

Our Ref: JM:jh
14.19

Your Ref:

20th March, 2017

Mr Alex Tay
Director of Local Government
Department of Premier and Cabinet
GPO Box 123
HOBART TAS 7001

Dear Sir,

RE: ELECTOR PETITIONED COUNCIL REVIEW

I refer to your correspondence received by this office on the 14th February 2017 in relation to the above. I also refer to the Director of Local Government's Report (the Report) to the Minister for Local Government dated December 2013.

Council acknowledged the Report at that time with the advice to the Minister that it would further consider the timing and setting of priorities associated with the undertaking of the actions contained within each of the then Director's recommendations (*a copy of which is attached to this correspondence*).

Since a review undertaken by Council at its meeting held on the 17th December 2014 in response to the Report and the response provided to the then Director thereafter dated 23rd December 2014 (*copy attached*) the following table provides an update of any action taken in addressing those recommendations:

Area	Recommendation	Action Taken
Governance	Strengthening the current strategic plan, incorporating comments from the community following a thorough consultation process. A new 10 year strategic plan should more extensively document the mechanisms or strategies the Council proposes to use to meet its long-term objectives.	Following the engagement of consultants to undertake Council's Strategic Plan Review Process early 2015 a number of community forums were held within the municipality with a range of community members including local schools, young families, business, and education and health professionals. Written submissions were also received and considered throughout the review process. Council formally adopted its 2016-2026 Strategic Plan at its meeting held on the 17 th February 2016. A copy of the Strategic Plan is enclosed.
	Dedicating resources to the review of major policies and the development of new policies within an appropriate timeframe.	A review of all of Council's existing policies together with the development of new policies is well underway with regular submission to Council for review and adoption. It is anticipated that a review of all of Council's existing policies will be



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Area	Recommendation	Action Taken
		completed by June 2017. Details of Council's policies are available on Council's website www.georgetown.tas.gov.au
	Changing the order of business of Council meetings, so that the Council can conduct its other business prior to the public being able to address the Council.	Whilst this recommendation was considered and discussed, no action has been taken to date. Council recently reviewed its Public Question Time Policy No. 18 and considered its order of agenda business in this respect during the review. Council considered it was in the public's best interests to continue with Public Question Time at the beginning of the meeting.
	Expediting the purchase of a recording and public announcement (PA) system for the Council chambers. The system purchased should have the capacity to record meetings, and potentially stream meetings live to the internet, or record podcasts that may be downloaded from the Council website.	Council has purchased a PA and recording system for the Council chambers and commenced recording its Council meetings in May 2014. No action has been taken in respect to the potential to stream meetings live to the internet. Audio recordings of Council meetings are available via the Council's website or available for purchase at the Council office in accordance with Council's Audio Recording of Council Meeting Policy No. 40.
Operations	Reviewing any policies, practices or guidelines with respect to management of capital works projects to ensure they are both current and consistent with national best practice.	<ul style="list-style-type: none"> • Risk matrix and ranking was applied to capital works proposals in order to rank proposals for inclusion within the capital program. • Process and capability strengthened, where possible, such that capital works proposed work through a process of concept, design, drawings and costing as opposed to a more basic estimate process. • Greater reliance on capital projects being determined from the asset management plan with linkages to the asset management strategy and policy and long term financial plan. • Asset management strategy, policy and long term asset management plan and long term financial plan revised and updated.
Regulatory Functions	Prioritising the completion and adoption of a new planning scheme. This includes assisting the Tasmanian Planning Commission (TPC), where possible, during the planning scheme assessment process, and thoroughly consulting with the community over the newly adopted interim planning scheme.	Interim scheme was declared in October 2013. Also, Council's Manager Development Services sat on the State Planning Scheme Technical Reference Group.

