrary, in response to a question from the Board, the employee representatives present advised they were of the opinion no problems existed with regard to fair and equitable treatment of staff.

The Council reassured the Board that an appropriate policy was in place as required by section 63(2) of the Local Government Act 1993 covering amended responsibilities for the General Manager relative to fair and equitable treatment of employees.

Council Submission

6.2 Position Descriptions and Job Statements

All employees within Council structure have a position description developed for them. All position descriptions are reviewed when there are changes to the role or position and/or during an employee's regular performance appraisal.

Board Response

The Board was advised that position descriptions had been developed for all employees, and were subject to continual review at the time of annual appraisal or at the time there was any change in a job role and responsibilities.

Council Submission

6.3 Performance Reviews

It is the responsibility of Senior Managers that all performance reviews for permanent staff within their department are completed on a regular basis. This involves an original review on completion of the three month probation period in the case of new staff and then regularly at approximately anniversary time or when the position changes significantly.

Within an individual department the direct supervisor would conduct the review with the senior manager overseeing the process. A standardised document is sent to the staff member to initiate the review.

The General Manager conducts performance reviews of the senior manager's contracts on a regular basis, as per the contract requirements.

A copy of the Performance Review proforma and attached guidelines are available for review.

Board Response

The Board notes that the "Enterprise Agreement" provides for annual performance appraisal and presents an opportunity to review the current "position descriptions and job statements" of employees. Members of the representative staff group responded that performance reviews generally operated as required. The exception, in some instances, was that in the "outdoor workforce", in response to reluctance by some employees to undergo review so frequently, the annual review was not instigated by the Supervisor but left to the employee, and, as a result, some of these reviews are long overdue. The Board is of the view that the General Manager should ensure that all employees receive their annual review in accordance with the Enterprise Agreement.

Council Submission

6.4 Training Policies and Planning

Council acknowledges the significant benefit to employees and the Council to be gained through the acquisition by employees of further trade or academic qualifications, training or development courses, therefore Council will provide professional development and training for all staff. The focus of training is to firstly ensure that the staff is competent to perform the workplace activities of their job and also create a climate for “lifelong learning” so that staff accept responsibility for their own continuous improvement, adaptation to change and achievement of new skills.

The Circular Head Council also funds the sponsorship of staff to external courses, conferences and seminars.

Examples of professional development assisted by Council include:

- Adv Diploma of Health Services (Env. Health);
- Bachelor of Urban and Regional Planning;
- Building code of Australia;
- Cert 4 Conservation of Cultural Heritage Places;
- Cert III in Civil Construction (road construction and maintenance);
- Cert III Occupational Health and Safety;
- Cert IV Community Services Work;
- Cert IV Front Line Management;
- Diploma Business Administration;
- Level II and III Business Administration; and
- Postgraduate Certificate in Project Management.

The provision of staff to attend short courses is made available to meet the requirements of the organisation and staff availability at the required times.

As part of this year’s budget deliberations Council has provided a development budget for all indoor staff. A Training Plan is being implemented in conjunction with the budget allocation and the staff performance reviews.

WorksPlus staff training is specifically identified under its Business Plan.

Board Response

*The Board noted that, in the **Measuring Council Performance in Tasmania Report 2003-04 (KPI Report)**, the expenditure on training “average cost per employee” calculated to \$423.00 at Circular Head compared to a Group average of \$666.00, and a State average of \$781.00. In response to questions, staff representatives indicated that training based in Hobart required 10 hours travel to attend with the necessity for overnight accommodation, and, additionally, the staff workload presents difficulties in long-term absence from the office.*

All staff present indicated they had taken part in training programs, and, in an endeavour to overcome travel costs, courses were often organised in-house at Smithton.

The Board suggests that Council explore the use of videoconference facilities which have proved beneficial to Councils in other remote parts of the State.

Council Submission

6.5 Career Development and Study Assistance

Study assistance is provided consistent with that documented in the Human Resource Manual.

Career development opportunities remain limited given the scale of the organisation.

Board Response

Noted.

Council Submission

6.6 Induction Processes

A formal induction process exists at Council and an induction manual is provided to all new staff which includes OH&S information. New staff are shown through Council building and over a period of 3 months are provided with a tour of Council facilities and operations. Council's Executive Officer conducts the induction sessions, assisted by the various managers where required.

The Works Manager of Council's Business Unit conducts the induction process with staff and contractors employed by the unit.

A copy of the Staff HRM Manual is included in this submission.

Board Request for Additional Information

Would Council provide the Board with a copy of the induction manual?

Additional Information Provided:

The Board was provided with a copy of the Induction Manual as part of the Staff (HRM) Manual.

Board Response

The Board has a strong view that a good induction process is essential from a Council's duty-of-care responsibility, and at the same time provides employees with an understanding of the local government environment and the roles of all participants. It is important that employees understand their responsibilities under the Local Government Act 1993 together with the Environment Management and Pollution Control Act 1994 (EMPCA) that can bring with it personal liabilities.

The Board was therefore pleased to note that staff members appointed in recent years all advised that they have been through the induction process as outlined in the HM Manual and that all staff members had copies of the Manual. It commends Council for this practice.

After discussion with the staff representatives, the Board is also aware that, in common with workplaces nationwide, Council has a number of longer-serving employees who never received induction training.

The Board suggests that consideration be given to the merit of offering long-serving employees the opportunity to undertake the current induction process to bring them up to date.

The Board is also interested in whether all staff are inducted together, or whether it is done in teams, as a whole-of-workforce approach can often aid in creating a sense of one team. In response to a question from the Board regarding the linkage between indoor and outdoor work forces in particular, the staff representatives advised the Board that, whilst initially there is a split, over a 12-month period there is an opportunity for everyone to meet, if they take the initiative to do so.

Council Submission

6.7 Performance Counselling

The Staff (HRM) Manual deals directly with counselling depending on the type of issue involved. The Performance Review process enables staff members to identify any relevant issues. Disciplinary action as identified in this manual is addressed in accordance with the relevant Awards.

Personal counselling, when requested, is available from qualified people external to the organisation. Please refer to Clause 24 of the current Enterprise Agreement. The Agreement allows for the principle of conciliation by direct negotiation, along with timelines for submissions from the initial grievance/dispute to a supervisor through to the Australian Industrial Relations Commission.

Board Response

Noted.

Council Submission

6.8 Grievance Procedures.

Disputes/grievance procedures are covered under Part 23 of Council's Enterprise Agreement. The procedure allows for the principle of conciliation by direct negotiation, timelines for submissions from the initial grievance/dispute to a supervisor through to the Australian Industrial Relations Commission.

Council encourages the principle of conciliation by direct negotiation to be the primary source of settlement of grievances or disputes.

Reference is given in the Staff HRM Manual to Clause 26 of the current Enterprise Agreement. The step-by-step process is clearly identified, along with an emphasis on continuation of work duties during the grievance process. Council views direct negotiation at the primary level to be of utmost importance in resolving issues in an efficient and appropriate manner.

Board Response

Noted.

Council Submission

6.9 Equal Employment Opportunity and Anti-Discrimination Policies

Council adopted its original EEO Policy on 18 February 1993 followed with a reviewed policy on 15 September 2005. EEO and Anti-discrimination is covered under Part 22 of the Enterprise Agreement and in the Staff HRM Manual. The manual provides a clear understanding of what is required and the process of how to register a complaint if required. The procedure offers support from a friend to attend with the reporting process if required, to help in alleviating fears and concerns.

The Tasmanian Anti-Discrimination Council has provided training to a number of staff across the organisation.

Council has reviewed and adopted an 'Equal Employment Opportunity Policy'. Council also includes references to EEO and Sexual Harassment in its Staff HRM Manual. Further, both documents define discriminatory practices as serious issues and refer to the relevant Acts.

Board Response

The Board notes that there are no Equal Employment Opportunity and Anti-Discrimination Officers appointed as staff contact persons. The Board is of the view that a male and female should be appointed as staff contact persons to provide appropriate coverage in this area. On this basis it is suggested that an election be held to appoint gender-based contact officers as a matter of urgency, and that those elected receive adequate training to carry out the role with confidence and in a professional manner.

The Board was advised that the process to make the necessary appointments had been commenced.

Council Submission

6.10 Workplace Safety/Occupational Health and Safety Management System

6.10.1 Awareness of and Responsibility as Required by Legislation

Council has a high regard towards OH&S and Workplace Safety systems.

Following a recommendation from the Workplace Health and Safety Employee Advisory Committee, Council adopted its first OH&S policy on 16 November 1995. It was displayed widely within the organisation and incorporated into Council's employee induction and staff manuals. Council also appointed an elected member to the Safety Committee to further demonstrate to all staff the importance that Council placed on safety.

With the external workforce becoming a business unit of Council, the need arose to make the Committee more adaptable. Therefore, indoor and outdoor Committees were formed. Both Committees meet at suitable times and locations to handle matters of direct concern. The Committees consist of management and staff, including the swimming pool manager. When necessary both Committees meet together to achieve desired outcomes.

The Executive Officer is charged with the duty to ensure that support and practical guidance is provided to all employees consistent with Council's OH&S policy and practices. In 2001 Council commissioned an OH&S Management Audit to ascertain what criteria and mechanisms were needed to be addressed with regard to the ongoing effectiveness of the OH&S policy. The audit process assessed the workplace according to ten criteria, including:

- Health and Safety Policy Communication;
- Allocation of Responsibility/Accountability;
- Suppliers, Subcontractors and Purchasing Controls;
- Health and Safety Consultation;
- Provision of Information, Training;
- Workplace Specific Issues; and
- Reporting and Investigation and Emergency Planning.

The audit summarised the capacity of Council's existing OH&S policy and procedures and further highlighted how the existing components, working effectively, could be included in OH&S Integrated Management. In 2002 Council entered into an Integrated OH&S

Management System (IMS) under licence from the Civil Construction Corporation.

In 2005 Council moved to maintain the IMS under its own rights with the existing policies and procedures and the introduction of self-auditing and system review. Following the review a pocket-sized Safety Hand Book was written, providing all Council employees with a quick reference guide, based on the much larger safety manual.

Board Response

The Board notes that in 2005 Council decided to take over an Integrated Management System originally taken up in 2002 under licence from Civic Construction Corporation utilising existing policies and procedures. The system was augmented with the introduction of a self-auditing and system review process. A pocket-sized Safety Handbook was developed providing all employees with a quick reference guide.

6.10.2 Training

Safety training at Council is extremely important. It is provided where needs are identified, including for new employees and when new processes are introduced. A record of training is kept for all staff. Examples of training include:

- OH&S Hazard Awareness;
- Safety at Road Works;
- Manual Handling;
- Safety and Environmental Management Systems;
- Traffic Controller;
- Develop Fire Safety Awareness/Use Portable Fire Fighting Equipment in the Workplace;
- Confined Space Entry;
- Small Plant and Equipment Safety Issues;
- ChemCert Chemical Accreditation for Sprays;
- Hazard Analysis Critical Control Point;
- Emergency Evacuation and Wardens Response;
- Bomb Threats;
- Armed Hold-up; and
- UV Heat Awareness.

Council has a range of safety training videos including:

- Risk Assessment for the Office;
- Attitude - Think about it;
- Office Manual Handling;
- Handling and Storage of Hazardous Substances;
- Risky Business; and

- Outdoor Maintenance Professional.

The Enterprise Agreement recognises that the achievement of joint goals such as increased efficiency, productivity and competitiveness will require an increased commitment to training. This will occur via the implementation of a comprehensive staff development and training program.

All training is offered in such a manner as to ensure access in accordance with EEO and equity principles.

Board Response

Noted.

6.10.3 Clothing and Equipment

Clothing and equipment is covered under the Enterprise Bargaining Agreement. Office staff are provided with an initial allocation of \$350.00 towards the purchasing of the Corporate Wardrobe, with an annual allowance of \$250.00.

Personal protective equipment and clothing is provided in relation to the individual's position and operational requirements.

WorksPlus employees are issued two pairs of trousers and shirts or overalls and one pair of safety boots or shoes annually. Protective clothing and equipment is issued as required and replaced when the items are no longer serviceable.

Swimming pool staff are issued with a uniform suitable to the conditions in which they work.

Appropriate arrangements are made for the issue of clothing and equipment to casual employees.

Board Response

Noted.

6.10.4 Workplace Practices

Management and staff are encouraged to continually monitor workplace practices ensuring compliance with Council policy and procedures. Procedures are discussed when necessary at staff and team meetings, with improvements implemented as required.

Staff are encouraged to suggest, at anytime, improvements to work practices.

Board Response

Noted.

6.10.5 Occupational Health and Safety Committee

As mentioned in 6.2.1, Council's Workplace Health and Safety Committee has been operating for a number of years. The Committee

consists of Council management appointees along with elected indoor, outdoor and swimming pool staff.

The separate WorksPlus and Administration OH&S Committees meet together when required.

Board Request for Additional Information

The Board would like to know what is the frequency of meetings?

Please provide the Board with copies of these Committee Minutes.

