



GOVERNANCE FRAMEWORK

Endorsed by Council 19 November 2024 – 167/2024



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1. INTRODUCTION

Local Government in Tasmania is established under Part 3 of the *Local Government Act 1993* (the Act) and is Australia's third tier of government. Local Government has legislative responsibility for many functions and activities relevant to a local community.

Because Local Government makes decisions about so many things that affect our everyday lives and is the sphere of government closest to the people, it is often described as the 'grassroots' form of government. As a result, the community has high expectations of its Council, including open and transparent decision-making processes.

In May 2024 Council resolved to clarify and document the way elected members work together and support decision making processes that are transparent and well understood. Canvassed at Councillor workshops and informed by examples from other councils in Tasmania and interstate, this Framework was adopted by Council in November 2024 and will be reviewed annually to maintain relevance to local circumstances.

Both the Local Government Division of the Department of Premier and Cabinet (DPAC) and the Local Government Association of Tasmania (LGAT) have published several guidance documents and resources for the roles and functions of Councils, including the Good Governance Guide for Local Government¹ (in Tasmania). These documents and resources are relied upon to support Councillors in conjunction with this Governance Framework which aims to summarise the role of elected members and to document the way good governance is applied at Sorell Council.

2. LOCAL GOVERNMENT DEFINED

Local governments in Tasmania must carry out their functions in accordance with the Act and associated Regulations.

Governance provides the structure through which a local government's vision and objectives are achieved within a context of competing and changing social, economic, and environmental issues.

A Council is a body corporate, created under the Act, and is responsible for its municipal area. Section 20 of the Act sets out the following broad functions of councils:

- 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 performing these roles and functions, Council is required to consult, involve and be accountable to the community. It must consider the diverse needs of the local community in its decision-making, set and monitor strategic objectives and ensure resources are managed responsibly.

To allow Councils better decision-making, greater accountability, and more efficiency and effectiveness, the Act provides several ways of achieving these objectives through strategies, plans, delegations, by-laws, and policies.

3. WHAT IS GOOD GOVERNANCE?

The Governance Institute of Australia defines Governance as encompassing "...the system by which an organisation is controlled and operates, and the mechanisms by which it, and its people, are held to account. Ethics, risk management, compliance and administration are all elements of governance." ¹

Governance includes the "framework of rules, relationships, systems and processes within and by which authority is exercised and controlled"².

Good governance ensures that the Council can effectively manage its many complex responsibilities in the community's best interests.

Good governance delivers confidence to the Council, the General Manager, employees, and the community that the Council is being run efficiently, and is compliant, sustainable, and carrying out its objectives, policies, and plans.

As described in the Good Governance Guide for Local Government in Tasmania (DPAC), the components of good governance are:

- maintaining high ethical standards
- Councillors understanding their role in Local Government
- fostering respectful relationships
- undertaking effective strategic planning and performance monitoring
- implementing robust risk management
- practicing fair and transparent decision-making
- complying with relevant Acts of Parliament
- committing to continuous improvement.

¹ https://www.dpac.tas.gov.au/_data/assets/pdf_file/0006/380427/Good_Governance_Guide_June_2018.pdf

¹ Governance Institute of Australia, 2024
<https://www.governanceinstitute.com.au/resources/what-is-governance/>

² ASX Corporate Governance Council, 2019. *Corporate Governance Principles and Recommendations 4th edition*.

The practice of good governance in Local Government can significantly contribute to improving community life. In meeting the highest standards of accountability and transparency, good governance produces better outcomes.

When Local Governments practice good governance, their communities are more connected and engaged, better services are provided, and more efficient use is made of resources.

4. GOVERNANCE PRINCIPLES

The Council has developed this Framework based on the four principles as shown in Figure 1 (adapted from the Good Governance Guide for Local Government in Tasmania):

- Principle 1: Accountable & transparent
- Principle 2: Law-abiding & ethical
- Principle 3: Participatory, equitable, inclusive & consensus orientated
- Principle 4: Responsive, effective & efficient.

These four principles govern the Council's decision making. All decisions, policies, plans and strategies should be made with reference to the four principles. This should ensure legislative compliance, alignment with the Council's strategic vision, transparency, and accountability.

Adherence to the four principles is the responsibility collectively of the Council together with individual Councillors, the General Manager, and all employees. Every decision made should align with the four governance principles and reflect best governance practices.