Area	Recommendation	Action Taken
		Council's Development Services manager has had considerable input into the new Statewide Planning Scheme on behalf of George Town Council and the new Statewide Provisions.
Financial and Asset Management	<p>Developing a timeframe for the development and adoption of:</p> <ol style="list-style-type: none"> A 10 year financial management plan; A 10 year strategic asset management plan; A financial management strategy; An asset management strategy; and An asset management policy. <p>Developing and implementing new strategies to address the poor anti-fraud culture around the Council. This should include, as a minimum, training and education of staff to recognise and identify fraudulent activity.</p>	<p>(a) 10 year financial management plan prepared and acknowledged. (b) 10 year strategic asset management plans prepared and acknowledged (buildings still under construction). (c) financial management strategy adopted. (d) asset management strategy adopted. (e) asset management policy adopted.</p> <p>Development of Policies and Plans Policies developed to encourage ethical and lawful behaviour include the following:</p> <ul style="list-style-type: none"> Fraud Prevention and Control Policy March 2014 Fraud Control Plan authorised 26 March 2014 Gifts and Benefits Policy adopted March 2015. Work Place Behaviour Policy April 2014. Code of Conduct Elected Members May 2016. Fraud Control Plan implemented 26 March 2014 <p>Employee Induction Since the adoption of the Fraud Prevention and Control Policy in March 2014, employees have been required to sign off the policy as part of their induction process along with other relevant policies. The policy includes information on how they may make a misconduct disclosure which can be by way of the form provided or by other means as identified in the policy.</p> <p>Workforce Education Fraud prevention and control training sessions with all employees were held in April 2014, following the rollout of the Fraud Prevention and Control Policy. Further educational sessions have been undertaken with individual departments and further sessions are planned. These sessions consists of a presentation to staff and discussion on the issue.</p>

Area	Recommendation	Action Taken
		<p>Position Description Statements Since 2014 a number of statements regarding policy and procedures concerned with ethical and lawful behaviour have been incorporated into the position description of all employees. Employees are required to sign off position descriptions annually as part of the performance review process.</p> <p>Pronouncements and Memos from the General Manager or Management From time to time pronouncements, memos or instructions are communicated to employees from the General Manager or management regarding behaviour including ethical behaviour.</p>
Human Resource Management	Undertaking a regular staff satisfaction survey, with the results presented to the Council for consideration.	One staff satisfaction survey has been conducted to date. The results have been supplied to staff and Councillors as requested. Another is being considered through Council's Employees Consultative Committee.
	Undertaking a review of all policies and procedures in place for management of staff grievances and internal complaints.	<p>Development and adoption of:</p> <ul style="list-style-type: none"> ▸ Grievance Resolution Policy and Procedures No. 43; and ▸ Workplace Behaviour Policy No. 37 <p>Adopted April 2014 Ongoing review and development of Human Resource Management Policies and Procedures. Council has the following policies: HR01: Employee Code of Conduct No 43: Grievance Resolution Policy and Procedure No. 37: Workplace Behaviour No 1 Fitness for Work (Alcohol & Drugs) No 6: WHS Policy</p> <p>All HR policies are reviewed in consultation with the Consultative Committee and through the Council as required. Council is currently developing a suite of HR policies which have been developed by Page Seager Lawyers (found on LGAT website). The review process includes carefully aligning with GTC requirements and is consulted with the ASU and employees before adoption. HR policies can be found in the <i>GTC Employee Policy Manual</i> and on Council's website where the policy is a policy of the Council.</p>

Area	Recommendation	Action Taken
		<p>Mediation of Complaints: Council has engaged the services of a qualified Workplace Relations Consultant from Tasmanian Chambers of Commerce Industry to assist Council with the investigation/mediation of complaints which cannot be dealt with in-house. Council also use the services and advice from Page Seager Lawyers on various HR matters.</p> <p>Council have just recently completed a 4 Year Enterprise Bargaining Agreement (1-7-16 to 30-6-20) after an extensive 18 month process of negotiations with Council employees including the ASU. The agreement was accepted by employees by a vote of 37 in favour to one against.</p> <p>ASU Delegates: Council has provided training for four (4) trained ASU delegates (2 outdoor workforce, 2 indoor workforce) to assist with the supporting of employee concerns, particularly in respect of meeting the requirements of the GTC EBA.</p>
Matters concerning the General Manager	<p>Developing a new performance review procedure for the General Manager that is transparent, thorough and rigorous.</p> <p>Developing a more comprehensive and rigorous appointment process for the position of General Manager.</p>	<p>Performance review procedure developed and introduced. In 2016 Council outsourced the services of <i>NeedHRnow</i> to conduct the GM performance review. This was conducted in conjunction with all Councillors and included input from senior staff, the GM over a series of meetings and discussions. The GM review for 2016 was conducted in accordance with the GM Contract.</p> <p><i>NeedHRnow</i> have been consulted again to conduct the GM review for 2017. The review process will begin its first presentation 1st March 2017 and is due to be finalised at Council's Ordinary meeting 19 April 2017.</p> <p>Council will continue to engage outside recruiting consultants/agencies to assist with the recruitment process of the position of General Manager.</p> <p>In February 2014 Council requested quotes from outside</p>