Additional Information Provided:

Committee Meetings are scheduled quarterly or sooner if required.

Copies of Minutes of the Occupational, Health and Safety Committee will be made available to view at Council Chambers.

Board Response

The Board notes that the appropriate committees are in place, but a perusal of meeting minutes appeared to confirm that, in some instances, meeting frequency extended beyond the three-monthly cycle. The Board is of the view that appropriate scheduling of issues for discussion should provide an adequate agenda for quarterly meetings, at least, of Council's Workplace Health and Safety Committees.

The Board was advised that meetings were now scheduled to be held regularly every two months.

6.10.6 First aid training

All staff are offered and encouraged to complete Senior First Aid Certificate II training and to maintain their qualification with regular training updates. Council utilises the local SES Road Recovery Unit for the training in conjunction with the Australian Academy of First Aid.

Swimming pool staff are trained in Advanced Resuscitation Techniques and Spinal Board Recovery.

Circular Head is a large land area with relatively few people and employees, in particular the WorksPlus unit often work in remote areas. Council recognises the importance of first aid training both at work and in personal life.

Board Response

The Board notes that first aid training is provided to all employees on an annual basis and there has been a strong take-up of the opportunity. Council is to be commended on its policy which is providing trained workers who have the qualifications to provide emergency support in the community as well as the workplace.

6.10.7 Contractor Supervision

As part of Council's Contract Management Plan managers must, where applicable, include standard OH&S conditions in tenders, expressions of interest and contracts.

Contractors must be able to demonstrate an ability to comply with OH&S responsibilities prior to a contract being awarded. Further, they must comply with OH&S responsibilities during their contract.

A Council questionnaire has been in use for some time. It asks contractors a range of health and safety questions about their business practices and insurances. Council maintains that if the contractor fails to provide a completed questionnaire they will not be considered for work.

A register of all contractor insurances is kept by Council with expiry dates monitored via Council's securities system, Sycamore.

Board Response

Noted.

6.10.8 Incident Reporting

Incident reporting is discussed with new staff during the induction process. It is also referred to in the Staff HRM Manual, Safety Manual and when necessary at staff meetings.

Reporting flow charts are located in the lunch rooms at WorksPlus and at the Council office. Report forms are located in both lunch rooms and through supervisors.

Corrective action measures or quality improvement orders are completed following the reporting of incidents.

Board Request for Additional Information

The Board would like to know how many incidents have been reported in the last 12 months?

Additional Information Provided:

During the last 12 months three incidents were reported. There were two workers compensation claims during the period.

Board Response

Noted.

Council Submission

6.11 Rehabilitation of Injured Workers

Council introduced a Return to Work and Rehabilitation Policy in February 2001 in conjunction with Workplace Standards and Allianz Australia Insurance. Allianz Australia is Council's compensation insurer. Recover Pty Ltd, a subsidiary of Allianz, is Council's preferred rehabilitation provider.

Council has assisted the rehabilitation of injured workers by providing alternative duties including:

Demolition of a house and transfer materials to alternative site
Asset Verification Works - mapping street assets (waters points, manholes, furniture and fire hydrants)
Swimming pool - changing water filters and collection of coupons
Cataloguing and restoration of defunct Community Brass Band Instruments.

Council has also acted as the host employer for other businesses wishing to rehabilitate their workers but unable to provide suitable alternative tasks.

Council has offered the following roles:

- General administration assistant duties; and
- Light duties for painting, pressure cleaning, gardening.

Board Response

The Board was advised that Council takes an active role in this area and also acts as a host employer for other businesses who are unable to provide suitable tasks within their own workforce. Staff from Council's representative group confirmed there were often issues in finding "light duty" activities. The Board commends Council on its initiative in endeavouring to assist placement of employees from other businesses.

Council Submission

6.12 Conditions of Employment

Conditions of employment are covered for non contract staff and employees under either the Municipal Officers (Tasmania) Award or the Municipal Employees (Country Council's) Awards and the associated Enterprise Bargaining Agreement. The Agreement is a two part arrangement that covers indoor and outdoor staff to meet their required needs.

Non Award staff are employed under individual contracts.

Council's current (EBA) will expire on 30 June 2006.

Board Request for Additional Information

Please provide the Board with a copy of the Enterprise Agreement.

Additional Information Provided:

A copy of the Enterprise Agreement will be made available for viewing at the Municipal Offices.

Board Response

The Board received a copy of the Enterprise Agreement during the hearing.

Council Submission**6.13 Enterprise Bargaining Procedures**

The existing and previous Enterprise Bargaining Agreements were achieved with consultation and bargaining between four parties: Council management, indoor staff, outdoor staff and the Australian Services Union. Initially, Council engaged external training providers to assist team members to understand the Enterprise Bargaining process.

Council is in the early stages of the new process, to be finalised by June 2006.

Board Response

The Board notes that Staff from Council's representative group indicated that continued workplace issues for bargaining purpose relative to improved productivity were difficult to identify at this time, and they agreed that current conditions were satisfactory. The Board was advised that meetings are proceeding with a view to finalising a new agreement prior to the expiry of the existing one on 30 June 2006.

Council Submission**6.14 Recruitment and Selection Policies**

To ensure transparency and consistency with the recruitment and selection of new staff, the following Policy applies:

POLICY STATEMENT

THAT ALL RECRUITMENT AND SELECTION IS UNDERTAKEN IN A COORDINATED AND PROFESSIONAL MANNER. THE GENERAL MANAGER ADMINISTERS THE RECRUITMENT AND SELECTION PROCESS ENSURING THAT THE PRINCIPLES OF FAIRNESS AND EQUITY ARE MAINTAINED AT ALL TIMES.

Prior to advertising vacant positions, the position description and the role and function of the vacancy are reviewed. Depending on the position that is available various methods in advertising are employed. Some positions are advertised internally, externally through the newspaper or local government job directory or on professional websites. Occasionally, where it has been determined that direct

selection will be the most beneficial outcome this method has been utilised.

Interview panels usually consist of three (3) people, ensuring that one (1) of those is not directly related to the particular area of Council's operations. This assists in ensuring the probity of the selection process is maintained.

Following conclusion of the interview process referee checks are undertaken and a formal report is prepared by the interview panel with a recommendation to the General Manager as to the preferred applicant.

Board Response

The Board notes that there is a POLICY STATEMENT that requires the General Manager to administer the recruitment and selection process ensuring that the principles of fairness and equity are maintained at all times. The Staff from Council's representative group confirmed that all staff appointments had gone to interview, but this process is not always used in cases of restructuring.

Council Submission

6.15 Remuneration Policies

Remuneration is based on the classifications within award conditions and the existing Enterprise Bargaining Agreement.

Council participates in a national Local Government remuneration survey.

Non-award staff are employed on individual contracts.

Board Response

Noted.

Council Submission

6.16 Succession Planning

Council has no formal succession planning procedures.

Regular meetings are held by the Corporate Services department and the Infrastructure and Development Services section where staff have developed a basic understanding of each other's roles. Further, during periods of planned extended absences various staff are trained up to perform in the absentee's role.

In the above two departments, multi-skilling has developed as a form of succession planning to counter future resignations and retirements and to allow for a smooth transmission of staff into those positions. There are, of course, positions that do not allow for this due to their specialisation.

Board Response

The Board was advised that the outdoor workforce is more broadly multi-skilled than the indoor workforce and, as a result, were more able to cover job vacancies. The Board notes that there has been a concerted effort to improve skill levels between the Corporate Services and the Infrastructure and Development Services Departments with a view to improved customer service.

Council Submission

6.17 Consultation and Information Procedures

There is a staff meeting on the last Wednesday of each month commencing at 5pm. By clause 32(1) (m) of the EBA the staff meeting can be held for a period of 2 hours.

The General Manager chairs the meeting and provides an overview of the monthly Council meeting held the previous week. Other Council managers and Officers report when necessary.

An agenda is sent to staff and all staff may include and speak on any topic as they wish. Staff meetings are viewed as a valuable form of communication. Departments are encouraged to provide updates on projects etc so that all staff are informed. Such meetings occasionally springboard departmental interaction.

In addition, Corporate Services and the Infrastructure and Development Services (IDS) teams hold fortnightly staff meetings respectively. IDS also has weekly meetings involving development application staff. WorksPlus has a full staff meeting once every three months and regular, smaller meetings.

Consultative teams are arranged on a needs basis, involving various staff from each department. Currently the Enterprise Bargaining team is being formed to work through the new Agreement process.

Board Response

Noted.

Council Submission

6.18 Reporting of Equipment Malfunctions or Breakage

WorksPlus staff and plant operators utilise a Daily Start Up check list in which they report defects and maintenance issues. Problems are followed by corrective action.

Works Orders provide a reporting mechanism for equipment issues other than defects and general maintenance.

Swimming pool staff utilise a daily pool maintenance report to list facility and equipment failures.

Council's pump stations have inspection diaries onsite for reporting malfunctions or breakages.

Administration staff report failures direct to the various managers and the Executive Officer, who is responsible for maintenance issues.

Board Response

Noted.

Council Submission

6.19 Other aspects of Human Resource Management (s. 63(1))

Whilst Council endeavours to work with best practice in recruitment and retention of staffing levels, it has seen a turnover of 35% of Administration and Engineering staff in the past two years. This has been brought about by people leaving the rural community as well as seeking employment away from Local Government, often in higher-paying private enterprise positions.

Circular Head Council has struggled to recruit replacement staff quickly. For much of the past three years Council has operated with less than the required number of staff. With such recruiting problems Council is considering alternative measures of recruiting and enticing staff to the Municipality.

Although it tries to attract suitably qualified staff Council often finds that applicants are either underqualified for the position they are applying for, or that the position description is such that otherwise potential applicants do not believe they will be able to perform in the role, and therefore do not apply.

There also appears to be a general lack of interest in applying for Local Government positions.

In order to combat the problem, Council has found itself turning to individual contracts and salary packaging in order to attract suitably qualified applicants.

Board Response

*The Board notes that the **Measuring Council Performance in Tasmania 2003-04 (KPI Report)** showed a staff turnover rate calculated on the number of full-time equivalent (FTE) employees of 14.0, compared with the Group average of 12.0 and a State average of 10.7.*

The Council submission confirmed there had been a turnover of 35% of Administration and Engineering staff in the past two years and, whilst vacant positions had been filled, it had taken many months in some instances.

The Board suggests that a promotional recruitment package be developed with a view to attracting new employees to the local government industry, with an emphasis on Circular Head as a desirable place to live.

Council Submission

6.20 Innovative Work Practices

Council, on occasions, acts as a host employer for rehabilitating workers outside of Local Government via their insurers or other rehabilitation providers.

Presently Council has as a key goal at a community level to encourage an ethos of lifelong learning. To demonstrate commitment to such, Council has created trainee positions and led by example with the first school-based trainee locally. The individual has subsequently secured a permanent position with Council.

Continuous improvement programs are encouraged by management to keep abreast of service provided to community and customers. The “One Stop Shop” approach for visiting customers is gradually being adopted by Council in the hope of providing customers (and staff) with easier access to general information.

Board Response

The Board was given a detailed operational outline by the Manager of “WorksPlus”, Council’s outdoor workforce Business Unit. The unit has been in operation for 10 years and was set up initially to contend with compulsory competitive tendering proposals. The Council maintenance work is carried out at a contracted schedule unit cost rate, with specific quotes for capital works projects. There is a profit share arrangement between the employees and Council.

The Board was advised that Council does not have a system that recognises innovation. The Council was reminded of the State Innovation Award Program that is linked to a national system. The Board notes that employees are, however, encouraged to bring forward ideas for workplace improvements.

Council Submission

6.21 Accommodation of Staff

Council has a single municipal office based in Smithton. It accommodates Corporate Services, Civic and Community, Infrastructure and Development services, the Mayor’s office and the Council chambers. It also includes basic amenities, car parking and public toilets.

The WorksPlus depot is also located in Smithton. All WorksPlus staff are accommodated at this site.

Board Response

The Board notes that accommodation is considered “really good” by staff in relation to the Municipal Offices and the Works Depot.

Chapter 7

Asset Management

The Board Guidelines below were provided to Council to assist it in preparation of its submission to the Review:

Board Guidelines to the Council

Councils are the custodians of public infrastructure and assets. Asset management has a significant impact on operational sustainability and the delivery of service to the community over many generations.

The Board is looking for evidence of

- (a) comprehensive register of infrastructure assets including valuation, condition assessments and identifiable categorisation
- (b) maintenance plans
- (c) asset replacement strategies
- (d) strategies for creation of new assets
- (e) funding plans

Items for consideration include

- Roads, streets, bridges, footpaths, cycleways, etc
- Sewerage services
- Stormwater drainage
- Waste management
- Water supplies
- Buildings
- Fleet and plant management
- Land development
- Public amenities
- Recreation facilities and parks
- Works depots and store

Council Submission

7.1 Comprehensive register of infrastructure assets including valuation, condition assessments and identifiable categorisation (as per items for consideration)

Asset management functions are primarily managed within the IDS Department. Corporate Services manage (small) fleet issues, land and (corporate/community) buildings whilst WorksPlus are responsible for large fleet plant and the Depot/Store.