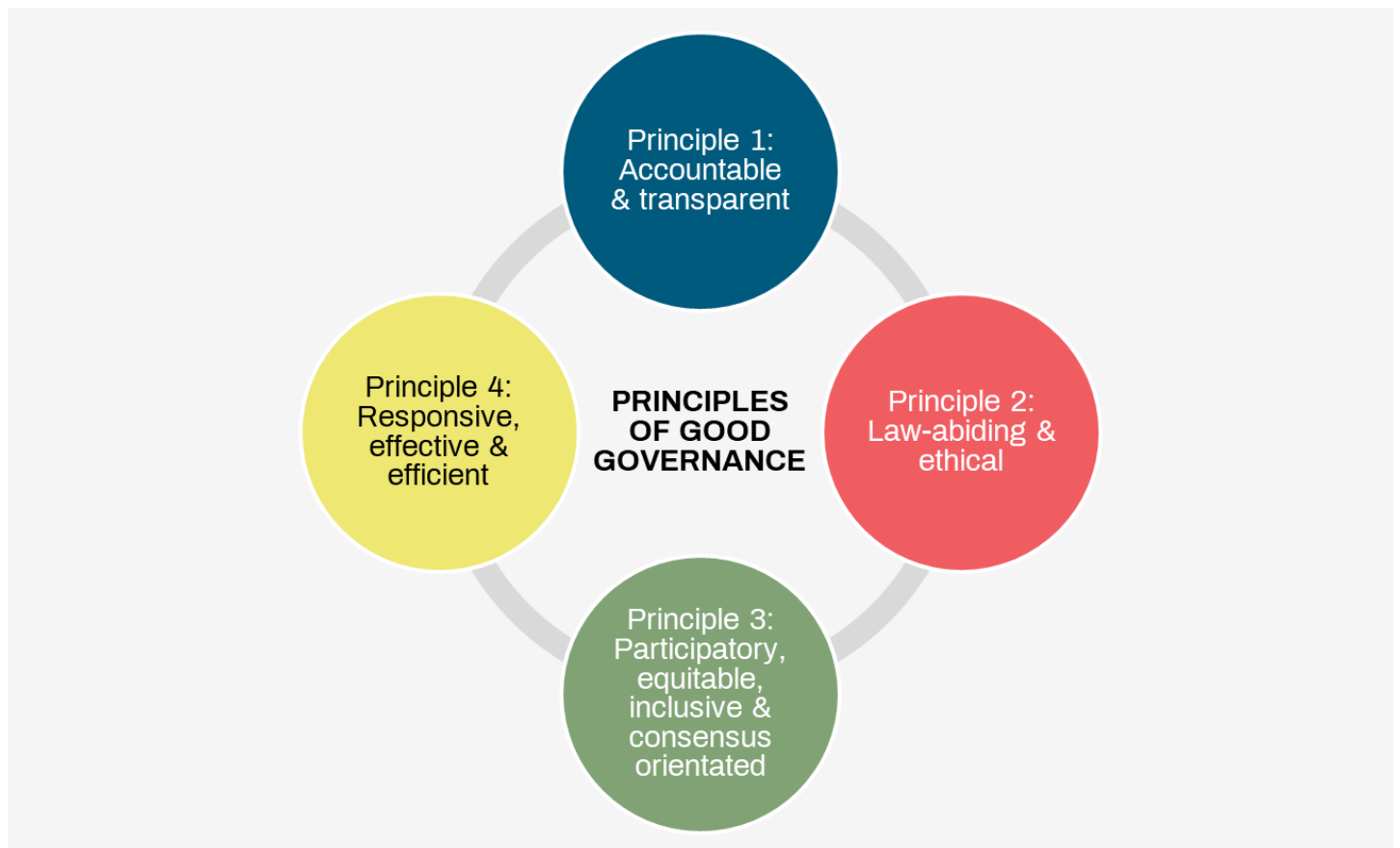


Figure 1: Principles of good governance

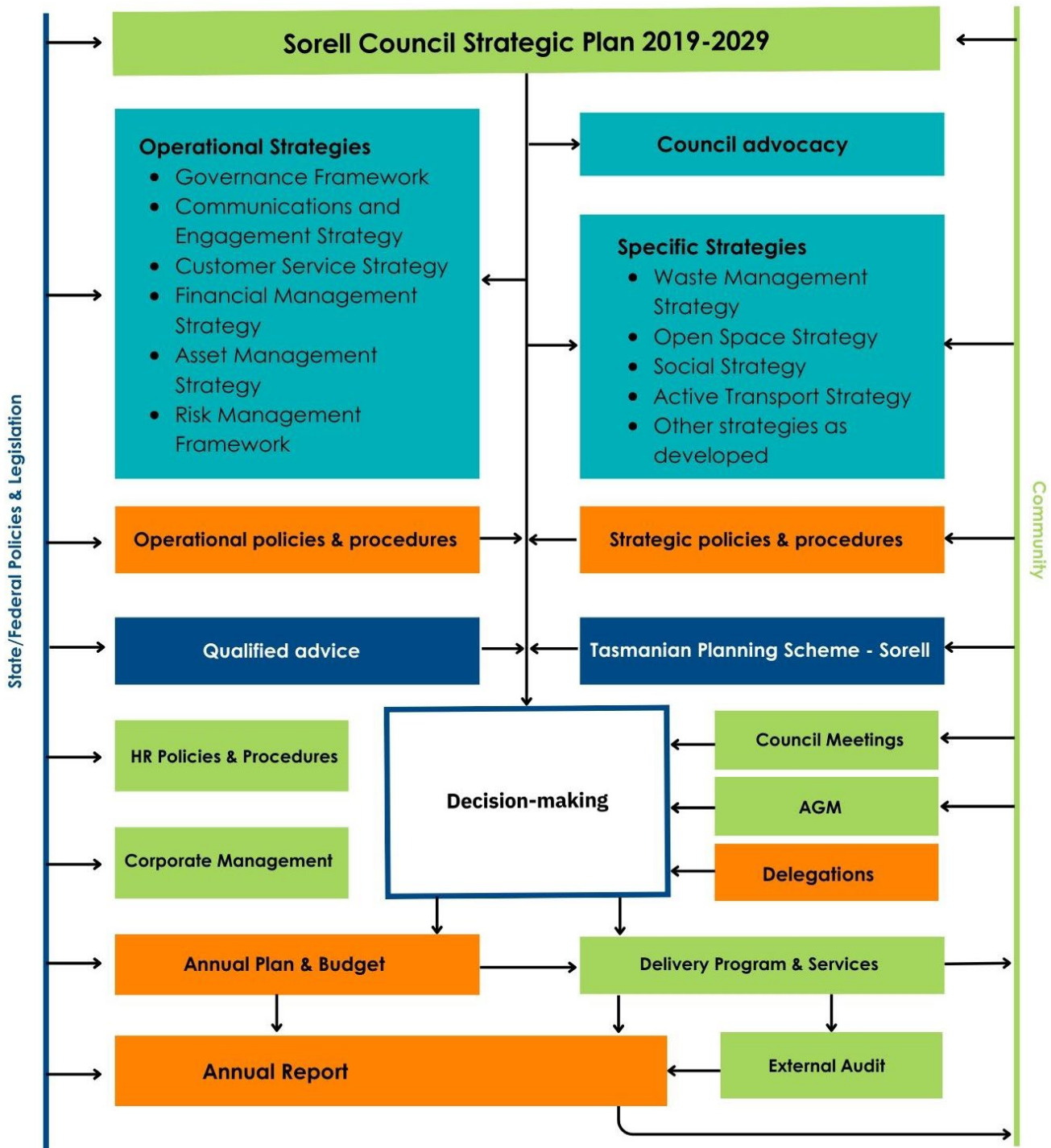


Figure 2: Governance Framework overview

5. GOVERNANCE FRAMEWORK OVERVIEW

The Governance Framework overview (Figure 2) demonstrates the connection between decision-making and the legislative framework all local governments must operate under, the role of the community in informing and holding the Council to account and the four governance principles.

5.1 MAYOR, DEPUTY MAYOR & COUNCILLORS

In accordance with Division 3 of Part 3 of the Act, the Sorell Council is made up of nine councillors elected every four years under the rules of the Act.

The key roles of Councillors (collectively) are to:

- Develop and monitor the implementation of strategic plans and budgets.
- Determine and monitor the application of policies, plans and programs.
- Facilitate and encourage the planning and development of the municipal area.
- Appoint and monitor the performance of the General Manager.
- Determine and review the Council's resource allocation and expenditure.
- Monitor the manner in which services are provided by the Council.

To assist council in carrying out its functions under the Act the Council may create committees.

The Council also has the power to delegate some of its functions and powers to the General Manager or a committee. However, there are a number of matters that cannot be delegated, and these are specified in the Act.

The function of the Mayor is to act as a leader of the community of the municipal area; to act as chairperson and spokesperson of the Council; to liaise with the General Manager on the activities of the Council and the performance of its functions and exercise of its powers; and to oversee the Councillors in the performance of their functions and in the exercise of their powers.

The role of the Deputy Mayor is to act in the position of Mayor in the Mayor's absence or as authorised in writing by the Mayor.

5.2 COUNCIL COMMITTEES

A Council Committee is established by a Council resolution made under Section 23 of the Act.

If established, Council Committees typically manage high-level business related to Council's operations and have formal meeting procedures and other requirements.

Council Committees must be established by a resolution of Council, which must include a resolution to adopt Terms of Reference.

5.3 AUDIT PANEL

The Council has established an Audit Panel in accordance with Division 4 of Part 8 of the Act to oversee and advise the Council on matters of internal and external audit and risk management and compliance functions of the Council.

Members of the Audit Panel, including two Councillors, are appointed and operate in accordance with the Panel's Charter.

5.4 JOINT AUTHORITIES

Under Section 30 of the Local Government Act, a Council may resolve to establish a joint authority with other councils.

Sorell Council is currently part of:

- Taswaste South which is established via funding from the Tasmanian Waste Levy and 12 member councils to progress regional waste management issues.
- Copping Refuse Disposal Site Joint Authority – Four council owners (Clarence, Sorell, Tasman & Kingborough) of the regional waste management facility at Copping. Managed by Southern Waste Solutions obo the Authority.
- South East Region Development Association – SERDA – Four council membership based regional economic development and advocacy group (Clarence, Sorell, Tasman & Glamorgan Spring Bay).
- Southern Tasmanian Councils Authority – membership based organisation representing 9 of the 12 southern councils.

Whilst not a Joint Authority, TasWater is owned by all 29 Councils (proportional shareholdings) and the State Government. All owners have a shared role in ensuring appropriate governance arrangements are maintained (inclusive of dividend payments as prior owners of the assets), Board composition as well as being strategic partners / advocates and, customers.

5.5 ADMINISTRATION

The Act sets out the distinct roles of Councils and the General Manager. At a basic level, the Council sets policy and the General Manager implements it and manages and directs the council staff. Councillors are not able to instruct staff.