Area	Recommendation	Action Taken
		<p>recruiting agencies to recruit the GM. Council received quotes from Murfett Management Pty Ltd (Mr Peter Murfett) and from McArthur Recruitment. It was decided that Council would engage Mr Peter Murfett to assist with the GM recruitment and that the process would be supported by Council's Executive Officer – Governance (HR). Council followed a strict and rigorous process which commenced in April 2014 (all supporting documentation available to show evidence of the process).</p> <p>There were 35 applicants for the GM role. A GM was finally recruited and appointed, commencing in September 2014. Council then decided to terminate the GM under clause 5 (e) Probation Period) effective 15th October 2014.</p> <p>In accordance with subsection 61 (6) of the Local Government Act 1993, the Mayor of a Council may appoint a person as Acting GM. The current GM was appointed on a short-term basis - commencing 5th December 2014, until 30 June 2015.</p> <p>In accordance with the Local Government Act Part 7, Div 1 (6) (a), The Mayor may appoint a person as Acting General Manager until – the appointment of that person as general manager is confirmed at the next council meeting.</p> <p>A Special meeting was held Tuesday 31 March 2015 (advertised 28 March 2015) to accept the GM contract and appoint the Acting GM to GM. A media release followed.</p> <p>It was a decision of the Council to appoint the Acting GM to the role of GM. Contract start date 2nd April 2015, Employment start date 5th December 2014, End date 30 March 2018.</p> <p>The recruitment process was based on legal and professional advice and interpretation of the Act from Page Seager Lawyers, Mr Phillip Hoysted Director of Local Government and Mr Allan Garcia CEO Local Government Association and Ms Katrina</p>

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		<p>Stephenson (LGAT) before Council proceeded.</p> <p>Council endorsed the appointment of the current GM and authorised the Mayor to sign the GM's contract on the Council's behalf.</p>

As outlined above the Director's recommendations have been addressed with the most significant being the adoption of the Council's 2016-2026 Strategic Plan in February 2016. Evidence of further developments and progress on various matters of the George Town Council are found in the Annual Reports 2015/2016 and 2016/2017, particularly in the Mayor's and General Manager's messages.

The General Manager was also tasked with reviewing the Waste Transfer Station operations and capital works projects, which were reviewed by consultants with capital works projects identified that are now being undertaken at a cost of just over \$1 million, including a successful grant application of \$350,000 from the Federal government.

Should you have any questions in relation to the above, please do not hesitate to contact myself at the Council office.

Yours faithfully,



John Martin
General Manager

Our Ref:

DDP:jh
14.19

Your Ref:

16th December 2013



Mr Phillip Hoysted
Director of Local Government
GPO Box 123
HOBART TAS 7001

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Dear Mr Hoysted

**RE: GEORGE TOWN COUNCIL ELECTOR PETITION – REPORT
TO THE MINISTER FOR LOCAL GOVERNMENT – DECEMBER
2013**

I acknowledge receipt of above report and advise that Council will review the recommendations contained therein at a workshop to be held early in the New Year.

Following this review, further advice will be provided back to the Department in relation to Council's timing and setting of priorities associated with the undertaking of the actions contained within each of the recommendations.

Yours sincerely

**Dino De Paoli
ACTING GENERAL MANAGER**



Our Ref:

JM:jh
14.19

Your Ref:

23rd December 2014

Mr Peter Gutwein MP
Treasurer
Minister for Planning & Local Government
Department of Premier and Cabinet
GPO Box 123
HOBART TAS 7001



ABN 68 300 116 092

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Dear Sir *PETE,*

**RE: GEORGE TOWN COUNCIL ELECTOR PETITION – REPORT TO THE
MINISTER FOR LOCAL GOVERNMENT – DECEMBER 2013**

I refer to the Director of Local Government's Report (the Report) to the then Minister for Local Government dated December 2013.

Council acknowledged the Report at that time with the advice that it would further consider the timing and setting of priorities associated with the undertaking of the actions contained within each of the Director's recommendations.