The last (complete) formal valuation and condition assessment was undertaken in 1999-00. Results of that work are compiled as the Total Asset Management Plan May 2000, however much of the background workings to the document are not readily available. In particular, the condition assessment information appears to have been based on relatively arbitrary criteria and/or life of asset – not measures of function, integrity or capacity – which can be difficult to repeat consistently.

Much of this work was resource intensive for data input and analysis/reporting functions, and required considerable manual manipulation of data.

For various reasons – including staff turnover and resource levels - it seems little structured work was undertaken from 2000 until late 2003. At that point, considerable effort was dedicated to validating existing water sewerage and drainage asset information.

In early 2005, the existing Heufner asset system was replaced with BizEAsset which is linked directly to Mapinfo GIS. This decision was made due to the improved integration and reporting capability of the latter software. All asset groups listed can be managed within the new system. Once fully developed, the asset system will generate annual accounting reports (write-ons and write-offs), revaluations as required, asset replacement profiles etc.

Staff are currently endeavouring to convert existing data, verify asset information, establish policy documentation and establish condition benchmark information that offers repeatable condition assessments.

Further to this, considerable background information is being collated to undertake re-valuations, however this matter too is now under consideration in light of new Accounting Standards.

The preferred model approach is as per the diagram below, however industry appears to be continually evolving in its requirements.

Board Request for Additional Information

Please provide the Board with addition information on the progress of BizEAsset. How far advanced with this is Council?

Please provide the Board with a copy of Audit Management Reports for the past five years.

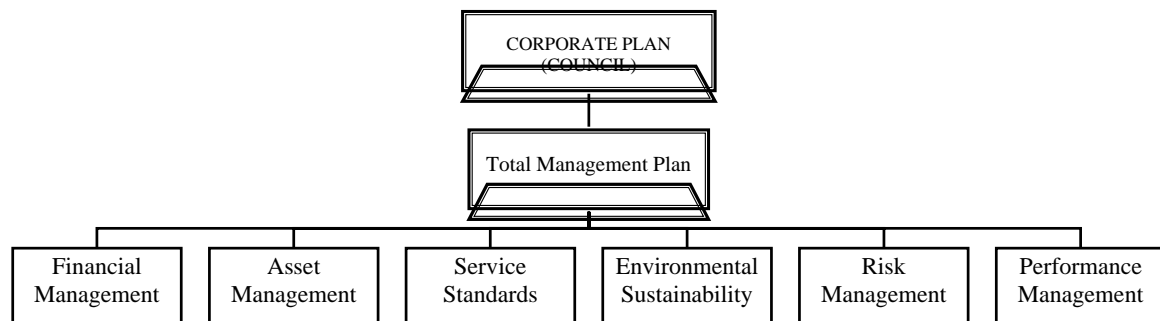
Additional Information Provided:

BizEAsset was installed in early 2005 and is functional. All major asset groupings have been converted into this system. (water, sewer, roads, storm water). Verification has been ongoing since that time.

(Re)Valuations for water are almost complete. It is expected that sewer revaluations should be completed by early 2006, and then roads by April/May 2006. Modelling can then proceed, comparing asset consumption at current expenditure to optimal expenditure and asset condition.

It is intended that condition rating information be determined within the same timeframes.

A copy of the Audit Management Reports for the past five years will be made available for viewing at the Municipal Offices.



Information layers are available for roads and streets, drainage, water, sewer, bridges and other infrastructure. Our aim is to have all assets available as GIS system layers within twelve months and for employees organisation-wide to be capable of accessing that data via Mapinfo.

Board Response

The Board viewed the Audit Management Reports for the past five years.

The Board notes that Council's Asset Management functions are primarily managed by the Infrastructure Development Services (IDS) Department as part of Corporate Services responsibilities, community buildings and WorksPlus. The Board is very

concerned that the most recent formal valuation of asset condition was in the year 1999-2000. The changes that have occurred since 1999-2000 would be considerable and could place Council in a difficult financial position in the year 2006-07 when it will be adopting the new valuations.

The impact of this action could substantially increase the requirement for depreciation.

The Board is also concerned that Council has no policy in relation to its Management of Assets and as a result has not linked asset replacement to its financial capacity.

Recommendations

The Board recommends that Council prepares and adopts an Asset Management Policy to ensure that future creation of assets is linked to its financial capacity and is consistent with its recently prepared Draft Financial Management Strategy.

The Board further recommends that Council ensures its revaluation of assets is completed in accordance with the timeframe outlined in its submission, ie by April/May 2006.

Council Submission

7.2 Maintenance Plans (as per items for consideration)

Intervention levels have been developed for most maintenance activities. It is intended these be reviewed as part of the Asset Management review so repeatable measures are integrated with other asset systems.

Most maintenance activities are delivered by WorksPlus through period Contracts.

Road/street maintenance is a programmed activity, driven equally by (preventative) inspections and (reactive) customer complaint.

Water and sewerage maintenance activities are increasingly aimed at a preventative approach, particularly by linking maintenance information to scheduling of replacement works.

Formal maintenance programs exist for bridges with six-monthly condition inspections undertaken by Contractors.

Asset inspections are undertaken at least annually for the asset groups listed.

Building maintenance contracts have been used for several years for a range of Council assets including the Transfer Station and Administration building.

Board Request for Additional Information

Please provide the Board with contract detail for WorksPlus maintenance contracts.

Additional Information Provided:

Each maintenance contract consists of a Schedule renewed annually (and viewable at Council), activity descriptions, guidelines, intervention levels, service agreement or specification and an instrument of agreement.

The contracts were all fully reviewed and renewed in June 2003 for a period of 1+ 6 years.

A copy of the Sewerage System Maintenance Service Agreement has been provided to the Board.

Board Response

The Board notes that Council has developed intervention levels for most maintenance activities and that these will be reviewed as part of the Asset Management Review.

The Board commends Council for the development of its WorksPlus model and encourages Council to pursue the further development of intervention levels underpinned by appropriate policies relevant to its maintenance activities.

Council Submission

7.3 Asset Replacement Strategies (as per items for consideration)

Based upon 2000 valuation figures, depreciation is fully funded for all asset groups.

Assets for replacement are primarily identified based upon age or maintenance demand (ie loss of function), and are then sorted according to condition and function. Final decisions incorporate a general review of likely future function to determine whether asset improvements should be incorporated.

They are replaced using current materials and technology, procured by applying best-value assessment principles. For water and sewerage assets, sample groups are identified for replacement or observations made are now being undertaken in conjunction with maintenance activities to determine more accurately asset condition.

As asset systems are developed further, more accurate information will be available to upload into financial forecasting models. This includes the monitoring of actual construction/replacement costs so that valuation assumptions can be verified and/or amended appropriately.

It is commonplace for standards and expectations to increase over time, thus replacement of assets like-for-like is often not appropriate. When changing standards are combined with life-cost approaches to renewals, the demands for “better” replacement assets are increased.

It is therefore imperative that cost monitoring as previously outlined is undertaken and integrated with asset valuations.

Board Response

The Board commends Council for its initiative in preparing a Draft Financial Management Strategy but notes that it does not depreciate its unsealed roads. While this is a decision for Council, it suggests that consideration be given to whether it is compliant with the relevant national and international accounting standards.

While the Board commends Council for its initiative for preparing a draft financial management strategy, it is concerned that Council may not be providing sufficient funds each year to fully maintain its existing unsealed roads on a three-year basis.

The Board discussed with Council their Accounting Policy relative to depreciation of unsealed roads, which on the basis of an appropriate expenditure level for gravel re-sheeting, road shouldering and grading, road drainage and verge works to maintain the road network in an “as new” condition, provided for no annual depreciation. The Council advised that their depreciation policy for unsealed roads was based on a methodology approved at the time by the Tasmanian Audit Office.

Council is currently reviewing its Policy with the practice adopted by mainland Councils, and a forthcoming conference will provide an opportunity to test the issue against current day practice in other parts of Australia.

The Board would be interested to learn by the 30 June 2006 of any findings from the proposed mainland investigation, with particular regard to compliance with relevant National and International Accounting Standards.

Council Submission

7.4 Strategies for creation of new assets (as per items for consideration)

The need for new assets is identified strategically through Corporate Planning, incorporating financial modelling.

Current finance models have in-built capability to incorporate capital, operational and maintenance costs over time thus improving predictive accuracy.

Board Response

Noted.

Council Submission

7.5 Funding plans (as per items for consideration)

The recently completed Cost Model and the Financial Management Strategy link in to the Strategic Planning and Annual Planning process.

A review of valuations and long-term asset maintenance is enabling this Council to accurately identify its long-term financial viability.

Board Request for Additional Information

Please provide the Board with a copy of the Cost Model and the Financial Management Strategy.

Additional Information Provided:

The Financial Management Strategy and Cost Model have been developed by staff and exist in draft form. The matter has been listed for Councillor Workshop processes, however, it has not been endorsed/adopted by Council.

A copy of the draft strategy is submitted for the information of the Board.

The Cost Model is yet to be finalised.

Board Response

The Board considers that a recommendation is required to ensure that appropriate priority is given to finalising future financial planning and associated cost management.

Recommendation

The Board recommends that Council ensure that the Financial Management Strategy and Cost Model be finalised as a matter of urgency. The plans are to incorporate a 5-year reporting format over a 20-year time frame.

Chapter 8

Financial Matters

The Board Guidelines below were provided to Council to assist it in preparation of its submission to the Review.

Board Guidelines to the Council

The financial efficiency of Council is crucial to the manner in which Council performs its functions. Items for consideration are

- Operating Income and Expenditure results: for the past 5-years and budget for current year
- Capital expenditure program and funding for past 5-years and future plans
- Financial management, performance relative to the capital and operating budget for the last 5-years
- Long-term financial planning
- Financial reporting
- Statutory accounts
- Reports to Council
- Management reporting
- Key financial indicator trends, highlighting matters of interest in and information published in the **“Measuring Council Performance in Tasmania 2003-04” (KPI Report)**
- Levels of rates over past 5-years
- Risk Management practices, including Insurance Assessment
- National Competition Policy requirements
 - Pricing policies
 - Community service obligations
 - Transparency
 - Efficiency and effectiveness
 - Compliance with s. 84 (Financial statements)
 - Compliance with the *Government Prices Oversight Act 1995*

Council Submission

8.1 Operating Income and Expenditure results: for the past five years and budget for current year

8.1 OPERATING RESULTS	Actual 2000/01	Actual 2001/02	Actual 2002/03	Actual 2003/04	Actual 2004/05	Budget 2005/06
<u>Operating Income</u>						
General Rates	5,374,499	5,608,429	5,828,357	6,024,610	6,630,235	6,602,836
Interest	158,388	157,415	232,439	300,282	319,009	245,000
Government Grants	2,345,888	2,589,043	3,383,075	3,076,959	2,344,282	2,658,202
User Charges	2,273,131	2,363,219	2,614,468	2,807,750	2,739,266	2,817,534
Other inc. reimbursements	397,555	3,427,606	1,502,063	729,388	618,664	1,690,000
Proceeds from Disposed Assets	178,154	279,262	227,652	717,138	189,889	-
Total	10,727,615	14,424,974	13,788,054	13,656,127	12,841,345	14,013,572
<u>Operating Expenditure</u>						
Employee Costs	2,248,919	2,257,509	2,220,173	2,336,024	2,466,595	2,923,778
Materials and Contracts	3,178,761	4,077,446	3,933,218	3,497,132	3,780,781	3,315,415
Depreciation and Amortisation	2,029,654	2,056,948	2,176,011	2,218,591	2,296,581	2,341,317
Borrowing Costs	236,471	185,889	135,758	87,616	66,090	72,123
Other	2,127,323	2,139,418	2,484,574	2,375,592	1,997,344	2,535,203
Carrying costs of Disposed Assets	401,309	467,966	288,436	417,970	660,786	-
Total	10,222,437	11,185,176	11,238,170	10,932,925	11,268,177	11,187,836
SURPLUS/(DEFICIT)	505,178	3,239,798	2,549,884	2,723,202	1,573,168	2,825,736

The above figures confirm Council's strong financial position.

Additional Information Provided:

In response to a question at the hearing Council subsequently advised that the disposed asset figure of \$717,138 under OPERATING INCOME includes sale of the VDL store at Stanley \$299,168.

Board Response

The Board notes that the financial performance over the last five years has placed it in a strong financial position.