The Council is required to appoint a General Manager to deliver the functions and powers described in the Act, including appointing qualified persons as employees to implement the decisions of the Council.

Distinct from the role of Councillors, the General Manager's role is to:

- Implement the policies, plans and programs of the Council.
- Implement the decisions of the Council.
- Be responsible for the day-to-day operations and affairs of the Council.
- Provide advice and reports to the Council to enable the exercise and performance of its powers and functions.
- Assist the Council in the preparation of the strategic plan, annual plan, annual report and associated monitoring.

- Coordinate proposals for the development of objectives, policies and programs for the consideration of the Council.
- Liaise with the Mayor on the affairs of the Council and the performance of its functions.
- Manage the resources and assets of the Council.

Sorell Council has approximately eighty-four employees (70.4 FTE's) working to deliver the policies, plans and programs of Council under the direction of the General Manager.

The functional relationship between the Mayor and Councillors and the General Manager and employees is shown in Figure 3.



Figure 3: Functional structure of Council

5.6 ORGANISATIONAL VALUES

The organisational values of the Sorell Council, adopted in the 2018 strategic planning process, are:

Integrity

- We work in good faith, are honest and forthcoming and take accountability for our decisions.

Unity

- We work cohesively as one Council, supporting our community and each other to achieve better outcomes.

Respect

- We listen to and consider the opinions and input of each person and acknowledge each other's contribution.

Innovation

- We are committed to finding new solutions, adapting to change and continuously improving in order to deliver the best outcomes for the community

6. PRINCIPLE 1: ACCOUNTABLE & TRANSPARENT

6.1 LEGISLATIVE BASIS

The *Local Government Act 1993* provides for:

- the way in which a local government is constituted and the nature and extent of its responsibilities and powers; and
- a system of local government in Tasmania that is accountable, effective, efficient, and sustainable.

Section 18 of the Act establishes Sorell Council as a statutory body, elected to be responsible for the governance of the Sorell municipal area. The way Council is constituted, and the nature and extent of its functions and powers, is derived from the Act and other related legislation of the State of Tasmania.

Council is governed by a legislative framework including, but not limited to, the following key pieces of legislation (and their associated regulations):

- *Audit Act 2008*
- *Archives Act 1983*
- *Building Act 2016*
- *Dog Control Act 2000*
- *Environmental Management and Pollution Control Act 1993*
- *Food Act 2003*
- *Land Use Planning and Approvals Act 1993 (acting as a planning authority)*
- *Local Government Act 1993*
- *Local Government (Building and Miscellaneous Provisions) Act 1993*
- *Local Government (Highways) Act 1982*
- *Personal Information Protection Act 2004*
- *Public Health Act 1997*
- *Right to Information Act 2009*
- *Stata Titles Act 1998*
- *Urban Drainage Act 2013*
- *Public Interest Disclosures Act 2002*

Council ensures that it discharges its functions and exercises its powers in accordance with this regulatory framework by adopting local laws, policies and procedures that provide efficient and effective decision-making, performance, and the discharge of responsibilities.

Council has a hierarchy of documents relied on to ensure good governance. This is discussed in Section 8.

6.2 BY-LAWS

Under Section 145 of the Act, Council may make By-laws in respect of any Act, matter, or thing for which the Council has a function or power under any Act provided, in part, that it is not contrary to law or is in conflict with any planning scheme in the municipal area.

The Council's practice is to undertake its role and functions under existing legislation (Acts and Regulations) where this is provided. Where legislation is deficient (i.e., matters not adequately covered) or where there are particular management or governance issues, the Council will consider making By-laws to deal with these matters. Due regard will also be given to the reduction of administrative burden. To that end, any By-law will intend to keep regulation to a necessary minimum.

Sorell Council currently has the following By-laws in place:

- Local Highway By-law 2 of 2015
- Public Places By-law 1 of 2015 (being updated)
- Environmental Health By-law 1 of 2023

6.3 DECISION-MAKING

A Councillor's most important function, as part of the governing body of Council, is to attend and participate in the decision-making processes of Council.

The decisions made by Councillors at formal Council meetings provide the direction and authority for the ongoing operation of the Council. The decisions of the Council give direction to the General Manager to act.

The Council can only make decisions by resolution following a motion put to a properly convened meeting and passed by the required majority.

The Council acknowledges the importance of collective decision-making by the Councillors sitting together at a properly constituted meeting of the Council. Council meetings are formal meetings required to be held by the Council under Section 18 of the Act.

The Mayor, Deputy Mayor and Councillors must represent the policies and decisions of the Council accurately in performing their functions.

6.4 QUALIFIED ADVICE

Section 65 of the Act places a responsibility and obligation upon the General Manager to ensure qualified advice is provided to Council to enable decision-making. In addition, the Act requires that Council must consider such advice and not decide on a matter (if it is required) unless such advice is provided

6.5 ROLE AS PLANNING AUTHORITY

When determining matters under the *Land Use Planning and Approvals Act 1993*, the Council is required to do so acting as a Planning Authority and clearly identify when it is undertaking this role.

As a member of a Planning Authority, a Councillor's role is different from that of a community representative and must follow and enforce the planning scheme.

When acting as a member of a Planning Authority, Councillors will act with procedural fairness and should not make public declarations of their views on particular developments until all the information has been provided and the issues properly assessed and communicated.

Given the volume of applications made on a day-to-day basis, in order to function in an efficient manner and meet the required statutory timeframes, the Council has delegated many of these functions and powers to the General Manager and specific staff. In general, only key strategic matters or those specific applications that generate sufficient public interest through a public notification process, will be referred to Councillors for consideration meeting as the Sorell Planning Authority.

7. PRINCIPLE 2: LAW-ABIDING & ETHICAL

7.1 COUNCIL MEETINGS

In accordance with Regulation 16 of the Local Government (Meeting Procedures) Regulations 2015 (the Regulations) a Councillor may move motions or provide motions on notice for Council meetings.

For efficient meeting operation and to assist the Chairperson of the Meeting, Motions should be dealt with taking into account the following principles.

Motions

Where a Councillor intends to move a motion but notice has not been given, the Councillor will provide a written copy of the motion to the Chairperson prior to the motion being considered. An exception is when the motion is deemed to be uncomplicated and has been clearly recorded by the General Manager.

Amendments

Where a Councillor intends to move an amendment to the motion the Councillor will provide a written copy of the amendment prior to the amendment being considered. An exception is when the amendment is deemed to be uncomplicated and has been clearly recorded by the General Manager.

Only a Councillor who did not move or second the motion is able to move a motion to amend.

The seconder of a motion can also second an amendment to that same motion.

Motions on notice

Before submitting a motion on notice a Councillor should consider the following matters:

- Cost and available budget allocation;
- Alignment to Annual Plan and strategic priorities of the Council;
- Resource and staff availability and impact upon workload;
- Alternative methods of progressing the subject matter of the motion; and
- Whether advice from a qualified person is required under Section 65 of the Act.

Council acknowledges that it should not make a decision upon a motion on notice unless it has considered and received advice of a qualified person relevant to the above matters and the subject matter of the motion (section 65 of the Act).

Reasons for decisions

Where a motion is moved in the form of, or substantially the same as, the recommendation provided in the Agenda, the Report is received and noted as the advice providing the basis for the decision.

Where a motion is moved that is contrary to the recommendation and advice provided in the Agenda, the Council must consider the reasons for making a decision in favour of that motion. A Councillor presenting a motion in these circumstances will consider and include any reasons within the motion.