The following table, since reviewed by Council at its meeting held on the 17th December 2014, provides the status of any action taken in addressing those recommendations:

Area	Recommendation	Action Taken
Governance	Strengthening the current strategic plan, incorporating comments from the community following a thorough consultation process. A new 10 year strategic plan should more extensively document the mechanisms or strategies the Council proposes to use to meet its long-term objectives.	A timeframe for the review of the Council's Strategic Plan including community consultation is currently under development. A draft review process and other matters was discussed at a Council workshop in December 2014.
	Dedicating resources to the review of major policies and the development of new policies within an appropriate timeframe.	A review of all of Council's existing Governance policies together with the development of new policies is underway with regular submission to Council for review and adoption. It is anticipated that all of Council's policies will be reviewed annually.
	Changing the order of business of Council meetings, so that the Council can conduct its other business prior to the public being able to address the Council.	Whilst this recommendation was considered and discussed, no action has been taken to date.
	Expediting the purchase of a recording and public announcement (PA) system for the Council chambers. The system purchased should have the capacity to record meetings, and potentially stream meetings live to the internet, or record podcasts that may be downloaded from the Council website.	Council has purchased a PA and recording system for the Council chambers and has commenced recording its Council meetings. Further consideration may be given to the potential to stream meetings live to the internet, Audio recordings of Council



Area	Recommendation	Action Taken
		meetings are available via the Council's website or available for purchase at the Council office in accordance with Council's Audio Recording of Council Meeting Policy No. 40.
Operations	Reviewing any policies, practices or guidelines with respect to management of capital works projects to ensure they are both current and consistent with national best practice.	<ul style="list-style-type: none"> • Risk matrix and ranking applied to capital works proposals in order to rank proposals for inclusion within the capital program. • Process and capability strengthened such that capital works proposed work through a process of concept, design, drawings and costing as opposed to a more basic estimate process. • Greater reliance on capital projects being determined from the asset management plan with linkages to the asset management strategy and policy and long term financial plan. • Asset management strategy, policy and long term asset management plan and long term financial plan being rewritten and updated.
Regulatory Functions	Prioritising the completion and adoption of a new planning scheme. This includes assisting the Tasmanian Planning Commission (TPC), where possible, during the planning scheme assessment process, and thoroughly consulting with the community over the newly adopted interim planning scheme.	Interim scheme was declared in October 2013.
Financial and Asset Management	Developing a timeframe for the development and adoption of: <ul style="list-style-type: none"> a) A 10 year financial management plan; b) A 10 year strategic asset management plan; c) A financial management strategy; d) An asset management strategy; and e) An asset management policy. 	<p>Draft plan to be reviewed and rewritten.</p> <p>Draft plan to be reviewed and rewritten.</p> <p>Financial management strategy adopted.</p> <p>Asset management strategy currently being rewritten.</p> <p>Draft asset management policy to be reviewed.</p>
Human Resource Management	Undertaking a regular staff satisfaction survey, with the results presented to the Council for consideration.	One staff satisfaction survey has been conducted to date. The results have been supplied to staff and Councillors as requested.
	Undertaking a review of all policies and procedures in place for management of staff grievances and internal complaints.	<p>Development and adoption of:</p> <ul style="list-style-type: none"> • Grievance Resolution Policy and Procedures No. 43; and • Workplace Behaviour Policy No. 37 <p>Adopted April 2014</p> <p>Ongoing review and development of Human Resource Management Policies and Procedures.</p>
Matters concerning the General Manager	Developing a new performance review procedure for the General Manager that is transparent, thorough and rigorous.	Performance review procedure developed and introduced.

Area	Recommendation	Action Taken
	Developing a more comprehensive and rigorous appointment process for the position of General Manager.	Council will continue to engage outside recruiting consultants to assist with the recruitment process of the position of General Manager.

A number of the Director's recommendations have been addressed or an action plan developed to address them. The most significant will be the proposed review of the Council's Strategic Plan. It is anticipated that the process will commence early January 2015.

This process will underpin Council's future direction and commitment to strengthening a positive relationship between Council and its communities.

Should you have any questions in relation to the above, please do not hesitate to contact myself at the Council office.

Yours faithfully


John Martin
ACTING GENERAL MANAGER

cc. Mr Phillip Hoysted, Director of Local Government