Council Submission

8.2 Capital Expenditure program and funding for past five years and future plans

8.2 CAPITAL EXPENDITURE PROGRAM and FUNDING	Actual 2000/01	Actual 2001/02	Actual 2002/03	Actual 2003/04	Actual 2004/05	Budget 2005/06
<u>Program</u>						
Land	-	-	-	-	-	-
Buildings	223,996	160,657	183,509	1,854,347	288,997	-
Transport Infrastructure	1,517,455	2,910,956	2,941,951	2,398,894	1,431,590	3,165,500
Sewerage System	141,301	114,088	100,483	167,952	24,473	392,000
Stormwater and Drainage	212,747	142,937	52,860	-	147,708	90,000
Solid Waste Management	-	-	-	-	-	927,500
Water Reticulation	59,138	5,941	19,177	-	87,340	40,000
Parks, Reserves and Recreation	37,667	86,868	16,528	7,192	81,654	452,060
Plant and Equipment	380,413	459,479	553,941	524,157	389,831	622,750
Furniture and Equipment	34,287	36,266	41,688	97,148	125,775	76,453
Other	-	-	-	-	-	57,100
Total	2,607,004	3,917,192	3,910,137	5,049,690	2,577,368	5,823,363
<u>Funding Sources</u>						
Depreciation and Amortisation	2,029,654	2,056,948	2,176,011	2,218,591	2,296,581	2,341,317
Council - internal	127,350	1,223,056	318,025	1,404,852	(369,213)	2,982,442
Total	2,157,004	3,280,004	2,494,036	3,623,443	1,927,368	5,323,759
Government Grants	450,000	637,188	1,416,101	926,247	200,000	499,604
Loan Borrowings	-	-	-	500,000	450,000	-
Total	2,607,004	3,917,192	3,910,137	5,049,690	2,577,368	5,823,363

The Budgeted program for 2005-06 reflects the shortfall in budgeted works for 2004-05.

Additional Information Provided:

In response to a question at the hearing Council subsequently advised that the amount of depreciation and amortisation relative to the respective years was in accordance with the abovementioned table.

Board Response

The Board notes the extent of capital works for the last six years and is concerned that Council has not provided evidence of an endorsed long-term capital expenditure strategy. This issue is addressed at item 8.4.

Council Submission**8.3 Financial management, performance relative to the capital and operating budget for the last five years**

8.3 Financial Management	Operating Revenue	Operating Expenditure	Capital Expenditure
2000/01			
Actual	10,727,615	10,222,437	2,607,004
Budget	10,774,189	10,731,605	2,078,750
\$ Variance	46,574	509,168	(528,254)
% Variance	0.4%	4.7%	-25.4%
2001/02			
Actual	14,424,974	11,185,176	3,917,192
Budget	10,571,545	10,350,142	2,318,172
\$ Variance	(3,853,429)	(835,034)	(1,599,020)
% Variance	-36.5%	-8.1%	-69.0%
2002/03			
Actual	13,788,054	11,238,170	3,910,137
Budget	10,981,519	10,378,159	2,645,501
\$ Variance	(2,806,535)	(860,011)	(1,264,636)
% Variance	-25.6%	-8.3%	-47.8%
2003/04			
Actual	13,656,127	10,932,925	5,049,690
Budget	12,887,569	11,609,863	5,010,883
\$ Variance	(768,558)	676,938	(38,807)
% Variance	-6.0%	5.8%	-0.8%

8.3 Financial Management	Operating Revenue	Operating Expenditure	Capital Expenditure
2004/05			
Actual	12,841,345	11,268,177	2,597,368
Budget	12,593,129	11,370,916	3,392,933
\$ Variance	(248,216)	102,739	795,565
% Variance	-2.0%	0.9%	23.4%

The above figures show strong control in financial management. The Capital Expenditure result in 2004-05, however, can be directly linked to resourcing capabilities in regional Council areas.

Board Response

The Board notes that capital expenditure has been somewhat variable in the last five years. However, the Board appreciates that this was caused, to some extent, by two large projects which attracted external funding, namely the upgrade of the Woolnorth Road, and the reconstruction and sealing of the Arthur River Road.

Council Submission

8.4 Long-Term Financial Planning

Council has been working this year on compiling its first long-term financial model. This model is based on the current budget estimates and is assessed over a 20-year period for sustainability and reported in a 5-year format. Council has recognised the lack of relevant models available and the need to link this model into the appropriate asset management and strategic plans. A new Financial Management Strategy has also been developed to ensure consistency with the current financial systems.

A more detailed model based on a greater span of cost drivers and linking to infrastructure is currently being developed.

Board Response

The Board notes that Council has commenced preparing a long-term financial model and is reassured that it has committed to adopting the Board's preferred timeframe of a 20-year period.

For further information refer to Chapter 7.5.

Council Submission

8.5 Financial Reporting

8.5.1 Statutory Accounts

Council's statutory accounts are prepared in accordance with the Local Government Act 1993. The financial statements comply with the Australian Accounting Standards, Urgent Issues Group consensus

Views, Statements of Accounting Concepts and International Financial Reporting Standards, as applicable.

A copy of the Audited Financial Statements for the year ended 30 June 2005 will be available for perusal by the Board upon request.

A copy of the Audited financial Statements for the year ending 2004-05 was made available to the Board for viewing.

Board Response

The Board has viewed the current Audited Financial Statements for the year ending 2004-05 and notes that, on revaluation of infrastructure assets, the “fair value” approach has not been adopted. Council has, however, advised the Board it will adopt Fair Value in relation to future revaluations.

8.5.2 Reports to Council

A financial report is provided to Council on a monthly basis and is provided as part of the formal Council Agenda.

The report contains the following specific reports:

Profit and Loss Statement

This is a summary of Income and Expenditure including previous year to date comparisons, full budget comparisons as well as a percentage of this full year budget.

Balance Sheet

A summary of Current and Non-current Assets and Liabilities and Equity.

Bank Reconciliation

Includes Cash at Bank, Committees, Petty Cash and Investments.

Receivables

Includes reconciliation to the Balance Sheet and identification of Proportion Uncollected.

Cash Flow Statement

In standard end of year reporting format of Operating, Investing and Financing Activities.

Capital/Major Projects Report

A detailed analysis of all capital and major works items for the year detailing progress and comments.

Cash and Investments – Comparison

A graphical representation of total cash compared on a monthly basis across a three year period.

A copy of the latest financial report is available for perusal upon request.

Board Response

In reviewing the financial reports to Council the Board notes the presentation of data, while financially correct, was not in a simplified format that assisted Councillors in their awareness of the current position, while at the same time highlighting any significant variations to the approved budget.

The Board suggests that Councils that have received commendations for presentation of financial information, namely Brighton and Northern Midlands, may provide some assistance for any revision.

8.5.3 Management Reporting

Reports are provided to managers as needed.

Board Request for Additional Information

Please provide the Board with copies of reports.

Additional Information Provided:

The Management Reports are included in the Council Agendas that have been submitted to the Board.

Board Response

The Board notes that the current template adopted for the presentation of agenda items does not include an opportunity for comment on Community Consultation or State Government Implications. As this issue is identified in the State and Local Government Communication and Consultation Protocol, the Board suggests that consideration be given to including these headings.

8.6 Key financial indicator trends, highlighting matters of interest in and information published in the “Measuring Council Performance in Tasmania 2003-04” KPI Report.

8.6 KEY FINANCE INDICATOR TRENDS	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05
2.1 FINANCE	%	%	%	%	%	%

2.1.1 BUDGET ACHIEVEMENT

Revenue:

Circular Head Council	100.6%	98.8%	133.4%	126.1%	102.7%	96.7%
Group Average	110.7%	102.5%	101.2%	114.4%	110.0%	
State Average	106.7%	104.1%	103.6%	110.0%	108.5%	

Expenses:

Circular Head Council	101.9%	94.3%	104.6%	109.4%	100.0%	96.1%
Group Average	102.4%	106.7%	98.0%	107.9%	103.6%	
State Average	101.9%	104.0%	100.6%	105.2%	103.9%	

2.1.2 DEBT SERVICE RATIO

Circular Head Council	6.9%	6.2%	4.4%	4.3%	4.3%	3.7%
Group Average	5.3%	4.7%	4.5%	4.5%	4.4%	
State Average	6.0%	5.5%	5.3%	5.1%	4.8%	

2.1.3 WORKING CAPITAL RATIO

Circular Head Council	158.3%	138.4%	242.2%	230.5%	295.9%	591.0%
Group Average	316.2%	365.7%	382.2%	294.3%	385.9%	
State Average	277.3%	324.5%	320.7%	294.9%	323.5%	

2.1.4 REVENUE and EXPENDITURE GROWTH

Revenue Growth:

Circular Head Council	0.1%	5.3%	35.2%	-1.2%	-4.0%	-5.5%
Group Average	8.7%	5.5%	8.7%	12.2%	-0.6%	
State Average	5.9%	6.2%	6.0%	9.6%	3.3%	

Expenditure Growth:

Circular Head Council	8.0%	-1.9%	9.1%	4.9%	-6.4%	0.9%
Group Average	4.5%	8.7%	5.5%	7.5%	2.0%	
State Average	4.2%	6.1%	4.4%	7.1%	3.6%	

8.6 KEY FINANCE INDICATOR TRENDS	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05
2.1 FINANCE	%	%	%	%	%	%

2.1.5 SOURCES OF REVENUE

Rates:

Circular Head Council	51.0%	52.0%	40.2%	42.3%	45.5%	54.4%
Group Average	45.1%	44.4%	43.4%	42.5%	45.7%	

2.1.5 SOURCES OF REVENUE

State Average	55.4%	53.9%	53.3%	52.0%	53.0%	
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Grants:

Circular Head Council	20.8%	22.7%	39.8%	32.7%	23.2%	23.1%
Group Average	36.3%	37.3%	38.7%	42.2%	34.3%	
State Average	26.7%	28.5%	29.4%	31.3%	27.4%	

User Charges:

Circular Head Council	24.2%	22.0%	16.9%	19.0%	21.2%	22.5%
Group Average	10.5%	11.1%	10.9%	11.2%	11.8%	
State Average	11.5%	12.1%	11.9%	12.7%	13.5%	

2.1.6 REVENUE PER CAPITA

Circular Head Council	1,151	1,216	1,733	1,723	1,633	1,503
Group Average	1,409	1,424	1,602	1,859	1,770	
State Average	1,126	1,163	1,261	1,414	1,398	

<u>2.1.7 TOTAL RATES PER CAPITA</u>						
Circular Head Council	587	633	696	728	743	818
Group Average	556	587	627	678	722	
State Average	565	588	617	654	681	

<u>2.1.8 GENERAL RATE PER CAPITA</u>						
Circular Head Council	408	445	490	516	526	591
Group Average	374	395	427	465	498	
State Average	354	372	393	419	439	

8.6 KEY FINANCE INDICATOR TRENDS	1999/00	2000/01	2001/02	2002/03	2003/04	2004/05
2.1 FINANCE	%	%	%	%	%	%

<u>2.1.9 Av. RESIDENTIAL RATE</u>						
Circular Head Council	1,147	1,144	1,197	1,221	1,073	1080
Group Average	783	711	701	739	771	
State Average	943	930	938	958	997	

<u>2.1.10 YEAR END RATES OUTSTANDING</u>						
Circular Head Council	5.2%	4.5%	3.5%	3.7%	2.2%	0.9%
Group Average	12.4%	11.6%	10.5%	8.2%	5.2%	
State Average	9.4%	9.0%	8.1%	6.5%	4.2%	

<u>2.1.11 CAP. EXPEND./DEPREC. RATIO</u>						
Circular Head Council	127.2%	130.6%	191.9%	175.4%	229.0%	111.9%
Group Average	83.8%	92.9%	131.6%	139.0%	135.9%	
State Average	90.3%	95.0%	120.2%	123.4%	127.8%	

<u>2.1.12 OUT SOURCED CAP. EXPENDITURE</u>						
Circular Head Council	N/A	N/A	N/A	N/A	35.8%	52.9%
Group Average	48.4%	49.5%	39.2%	43.5%	40.2%	
State Average	41.2%	46.3%	35.5%	44.8%	45.5%	

Additional Information Provided:

The Board was advised at the hearing that 2004-05 calculations had been finalised and added to the abovementioned table.

2.1.1 Budget Achievement

Council has achieved strong budgetary control.

2.1.2 Debt Service Ratio

Council has improved its debt servicing ability in its own right and also against benchmarks which confirms the financial management controls in place.

2.1.3 Working Capital Ratio

Council's Current Ratio has improved steadily to a position of matching the long-term financial planning and risk management requirements as set out in the revised Cost Model and Financial Management Strategy.

2.1.4 Revenue and Expenditure Growth

This KPI reflects the volatility of this KPI and should be read in conjunction with other data. Except for revenue growth due to government grants in 2001/02 there has been little volatility in this Council's figures.

2.1.5 Sources of Revenue

The major factor within these KPIs is that this Council is not currently highly dependent on Government Grants.

2.1.6 Revenue Per Capita

Council has now achieved a revenue per capita rate appropriate to its position in its group.

2.1.7 Total Rates Per Capita

The actual rate revenue per capita has been maintained as the Group Average has increased as expected over time.

2.1.8 General Rate Per Capita

As above, this rate has maintained consistency with the Group Average.

2.1.9 Average Residential Rate

Council has improved its position slightly against the Group Average and substantially against the State Average.

2.1.10 Year End Rates Outstanding

Council continues to excel in this KPI and will continue to further improve its position.