Where it is necessary for the General Manager to record the reasons for a decision (see Regulation 25 re: planning authority decisions), a Councillor who moves a motion contrary to the recommendation must include reasons to support that motion within the motion. The Chairperson will require the Councillor responsible for moving the motion to include the reasons in writing with the motion prior to the motion being considered.

Council meeting schedule

The Council has adopted a monthly meeting schedule with Council meetings generally held on the third Tuesday of each month. The exception is the December meeting which is usually scheduled in the second week of the month to accommodate the Annual General Meeting. The [full schedule](#) is available on Council's website.

Special (unscheduled) meetings can be convened at the request of a majority of Council as per Section 4(6) of the Regulations.

Meeting Procedures

Council meetings are conducted in accordance with the Regulations and will be open to the public. However, a meeting will be closed when considering matters as set out in Regulation 15(9).

Any discussions, decisions, reports, or documents relating to a closed meeting are kept confidential. After considering privacy and confidentiality issues, the Council will consider authorising information from a closed meeting to be released to the public through the Mayor, General Manager or other authorised person.

Councillors remain seated during formal meetings and do not need to stand to speak.

Agendas

Regulation 8 requires the General Manager to provide the Councillors with an agenda, including all relevant reports and attachments, a minimum of four days before an ordinary Council Meeting (Thursday for Sorell) or two days for a Special meeting.

Well-structured agendas lead to efficient and effective Council meeting and, in turn, result in good decision-making.

The agenda contains qualified advice prepared by the General Manager and staff that aims to provide the Council with sufficient and relevant information to make a decision. This advice includes Strategic Plan alignment and budget implications.

Minutes

Regulation 35 requires the circulation of minutes to be made available as soon as practicable.

The minutes of a Council Meeting comprise all items considered at the meeting and include attendance, all motions, their movers, seconders, and the results of the motions.

The minutes are confirmed at the first Council Meeting immediately thereafter and then made available to the public within seven days.

7.2 WORKSHOPS

Council Workshops provide an opportunity for informal discussion between Councillors and the General Manager and staff. These workshops are not decision-making forums and are therefore not governed by the Act nor the Meeting Procedures.

Council Workshops may involve projects or matters that are in the early planning stages and not yet ready to be presented to Council for a formal decision. In these workshops, the input of Councillors, through an open

and free-flowing exchange of ideas, provides direction to the General Manager for the research, planning and development of matters, procedures and policy.

Council Workshops are not open to the public. However, in special circumstances in consultation with the Mayor, consultants or representatives of community organisations or community members may be invited to attend to provide input into a matter being discussed.

Acknowledging the public interest in the activities of the Council, at the next practicable and available ordinary meeting, the Council will summarise the matters discussed at a Workshop.

7.3 ETHICAL BEHAVIOUR

Councillor Interactions with Council Officers

Primarily, the Act establishes that all communication between individual Councillors and the administration of the Council are through the General Manager as the General Manager is the only person directly appointed by Council.

It is the responsibility of the General Manager to engage and manage employees of the Council under the Act. Councillors must not direct or attempt to direct an employee of the Council in relation to the discharge of the employee's duties.

All interactions between Councillors and the General Manager, directors and employees of the Council will be in accordance with guidelines established by the General Manager from time to time.

All interactions between Councillors, the General Manager and employees at Council or Committee meetings or workshops will be in accordance with the Act, Meeting Procedures Regulations, the Code relating to the Conduct of Councillors, and related Committee Terms of Reference.

Councillors may need to liaise directly with an employee in carrying out their duties as a Council representative or a chair of a committee of Council. Such liaison will be in accordance with guidelines as established by the General Manager from time to time.

Conflicts of Interests

Part 5 of the Act requires Councillors to declare conflicts of interests at Council and Committee meetings to ensure transparency, accountability and integrity. Any declaration, whether actual or perceived, will be noted in the minutes of a Council Meeting and affected Councillors will leave the room and refrain from participating in the debate for that item. It is a standard item of every Council and Committee agenda.

Councillors are reminded at every meeting of their obligations to declare any conflicts of interest.

The Council Code of Conduct for Employees requires all Council employees to declare any conflicts of interest. Council also provides mandatory training on the Code of Conduct for employees.

The procurement process requires tender evaluation panel members to also declare that they do not have a conflict of interest.

Councillor Code of Conduct

Section 28E of the Act requires the Council to adopt a code relating to Councillors' conduct, which is to be consistent with the Act, address any prescribed matters, and be reviewed within 12 months of an ordinary election.

The Council has adopted a [Code of Conduct](#) for Councillors in accordance with the Act and includes further guidance on the matter of interests. The Code will be reviewed as required.

Councillors will comply with the Code of Conduct for Councillors as adopted.

Code of Conduct – Employees

The Code of Conduct for Council Employees covers and applies to all workers, including employees, contractors, subcontractors, labour-hire workers, apprentices, trainees, work experience students and volunteers, with guidelines for an acceptable minimum standard of professional conduct and behaviour in carrying out their functions and responsibility.

The Code addresses, in a concise manner, the broader issue of ethical responsibility and encourages greater transparency and accountability in the Council. It promotes a commitment to ethical and professional behaviour and outlines principles based on individual and collective responsibilities.

Social Media Interaction

Sorell Council's social media channels, including Facebook, Instagram and LinkedIn, are intended to keep residents, stakeholders and the public informed of events and activities of Council, and the decisions of the Council that affect our community.

We value the input of our community on these pages through commenting on posts.

These pages are not intended to provide a political forum. Elected Members or intending Council candidates should not use the Council's social media channels for any form of political campaigning or personal promotion. This includes comments that identify the author as an intending candidate, or which are made from or link to an election campaign page or website.

Comments on the Council's social media pages that directly promote or criticise any individual elected

member or intending election candidate also are not permitted and will be deleted.

To ensure the reputation of the Council is protected, Elected Members or intending Council candidates should refrain from criticising operations, Council decisions or Council policy on our social media pages.

To ensure relevant, consistent and timely information to residents, businesses and key stakeholders, Council Officers will moderate or remove any comments deemed to be in breach of these guidelines, or otherwise inappropriate for the Council's social media pages.

7.4 RELATED PARTIES DISCLOSURES

As an extension to managing conflicts of interests, Council has a Related Parties Disclosure Policy to govern relevant transactions, balances, and commitments. The purpose is to maintain transparency in decision making to the wider community.

The Policy aligns with Council's compliance obligations under Australian Accounting Standard AASB 124 Related Party disclosures.

Councillors are obliged to report related party transactions under the Policy. These will be publicly disclosed in Council's Annual Report.

7.5 GIFTS AND BENEFITS

Sorell Councillors, the General Manager, and employees must not seek or accept (either directly or indirectly) any immediate or future gift (including any financial benefit, reward, donation, or hospitality) for themselves, or for any other person or body, as a result of their role with the Council.

However, there may be instances when receiving a gift is unavoidable or when refusal of a gift may be impossible or impractical. These circumstances will depend on the cultural context of the giving of a gift, the nature of the gift (perishable food or beverages or of no monetary value) and the relationship with the person giving the gift. In such a circumstance the gift may be accepted on behalf of the Council but must be disclosed in accordance with Council's Gifts and Benefits Policy.

In line with Section 56A and Section 56B of the Act, the Councillor must notify the General Manager of any gifts and benefits received over \$150. A Gifts and Benefits Register is maintained and is publicly available on Council's website.

7.6 ELECTIONS

It is an established democratic principle that elected bodies should not unnecessarily bind an incoming government during an election period. Council therefore will make every endeavour to ensure that:

- Major policy decisions are not made by Council in the leadup to an election ('caretaker period') that would prove binding for an incoming Council.

- Council resources are not used for the advantage of or to deliberately disadvantage a candidate in a local government general election.
- The requirement to act impartially in relation to all candidates standing for election is clearly understood.

7.7 EXTERNAL AUDIT

Council's financial statements are subject to audit by the Tasmanian Audit Office each year in compliance with Section 64 of the Act and the *Audit Act 2008*.

The Tasmanian Audit Office provides an audit opinion annually on the accuracy and reliability of Council's financial statements. It can also provide Council with commentary on its financial performance, risk, and internal controls as well as the efficiency, effectiveness, and economy of the delivery of Council's services.

7.8 FRAUD AND CORRUPTION

The Council expects all Councillors, committee members, candidates, employees, and contractors of the Council to act in accordance with the applicable Code of Conduct and behave ethically and honestly at all times when performing their functions at Council.

The Council has zero-tolerance for corrupt conduct or fraudulent activities. The Council is committed to preventing, deterring, detecting, and investigating fraudulent and corrupt behaviour in the delivery of Council services. Councillors and the Administration must not engage in practices that may constitute fraud or corruption.

7.9 INFORMATION MANAGEMENT

Councillor Records

All records created, received, or sent by a Councillor acting in their official capacity as a Councillor are part of the Council's records and must be kept in accordance with the requirements of the Act, the *Archives Act 1983*, and the *Right to Information Act 2009*. Any record created, received or sent in an official capacity as a Councillor is a State Record. These may be 'discoverable' in certain circumstances under the Acts listed above.

Examples may include:

- Complaints or requests for assistance from ratepayers and the broader community.
- Speech notes made for an address given at a Council event.
- Declarations concerning a Councillor's pecuniary interests.
- A Councillor's social media pages.
- Email.

This does not apply to the personal business or personal social media accounts of the Councillor.

As required by Council's Records Management Policy (aligned to the *Tasmanian Archive and Heritage Office, Information Management Advice 49 Recordkeeping for Local Government Councillors*), Councillors must create and capture complete and accurate records of any business undertaken in the course of their official duties for Council.

All records must be recorded in the Council's information management system using the procedure in place for Councillor records. All records will be treated with the legal level of confidentiality and privacy.

Each Councillor will be provided with a corporate Sorell Council email address. All correspondence to or from a Councillor in electronic form is to be through this address.

Private email addresses are not to be used by a Councillor acting in an official capacity.

Councillor Requests for Information

Councillors may request the General Manager to provide any information or documents that may be required to perform any of the Councillor's functions, including documents relating to Council and Committee meeting agendas.

A Councillor cannot access all Council information as a right of office or access information on behalf of a third party.

Any Councillor seeking information is to contact the General Manager or otherwise as in accordance with the Councillor Requests [guidelines](#) established by the General Manager from time to time.

In making a request for information, a Councillor should consider:

- Maintaining a relationship of trust between the General Manager and Councillors,
- The purpose and reason for the request and how it fulfils the Councillor's functions,
- Not over-burdening the General Manager with requests,
- Consider formal access to information as a last resort,
- Only request formal access to information in line with sections 28A and 28B of the Act, and
- Only request access to documents relating to a meeting of the Council or a Council Committee in accordance with section 28D of the Act.

The General Manager will provide the information at the earliest opportunity considering employee workloads and current priorities of the Council. Any

delays in providing the information will be advised to the Councillor making the request.

Information provided or made available to one Councillor will generally be made available to all Councillors to ensure the equitable distribution of information between Councillors. In assessing if the circulation of information to all Councillors is not appropriate, the General Manager will consult with the requesting Councillor.

Confidential Information

The General Manager ensures that appropriate procedures are in place to safeguard the confidentiality and security of documents and information provided to Councillors.

If the General Manager considers information or documents confidential, they may require Councillors to undertake to maintain that confidentiality.

If the Councillor refuses, the General Manager may withhold the information or document (Section 28C).

7.10 RISK MANAGEMENT

Council's risk management system is fundamental to achieving strategic and operational objectives and serves as the methodology underpinning its system of governance. All Councillors, the General Manager, Leadership Team, and employees of Council are responsible and accountable for the management of risks and opportunities.

Risks are categorised as either strategic or enterprise in the context of Council operations.

Council has a compliance and risk management framework to guide how to apply consistent and comprehensive risk management and compliance practices across the broad range of Council's operations.

The risk management process is linked to objectives at all levels of Council and takes account of opportunities as well as threats.

Councillor's role in risk management is at the strategic and assurance levels – setting the risk appetite in strategic planning processes and reviewing the way Council operations are applying the risk framework in appropriate ways, considering actual, perceived or potential strategic risks and opportunities.

Council's Audit Panel reviews the framework periodically and provides advice or guidance to Council as needed.

7.11 INSURANCE

Council maintains appropriate insurance policies for its operations including for:

- community liability
- cyber liability
- councillors and officers liability

- motor vehicle
- crime
- personal accident
- corporate travel
- workers compensation
- JMAPP discretionary trust program

Council's policies provide indemnity for claims against both Councillors and employees for loss or damage suffered when performing their Councillor and employee responsibilities, respectively.

Councillors should be aware that cover under Council's liability insurance for Councillors and Officers relies on the individual Councillor acting with due care and diligence, in good faith in the best interests of Council and without influence of other interests.

Council's Administration manages all of Council's insurance and workers compensation coverage and claims.

8. PRINCIPLE 3: PARTICIPATORY, EQUITABLE, INCLUSIVE & CONSENSUS ORIENTATED

8.1 STRATEGIC FRAMEWORK

Council's Strategic Planning Framework comprises a suite of interlinked strategies and documents (Figure 4). Each document is informed by the others but has a specific focus. This ensures that at every level of planning, Council is working towards achieving the community's long-term vision for Sorell as set out in the Council's Strategic Plan.

The Act regulates the activities of all Councils and how they plan and subsequently report on their activities. The Act requires Councils to plan for, develop and manage municipal areas in the best interests of their communities.

8.2 THE STRATEGIC PLAN

Section 66 of the Act requires the Council to prepare a 10-year Strategic Plan for the municipality which needs to be reviewed at least every 4 years.

The Strategic Plan drives the Council's planning, budgeting, resource allocation and service delivery over the next decade, to focus efforts and align activities with the community's vision.

The Sorell Council Strategic Plan 2019 to 2029 was developed after community consultation and endorsed in 2019. A review was undertaken in 2023. The next review will be undertaken no later than 2027.

The Sorell Council Strategic Plan 2019–2029 is built upon the following four strategic objectives:

1. To facilitate regional growth
2. Responsible stewardship and a sustainable organisation
3. To ensure a liveable and inclusive community
4. Increased community confidence in Council

The Councillors' role, collectively, is to monitor overall alignment of Council operations and decision making with the Strategic Plan, assisted by oversight from the Audit Panel and by the community at each AGM.

8.3 FINANCIAL MANAGEMENT STRATEGY AND LONG TERM FINANCIAL PLAN

Sections 70 and 70A under the Act require Council to produce a long-term financial management strategy and plan for the municipality.

Council adopted its Financial Management Strategy 2022-2032 in June 2022 and Long Term Financial Plan 2023-2033 in June 2024. The strategy and plan outline how Sorell Council intends to govern the financial aspects of its strategy and operations. It is a series of financial models, strategies and performance indicators within which sound financial decisions will be made.

The strategy and plan aim to achieve financial sustainability in the medium to long term whilst achieving Council's strategic outcomes and meeting community expectations.

8.4 ASSET MANAGEMENT STRATEGY AND PLANS

To ensure the long-term financial sustainability of Council, it is essential to balance the community's expectations for services with its ability to pay for the infrastructure assets used to provide those services. Maintaining service levels for infrastructure requires appropriate investment over the whole of the asset life cycle.