2.1.11 Capital Expenditure/ Depreciation Ratio

Council has continued to clearly exceed the Averages as it attempts to make further improvements to the community's assets. A slight reduction in the year just completed was based on an inability to complete the Capital Works program which has been budgeted for completion this year.

2.1.12 Outsourced Capital Expenditure

This confirms the problems with the previous KPI which is a result of the lack of outsourcing available in rural regions.

Board Response

*The Board notes Councils' performance in relation to the **Measuring Council Performance in Tasmania Report 2003-04 (KPI Report)** and notes Council's significant achievement in reducing the level of rates outstanding. It has also noted that the Capital Expenditure/Depreciation ratio is increasing and is above both the group and the State average.*

Council Submission

Levels of rates over the past five years

8.7 LEVEL OF RATES	Actual 2000/01	Actual 2001/02	Actual 2002/03	Actual 2003/04	Actual 2004/05	Budget 2005/06
General Rate Revenue	5,374,499	5,608,429	5,828,357	6,024,610	6,630,235	N/A
% Increase on previous year	7.5%	4.4%	3.9%	3.4%	10.1% (Part. Agree.)	N/A
Actual Rate Increase	0.00% (Reval.)	4.70%	3.10%	3.25%	2.65%	2.80%
Actual cpi Increase (Hobart)	5.5%	2.7%	2.8%	2.5%	3.1%	N/A
General						
Cents in \$ AAV	\$0.101000	\$0.105751	\$0.109029	\$0.112572	\$0.115555	\$0.118790
	\$	\$	\$	\$	\$	\$
Minimum	150.00	157.00	162.00	167.25	171.70	176.50
Water						
	\$	\$	\$	\$	\$	\$
Rate	210.00	220.00	227.00	234.40	241.45	241.45
Free Allowance	50	50	50	50	50	50
Excess per KI	\$ 0.85	\$ 0.89	\$ 0.92	\$ 0.95	\$ 0.95	\$ 0.95

Waste						
	\$	\$	\$	\$		
Collection - Urban	120.00	126.00	130.00	134.25	\$ 94.00	\$ 97.30
Collection - Urban - Vacant	\$ 30.00	\$ 31.50	\$ 32.50	\$ 33.55	\$ -	\$ -
Collection - Rural	\$ 80.00	\$ 84.00	\$ 87.00	\$ 89.85	\$ 48.35	\$ 50.05
Utility Charge	\$ -	\$ -	\$ -	\$ -	\$ 44.30	\$ 45.85
Recycling charge	\$ -	\$ -	\$ 16.30	\$ 16.85	\$ 20.60	\$ 21.30

Sewerage and Drainage						
Rate/ AAV	\$0.074675	\$0.078188	\$0.080612	\$0.083232	\$0.085729	\$0.085729
Drainage only/ AAV	\$0.025000	\$0.026175	\$0.026986	\$0.027863	\$0.028699	\$0.028699
	\$	\$	\$	\$	\$	\$
Minimum	320.00	335.00	345.00	356.20	366.90	366.90

Revaluations are expected in 2006-07.

Changes of note have been the rate revenue increase in 2004-05 due to Partnership Agreement changes impacting on rate revenue from State land. This has a corresponding impact on expenditure eg. Land Tax.

Board Response

The Board notes that, while Council's rate of return was compliant with the requirements of The Government Prices Oversight Commission (GPOC) in 2001-02, it has not been compliant in 2002-03, 2003-04, or 2004-05. Council's rate of return for the most recent year is 16.43% which is substantially above the highest level acceptable to GPOC. It is noted that in many instances the rate of return is within the range of 0 to 7%.

In its report "Local Government Water and Waste Water Businesses Cost Recovery Compliant Review 2003-04 dated January 2005" GPOC has expressed the view that "Councils should review their volumetric charges and/or the calculation of the variable costs to ensure that the charges appropriately reflect their long run marginal costs and any relevant externalities".

The Board supports the GPOC position on this issue and believes that if adopted by Council will assist in addressing the issue of excessive rates of return.

GPOC has in recent years been encouraging Councils to adopt a two-part water pricing policy to be consistent with national competition principles which require a base charge that relates to the cost of maintaining the water infrastructure and a fixed cost per kilolitre for consumption.

It is recommended that Council adopt the requirements of GPOC to ensure that it is consistent with the national agenda. In many instances the rate of return is within the range of 0 to 7%. The Board notes that rate of investment of 16.43% is well above the range GPOC has been pursuing, ie a range of 0 to 7%. A recommendation is therefore considered necessary.

Recommendation

The Board recommends Council review its rate of return to a level within a range identified by the Government Prices Oversight Commission in relation to water supply.

Council Submission

8.8 Risk Management practices, including Insurance Assessment

Council adopted its Risk Management Strategy in December 1998. The strategy provides a Policy Statement on Risk Management, Responsibilities and Authority; Communications, Document Control, Risk Management processes, Risk Register format and treatment plan. Insurance assessments over the past three years have seen results varying from 99% to 62%. The report highlighted Council's strength in the risk management process and the areas of improvement towards continued development of the risk register, assessments to be undertaken prior to all projects and places of public assembly reports.

Council has entered into an agreement with an annual leasing of the Statewide (NSW) developed Risk Profiling System through Civic Mutual Plus. The system provides an efficient means to complete risk assessments for all sites, activity or function of Council and document risk control measures in accordance with AS/NZS 4360, and to track progress of these activities.

Council's civic maintenance and construction section, WorksPlus operates under a management system which is comprised of a fully integrated set of policies and procedures based on ISO 9002, ISO 14001 and AS 4801. The integration ensures that all the aspects of Quality, Environment and Safety are subject to continuous improvement processes.

WorksPlus provides a Contract Management Plan for major projects addressing areas such as Management Systems, Document Control, Purchasing and Subcontracting, Contract Meetings, Inspection and Testing, Safety Equipment, Environmental Control Register and Safety Hazard and assessment of Risk Register.

With regard to environment policy and management priorities, WorksPlus is committed to managing its operations in a way that constantly strives to protect the environment in planning, executing and monitoring its operations.

Council reports have a section entitled 'Financial/Risk Implications'. This is designed to provide Councillors with readily identifiable risks regarding the subject at hand.

Board Request for Additional Information

Please provide a copy of the latest CMP insurance report ranking.

Additional Information Provided:

Council's latest CMP report ranking is 62.

A copy of the latest CMP insurance report will be made available for viewing at the Municipal Offices.

Board Response

Noted.

The Board viewed the CMP insurance report.

Recommendation

The Board recommends that Council give consideration to the findings and priorities detailed in Civic Mutual Plus Public Liability/Professional Liability Audit Recommendation Report.

Council Submission

8.9 National Competition Policy Requirements

Council's Partnership Agreement with the State Government includes continuation of the implementation of the NCP Agreement. It includes the State Government's obligation to provide timely assistance to Council in its NCP obligations.

8.9.1 Pricing Policies

Council pricing policies take into account fairness and equity in accordance with GPOC recommendations.

Whilst Council has adopted two-part water pricing it has continued its current methodology of high variable charges given its unique situation with high-usage commercial activities impacting at a number of levels within the community.

Ratepayers who pay their yearly rates in full prior to 31 August each year receive a 4% discount.

Board Response

For further information refer to item 8.7 of this report.

8.9.2 Community Service Obligations

Whilst Council has not identified any individual consumers or sectors of the community receiving specific assistance, preliminary reviews have identified that fire service water consumption used for the purposes of fire fighting, fire brigade exercises and other leakage through hydrants amounts to 3% or 50ML. This translates to at least \$30,000 annually.

Council also contributes to sporting and health facilities available to the public such as water for the artificial turf hockey pitches as well as a contribution to the new hydrotherapy pool service.

Board Response

Noted.

8.9.3 Transparency

Council endeavours to undertake all its activities in a transparent manner. The community has access to financial information through the monthly reporting format at Council meetings as well as the Annual Plan/Budget Estimates and Annual Report/Annual General meeting processes.

Agendas and Minutes are also available on Council's website.

Board Response

Noted.

8.9.4 Efficiency and Effectiveness

Council believes that its service delivery is provided in an efficient and effective manner. Council will continue to pursue opportunities and monitor its volumetric and fixed rate charges whilst accounting for community service obligations including fairness and equity.

Board Response

Noted.

8.9.5 Compliance with s 84 Financial Statements

Council complies with s84 by including a Significant Business Activities Statement under Note 36. of its Annual Financial Statements. It includes revenue, expenditure, capital costs and competitive neutrality costs. Council also includes comments at Note1(n) of the Annual Report.

Board Response

Noted.

8.9.6 Compliance with the Government Prices Oversight Act, 1995

Council is currently reviewing its 2003-04 Water and Wastewater Audit. Council has significantly improved its compliance in regards to rates of return. This has been achieved by holding rates for these activities at previous levels. Council is confident that, in conjunction with projected asset revaluations in 2006-07, it will be able to meet the guidelines for these two areas. As mentioned in 8.9.1 Council will continue to monitor closely its pricing methodology with a view to improvements.

International Financial Reporting Standards (IFRS) and the Tasmanian Audit Office (TAO) have been consulted in the valuation process.

Board Request for Additional Information

Please indicate to the Board if there is any capacity for the asset revaluation to be brought forward to the latter part of 2005-06 financial year?

Could Council please provide to the Board the rate of return on its water assets?

Additional Information Provided:

There is no capacity for the asset revaluation to be brought forward to the latter part of the 2005-06 financial year. The Tasmanian Audit Office has advised that the revaluation should be dated as of the 2006-07 financial year.

The rate of return on Council's water assets is 16.43%.

Board Response

Noted.

For further information refer to item 8.7 of this report.

Chapter 9

Developing Local Government

The Board Guidelines below were provided to Council to assist it in preparation of its submission to the Review:

Board Guidelines to the Council

A Council does not operate in a vacuum. It has opportunities to work with other Councils, the State Government and with other organisations for the betterment of its community. The Board is interested not only in Council's participation, but also in the reasons for being involved and Council's involvement in public policy development. Items for consideration are:

- Participation in Public Policy Development
- State Government
- Partnership Agreements
- Resource Sharing
- Joint Authorities
- Regional Arrangements
- State-wide Committees
- Participation in Professional and Industrial Bodies

Council Submission

9.1 Participation in Public Policy Development

Council responds to legislative reviews as required. Council staff also participate in working groups including Cradle Coast Regional Waste and the Higher Level Oversight Group (HLOG).

Board Response

Noted.

Council Submission

9.2 State Government

Council, in particular the Mayor and General Manager, liaise regularly with State Government officers and agencies.

In addition, the Community Officer, Change Leader, Strategic Projects Officer, Executive Officer, Manager Corporate Services and Manager Infrastructure and Development Services, among others, are in contact with State Government representatives on a daily basis for information sharing/gaining purposes.

Board Response

The Board congratulates Council on its regular liaison with State Government officers and agencies. Although distance is significant between Council and the seat of Government, in the Tasmanian context, the Board is reassured that contact for information sharing/gaining purposes is maintained on a daily basis to no great disadvantage.

Council Submission

9.3 Partnership Agreements

Circular Head Council was the first Council in Tasmania to enter into a partnership agreement with the State Government.

The Council entered into a second generation Agreement in 2004. The Agreement has a reduced number of schedules and reflects Council priorities recognising resource constraints.

Board Response

Council reassured the Board that the Partnership Agreement with the State Government has been very beneficial. Partnership schedules are reviewed regularly, but Council advised verbally that difficulties with the electronic database has resulted in progress being slower than desirable in its second bilateral agreement. Council also advised verbally that it has placed a strong emphasis on broad networking and life-long learning in education as a result of its Partnership Agreement with the State Government.

The Board commends Council for its initiative as the first Council to enter into a partnership agreement with the State Government and the advantage it has provided to its community.

Council Submission

9.4 Resource Sharing

Council does not share resources *per se* with other Councils. However, its Port Latta landfill site is shared with one other Council under agreement with Circular Head Council.

Board Response

Noted.

Council Submission

9.5 Joint Authorities

Council is an active member of both the Cradle Coast Authority and the Cradle Coast Water Authority.

Board Response

The Board notes Council's strong support for both the Cradle Coast Authority and Cradle Coast Water.

Council Submission

9.6 Regional Arrangements

The Cradle Coast Water Authority provides water supplies for Councils along the Cradle Coast. Circular Head Council is a member Council in the Water Authority.

Board Response

Noted.

Council Submission

9.7 State-wide Committees

Councillors do not represent the Council on State-wide Committees, reflecting the constraints of physical location with most Committees convening in the major population centres.

The Mayor however is a member of the Premier's Local Government Council (PLGC) and General Management Committee of LGAT.

Board Response

The Board commends the Mayor's membership of the General Management Committee of the Local Government Association of Tasmania and the Premier's Local Government Council.

The Board suggests that teleconferencing and videoconferencing facilities may allow Councillors to sit as representatives of Council on Statewide Committees. Use of such facilities needs to be driven by Council.

Council Submission

9.8 Participation in Professional and Industrial Bodies

A number of Council staff have active associations and/or memberships to professional organisations.