To assist in achieving this balance, Council has developed and maintains asset management governance, skills, processes, systems, and data that aim to provide the level of service the community need at present and into the future, in the most cost-effective and fit for purpose manner.

8.5 COMMUNICATION AND ENGAGEMENT STRATEGY

Engagement is an important dimension that informs and enhances Council's decision-making process.

Section 20(2) of the Act provides that the Council, in performing its roles and functions, is to consult, involve and be accountable to the community.

Community engagement provides the opportunity for Council to make well-informed, acceptable, and sustainable decisions, supporting the final decision-making power of the Council.

Council recognises that community engagement is a two-way interactive process that provides opportunities for the Council and community to clarify information, raise issues and discuss ideas and options.

The Council has adopted a Communication and Engagement Strategy to ensure community voice and priority is captured appropriately to inform the decision-making process.

8.6 CUSTOMER SERVICE CHARTER

Section 339F of the Act requires a Council to adopt a Customer Service Charter. The Act specifies the principles relating to service provided by the Council and a procedure for dealing with complaints about the performance of Council's functions.

The Customer Service Charter is a policy document of Council and provides guidance for its interaction with its community, customers, and stakeholders. It also provides the community with details of how to engage with Council on Council-wide services, the target timeline for resolution and process for making a complaint.

Council is committed to delivering quality customer service and communicating effectively with our community. Despite our best efforts, people may not be happy with an administrative action of Council and may make an administrative action complaint.

Council views complaints about the service provisions of Council as feedback from the community and endeavours to respond to all complaints in a fair, efficient and transparent manner and use them to improve our services, systems, procedures, and policies.

8.7 TASMANIAN PLANNING SCHEME - SORELL

Council is established as a Planning Authority under the *Land Use Planning and Approvals Act 1993* (LUPAA).

Under LUPAA, Council is required to prepare and implement a Planning Scheme for its municipal area and assess proposed use and development in accordance with the Planning Scheme.

A Planning Scheme is a key strategic document for the Council. It aims to ensure use and development of land in the municipal area has regard to the Council's Strategic Plan. It also assists to further the objectives of the resource management system, consistently apply State policies, and make provisions relating to the use, development, protection, or conservation of any land in the area.

Council currently administers the Tasmanian Planning Scheme – Sorell.

Council is bound by LUPAA. LUPAA provides the requirements for statutory consultation for varying types of applications which must be followed.

8.8 ADVOCACY & MEDIA

Advocacy

The Council has a role advocating on behalf of community to other levels of government, statutory authorities and other agencies. In a highly-competitive funding environment, disciplined advocacy around key projects and programs is required.

This is a key function of the Mayor and General Manager and is linked to the Strategic Plan, Annual Plan and associated advocacy document. The latter is reviewed on an as needs basis by the General Manager with Councillors.

Media

The Mayor, Deputy Mayor and Councillors play an important role in representing the organization and community. Councillors who are approached by the media for comment should refer the enquiry to the Manager Community Relations as soon as possible. This will ensure Councillors are provided with the right information and represent Council's endorsed position accurately.

The Mayor is the spokesperson for Council as outlined in the Act and will comment on all matters with this function deferring to the Deputy Mayor when unavailable.

A Councillor acting as an authorized spokesperson as delegated by the Mayor has a responsibility to represent the Council position. If that Councillor wishes to express a personal view prior to a formal position being endorsed by Council, that Councillor is obliged to declare publicly that the opinion or view is their own.

Attendance at Events

The Mayor and Councillors are invited to attend and/or speak at events and are to acknowledge other Councillors by surname in introductions and discussion at Council meetings, at other official and public events or noted in the Mayor's monthly report to Council.

There are occasions where the Mayor is invited to events where it is appropriate that only the Mayor as the principal representative of the Council attend the event.

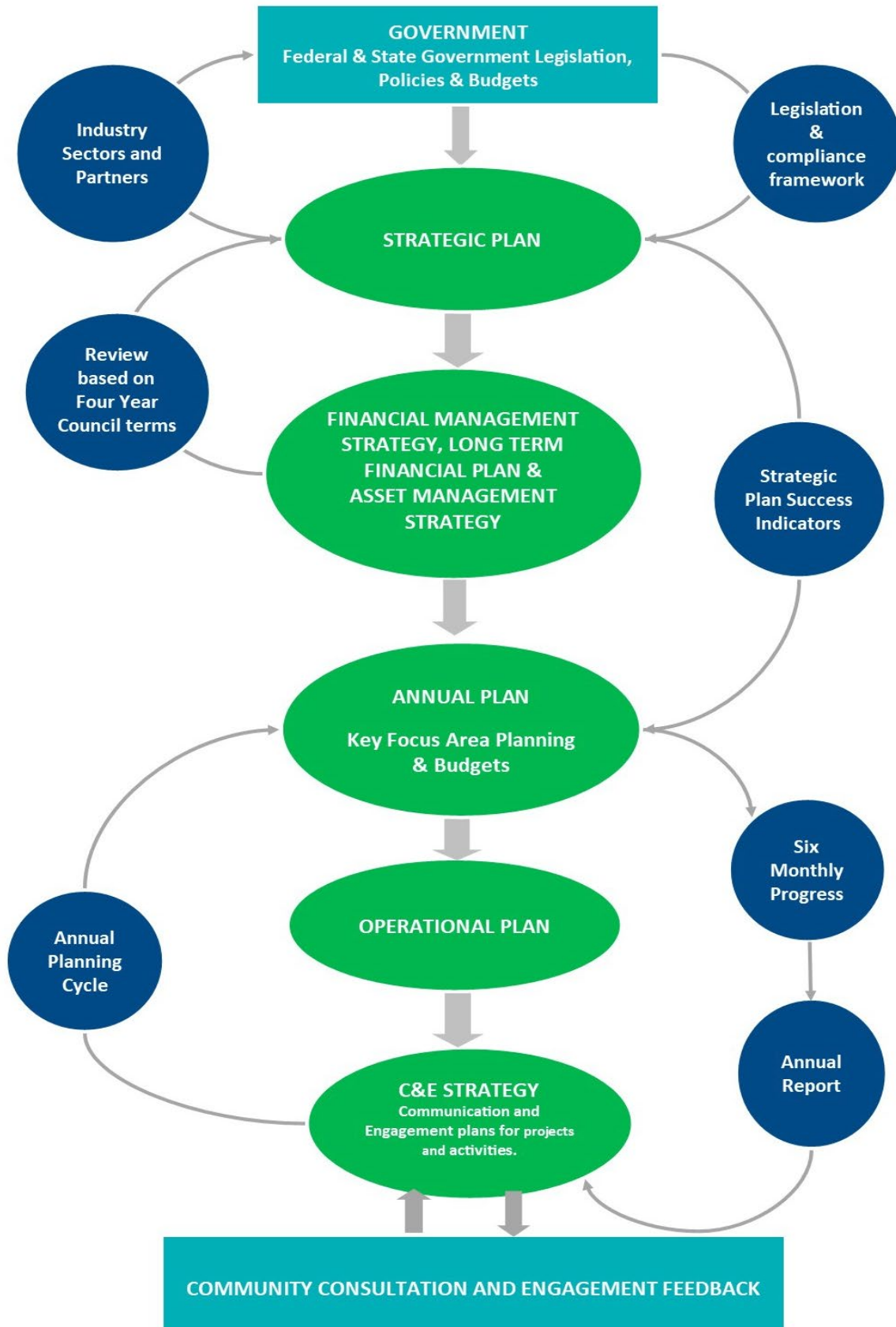
On the occasions where the Mayor is unable to accept the invitation, the Deputy Mayor will substitute for the Mayor in the first instance.

Where the Deputy Mayor or Councillor accepts an invitation to represent the Mayor, they have made a commitment to represent the organisation and act in the capacity of the Mayor accordingly.

8.9 OTHER STRATEGIES

Council has adopted a range of other strategies and plans that can be located under the Council: Council Publications tab on the Sorell Council website www.sorell.tas.gov.au/council/council-publications/

Figure 4: Strategic Framework



9 PRINCIPLE 4: RESPONSIVE, EFFECTIVE & EFFICIENT

9.1 POLICIES & PROCEDURES

The need for policies may arise from the requirements of legislation, through Council initiatives or in order to provide guidance to decision-making, operation and delegation of operational matters of Council.

Importantly, a policy cannot override the provisions of legislation, nor predetermine an outcome when Council is required to make a decision based upon specific details, such as an approval of a development application as a planning authority.

In general, a policy or procedure should:

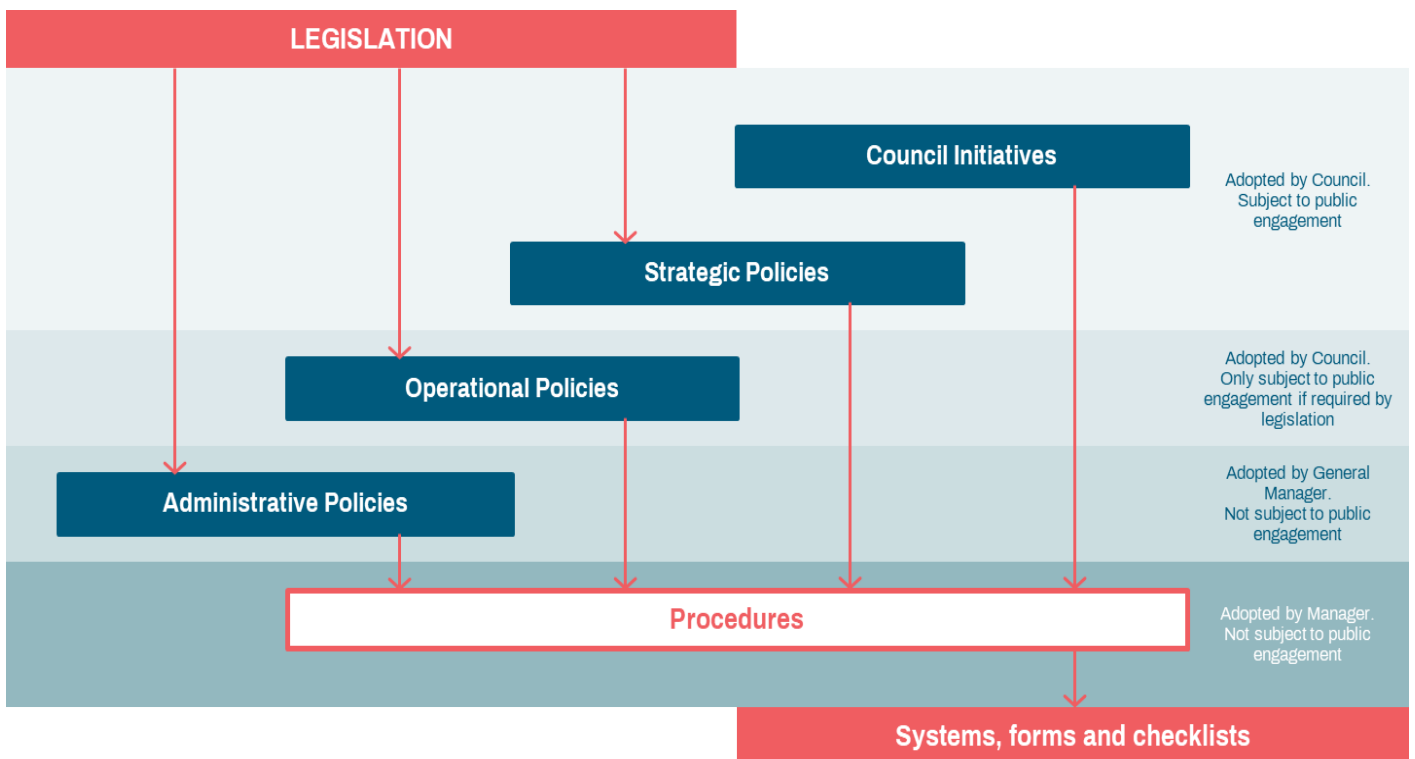
- Be confined to a single subject area and clear as to its intended purpose and usage.
- Not simply replicate existing legislative responsibilities.
- Be written in plain English, be unambiguous and use terminology that relates to underlying legislation.
- Be presented in a standard format and with Council branding.
- Be compatible with existing legislation and other policies.

Sorell Council recognises that some policies should be subject to public engagement and values input from the community. On the other hand, some functional or administrative policies, or procedures to implement policies, which are necessary for the functioning of Council, do not warrant public comment. Figure 5 sets out these distinctions in a policy administration framework.

Policies and procedures will be prepared through the functional Workgroups to be considered by Council or the General Manager, as appropriate.

The General Manager, and Workgroup Manager, are responsible for ensuring that the policy or procedure is implemented, and that appropriate and timely reviews take place.

Figure 5: Policy administration framework



9.2 DELEGATIONS & APPOINTED ROLES

As identified previously, Council is prescribed a variety of functions and powers from the Act and other associated legislation. While these functions and powers are vested in Council, it is neither practical nor efficient for the Council as a whole to act as decision-maker in respect of all functions and powers.

Therefore, provision is made in the Act and other legislation for the Council to delegate various functions and powers to the General Manager, Committees, or specified Officers (when acting as a planning authority). In turn, the General Manager may delegate certain powers and functions to specified roles within Council.

In addition, the General Manager is required to appoint specific employees or persons to an authorised role under several pieces of legislation, to which specific functions or powers are also associated.

Therefore, the use and operation of delegations and appointed roles is a legitimate part of Council's decision-making approach.

When possible, delegations are made in the context of Council policy, or qualifications, that guide decision-making. The rationale behind delegated authority is focused on:

- Improving responsiveness to customer needs and customer service,
- Streamlining the administrative activities of Council,
- Improving the efficiency and productivity of Council,
- Ensuring legislative compliance,
- Allowing Council at a Council meeting to more fully concentrate specifically on policy and strategic matters while minimising the need to attend to operational and administrative matters.

A register of these delegations is required to be maintained. To maintain currency, delegations are reviewed regularly, or in response to any changes to legislation that the Council is responsible for administering.

9.3 ANNUAL PLAN AND BUDGET

The Council's Annual Plan and Budget must be adopted by Council each year and, under Section 71 of the Act, must:

- be consistent with the strategic plan,
- set out how Council will meet the goals and objectives of the strategic plan,
- estimate the Budget for the coming financial year, and
- identify the major strategies for Council's public health goals and objectives.

The Budget outlines:

- operating expenditure: the money required to operate and maintain works and services, such as wages, maintenance, and consumables; and
- capital expenditure: the money required to renew, replace, upgrade or construct new assets such as roads, buildings, stormwater, land improvements, plant and equipment.

9.4 ANNUAL REPORT

In accordance with Section 72 of the Act, Council prepares an Annual Report each financial year. The Annual Report is the Council's key reporting document. It summarises the Council's activities throughout each year, and outlines progress made towards strategic objectives set out in the Council's guiding strategic documents.