These include:

- Australian Institute of Environmental Health.
- Australian Institute of Project Management.
- Australian Water Association.
- CPA Australia.
- Environment Institute of Australia.
- Institute of Engineers Australia.
- Institute of Public Works Engineers.
- Local Government Managers Australia.
- National Association of Testing Authorities.
- Planning Institute of Australia.
- Records Management Association Australia.
- Registered Professional Engineers Queensland.
- Risk Management Institute of Australasia.
- Tasmanian Association of Municipal Supervisors.
- Australian Services Union.

Board Response

The Board congratulates Council Staff on their active membership of professional organisations.

Chapter 10

Other Matters

These are matters of particular interest in respect of the Council being reviewed.

Councils may choose, under this section, to provide information of particular interest that has not been addressed in other sections of the report.

Council Submission

Local Government has been referred to as “grass roots” democracy; the level of government closest to the people. It has been recognised by Federal and State Agencies as an effective and efficient service provider, given the direct connection to its communities/constituents.

Commensurate with that immediacy is the face-to-face interaction (and feedback) via elected members and employed staff. Consistently it is left to local Councils to administer increasingly complex rules and regulations, most having been imposed externally.

Collectively Local Government has, for many years, called for additional external resourcing to accompany these impositions, albeit being generally unsuccessful.

Councils are expected to act as agents, principally of the State and trustees representing the interest of their community.

This Council as an organisation has progressively suffered with the introduction of new or amended legislative requirements. The imposition of such continues with limited recognition of impacts. This Council, no doubt like many other local authorities throughout Tasmania, expends significant time and resources (at both an elected member and employee level) effectively defending external rules and regulations and acting as an advocate for individuals and for the broader community.

Council believes the information provided in this submission will adequately address Local Government Board Review criteria and indeed highlights the above observation.

It looks forward to meeting with the Board in November.

Board Request for Additional Information

What has been the net impact of the recent State and Local Government financial reforms?

Additional Information Provided:

The estimated additional revenues amount to \$275,000, partially offset by the imposition of additional expenses associated with State taxes and levies. The net impact has not specifically been calculated.

Board Response

Council's comments regarding its role in the regulation of increasingly complex rules and regulations that have been imposed by other levels of government are noted. The Board agrees that rules and regulations have become increasingly complex over recent decades, and that some Councils are struggling with the duties associated with them. However, it is also mindful that the reasons for this are complex and myriad, with the trend not only noticeable in Tasmania, but nationwide and throughout the western world. Moreover, the Board recognises that community expectations in regard to matters as diverse as childcare, sporting access, environmental and safety standards are all on the increase worldwide, and are unlikely to ever remain static, let alone decrease.

For that reason, it is the Board's view that, in a well-functioning Council, it is important to develop strategies that recognise these realities and best place the organisation to face them in a way that improves morale, rather than decreasing it.

On that basis, the Board considers that there are some positive acknowledgements which can also be made.

The Board is aware, for example, that the State Government and the Local Government Association of Tasmania (LGAT) are currently represented on a Working Party, with the Commonwealth Government, which has been negotiating the development of an Inter Government Agreement (IGA) to address the way in which duties are allocated to Local Government in the future. It suggests that Council monitor the development of the IGA, and offer support to its development, whenever possible.

The Board also notes that Council is signatory to two very important Statewide Partnership Agreements which have impacted very positively on Council in regard to the matters raised.

The first is the Statewide Partnership Agreement on Communication and Consultation, which is unique in Australia, and has set out a whole range of consultative processes that are now used by State Agencies when developing legislation and regulations. These processes have led to a hugely increased level of consultation with Local Government at the beginning stages of legislative and regulatory development, lengthier consultation periods which respect Councils' monthly meeting timetables, increased use of Local Government representation on Working Parties and Steering Committees, the identification of impacts on Local Government, and the consultation that has occurred, in matters outlined in State Cabinet minutes, regular briefings to the LGAT on the forthcoming legislative programme and the direction of draft legislation to the LGAT's Legislation Committee. These, and the many other initiatives of this Statewide Partnership Agreement, have provided Council with an opportunity unrivalled elsewhere in Australia for previously unheard-of input into the State Government's legislative processes, allowing it to make forceful representations on the matters raised above.

The second Partnership Agreement is the State, Local Government Partnership Agreement on Financial Relations. Although the State Government and Local Government went into the negotiations on the basis that it would be cost neutral, in the end the State Government agreed to measures that ensured no individual Council would make substantial losses while others gained.

The Board has been advised by the State Government that the gains to Local Government from State Government for the year 2004-05 have been calculated at approximately \$3.5 million statewide.

The Board was aware that Circular Head Council had estimated that it would make significant gains from this agreement and because the agreement was not mentioned in Council's submission it made the request for additional information, as described above.

The Council's response to the request for additional information is also provided above. In the Board's view, an additional untied revenue stream from the State Government of \$275,000 per annum, on a recurrent basis, is significant and worthy of mention, not only because of the quantum, but also because it represents a significant percentage of the total gains for Local Government state wide.

It is the Board's view that the additional revenues, partial offsets and net impacts should be reported on, in a transparent manner, in Council's Annual Report each year. In the Board's view, the community which Circular Head Council serves is entitled to be informed of this additional revenue and how and if it has been quarantined for best use in the long term.

Finally, the Board comments that Circular Head Council's representation on the Premier's Local Government Council(PLGC), through the membership of the Mayor, is worthy of significant further mention. Membership of the PLGC, which is also unique to Australia, offers unprecedented profile to Council, also provides a powerful voice to and access for the Mayor.

Chapter 11

Public Submissions

Four public submissions were received by the Board. Of these, two were received in writing and two were presented verbally. In commenting on the issues that were the subject of four public submissions the Board is aware that it may be unwise to extrapolate that broad community concern exists in any of these areas. From a total population of 8,105 only four submissions were received. So while the Board will provide proper attention to each of the matters raised, it must also be mindful that the submissions do not appear to represent a groundswell of opinion.

In commenting upon issues that were the subject of the four public submissions, the Board also reiterates that its role in conducting a general review is to provide a report and recommendations to the Minister. The review covers the manner in which a Council is operating and delivering its services and the manner in which it is working with, and meeting the needs of, its community. The Board's role is not one of mediation of disputes, nor is it able to comment on the details of claim and counter claim.

As in all general reviews, the Board has considered each of the matters raised against its own guidelines, which are provided to people before they make their submission. Some of the issues raised in submissions relate to matters addressed in other sections of this report and may also be referred to in those sections.

Several of the issues raised related to administrative processes that had been investigated by the State Ombudsman's office, and one presenter was advised that any concerns about pecuniary interest would need to be directed to the Director of Local Government for consideration.

The Board has summarised issues raised and collated them under headings reflecting their range. The Board sought responses from Circular Head Council, and summaries of the submissions and Council responses are included in the final report, with Board comments, suggestions and/or recommendations.

11.1 Governance Issues

- 11.1.1 There was a perception expressed that elected representatives did not have sufficient input to Council decisions.

Council Response

The Councillors fulfil their role pursuant to the Local Government Act requirements, considering qualified advice and providing input at workshops and Meetings as they see fit.

- 11.1.2 There was a perception expressed that the Circular Head Council's management structure was "top heavy" and needed to be reassessed with a view to increased efficiency of operations.

Council Response

The Key Performance Indicator for staffing recorded in the “Measuring Council Performance in Tasmania” distributed by the Local Government division suggests the staffing level to be below the average for similarly grouped Councils.

- 11.1.3 A verbal submission expressed a view that the combination of the Planning and Engineering Department may be contributing to delays in providing advice regarding the issue of permits due to the workload associated with new processes as a result of regulatory requirements.

Council Response

The combination of Planning and Engineering activities has encouraged multi-skilling and improvements in information/knowledge sharing within the combined Infrastructure and Development Services Department. Any “delays” are more a result of increased permit application numbers being undertaken by the same number of Officers.

- 11.1.4 There was a perception expressed that Council’s Works Department should have more direct contact and input at Council meetings to provide practical points of view with suggested economic advantages.

Council Response

Policy related issues, rather than operational matters, are the subject of the Council meeting decision making process. A clear separation exists in accordance with the requirements of the Local Government Act.

- 11.1.5 A verbal submission expressed a view that Council indicated a lack of responsibility for previous Council decisions, with a particular reference to location of property services.

Council Response

Council Officers become aware of anomalies in available documentation compared to the physical location of Council - provided services (water, sewerage and stormwater pipes) occasionally. Endeavours are made to reasonably remedy such anomalies upon discovery.

Board Response

*Under the category of **Governance Issues**, five items were identified from the public submissions as requiring responses from Council.*

The Board noted Council’s responses.

The Board has further comments regarding the following issues:

- The Board is aware that in many municipal area communities there are perceptions that elected representatives do not appear to have sufficient input to Council decisions. Under the Local Government Act 1993 Council is charged with the responsibility to provide for the health, safety and welfare of the community, to represent and promote the interests of the community, and*

provide for the peace, order and good government of the municipal area. In performing its functions, a Council is to consult, involve and be accountable to the community. Council may do anything necessary or convenient to perform its functions either within or outside its municipal area. The Council has an important role in administering the Land Use Planning Approvals Act 1993 which empowers Council as the Planning Authority for the municipal area. The Board is of the view that the processes that are in place at Circular Head are such that the elected representatives sitting as Council, are provided with qualified advice as required. On questioning by the Board the elected body indicated that it was satisfied with the level of information provided to it in reports regarding matters listed on the Agenda.

- *There had been a suggestion that “Council management structure is top heavy and needed to be reassessed with a view to increasing efficiency.” From the Board’s observations, the management structure is in line with similar sized Councils. In relation to overall staffing levels per 1,000 of population, the **Measuring Council Performance in Tasmania 2003-04 (KPI Report)** shows a measure of 6.2, which is well below the Small Councils Group average of 10.8.*
- *It had been suggested that the combination of the Planning and Engineering Departments may be contributing to delays in dealing with the issue of permits, particularly when taking into account workloads associated with new processes and legislative requirements. The Board has formed the view that amalgamation of the two Departments should provide greater efficiency subject to appropriate training procedures and staffing levels being implemented. The Board realised that continuing increased permit applications are a contributing factor in finalising approvals.*
- *An opinion was expressed that “Council’s Works Department should have more direct contact at Council meetings to provide practical points of view with possible economic advantages.” The Board has formed the view that the Works Department operating as a Business Unit of Council known as “WorksPlus”, is in fact a contractor to Council, and therefore, it is not appropriate that there is direct contact with Council. The preparation of works specifications by the Department of Infrastructure and Development staff for maintenance and specific capital works projects in accordance with the approved budget of Council should achieve the best possible results.*

Recommendation

The Board recommends that Council ensure that sufficient resources are made available to permit the Department of Infrastructure and Development to deal with permit enquiries and approvals in a timely manner.

11.2 Regulatory Functions

11.2.1 There was a perception expressed that Council Managers and Technical staff need to be more helpful with building proposals with particular emphasis on residential projects and planning issues.

Examples were outlined regarding:

- conflicting advice on dwelling setbacks;
- planning processes regarding compulsory conference negotiations;
- time delay in presenting quotation for required subdivisional works;
- assessment of requirements for new services to assist boundary adjustment proposal; and
- delay in the issue of new titles after a boundary adjustment.

Council Response

Council Officers endeavour to provide guidance to proponents, being mindful of the regulatory nature of their roles and the possible implications in providing comment that may be interpreted as professional consulting advice.

The Council/Council staff are required to enforce legislative compliance which can lead to a perception of being “unhelpful”, particularly for development matters.

11.2.2 There was a view expressed that the need to make a fresh development application, following a minor title boundary adjustment for a housing project that had been previously approved on the site at a cost of \$870, was considered unreasonable.

Council Response

The changes proposed required lodgement of a development application. The fee charged is in accordance with the fee structures adopted by Council.

11.2.3 A verbal submission expressed a view that the new building legislation, with inconsistency between the States, had established the necessity for written advice sheets to explain the standards and regulations applicable to the municipal area with a view to outlining a consistent and reasonable approach on a positive basis. These are not available.

Council Response

Draft Information Packs related to Development matters have been written. These Information Packs are to be market tested for appropriateness in the first quarter of 2006.

It is unlikely however that such Information Packs will be capable of fully explaining all possible permutations associated with individual development applications.

- 11.2.4 A verbal submission expressed a concern that Council was not accepting qualified advice from accredited practitioners in relation to foundation and ground assessments.

Council Response

The Council will accept certification from practitioners where appropriate documentation to demonstrate and support such compliance with the relevant standards is provided.

- 11.2.5 A verbal submission expressed a concern that a property developer was unable to get approvals within agreed time limits and legislated requirements. The Board was advised that this was the case, despite the appointment of properly qualified consultants to assist with development applications.

Council Response

The Council processes submitted Permit Applications for Development in accordance with legislative requirements. On occasions, comment and advice must be sought from State Agencies which can effectively cancel the prescribed time limitations.

Whether an application is submitted directly by a proponent or via a Consultant does not affect the processing of applications upon receipt of requested information.