The Annual Report provides information about the Council's financial activities, income, and expenditure. It also contains content prescribed under various legislation, regulations, standards and codes.

The Council's Annual Financial Statements are audited by the Tasmanian Audit Office and are to be considered by the Audit Panel before being submitted to Council for adoption.

The Annual Report is presented to Council's Annual General Meeting and is accessible to the community via Council's website.

9.5 GENERAL MANAGER'S PERFORMANCE

Sections 27 and 28 of the Act require Council to review the performance of the General Manager at least once each year.

Conducting this review is an important function because the General Manager is the Council's only direct employee. It is through this review process that Council can also review the performance of the organisation.

9.6 COUNCILLOR'S PROFESSIONAL DEVELOPMENT

An annual budget provision is made for Councillor LGAT professional development and conference / event attendance and which are to be requested through the 'Councillor Requests' and distributed equitably.

The DPAC [website](#) contains a range of professional development and councillor resources including the local government learning and development framework that is considered mandatory.

Figure 6: Corporate Calendar

 Corporate Calendar - 2024		
JANUARY	FEBRUARY	MARCH
<p>1st New Year's Day PH 26th Australia Day PH Fire Abatement Inspections Conducted</p>	<p>13th Regatta Day PH Hard Waste Collection MYBR Budgets and LTFF to be adopted by Council Update Capital Works Schedule on website Update LTFF on website Update OP Budget on website (if applicable) Service Providers Meeting as required</p>	<p>1st Dogs on Beaches Restrictions Finishes 5th Council Workshop 6th Leadership Team Meeting 8th Fourth Rate Instalment Due 11th 8 Hour Day PH 15th Sorell Times Deadline 12th Council Agenda Items Due 14th Payment Run 19th Council Meeting 19th Senior Advisory Group Meeting 19th Departmental PNL Variance Reports Due 28th Project Data due for processing of 3rd Quarter capitalisation 28th Payment Run 29th Good Friday PH Budget Preparation & meetings with cost centre Managers Operational Plan Review Fire Abatement Invoices Issued</p>
APRIL	MAY	JUNE
<p>1st Water Quality Testing Finishes 1st Easter Monday PH 2nd Easter Tuesday PH 3rd Leadership Team Meeting 4th Payment Run 9th Council Workshop 11th Payment Run 16th Council Agenda Items Due 15th Sorell Times Deadline 23rd Council Meeting 24th Payment Run 25th ANZAC Day PH National Youth Week Budget Preparation + Financial Management Strategy Fees and Charges Schedule Preparation WLF Interim Audit Visit Annual Plan Review & Preparation & Strategic Plan Review</p>	<p>2nd Payment Run 7th Council Workshop – Budget, Rates & Annual Plan 8th Leadership Team Meeting 9th Payment Run 14th Council Agenda Items Due 15th Sorell Times Deadline 21st Council Meeting 23rd Payment Run Dog Registration Notices Distributed Annual Plan Preparation Budget Preparation & Workshop Review of Risk Register by SMT Hard Waste Collection Fees & Charges Schedule Adopted by Council Volunteer Recognition Event Financial Management Strategy Final Draft Service Providers Meeting as required</p>	<p>4th Council Workshop 5th Leadership Team Meeting 6th Payment Run 11th Council Agenda Items Due 12th King's Birthday PH 15th Sorell Times Deadline 18th Departmental PNL Variance Reports Due 18th Council Meeting 20th Payment Run 28th Project Data due for processing of 4th quarter capitalisation 27th Audit Panel meeting 27th Payment Run (EOFY) Food Registrations Notices Distributed Public Health Act Registration Notices Distributed Annual Plan, Budget, Financial Management Strategy & LTFF Adopted by Council Rates Policy & Resolution Adopted by Council Depot Stocktake</p>
JULY	AUGUST	SEPTEMBER
<p>2nd Council Workshop 3rd Leadership Team Meeting 4th Payment Run 11th Council Agenda Items Due 15th Sorell Times Deadline 16th Senior Advisory Group Meeting 16th Council Meeting 18th Payment Run 31st Dog Registrations Due Operational Plan finalised and rolled out through Annual Performance Reviews Review & Update New Resident Kit & Brochure Review & Update all Forms on Website Caravan Licensing Inspections Rates Notices Distributed Community News Newsletter Distributed</p>	<p>1st Payment Run 6th Council Workshop 7th Payment Run 13th Council Agenda Items Due 14th First Rates Instalment Due 14th Statutory Accounts due to TAO 15th Sorell Times Deadline 15th Payment Run 20th Council Meeting 29th Payment Run 27th Audit Panel meeting Annual Performance Reviews completed Hard Waste Collection TAO EOFY Audit Visit commences Service Providers Meeting as required</p>	<p>3rd Council Workshop 5th Payment Run 10th Council Agenda Items Due 11th Rates Pay in Full Due Date 12th Payment Run 17th Departmental PNL Variance Reports Due 15th Sorell Times Deadline 17th Senior Advisory Group Meeting 17th Council Meeting 27th Project Data due for processing of 1st quarter capitalisation 25th TAO Final Audit Completed & TAO Independent Auditors Report Signed 26th Payment Run Annual Report Preparations Consolidated Data Collection Phase 1 to KPMG - (Date yet TBC)</p>
OCTOBER	NOVEMBER	DECEMBER
<p>1st Council Workshop 3rd Payment Run 8th Council Agenda Items Due 10th Payment Run 14th – 20th Seniors Week 15th Sorell Times Deadline 15th Council Meeting 16th Second Rates Instalment Due 23rd Payment Run 24th Show Day PH Seniors Week Event (Date yet TBC) Annual Report Preparations</p>	<p>5th Audit Panel Meeting 5th Council Workshop 7th Payment Run 12th Council Agenda Items due 15th Annual Report due 15th Sorell Times Deadline 19th Council Meeting 19th Departmental PNL Variance Reports Due & Mid-Year Budget Review Commences 21st Payment Run Sorell Regional Art Exhibition opening (Date yet TBC) School Bursaries Fire Abatements Inspections Waste Management Calendars Updated Fire Abatement Awareness Letters Issued Hard Waste Collection Service Providers Meeting as required</p>	<p>1st Dogs on Beaches Restrictions Starts 1st Water Quality Testing Starts 3rd Council Workshop 3rd Council Agenda Items due 5th Payment Run 10th Council AGM and Ordinary Meeting 14th Payment Run 14th Project Data due for processing of 2nd quarter capitalisation 15th Sorell Times Deadline 19th Senior Advisory Group Meeting 19th Payment Run 23rd Payment Run (Christmas) 25th Christmas Day PH 26th Boxing Day PH Fire Abatements Inspections Conducted Community News Newsletter Distributed Waste Management Calendars Distributed Mid-Year Budget Review Preparation Consolidated Data Collection Phase 2 to KPMG (Date yet TBC) Operational Plan Review</p>
REGULAR & ONGOING		
<p>Internal Meetings</p> <ul style="list-style-type: none"> DAGS (Development Assessment Group) Meetings (Weekly) WHS (as per WHS Committee) Consultative Committee (Quarterly) OSR Group (Quarterly) 	<p>Other Meetings</p> <ul style="list-style-type: none"> Sorell Planning Authority Meetings (Tuesdays as required) Staff Update sessions with GM (as required) 	<p>Notes</p>

REFERENCES

DPAC Local Governance Division - Good Governance Guide

City of Hobart Governance Framework

Derwent Valley Council Governance Framework

Huon Valley Council Governance Framework

Noosa Council Governance Framework

Clarence City Council Workshop Guidelines

Kingborough Council Councillor Workshop Policy

Brighton Council Operational Guidelines for Councillor and Council Staff Interaction