- 11.2.6 A verbal submission expressed concern that a garage/shed development application, for a basic building with no representations, failed specific approval time limits due to significant additional information requests.

Council Response

Proponents generally can seek a remedy where the processing of applications extends beyond prescribed limits. It is understood the matter referred to was the subject of an Ombudsman inquiry some years ago.

- 11.2.7 A verbal submission expressed concern that an unannounced property inspection by Council officers accompanied by several State Government officers was considered excessive for a basic shed application.

Council Response

Council Officers regularly enter properties to undertake compliance inquiries as authorised agents of the Council. It is understood the reference extended to a number of matters where State Agencies have jurisdiction.

- 11.2.8 A verbal submission expressed concern at the refusal by Council to accept fees for a development after more than 325 documented issues had been addressed by the applicant.

Council Response

The Council provided correspondence documentation in an attempt to assist the proponent to submit a comprehensive development application addressing matters likely to require consideration in the issuing of a permit based on Council Officers' understanding of the proponent's desire to further develop their operations.

The Council will process applications where the submitted documentation is complete, clear and consistent to enable land use considerations to be properly assessed.

- 11.2.9 A verbal submission expressed concern that a recent signage application was approved for a location that was not visible to passing traffic.

Council Response

The signage referred to is visible. Applications for signage can require State Agency support and compliance with State guidelines as the road adjacent to the property is part of the State Highway system.

- 11.2.10 A verbal submission expressed a concern that Council Management appeared to be against a property boundary adjustment that was required for expansion of an existing tourist development, holding back economic development and the creation of employment opportunities.

Council Response

The proponent seeks to utilise a portion of land owned by the Council. The proponent has been advised that it is not intended to progress consideration of disposal until such time as a development approval is issued. The position is based on the necessity for the Council to comprehend the extent of land required and the exact nature of development. Obviously, the question of the disposal sale price also must be determined.

- 11.2.11 A verbal submission alleged that a number of plumbing permit applications lodged with Council had been lost, leading to an assertion about document protection procedures.

Council Response

The Council is not aware of the loss of plumbing applications. Applications are registered upon receipt.

- 11.2.12 A verbal submission expressed a concern that Council would not provide an acknowledgement receipt upon request for planning applications lodged for consideration.

Council Response

Applications will be registered where they are complete and payment of fees is made. The submission of selective documentation is not considered to constitute a valid application.

Alternative procedures are now in place whereby acknowledgement of receipt of correspondence will be issued upon request.

- 11.2.13 A verbal submission expressed a concern that Council would not provide endorsement support for an “Enviro Fund” grant application to enhance the entrance to Stanley.

Council Response

In 2004 support for an application was indicated. A request for support in 2002 was not forthcoming as it was considered the application details were insufficient to enable the extent and impact of the proposal to be assessed.

- 11.2.14 A verbal submission expressed a view that the Planning Scheme provisions could not be located on Council’s website.

Council Response

The text of the Scheme appears on the Council Website.

- 11.2.15 A verbal submission expressed a view that a new storage shed located on the Lawn Cemetery site was too close to the road and was positioned in the completed section away from the existing burial area.

Council Response

The siting of the shed was predicated by theft and vandalism considerations. A previous structure, which was less visible to passing traffic, was subject to vandalism and the loss of stored equipment.

- 11.2.16 A verbal submission by a property developer complained that the slashing of gorse on an adjoining property owned by the Council and leased for agricultural purposes, had resulted in the loss of sensitive flora and fauna habitat creating the need to rehabilitate the natural environment.

Council Response

The property in question is leased for agricultural purposes, and was slashed in accordance with normal farming/weed control practice. Council is unaware of any sensitive flora and fauna in that locality, but will have the area inspected with a view to determining the current situation.

- 11.2.17 A verbal submission raised concerns about the Port Latta Refuse site in relation to:
- the acceptance of toxic and hazardous waste for disposal;
 - the perceived failure of clay liners that permitted escape of contaminated liquid;
 - the potential for mercury contamination beyond the tip site to have originated from the landfill cells;

- the proximity of running creeks on either side of the existing landfill area that could contaminate Crayfish Creek and the foreshore, a popular swimming and fishing area, and
- the possibility of the directional flow of any contaminated water from the landfill site permeating into the water table of nearby residential properties at Port Latta and the Crayfish Creek Tourist Park.

Council Response

The site is the subject of licensing by the relevant State Agency via an Environmental Protection Notice. The conditions include management procedures for nuisances, including continuous monitoring to ascertain any leachate loss. No data available to the Council supports the assertions.

- 11.2.18 A verbal submission expressed concern that the Port Latta Industrial Zone had been developed without appropriate public consultation and consideration of nearby properties.

Council Response

The present zoning provides for the operation of the Land fill facility. A number of years ago the State Agency responsible for Economic Development commissioned an examination of the feasibility of establishing an intensive industrial area in the vicinity. The studies foreshadowed an extended area. It is understood the review process included some information and dialogue with interested parties.

The foreshadowed extended area has not been the subject of a rezoning. The view promoted by the State Agency suggests that a rezoning should form part of a development proposal if a need presents itself.

- 11.2.19 A verbal submission expressed concern that the Port Latta Refuse Landfill site was only available to licensed contractors with other cartage contractors having to dispose of material at Transfer Stations.

Council Response

Licensing of cartage contractors exists to assist in the management of the site to comply with EPN licensing conditions.

Any applications to become a licensed contractor are considered upon application.

Board Response

*Under the category of **Regulatory Functions**, 19 items were identified from the public submissions as requiring response from Council.*

The Board noted Council's responses.

The Board had further comments regarding the following issues:

- *A view was expressed that Council Managers and Technical staff were not always helpful in providing advice with particular emphasis on residential projects and planning issues. The Board appreciated the fact that Council staff are involved in approving applications for planning and building issues that on occasions results in the need for professional advice from external consultants or other agencies. The Board acknowledges that from a community perspective this sometimes appears that staff are being unhelpful but in reality this is a consequence of Council's Statutory role as regulator. However, the Board is of the view that there appears to be communication delay in providing advice for quotations and service location details. The Board, while noting Council's concern there is a danger that officers' information can be interpreted as professional advice which is not permitted, it is of the view there appears to be a communication delay in providing advice for quotations and service location details. The Board considers that timely advice for private works estimates and service location requests is an essential part of Council's service. For further information refer to 11.1.5. Council has been requested to review staff servicing arrangements.*
- *One submission expressed a view that new building legislation was creating difficulties in the building industry due to lack of explanatory advice, particularly bearing in mind the inconsistency between States. The Board noted Council's advice regarding the preparation of Information Packs related to development issues, with a draft to be issued for testing in the first quarter of 2006. It was considered that the draft release should be expedited.*
- *A concern was expressed regarding an unannounced property inspection by Council and Government Officers. The Board has agreed that notice does not have to be given if the entry is in relation to an application by an owner or occupier for a licence, permit or other approval required from Council. The Board however, is of the view that in cases where a large contingent of officers are required to carry out an inspection relative to a proposal, it may well be advantageous if both parties were involved in discussions, necessitating of course, prior notification. Obviously if illegal works were suspected no such notification would be provided.*

11.3 Community Development, Communications and Consultation

- 11.3.1 A written submission expressed the view that Council should take control of the Stanley wharf area to provide appropriate maintenance and encourage development of the asset for community use.

Council Response

A consultancy has been let to assist in the development of a future plan for the Port area on behalf of the Council and the Hobart Ports Corporation. A report has been presented to the Council and will be considered by the Tasmanian Ports Board in 2006.

A decision to dispose of any of the area is firstly a matter for the Board.

- 11.3.2 There is a perception that there is little support from Council for future developments which aim to provide employment and strengthen the local economy. Concern has been expressed at the “drawn out” consideration process and high fees applicable to development proposals.

Council Response

Whilst the Council would generally be supportive of any activities that improve prosperity, due processes to comply with legislative requirements can be perceived by some as excessive.

The fee structure established by the Council is not considered excessive and is comparable with other Tasmanian local authorities.

Board Response

Board notes Council’s responses.

For further information refer to Chapter 4.2.

Appendix 1

Review Process

The Board conducted its review taking care in the public hearings and reporting functions to give a fair hearing to all parties while protecting public security, privacy of personal or financial affairs and the right of any person to a fair hearing. This, by necessity, included the protection of all legally privileged documents examined by the Board. The Board did not take or receive any sensitive evidence in a closed meeting and weighed public interest against protecting any sensitive information in its reporting in accordance with the law.

Following its examination of submissions and conduct of public hearings in this general review, the Board now reports to the Minister on section 214A matters, how the Circular Head Council is functioning within its legislative framework and how Council performs its functions within the community and internally.

Nature and purpose of the review

In this process the Board is seeking to assure the local community and the Government that Council is carrying out its requirements under the Act in its governance, procedures and regulatory functions. It also seeks evidence that Council is communicating well with its community, both in reporting its own activities and in its consultation processes. In particular, the Board is interested in how Council seeks feedback and opinion on its programs and plans.

Councils are trustees for considerable amounts of public funds from a variety of sources and the Board is concerned to see that these funds are well managed. This goes beyond the processes required by the Auditor-General. The Board looks for evidence of longer-term financial planning, awareness of potential problems and adequate provision for the maintenance of assets. Councils are also major employers in their communities and the Board looks for indicators that all personnel - management, staff and elected members - share in a cooperative, corporate organisation which maximises its human resource potential. Finally, the Board is concerned to know that Council, at all levels, is involved with the wider community of Local Government through state and national organisations, professional bodies, public policy development and formal agreements.

Guidelines for a General Review

Legislative Background

Section 214 (1) of the Act states that:

“(1) The Board is to carry out a general review of a council –

- (a) at least once every 8 years; or
- (b) sooner if the Minister so directs.”

Section 214A sets out the structural matters with respect to which the Board can make recommendations to the Minister. The specific details can be viewed in the ***Board Guidelines to the Council*** listed in Chapter 1 of the Report, it being noted that item “(a) the governance and operations of a Council”, indicates the wide range of a general review.

Finally, section 214C sets out the procedures for reviews, it being noted that in subsections (1) and (2):

“(1) The Board may carry out any review in any manner it thinks appropriate.

(2) In carrying out any review, the Board must provide –

- (a) reasonable opportunity for public consultation; and
- (b) reasonable opportunity for any council affected by the review to make any submissions.”

Whilst the Board has extensive powers to conduct a review, it has a recommendatory role in relation to Local Government reform. Therefore, the Board believes that it is appropriate and desirable to state what it sees as the purpose and procedure for general reviews. In doing so it has set guidelines for Councils to bring consistency to the review process, so that Councils know what to expect of the process and to allay some concerns that the general review might be used for other purposes.

The Board has put together a series of topics that it believes will enable it to “examine the manner in which a Council performs its functions”.

In doing so it has in mind:

- (a) The need to ensure that the prescriptive statutory requirements set out in Acts affecting Local Government are being met. These may well be recorded elsewhere or reported on at greater depth, as in annual audits, but the Board believes that such records of compliance should be consolidated in the review.
- (b) The need to ensure that a Council meets its own targets and objectives in the strategic plan, operational plan and other policy and planning statements.
- (c) The review is also seen as an opportunity for Councils to go beyond the minimal approach of recording mere conformity with the Act and demonstrate particular successes in any of its programs or in its responses to its community.

Outcome of General Reviews

The Board is mindful that with a general review, it is possible that a major issue under section 214A may emerge during the consultation process. If this occurs, the Board will provide the Minister with an interim report and then rearrange the review program so as to provide the community and Council with ample time to make submissions and representations in relation to that issue.

As a formal outcome of a general review, the Board submits a report and recommendations to the Minister who then receives submissions relating to the report in accordance with section 214D.

There are a number of possible informal outcomes:

- The Board has indicated to Councils its intention to discuss its general review report fully with Council before submitting it to the Minister. This may serve to prevent misunderstanding and to enable useful discussion of specific sections of a report.
- A collection of reports will be accumulated which will inform Councils of innovations and best practice in Local Government in Tasmania.
- Where difficulties in performing functions may become apparent the Minister will have early warning and appropriate remedies may be investigated.
- The process is intended to assist Councils in identifying opportunities for improvements in efficiency and responses to their communities.

Matters for a General Review

In addition to the matters listed in section 214A of the Act, the Board has identified a series of matters that cover a Council's performance of its functions, and has grouped them under a series of headings. Councils may well wish to add to the list or to highlight difficulties in providing a response. The Board will welcome this as it regards the identification of these matters as an evolving process.

The Board emphasises that it will be interested in evidence of strategic policy, planning and evaluation matters rather than detailed operational information. Where possible, policy and planning documents should be provided.

The Board expects responses to all the headings, sub-headings and dot points, even when a Council may not consider them applicable in its circumstances. If Council believes any of its responses are of a confidential nature, they should be submitted in a separate document, not included in the main submission. The Board expects Council to formally endorse its main submission to the review in an open Council meeting.

Legislation

The Board is mindful that Councils operate under a suite of legislative powers in addition to the *Local Government Act 1993*. Other legislation that Councils are likely to deal with on a daily basis include, but are not limited to, the following:

- Judicial Review Act 2000
- Land Use Planning and Approvals Act 1993
- Land Use Planning and Approvals Regulations 2004
- Local Government (Building and Miscellaneous Provisions) Act 1993
- Local Government (Highways) Act 1982
- Local Government (General) Regulations 2005
- Local Government (Meeting Procedures) Regulations 2005

The Board is also aware that there is a large suite of legislation that impacts upon the operations of Councils and decisions of elected members on such issues as:

- The environment;
- Human resource management;
- Anti-discrimination;
- The Aboriginal community; and
- Infrastructure.

These include but are not limited to the following enactments:

Aboriginal Relics Act 1975
Anti-Discrimination Act 1998
Boundary Fences Act 1908
Building Act 2000
Building Regulations 2004
Conveyancing and Law of Property Act 1884
Crown Lands Act 1976
Disability Discrimination Act 1992 (Cth)
Dog Control Act 2000
Emergency Services Act 1976
Environmental Management and Pollution Control Act 1994

Food Act 2003
Freedom of Information Act 1991
Historic Cultural Heritage Act 1995
Land Acquisition Act 1993
Land Titles Act 1980
Ombudsman Act 1978
Plumbing Regulations 2004
Public Health Act 1997
Resource Management and Planning Appeal Tribunal Act 1993
Resource Planning and Development Commission Act 1997
Sewers and Drains Act 1954
State Policies and Projects Act 1993
Strata Titles Act 1998
Water Management Act 1999
Waterworks Clauses Act 1952
Weeds Management Act 1999
Workers Rehabilitation and Compensation Act 1988
Workplace Health and Safety Act 1995
Workplace Relations Act 1996 (Commonwealth)

The Board is interested to know how a Council ensures that elected members and employees are briefed on and understand the obligations imposed by relevant legislation.

Appendix 2

List of Persons Making Submission

Appeared

- 1. Circular Head Council**
- 2. Dale Newall**
- 3. Denise Stronach**

Written Submissions (did not appear)

- 1. Craig Hardy**
- 2. Michael Hardy**

Appendix 3

Additional Documents Provided with Submissions

The following documents were included:

Reference No.	Document	Chapter Reference
1.	Circular Head Council Review Document	
2.	Minutes of Annual Meetings 2002, 2003, 2004, 2005	2.1
3.	Annual Reports 2001-02, 2002-03, 2003-04, 2004-05	2.2
4.	Special Committee Operating Procedures	2.4
5.	Delegations Register	2.7
6.	Agendas and Minutes of Ordinary and Special Meetings of Council (September 2004 to August 2005)	2.12
7.	Staff Human Resources Manual (incorporates Induction detail)	2.14
8.	Policies Register	2.15
9.	Strategic Plan – Circular Head Council – Future Directions	2.21
10.	Annual Plan and Budget Estimates 2005-2006	2.21
11.	Budget Documents 2005-2006	2.21
12.	Workshop Agendas 2003-2004 (August)	2.23
13.	Regional and Economic Profile for Circular Head – Draft 2005	4.2
14.	Circular Head Natural Resource Strategy – 2001	4.13
15.	Enterprise Agreement 2003 (expires 2006)	6.12
16.	Audit Management Reports (30 June 01,02,03,04 and 05)	7.1
17.	Sewerage System Maintenance Contract Agreement	7.2
18.	Draft Financial Management Strategy and Cost Model	7.5
19.	Financial Statement 2004-05 with Audit Certificate	8.5.1
20.	Civic Mutual Plus (Public Liability / Professional Liability Audit Recommendation Report-2005) <i>on a confidential basis</i>	8.8
21.	Partnership Agreement with State Government (current)	9.3

It is noted the following documents were viewed by the Board at the Municipal Offices:

1. Council Minute Book for Ordinary, Special and Closed Session meetings;
2. Permanent Agenda Record for Ordinary, Special and Closed Session meetings;
3. Pecuniary Interest Register and Documentation; and
4. Public Land Register.

Appendix 4

Tour of Council Area Conducted by Council

On Tuesday 22 November 2005, Council organised a tour of the Council area to give the Board an understanding of the municipal area, Council and the services it provides.

The tour left from the Council Chambers in Smithton by bus and traversed a route including:

- Montagu Road, Mella Road, Bass Highway, Scotchtown Road, Grooms Cross Road, Irishtown Road, Faheys Lane, South Road, Mengha Road to the Stanley peninsula;
- Tour of Stanley townsite and environs; and
- Tour of Smithton town area.

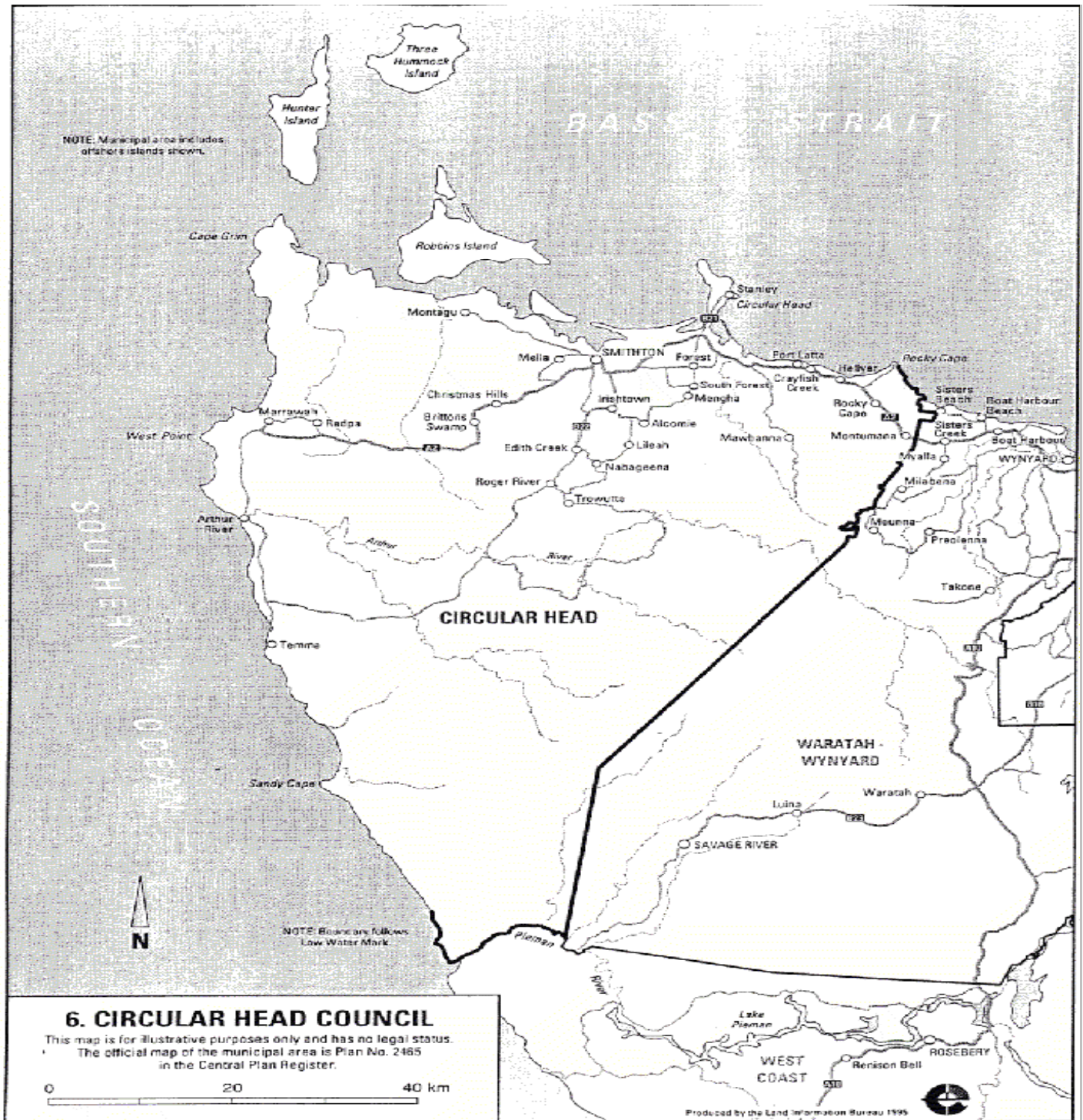
Items noted during the tour included:

- Differing topography and land uses in the municipal area;
- Improvements / additions to the infrastructure assets, such as Mella Road, Scotchtown Road, King Park (Stanley) and Main Street undertaken in recent years;
- Facilities and services provided or supported by Council such as the Hydrotherapy Pool, Visitor Centre, Parks, Community and Recreation Centre and Heritage Centre;
- Current initiatives and issues such as Recreational Planning Review, Stanley Port, Guided Development Planning for Stanley, Tourism Development Planning and Aged Persons Centre;
- Diversity of significant employers in the municipal area.

On Wednesday 23 November 2005, the General Manager, Greg Winton and the Mayor, Cr Ross Hine, took the Board on a further tour of the Circular Head municipal area which included Marrawah, Arthur River and Dismal Swamp, returning to Smithton at 5.00pm.

Appendix 5

Map of Council Area



Appendix 6

Public Notices

LOCAL GOVERNMENT BOARD

Notice of General Review and Invitation for Submissions CIRCULAR HEAD COUNCIL

The Local Government Board is conducting a General Review of Circular Head Council under the *Local Government Act 1993*. The review is part of the general review program being conducted of all Tasmanian Councils.

WHAT IS THE REVIEW ABOUT?

The Board will examine structural and operational issues including the following:

- Communication and Consultation with communities;
- Governance and Regulatory functions of Council;
- Financial and Asset Management.

HOW TO MAKE A COMMENT

The Board's review is a public process involving consultation with any Council or community affected by the review.

Written Comments: Interested people and organisations are invited to make a written submission concerning any of the above matters to the Board at the address below. The contents of any documents provided to the Board will become public documents.

Submissions must be received by Noon on Wednesday 2 November 2005. Please forward submissions to:

	The Chairperson
	Local Government Board
	GPO Box 123
	HOBART TAS 7001
By fax	6233 5602
By email	Gill.Mosmann@dpac.tas.gov.au

Verbal Comments: The Board will be conducting public hearings on 22 and 23 November 2005. The hearings will be held in the Circular Head Community Recreation Centre, Corner Nelson and Grant Streets, Smithton.

FURTHER INFORMATION

Please contact Ms Gill Mosmann for a written guide to making your submission or for any other general information on the review:

Telephone	6233 5993
Fax	6233 5602
Email	Gill.Mosmann@dpac.tas.gov.au

LOCAL GOVERNMENT BOARD

Notice of General Review and Public Hearings

CIRCULAR HEAD COUNCIL

The Local Government Board is conducting a General Review of Circular Head Council under the *Local Government Act 1993*.

WHAT IS THE REVIEW ABOUT?

The Board will examine structural and operational issues including the following:

- Communication and Consultation with communities;
- Governance and Regulatory functions of Council;
- Financial and Asset Management.

HOW TO MAKE A COMMENT

The Board's review is a public process involving consultation with any Council or community affected by the review.

Verbal Comments: Interested people and organisations are invited to make a verbal submission concerning any of the above matters to the Board at its public hearings. If you would like to speak to the Board, please contact Ms Gill Mosmann (details below) to make an appointment, and to receive a guide to making your submission. Members of the public are also invited to attend and to hear people discuss their views with the Board and to hear Council present its submission. The Board will not hear confidential submissions and information provided will become part of the Board's public report.

Please note that if no one indicates they wish to speak to the Board at a given session it will be cancelled.

Community Recreation Centre (CRC)
Grant Street
SMITHTON

22 November 2005	2.00 pm – 5.00 pm	Public Hearings	<i>Council's presentation of its submission</i>
22 November 2005	5.30 pm – 7.30 pm	Public Hearings	
23 November 2005	9.30 am – 12.00 pm	Public Hearings	
23 November 2005	1.30 pm – 5.30 pm	Public Hearings	

FURTHER INFORMATION

Further details in relation to this review can be obtained by contacting Ms Gill Mosmann on:

Telephone 6233 5993
Fax 6233 5602
Email gill.mosmann@dpac.tas/.gov.au

Appendix 7

Councillors and Senior Staff

MAYOR..... Cr W Ross Hine

DEPUTY MAYOR..... Cr Daryl H Quilliam

Cr T J Berechree

Cr Bernard J Charles

Cr Rodney Flowers

Cr W Ross Hine

Cr Jeanie Murrell

Cr John Oldaker

Cr Daryl H Quilliam

Cr Graham Wells

Cr Darren F Wilson

GENERAL MANAGER

MANAGER CORPORATE SERVICES

**MANAGER INFRASTRUCTURE and
DEVELOPMENT**

WORKS MANAGER

EXECUTIVE OFFICER

Mr Greg Winton

Mr John Van Gaalen

Mr Daryl Polzin

Mr Brian Blake

Mr Tony Smart